CITY OF COSTA MESA

REGULAR CITY COUNCIL AND HOUSING AUTHORITY*

Agenda - Final Amended

Tuesday, July 15, 2025 **6:00 PM** **City Council Chambers**
77 Fair Drive

***Note: All agency memberships are reflected in the title "Council Member"**
4:00 P.M. Closed Session

Closed Session has been amended and New Business Item No. 2 has been removed from the agenda.

The City Council meetings are presented in a hybrid format, both in-person at City Hall and as a courtesy virtually via Zoom Webinar. If the Zoom feature is having technical difficulties or experiencing any other critical issues, and unless required by the Brown Act, the meeting will continue in person.

TRANSLATION SERVICES AVAILABLE / SERVICIOS DE TRADUCCIÓN DISPONIBLE
Please contact the City Clerk at (714) 754-5225 to request language interpreting services for City meetings. Notification at least 48 hours prior to the meeting will enable the City to make arrangements.

Favor de comunicarse con la Secretaria Municipal al (714) 754-5225 para solicitar servicios de interpretación de idioma para las juntas de la Ciudad. Se pide notificación por lo mínimo 48 horas de anticipación, esto permite que la Ciudad haga los arreglos necesarios.

Members of the public can view the City Council meetings live on COSTA MESA TV (SPECTRUM CHANNEL 3 AND AT&T U-VERSE CHANNEL 99) or http://costamesa.granicus.com/player/camera/2?publish_id=10&redirect=true and online at youtube.com/costamesatv.

Closed Captioning is available via the Zoom option in English and Spanish.

As a courtesy, the public may participate via the Zoom option.

Zoom Webinar: (For both 4:00 p.m. and 6:00 p.m. meetings)
Please click the link below to join the webinar:
https://us06web.zoom.us/j/89982812676?pwd=oX6BGzSScr92QUVyg1m0SN8HSTnoqj.1
Or sign into Zoom.com and “Join a Meeting”
Enter Webinar ID: 899 8281 2676/ Password: 772583
• If Zoom is not already installed on your computer, click “Download & Run Zoom” on the launch page and press “Run” when prompted by your browser. If Zoom has previously been installed on your computer, please allow a few moments for the application to launch automatically.
• Select “Join Audio via Computer.”
• The virtual conference room will open. If you receive a message reading, “Please wait for the host to start this meeting,” simply remain in the room until the meeting begins.
• During the Public Comment Period, use the “raise hand” feature located in the participants’ window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

Participate via telephone: (For both 4:00 p.m. and 6:00 p.m. meetings)
Call: 1 669 900 6833 Enter Webinar ID: 899 8281 2676/ Password: 772583
During the Public Comment Period, press *9 to add yourself to the queue and wait for city staff to announce your name/phone number and press *6 to unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

Note, if you have installed a zoom update, please restart your computer before participating in the meeting.

Additionally, members of the public who wish to make a written comment on a specific agenda item, may submit a written comment via email to the City Clerk at cityclerk@costamesaca.gov.

Any written communications, photos, or other materials for copying and distribution to the City Council that are 10 pages or less, can be e-mailed to cityclerk@costamesaca.gov, submitted to the City Clerk’s Office on a flash drive, or mailed to the City Clerk’s Office. Kindly submit materials to the City Clerk AS EARLY AS POSSIBLE, BUT NO LATER THAN 12:00 p.m. on the day of the meeting.

Comments received by 12:00 p.m. on the day of the meeting will be provided to the City Council, made available to the public, and will be part of the meeting record.

Please know that it is important for the City to allow public participation at this meeting. If you are unable to participate in the meeting via the processes set forth above, please contact the City Clerk at (714) 754-5225 or cityclerk@costamesaca.gov and staff will attempt to accommodate you. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website.

Note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information. All pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. This includes items submitted for the overhead screen during the meeting. Items submitted for the overhead screen should be 1 page and provided to the City Clerk prior to the start of the meeting. No links to YouTube videos or other streaming services will be accepted, a direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats, .mp4, .mov or .wmv. Only one file may be included per speaker for public comments, for both videos and pictures. Please e-mail to the City Clerk at cityclerk@costamesaca.gov NO LATER THAN 12:00 Noon on the date of the meeting. If you do not receive confirmation from the city prior to the meeting, please call the City Clerks office at 714-754-5225.

Note regarding agenda-related documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5): Any related documents provided to a majority of the City Council after distribution of the City Council Agenda Packets will be made available for public inspection. Such documents will be posted on the city's website and will be available at the City Clerk's office, 77 Fair Drive, Costa Mesa, CA 92626.

All cell phones and other electronic devices are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.

Free Wi-Fi is available in the Council Chambers during the meetings. The network username available is: CM_Council. The password is: cmcouncil1953.

As a LEED Gold Certified City, Costa Mesa is fully committed to environmental sustainability. A minimum number of hard copies of the agenda will be available in the Council Chambers. For your convenience, a binder of the entire agenda packet will be at the table in the foyer of the Council Chambers for viewing. Agendas and reports can be viewed on the City website at https://costamesa.legistar.com/Calendar.aspx. Las agendas y los informes se pueden ver en español en el sitio web de la Ciudad en https://www.costamesaca.gov/trending/current-agendas/spanish-city-council-agendas.

In compliance with the Americans with Disabilities Act, Assistive Listening headphones are available and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II].

En conformidad con la Ley de Estadounidenses con Discapacidades (ADA), aparatos de asistencia están disponibles y podrán ser prestados notificando a la Secretaria Municipal. Si necesita asistencia especial para participar en esta junta, comuníquese con la oficina de la Secretaria Municipal al (714) 754-5225. Se pide dar notificación a la Ciudad por lo mínimo 48 horas de anticipación para garantizar accesibilidad razonable a la junta. [28 CFR 35.102.35.104 ADA Title II].

CLOSED SESSION - 4:00 P.M.

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given a total of three minutes to speak on all items on the Closed Session agenda.

CLOSED SESSION ITEMS:

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
   Pursuant to California Government Code Section 54956.9 (d)(1)
   Name of Case: Jeanie O'Keefe v. City of Costa Mesa
   Orange County Superior Court Case No. 30-2024-01443154-CU-PO-CJC

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
   Pursuant to California Government Code Section 54956.9 (d)(1)
   Name of Case: City of Costa Mesa v. D'Alessio; 1963 Wallace Ave.
   Orange County Superior Court Case No. 30 2020 01133479

3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
   Pursuant to California Government Code Section 54956.9 (d)(1)
   Name of Case: City of Costa Mesa; People of State of Cal. v. D'Alessio Investments LLC, et al.
   440 Fair Dr. and 1779 Newport Blvd.
   Orange County Superior Court Case No. 30-2020-01170520

4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
   Pursuant to California Government Code Section 54956.9 (d)(1)
   Name of Case: D'Alessio Investments LLC v. City of Costa Mesa
   Orange County Superior Court Case No. 30-2020-01132646

5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
   Pursuant to California Government Code Section 54956.9 (d)(1)
   Name of Case: D'Alessio v. City of Costa Mesa, et al.,
   United States District Court, Central District of CA, Case No. 8:25-cv-00679-DOC-DFM

6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
   Pursuant to California Government Code Section 54956.9 (d)(1)
   Name of Case: Farrell Harrison v. City of Costa Mesa, et al.,
   Orange County Superior Court Case No. 30-2025-01495293-CU-WM-CJC

7. PUBLIC EMPLOYEE APPOINTMENT
Pursuant to California Government Code Section 54957(b)(1)
Title: City Manager

REGULAR MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY

JULY 15, 2025 – 6:00 P.M.

JOHN STEPHENS
Mayor

MANUEL CHAVEZ
Mayor Pro Tem - District 4

ANDREA MARR
Council Member - District 3

ARLIS REYNOLDS
Council Member - District 5

LOREN GAMEROS
Council Member - District 2

JEFF PETTIS
Council Member - District 6

MIKE BULEY
Council Member - District 1

KIMBERLY HALL BARLOW
City Attorney

CECILIA GALLARDO-DALY
Interim City Manager

CALL TO ORDER

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

MOMENT OF SOLEMN EXPRESSION

[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. The City Council disclaims any intent to endorse or sponsor the views of any speaker.]

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. Recognition of Orange County Model Engineers' 40th Anniversary

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA
Comments on Presentations and Consent Calendar items may also be heard at this time. Comments are limited to 3 minutes, or as otherwise directed.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS
Each council member is limited to 3 minutes. Additional comments will be heard at the end of the meeting.

1. Council Member Marr
2. Council Member Reynolds
3. Council Member Pettis
4. Council Member Buley
5. Council Member Gameros
6. Mayor Pro Tem Chavez
7. Mayor Stephens

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the City Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion.

1. **PROCEDURAL WAIVER: WAIVE THE FULL READING OF ALL ORDINANCES AND RESOLUTIONS** **25-369**

RECOMMENDATION:

City Council and Housing Authority approve the reading by title only and waive further reading of Ordinances and Resolutions.

2. **READING FOLDER** **25-370**

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk and authorize staff to reject any and all Claims: Theodore Luna, Jezzee Stewart.

3. ADOPTION OF WARRANT RESOLUTION **25-355**

RECOMMENDATION:

City Council approve Warrant Resolution No. 2737.

Attachments: 1. Summary Check Registration 6-12-2025
2. Summary Check Registration 6-18-2025

4. MINUTES **25-372**

RECOMMENDATION:

City Council approve the minutes of the regular meetings of June 3, 2025 and June 17, 2025.

Attachments: 1. 06-03-2025 Draft Minutes
2. 06-17-2025 Draft Minutes

5. AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR STORMWATER AND WATER QUALITY ADMINISTRATION SUPPORT **25-365**

RECOMMENDATION:

Staff recommends the City Council:

1. Award a Professional Services Agreement (PSA) to WSP USA, Inc., 3560 Hyland Avenue, Suite 100, Costa Mesa, California for three (3) years with two (2) one-year renewal periods in an amount not to exceed $164,800 annually, for professional services to provide stormwater and water quality administration support for compliance with the National Pollutant Discharge Elimination System (NPDES) and Municipal Separate Storm Sewer System (MS4) Permit Program.

2. Authorize the Interim City Manager and the City Clerk to execute the PSA and any future amendments to the agreement.

Attachments: 1. Proposed PSA with WSP

6. FINAL MAP FOR TRACT NO. 19244 LOCATED AT 1711-1719 POMONA AVENUE, COSTA MESA, CALIFORNIA **25-366**

RECOMMENDATION:

Staff recommends the City Council approve the Final Map for Tract No. 19244 and authorize signing of the Map by the City Engineer and the City Clerk.

Attachments: 1. Tract Map
2. Planning Commission Approval Letter

7. **TRAFFIC MANAGEMENT SERVICES AGREEMENTS WITH THE 32ND DISTRICT AGRICULTURAL ASSOCIATION** **25-367**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the 2025 agreement between the City and the 32nd District Agricultural Association for traffic management services for the Orange County Fair.
2. Approve the 2025 agreement between the City and the 32nd District Agricultural Association for traffic management services for all designated year-round events at the Orange County Fair and Event Center ("OCFEC").
3. Authorize the City Manager, or their designee, to execute the agreements.
4. Authorize the City Manager, or their designee, to execute any amendments to the agreements, including but not limited to, amendments increasing the maximum compensation to be paid to the City.

Attachments: 1. 2025 City of Costa Mesa Fair Time
2. 2025 City of Costa Mesa Year Round

8. **RESOLUTION FOR IMPLEMENTATION OF SAFETY IMPROVEMENTS ALONG NEWPORT BOULEVARD (SR-55) SAFETY IMPROVEMENTS IN THE CITY OF COSTA MESA** **25-375**

RECOMMENDATION:

Staff recommends the City Council approve Resolution (2025-xx) requesting the State of California Department of Transportation (Caltrans) to implement safety improvements along Newport Boulevard (State Route (SR) -55) in the City of Costa Mesa.

Attachments: 1. Draft Resolution - SR-55 (Newport Boulevard)

AT THIS TIME COUNCIL WILL ADDRESS ANY ITEMS PULLED FROM THE CONSENT CALENDAR

----------END OF CONSENT CALENDAR----------

PUBLIC HEARINGS:

(Pursuant to Resolution No. 05-55, Public Hearings begin at 7:00 p.m.)

1. **FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2024060115), GENERAL PLAN AMENDMENT, REZONE, SPECIFIC PLAN AMENDMENT, MASTER PLAN, VESTING TENTATIVE PARCEL MAP, DENSITY BONUS, AND DEVELOPMENT AGREEMENT FOR HIVE LIVE, A THREE-PHASED, 1,050-UNIT, RESIDENTIAL DEVELOPMENT WITH 3,692-SQUARE-FOOT RETAIL COMPONENT AT 3333 SUSAN STREET** **25-381**

RECOMMENDATION:

Staff recommends the City Council open and conduct a public hearing, and continue the project to the August 5, 2025 City Council meeting.

Attachments: 1. Continuation Request

2. **MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT (PGPA-24-0001), REZONE, MASTER PLAN (PMAP-24-0002), AND TENTATIVE TRACT MAP NO. 19351 FOR THE DEVELOPMENT OF 40 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 220, 222, 234, AND 236 VICTORIA STREET ("VICTORIA PLACE")** **25-359**

RECOMMENDATION:

The Planning Commission recommends the City Council deny the General Plan Amendment (PGPA-24-0001), Rezone, Master Plan (PMAP-24-0002), and Tentative Tract Map No. 19351.

Attachments: Agenda Report
1. Draft Resolution (GPA, Master Plan, and Tentative Tract Map) - Denial
2. Applicant Letter
3. Vicinity Map
4. Zoning Map
5. Land Use Map
6. Public Comments - Draft ISMND dated April 2025
7. Plans
8. Trip Generation Memo
9. Planning Commission Agenda Report
10. Planning Commission Public Comments
11. Planning Commission Resolution (GPA, Master Plan, and Tentative Tract Map)
12. Alternative Decision Documents

OLD BUSINESS: NONE.

NEW BUSINESS:

1. **RESIDENTIAL PERMIT PARKING PROGRAM - CABRILLO STREET BETWEEN ORANGE AVENUE AND SANTA ANA AVENUE** **25-364**

RECOMMENDATION:

Staff recommends the City Council adopt the proposed Resolution No. 2025-xx, approving the implementation of a Residential Permit Parking (RPP) only restriction on Cabrillo Street between Orange Avenue and Santa Ana Avenue, and authorizing the Transportation Services Manager to extend the restriction within a 1,000-foot radius as needed, based on a qualifying petition from affected residents and Council-adopted guidelines.

Attachments: 1. Proposed Resolution No. 2025-xx
2. Revised RPP Guidelines and Policies
3. Cabrillo Map

2.

~~PROFESSIONAL SERVICES AGREEMENT WITH ENDEMIC ENVIRONMENTAL SERVICES INC. FOR THE FAIRVIEW PARK MESA RESTORATION PROJECT AND ADDENDUM TO THE 1997 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR FAIRVIEW PARK~~

3. **RANDALL PRESERVE DISCUSSION** **25-376**

RECOMMENDATION:

Per the request of Council Member Reynolds, receive input from the City Council and public on the Randall Preserve Draft Plans.

ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

ADJOURNMENT

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-369 **Meeting Date:** 7/15/2025

TITLE:

PROCEDURAL WAIVER: WAIVE THE FULL READING OF ALL ORDINANCES AND RESOLUTIONS

RECOMMENDATION:

City Council and Housing Authority approve the reading by title only and waive further reading of Ordinances and Resolutions.

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-370 **Meeting Date:** 7/15/2025

TITLE:

READING FOLDER

DEPARTMENT: City Manager's Office/City Clerk's Division

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk and authorize staff to reject any and all Claims: Theodore Luna, Jezzee Stewart.

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-355 **Meeting Date:** 7/15/2025

TITLE:

ADOPTION OF WARRANT RESOLUTION

DEPARTMENT: **FINANCE DEPARTMENT**

PRESENTED BY: **CAROL MOLINA, FINANCE DIRECTOR**

CONTACT INFORMATION: **CAROL MOLINA, FINANCE DIRECTOR AT (714) 754-5243**

RECOMMENDATION:

City Council approve Warrant Resolution No. 2737.

BACKGROUND:

In accordance with Section 37202 of the California Government Code, the Director of Finance or their designated representative hereby certify to the accuracy of the following demands and to the availability of funds for payment thereof.

FISCAL REVIEW:

Funding Payroll Register No. 25-12 “A” Off Cycle for $5,437.75 and 25-13 On Cycle for $3,876,567.59, and City operating expenses for $2,919,075.57.

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0253979	06/13/25	O	Southern California Edison Company *Line Description:* Overflow	0000004088	0.00
0254026	06/13/25	O	Galls LLC *Line Description:* Overflow	0000002297	0.00
				TOTAL	**0.00**

295,260.99
1,951,835.24
0.00

$ 2,247,096.23

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0253960	06/13/25	P	AFR Engine	0000031282	19,200.00
		Line Description:	3yrs Software Sbscrptn 2025-28		
0253961	06/13/25	P	All City Management Services Inc	0000009480	36,623.63
		Line Description:	Schl Crsng Guard 5/11-5/24/25 Schl Crsng Guard 5/11-5/24/25 Schl Crsng Guard 4/27-5/10/25		
0253962	06/13/25	P	American Construction Company, LLC	0000031176	76,596.08
		Line Description:	Retention Proj #24-11/#200080 IT Office/TrngRm #24-11/200080		
0253963	06/13/25	P	Atkinson Andelson Loya Ruud & Romo	0000027289	45,463.56
		Line Description:	Legal Svc-Mar 2025 Legal Svc-Apr 2025		
0253964	06/13/25	P	Bracken's Kitchen Inc	0000029468	38,628.94
		Line Description:	Shelter Food Svc 5/19-6/1/25 Shelter Food Svc 5/5-5/18/25		
0253965	06/13/25	P	Charter Communications	0000011202	22,658.53
		Line Description:	244133301-BCC Internet Svs 237940001-CH Hub Network Svs 237926201-City Hall Video Svs 237926701-City Hall Video Svs 237927001-Fire Sta #6 Network 237927101-Parks Admin Network 237930101-City Hall Video Svs 240159901-DRC Internet Svs 237940101-NHCC Public WiFi 237938801-NHCC Network Svs 237939201-DRC Network Svs 237927601-BCC Network Svs		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	237925901-PD Public WiFi 237929301-PD Video Svs 237926501-PD Video Svs 237940001-Credit Internet Svs3175 Airway Unit A 237939101-Fire Sta #1 Network 243645501-Code Enforcement Int 237940401-Fire Sta #4 Internet 237939901-Code Enforcement Net 237939801-City Hall Network Sv 237939301-Fire Sta #2 Network 237939401-Fire Sta #3 Network 237940301-Library Public WiFi 237940501-Fire Sta #4 Network 237926401-City Hall Public WiF 237926601-Senior Center Intern 237926801-City Hall Network/Vi 237927201-Senior Center Networ 237927301-West Side Substation 237927401-Corp Yard Network Sv 237927801-City Hall Internet S 237938601-CH Basement Internet 237938701-Bridge Shelter Publi 237938901-Bridge Shelter Video 237939001-Parks @ Corp Yard Pu 237939501-SCP Substation Netwo 237939601-Bridge Shelter Netwo 237939701-PD Warehouse Network			
0253966	06/13/25	P	Costa Mesa Chamber of Commerce	0000004963		25,000.00
		Line Description:	2025 Membership			
0253967	06/13/25	P	Dell Computer Corp	0000001962		24,305.54
		Line Description:	ENVIRONMENTAL FEE MOBILE PRECISION WORKSTATION SALES TAX (7.75%) COMPUTER EQUIPMENT			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0253968	06/13/25	P	Executive Facilities Services Inc	0000029510	61,585.70
		Line Description:	Janitorial Services - Corp Yar Janitorial Services - PD Commu Janitorial Services - Police S Janitorial Services - Senior C Janitorial Services - All Othe Janitorial Services - Fairview Janitorial Services - All Othe Janitorial Services - Fairview Janitorial Services - PD Janitorial Services - BCC Janitorial Services - DRC Janitorial Services - NHCC Janitorial Services - FS1-6 Janitorial Services - Bridge S Janitorial Services - City Hal		
0253969	06/13/25	P	FALCK MOBILE HEALTH CORP.	0000019807	196,621.08
		Line Description:	Ambulance Svc 5/1-5/15/25 Ambulance Svc 5/16-5/31/25		
0253970	06/13/25	P	Florinda Martinez	0000031298	33,298.00
		Line Description:	Final Payment-Florinda Martine Moving Expense-Martinez		
0253971	06/13/25	P	Gensler	0000031100	26,525.00
		Line Description:	Facilities Master Plan 4/26/25		
0253972	06/13/25	P	Liebert Cassidy Whitmore	0000002960	23,639.70
		Line Description:	LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - HR		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - HR			
0253973	06/13/25	P	OakWest Services Inc	0000029497		36,288.78
		Line Description:	BRIDGE REPAIR WALL REPAIR Retention #25-08/#350031			
0253974	06/13/25	P	Orange County Treasurer Tax Collector	0000003489		21,177.50
		Line Description:	Parking Citation April 2025			
0253975	06/13/25	P	Pivot Solutions LLC	0000030415		26,792.61
		Line Description:	011-Paint and Body Repair 749 Paint and Body Repair 714 Paint and Body Repair			
0253976	06/13/25	P	Precision Concrete Cutting	0000003108		40,260.00
		Line Description:	Sidewalk Assessment			
0253977	06/13/25	P	Priceless Pet Rescue	0000026000		40,000.00
		Line Description:	Animal Shelter Srvs June 2025			
0253978	06/13/25	P	Southern California Edison Company	0000004088		183,152.56
		Line Description:	567 W 18th 5/5-6/3/25			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Joann St Bike Trail May 25 SD Fwy On/Off May 25 Npt/Baker May 25 19th/NPT May 25 Baker/Royal Palm May 25 LoanID8690 St Lights May 25 St Lights May 25 Fac & Equip May 25 Volcom Sk8 Prk 5/2-6/2/25 980 Arlington 5/2-6/2/25 2750 Fairview 5/2-6/2/25 970 Arlington 5/2-6/2/25 1895 Irvine 5/1-6/1/25 Tennis Ctr 5/2-6/2/25 LoanID8670 Sunflower/Plaza May Sunflower/Plaza May 25 885 Junipero 5/2-6/2/25 Parks Maint May 25 3129 Harbor 5/1-6/1/25 1990 Placentia 5/6-6/4/25 745 W 19th 5/5-6/3/25 Signals 4/7-5/31/25 1035 Park Crest 5/2-6/2/25 1624 Gisler 5/1-6/1/25 3460 Smalley 5/1-6/1/25			
0253980	06/13/25	P	StandUp for Kids, Inc.	0000030323		21,692.48
		Line Description:	Home ARPA Funds			
0253981	06/13/25	P	WHP Trainingtowers	0000030251		532,440.75
		Line Description:	Pre-Fabricated Training Towers Retention Payable Proj #25-472			
0253982	06/13/25	P	Z&K Consultants, Inc	0000029416		108,851.95
		Line Description:	On-Call PW/Engineering Staff S On-Call PW/Engineering Staff S			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	On-Call PW/Engineering Staff S On-Call PW/Engineering Staff S On-Call PW/Engineering Staff S On-Call PW/Engineering Staff S			
0253983	06/13/25	P	4Leaf Inc	0000029711		628.72
		Line Description:	Fire Plan Reivew-Apr 2025 Plan Review-Apr 2025			
0253984	06/13/25	P	ABC Bus, Inc	0000030250		2,762.91
		Line Description:	DUI Trailer Light Installation			
0253985	06/13/25	P	ARC	0000022726		2,180.43
		Line Description:	2025 Bin Scanning 2025 Bin Scanning			
0253986	06/13/25	P	AT & T	0000001107		962.18
		Line Description:	NHCC Fire Alarm Red Phone Fire Sta#6 Red Phone Fire Sta#4 Red Phone Fire Sta#1 Red Phone Fire Sta#2 Red Phone Fire Sta#3 Red Phone Fire Sta#5 PRI Circuit Inbound Trunk Fire Emergency Line Jack Hamett Sports Complex DRC Fire Alarm WSS Alarm Lions Park Baseball Field			
0253987	06/13/25	P	AT & T Mobility	0000001107		93.30
		Line Description:	Dsptch Cell Phone 4/12-5/11/25			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0253988	06/13/25	P	Air Exchange Inc	0000024177	614.75
		Line Description:	Playmovent Repair		
0253989	06/13/25	P	Alans Lawnmower & Garden Center Inc	0000019220	748.21
		Line Description:	Power Tool & Accessories		
0253990	06/13/25	P	Alba Maria Torres	0000031339	300.00
		Line Description:	Utility Box Art-Trnsfmtnl Bloo		
0253991	06/13/25	P	All Security Enforcement Training	0000030343	3,506.25
		Line Description:	Adult Corrections Officer Trng		
0253992	06/13/25	P	BCS Consultants	0000029856	511.00
		Line Description:	Alarm Panel IT Server Rm-Treas		
0253993	06/13/25	P	BSI EHS Services & Solutions	0000024535	700.00
		Line Description:	Safety Comm Support		
0253994	06/13/25	P	Beau Hossler	0000029714	140.00
		Line Description:	Basketball Referee 6/9/25		
0253995	06/13/25	P	Big Al's Motors Sales & Services	0000029329	1,007.57
		Line Description:	Motor		
0253996	06/13/25	P	Bob Baker Marionette Theater	0000030407	710.00
		Line Description:	LEAP Prog Entertainment		

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0253997	06/13/25	P	Bob Barker Company Inc	0000021223	373.70
		Line Description:	Capture Shiedl for Animal Svc		
0253998	06/13/25	P	Bud Herrera	0000031341	300.00
		Line Description:	Utility Box Art-CM Splash		
0253999	06/13/25	P	Bureau Veritas North America Inc	0000016616	202.50
		Line Description:	Bldg Safety		
0254000	06/13/25	P	CALED	0000029224	1,260.44
		Line Description:	City Membership Mbrshp-C Tai		
0254001	06/13/25	P	CSUF Extension & International Programs	0000018564	5,250.00
		Line Description:	Leadership Development Program		
0254002	06/13/25	P	California Forensic Phlebotomy Inc	0000001500	2,852.00
		Line Description:	blood Draws Svc-May 2025		
0254003	06/13/25	P	Carl Warren & Company	0000001578	3,994.09
		Line Description:	Wkrs Comp Admin Fee-Mar 25		
0254004	06/13/25	P	Chandler Asset Management	0000022081	4,803.60
		Line Description:	Investment Mgnt-May 2025		
0254005	06/13/25	P	Christine Hanna	0000031328	43.50
		Line Description:	Refund Citation CM010031967		
0254006	06/13/25	P	Cintas Corporation #640	0000023262	326.16

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
		Line Description:	Kitchen Cleaning Supply-May 25		
0254007	06/13/25	P	Citygate Associates	0000012070	7,253.56
		Line Description:	Conduct Standards of Coverage		
0254008	06/13/25	P	Continental Interpreting Services Inc	0000024355	2,900.00
		Line Description:	Inerpreting Fee 6/3/25 Interpreting Fee-6/3/25 City Council Mtng Interpretatn Council Mtng Interpreting Council Study Interpretation Council Study Interpretation		
0254009	06/13/25	P	CoreLogic Information Solutions Inc	0000004774	7.63
		Line Description:	Property Related Data & Report		
0254010	06/13/25	P	Costa Mesa Auto Glass	0000010001	802.33
		Line Description:	Windshield Repaie-#722 Window Tint-#725		
0254011	06/13/25	P	County of Orange	0000003486	4,454.32
		Line Description:	Teletype Srvs May 2025 AFIS Fees May 2025		
0254012	06/13/25	P	Cynthia Patron	0000031330	50.50
		Line Description:	Refund Citation #K170954		
0254013	06/13/25	P	DCS Testing & Equipment Inc	0000017872	10,855.50
		Line Description:	Fire Hose Testing Ground Ladder Testing		

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254014	06/13/25	P	Data Ticket Inc	0000010929	6,585.47
		Line Description:	Prkng Citation Prcssng-Apr 25		
0254015	06/13/25	P	Digital Magic Signs	0000012837	484.43
		Line Description:	Vehicle Graphics-Unit #719		
0254016	06/13/25	P	Dooley Enterprises Inc	0000002026	6,502.71
		Line Description:	Ammunition for SWAT Training/U		
0254017	06/13/25	P	Ellen Sandler	0000028065	13,000.00
		Line Description:	Injuries Stlmnt-7/24/23		
0254018	06/13/25	P	Enrique Martinezzafra	0000031332	20.50
		Line Description:	Refund Citation CM030016713		
0254019	06/13/25	P	Entenmann Rovin Company	0000002130	340.72
		Line Description:	Name Bars Retirement Badge		
0254020	06/13/25	P	Everett Dorey LLP	0000026882	5,593.00
		Line Description:	Legal Svc-Apr 2025		
0254021	06/13/25	P	Federal Technology Solutions Inc	0000024174	1,513.59
		Line Description:	Demo & Reloc IT Gears		
0254022	06/13/25	P	Ferguson Enterprises Inc #1350	0000007785	103.02
		Line Description:	Plumbing Supplies		
0254023	06/13/25	P	First Choice Service	0000023961	834.68

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Coffee & Water Supplies-May 25 Coffee & Water Supplies-May 25 Coffee & Water Supplies-May 25 Coffee & Water Supplies-May 25			
0254024	06/13/25	P	Gallagher Benefit Services, Inc	0000030677		1,750.00
		Line Description:	Classification Study			
0254025	06/13/25	P	Galls LLC	0000002297		6,986.52
		Line Description:	Uniform-Antonio Uniform-Anderson Uniform-Anderson Uniform-Johnson Uniform-Johnson Uniform-Anderson Uniform-Castillo Uniform-Medina Uniform-Voorhis Uniform-Castillo Uniform-Westman Uniform-Deak Uniform-Stewart Uniform-Bruno Uniform-Altomonte Uniform-Jones Uniform-Frankle Uniform-Stewart Uniform-Senadeera Uniform-Greenley Uniform-Ceballos Uniform-Wilson			
0254027	06/13/25	P	Glenn Lukos & Associates Inc	0000011626		10,656.50
		Line Description:	Vernal Pools Restoration			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254028	06/13/25	P	Goodnight Surf City LLC	0000031343	300.00
		Line Description:	Utility Box Art-Pacific Sunset		
0254029	06/13/25	P	Grainger	0000002393	5,558.73
		Line Description:	Service Jack-#529 Hardware		
0254030	06/13/25	P	Harbor Pointe Air Conditioning & Control	0000030908	9,428.95
		Line Description:	Install New Heater @ DRC		
0254031	06/13/25	P	Hirsch Pipe & Supply Company Inc	0000026475	17.05
		Line Description:	Plumbing Supplies		
0254032	06/13/25	P	Interwest Consulting Group Inc	0000021505	12,938.20
		Line Description:	Professional Services Agreemen Bicycle Fac-Apr 2025 Adam/Pinecreek Proj-Apr 25		
0254033	06/13/25	P	Irv Seaver Motorcycles	0000010272	811.27
		Line Description:	Shop Supply		
0254034	06/13/25	P	Irvine Ranch Water District	0000005112	1,749.83
		Line Description:	106 Del Mar 5/6-6/5/25 220 23rd 5/6-6/6/25 170 Del Mar 5/7-6/5/25 2603 Elden 5/6-6/5/25 308 University 5/6-6/6/25 258 Brentwood 5/6-6/6/25 261 Monte Vista 5/6-6/6/25		
0254035	06/13/25	P	JFK Transportation Co., Inc.	0000030141	1,251.50

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
		Line Description:	Bus Transp-Urban Air Adv Pk Bus Trnsptn-Tanaka Farm		
0254036	06/13/25	P	James Omalley	0000031329	136.50
		Line Description:	Refund Citation CM020024251		
0254037	06/13/25	P	James Swartz	0000031338	300.00
		Line Description:	Utility Box Art-S East West		
0254038	06/13/25	P	Joanna Dao	0000031333	20.00
		Line Description:	Refund Citation CM050032268		
0254039	06/13/25	P	Jorge De La Torre	0000031326	111.50
		Line Description:	Refund Citation CM030016923		
0254040	06/13/25	P	Jose Ornelas	0000031335	3,500.00
		Line Description:	Refund Permit EENC-25-0190		
0254041	06/13/25	P	Kate Snow Cunningham	0000031342	300.00
		Line Description:	Utility Box Art-We Love CM		
0254042	06/13/25	P	Katelyn Walsh	0000026399	53.00
		Line Description:	Refund Citation CM020026000		
0254043	06/13/25	P	LN Curtis & Sons	0000002983	1,225.83
		Line Description:	SHIPPING POCKET GUIDE SALES TAX (7.75%)		

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254044	06/13/25	P	Landscape Structures Inc	0000024524	5,425.44
		Line Description:	Playground Equipment & Parts Playground Equipment & Parts		
0254045	06/13/25	P	Langlois Fancy Frozen Foods	0000030651	479.90
		Line Description:	Jail Food Srvs May 2025 Jail Food Services May 2025		
0254046	06/13/25	P	Lisa Korrine Kelsen	0000031340	300.00
		Line Description:	Utility Box Art-Crowned w/ Glo		
0254047	06/13/25	P	Loomis	0000019082	389.94
		Line Description:	ARMORED CAR SERVICES May 25		
0254048	06/13/25	P	Lorena Tuinenburg	0000031344	300.00
		Line Description:	Utility Box Art-Ocean's Ballet		
0254049	06/13/25	P	Los Angeles Times	0000003000	3,283.78
		Line Description:	Legal Publications		
0254050	06/13/25	P	Lyons Security Service Inc	0000027168	5,025.00
		Line Description:	Security Srvs SC May 2025		
0254051	06/13/25	P	Marcus Asmar	0000031325	20.00
		Line Description:	Refund Citation CM030016308		
0254052	06/13/25	P	Motoport USA	0000029467	937.16
		Line Description:	Uniform for Sgt. Wilson		

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254053	06/13/25	P	Napa Auto & Truck Parts	0000012968	6,008.47
		Line Description:	Parts-May Parts- May		
0254054	06/13/25	P	National Safety Compliance Inc	0000020714	520.95
		Line Description:	Controlled Substances & Alcoho		
0254055	06/13/25	P	O Neil Storage	0000018395	275.26
		Line Description:	Offsite Records Storage Offsite Records Storage		
0254056	06/13/25	P	OC Audio Visual Solutions	0000023391	5,210.00
		Line Description:	Audio & Visual Services for Em		
0254057	06/13/25	P	Office Depot	0000003394	8,119.89
		Line Description:	Office Supplies-Transportation Office Supplies Fire Office Supplies-Council Office Supplies-Finance Office Supplies-Building Office Supplies-City Clerk Office Supplies-Recreation Office Supplies-Telecom Ops Office Supplies-Telecom/Ops Office Supplies-City Manager Office Supplies-Police Admin Office Supplies-Police Animal Office Supplies-Senior Center Office Supplies-CEO Comms Mark Office Supplies-Police Investi Office Supplies-Police Records Office Supplies-Police Trainin		

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254058	06/13/25	P	Omari Smith	0000029906	105.00
		Line Description:	Basketball Referee-6/4/25		
0254059	06/13/25	P	Oracle America Inc	0000003419	2,910.34
		Line Description:	MICROFOCUS VISUAL COBOL		
0254060	06/13/25	P	Oshianna Garcia	0000031345	300.00
		Line Description:	Utility Box Art Honey Havoc		
0254061	06/13/25	P	Pacific Advanced Civil Engineering Inc	0000014386	2,400.00
		Line Description:	Consulting Srvs CIP Prep		
0254062	06/13/25	P	Pacific Plumbing of Southern California	0000030657	9,705.00
		Line Description:	Repair waterline due to demo o Citywide Plumbing Services		
0254063	06/13/25	P	Planning Directors Association of OC	0000003646	175.00
		Line Description:	Membership Dues		
0254064	06/13/25	P	Priority Landscape Services LLC	0000026592	8,928.00
		Line Description:	Fairview Park Landscape May25 Citywide Young Tree Care Plnt		
0254065	06/13/25	P	Red Diamond Roofing	0000031346	909.72
		Line Description:	Refund Permit BIRF-25-0032 Refund Permit BIRF-25-0033		
0254066	06/13/25	P	Resource Building Materials	0000024350	558.45
		Line Description:	Sand for Sand Blasting Scoop Recycled Base		

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254067	06/13/25	P	Robert M Hogue	0000030121	300.00
		Line Description:	Utility Box Art-Linked In		
0254068	06/13/25	P	Safa Mamozai	0000031327	264.50
		Line Description:	Refund Citation K169473		
0254069	06/13/25	P	Shaw HR Consulting Inc	0000021706	5,930.00
		Line Description:	Reasonable Accomodation Reasonable Accomodation Reasonable Accomodation Reasonable Accomodation Reasonable Accomodation Reasonable Accomodations Reasonable Accomodation Reasonable Accomodation		
0254070	06/13/25	P	Sigler Wholesale Distributors	0000027089	11,196.92
		Line Description:	HVAC 19 Units & Equipment		
0254071	06/13/25	P	Smith Manufacturing Co Inc	0000004048	487.88
		Line Description:	Hex Drive Shaft Kit		
0254072	06/13/25	P	South Coast Air Quality Mgmt District	0000003939	334.94
		Line Description:	FS 4 Hot Spot Fee FS 1 Hot Spots Fee		
0254073	06/13/25	P	South Coast Lighting & Design Inc	0000019512	1,843.60
		Line Description:	Solar Lighting Equipment @ CM		
0254074	06/13/25	P	Southern California Shredding Inc	0000025605	205.00

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	On-Site Shredding Services On-Site Shredding Services Fin			
0254075	06/13/25	P	Staples Advantage	0000024532		2,052.38
		Line Description:	Office Supplies Finance Office Supplies Building Safet Office Supplies PD Office Supplies IT Office Supplies HR Office Supplies Dev Srvs Office Supplies-PS Admin Office Supplies Community Imor Office Supplies Finance			
0254076	06/13/25	P	State of California Dept of Justice	0000001534		539.00
		Line Description:	Livescan/Fingerprinting Servic Livescan/Fingerprinting Servic			
0254077	06/13/25	P	Sticks and Stones Arms	0000031140		5,694.59
		Line Description:	Administration & ISB staff alt			
0254078	06/13/25	P	Stradling Yocca Carlson & Rauth	0000004168		696.00
		Line Description:	Palmblade Litigation-Apr 25			
0254079	06/13/25	P	Terrell Thorogood	0000030424		245.00
		Line Description:	Basketball Referee-6/9/25 Basketball Referee-6/4/25			
0254080	06/13/25	P	The Intersect Group, LLC	0000030170		1,650.00
		Line Description:	Temp Dustin Week End 3/21			
0254081	06/13/25	P	Thomas J Broxtermann PhD	0000031054		450.00

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Prisoner Transporation Trng			
0254082	06/13/25	P	Time Warner Cable	0000011202		106.24
		Line Description:	Internet Svs-Lions Park Cafe			
0254083	06/13/25	P	Top Team Photography	0000029932		1,000.00
		Line Description:	2025 Service Award Photograph			
0254084	06/13/25	P	Tot Lot Pros Inc	0000004265		6,750.00
		Line Description:	Playground Equipment Installat			
0254085	06/13/25	P	Townsend Public Affairs Inc	0000021510		6,825.00
		Line Description:	Grant Writng Legislative Jun25			
0254086	06/13/25	P	Trenton Gaither	0000031331		43.50
		Line Description:	Refund Citation CM060030015			
0254087	06/13/25	P	Uline	0000010970		10,018.29
		Line Description:	Property Supplies Equipment for Property Grid Bike Rack for Property			
0254088	06/13/25	P	UniFirst Holdings Inc	0000030616		71.40
		Line Description:	CLEANING SERVICE			
0254089	06/13/25	P	United Industries	0000010867		1,952.43
		Line Description:	Safety Items @ Warehouse Safety Items @ Warehouse			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254090	06/13/25	P	Verified First LLC	0000027240	20.00
		Line Description:	Pre-Employment Credit Checks		
0254091	06/13/25	P	Verizon Wireless	0000008717	7,518.50
		Line Description:	WIRELESS PHONE 4/18-5/17/25 PD Cell Phones 4/16-5/15/25 WIRELESS PHONE 4/18-5/17		
0254092	06/13/25	P	Vulcan Materials Company	0000007403	829.00
		Line Description:	Asphalt Pothole Sidewalk Ramps Asphalt Potholes Sidwalk Ramps Asphalt Potholes Sidewalk Ramp		
0254093	06/13/25	P	Ware Disposal Inc	0000000255	7,882.33
		Line Description:	June 2025		
0254094	06/13/25	P	West Coast Fence Co	0000021495	1,889.00
		Line Description:	Fence Repairs City Property Fence at Senior Center		
0254095	06/13/25	P	Williams Data Management	0000018803	537.71
		Line Description:	DATA STORAGE May 2025		
0254096	06/13/25	P	Woodruff Spradlin & Smart	0000004577	4,225.00
		Line Description:	WORKPLACE INVESTIGATIONS		
0254097	06/13/25	P	Yunex LLC	0000029573	10,832.00
		Line Description:	Traffic Signal Maint June 25		
0254098	06/13/25	P	Zoll Medical Corporation	0000021290	3,686.69

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
			Line Description: AUTOPULSE AND DEFIBRILLATORS			
			AUTOPULSE AND DEFIBRILLATORS			
					TOTAL	**$1,951,835.24**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
020062	06/13/25	P	Carrie Tai	0000031276		356.63
		Line Description:	CA State Busniess Mtng Exp			
020063	06/13/25	P	Dixon Resources Unlimited	0000027441		172.50
		Line Description:	On-Call Support Mar-May 2025			
020064	06/13/25	P	Eduardo Reyes	0000031334		20.00
		Line Description:	Bus License Inspection Prkng			
020065	06/13/25	P	Enterprise Rent A Car	0000002131		3,904.46
		Line Description:	Undercover Car Rental Undercover Car Rental			
020066	06/13/25	P	Jay Barkman	0000031321		124.67
		Line Description:	DGS Mtng Exp Reimb			
020067	06/13/25	P	Jose Soto	0000029602		1,250.00
		Line Description:	Criminal Law			
020068	06/13/25	P	Leesa Lazaro	0000031336		72.72
		Line Description:	Report Writing			
020069	06/13/25	P	SHI International Corp	0000016007		3,479.44
		Line Description:	ELECTRONIC EQUIPMENT Dell Pro Thunderbold 4 Smart D			
020070	06/13/25	P	Shaveen Senadeera	0000031337		100.20
		Line Description:	PC 832 Laws of Arrest			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
020071	06/13/25	P	Taylor Scavo	0000029682		4,680.45
		Line Description:	Oklahoma Smoke Diver Prog Exp			
020072	06/13/25	P	Travel Costa Mesa	0000024750		281,099.92
		Line Description:	BIA May 2025			
					TOTAL	**$295,260.99**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254102	06/20/25	O	Galls LLC *Line Description:* Overflow	0000002297	0.00
0254103	06/20/25	O	Galls LLC *Line Description:* Overflow	0000002297	0.00
0254149	06/20/25	O	Southern California Edison Company *Line Description:* Overflow	0000004088	0.00
				TOTAL	**0.00**

169,798.88
0.00
501,430.46
750.00
0.00
0.00

$ 671,979.34

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
020098	06/20/25	O	US Bank *Line Description:* Overflow	0000002228	0.00
020099	06/20/25	O	US Bank *Line Description:* Overflow	0000002228	0.00
020100	06/20/25	O	US Bank *Line Description:* Overflow	0000002228	0.00
020101	06/20/25	O	US Bank *Line Description:* Overflow	0000002228	0.00
				TOTAL	**0.00**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
020073	06/20/25	P	Aaron Davis	0000020908	250.00
		Line Description:	Paramedic License Renewal		
020074	06/20/25	P	CDW Government Inc	0000005402	8,489.42
		Line Description:	HPE NIMBLE		
020075	06/20/25	P	Candyce McMorris	0000026552	16.00
		Line Description:	Power & Control K9		
020076	06/20/25	P	Costa Mesa Employees Association	0000006284	4,680.71
		Line Description:	Payroll Deduction 25-13		
020077	06/20/25	P	Costa Mesa Executive Club	0000006286	340.00
		Line Description:	Payroll Deduction 25-13		
020078	06/20/25	P	Costa Mesa Firefighters Association	0000001812	9,521.00
		Line Description:	Payroll Deduction 25-13		
020079	06/20/25	P	Costa Mesa Police Association	0000001819	6,840.00
		Line Description:	Payroll Deduction 25-13		
020080	06/20/25	P	Costa Mesa Police Management Assn	0000005082	315.00
		Line Description:	Payroll Deduction 25-13		
020081	06/20/25	P	Daniel Inloes	0000023442	261.00
		Line Description:	ICSC Conf Exp		
020082	06/20/25	P	Eloisa Peralta	0000026154	24.00
		Line Description:	Domestic Violence CA Summit		

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
020083	06/20/25	P	Emanuel Sanchez Haro	0000030370	24.00
		Line Description:	Drug Alcohol Recognition		
020084	06/20/25	P	Guyon Foxwell	0000029370	24.00
		Line Description:	Domestic Violence CA Summit		
020085	06/20/25	P	Jacob Banks	0000030484	80.00
		Line Description:	Special Weapons & Tactics		
020086	06/20/25	P	Jesse Chartier	0000023836	16.00
		Line Description:	K9 Power & Control		
020087	06/20/25	P	Kevin Humphreys	0000026928	250.00
		Line Description:	Paramedic License Renewal		
020088	06/20/25	P	Kyle Brosamer	0000026927	250.00
		Line Description:	Paramedic License Renewal		
020089	06/20/25	P	Luke Mauser	0000031212	90.44
		Line Description:	CA Sex & Arson Registry Intro		
020090	06/20/25	P	Mark Working	0000030369	16.00
		Line Description:	Domestic Violence/ Sexual Assl		
020091	06/20/25	P	Max Wirtzer	0000030523	40.00
		Line Description:	Drug Alcohol Recognition Domestic Violence/Sexual Asslt		

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
020092	06/20/25	P	Monte Peters	0000022201	299.56
		Line Description:	Sherman Block SLI #5		
020093	06/20/25	P	Nicole Hendrick	0000030037	28.14
		Line Description:	Emotional Intelligence in 911		
020094	06/20/25	P	Olivia Rogers	0000025187	104.16
		Line Description:	Central Square Conf		
020095	06/20/25	P	Patricia Valdenor	0000030614	24.00
		Line Description:	Drug Alcohol Recognition		
020096	06/20/25	P	Shaun Munoz	0000030814	24.00
		Line Description:	Drug Alcohol Recognition		
020097	06/20/25	P	US Bank	0000002228	137,791.45
		Line Description:	Credits USB Chargers Air Purifiers and Filters Monthly CEAOC Luncheon/Meeting FS #4 EV Charger FS #4- EV Charger Dust Collector Attachment PD-Fire Alarm Speaker/Strobes Signature Stamps Business Meetings CEAOC Registrations Office Equipment Transport CNG Fuel Unit 342 CEAOC May Meeting Luncheon Organics Recycling Trash Bins PAPA Membership 2025 Phone Case and Screen Protecto		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt

Line Description: Phone Case for Maintenance Sta
ShopTools
Stock-Pump
100-Radio Kit
Stock-Battery
Credit for Return
Shop Supply-Tools
Office Supply-Phone Charger
Shop Supply Pressure Washer Ho
Stock-Belt Drive Idler Tension
Weld Shop Welding Helmet Filte
Unknown Charge-Claim for Fraud
Stock-Water Tank
Payment System Fe
Stock-Air Brake Hose
Stock-Fire Water Hose
Computer Screen Filter
522- 2 Spicer U Joints and Str
Stock Valves and Fire Water Ho
Warehouse Automotive Stock Sal
Excursion Fees-Day Camp
Excursion Deposit-Day Camp
Participant Clothing-Day Camp
Participant Clothing-Yth Sport
Traffic-DUI Trailer Cover
Animal Control Office Supplies
Animal Srvs Uniforms
USB-C Cables for Drone Operati
Dog Food
Ice-NHCC
Rec Equip-Teens
Office Supp-NHCC
Office Equip-NHCC
Office Equip-Teens
Coffee Svc Supp-NHCC
Food-Teens Excursion
Color Rush Decor Supp
Food-Teen Spring Camp
Endoscope Needed for Vehicle I

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt

Line Description:
International Assoc for ID Req
Magnetic Pickup Took Needed fo
Art Crawl
Parking Fee-SCC
Flight-Conference
Laundry Chemicals for Jail
Forms for Jail/In-Custody Rele
iCloud Monthly Payment
Monthly Adobe Suite Subs
Placks for the Employee Lunch
Books-LEAP
Tools-LEAP
Rec Equip-LEAP
Office Supp-LEAP
Promo Items-LEAP
Health Items-LEAP
Art/Craft Supp-LEAP
OC Tri-County Police Chiefs Co
Employee Recognition Telcomm W
Training and Testing Supplies
Screen Print-Yth Sports
Staff Shirts-Springfest 25
Excursions Deposit-Day Camp
Team-Building Leadership Resou
Mistaken Charge Credit
USB Sockets
USB Adapters
Fake Owl Decoy
Radio Microphone Holders
Side Strep Running Boards
Rec Equip-ROCKS
Office Supp-ROCKS
Arts/Crafts Supp-ROCKS
Materials-Springfest Event
Food-Springfest Event Staff
Refund-Unsent Rec Equip-ROCKS
Lodging/EVOC - 4
200 Plastic ID Card Sleeves
40-iPhone Cases for New Dep iP

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Nylon Loops for Body Cameras o			
			Tuition/Women Leaders Symposiu			
			SD Card-Camera			
			Supp-CM Fire Mtg			
			Adhesive-Envelopes			
			Games-Special Event			
			Supp-Coffee Station			
			Veterans Group-Museum Outing			
			Supp-Birdhouse Painting Class			
			Refreshment/Supp-Volunteer Lun			
			Tuition/SoCal Gang Conf-4			
			Lodging/Central Square Rogers			
			Tuition/Report Writing/Lazaro			
			Lodging/Narcotics Invest Brown			
			Lodging/Narcotics Investigatio			
			Supp/Staff Food-Springfest 25			
			Snacks-Teen Center			
			Rec Equip-Color Rush Event			
			Credit-Rec Equip-Color Rush Ev			
			Excursions-Summer/Spring Camps			
			Water for Meetings			
			Employee Rec Coffee			
			Employee Rec Snacks			
			Employee Recog Shadow Box			
			Employee Rec Supplies/Tray			
			Employee Recofnition Snacks			
			Certificate Paper for Employe			
			Employee Rec Water and Snacks			
			Employee Recognition End of Pr			
			Coffee Supplies			
			Arts/Crafts Supplies			
			Workstation Furniture			
			Supplies-Recreation Class			
			Monthly Fees-Spotify/Cricut			
			Refreshments-Volunteer Lunch			
			Veterans Group-Museum Outing			
			Food-Veterans Social Group Mtg			
			Office Supplies			
			Credit-Office Supplies			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Springfest 25 Supplies			
			Public Mtg Refreshments-FV Com			
			Nursery Pots			
			Audible-Pro Dev Book			
			Public Mtg-Snacks/Food			
			Office Supplies			
			SurveyMonkey Subscription			
			Supplies/Decor-Access Dance			
			Reutrn-Credit			
			Platic Lines for Floral Arrng			
			Community Preparedness-Doc Env			
			Cookie Favors for Employee Rec			
			Ribbon and Flower Boxes for Em			
			Teen Camp Excursion			
			Color Rush Event Supplies			
			Erroneous Charge-CPRS Conferen			
			Refund-Erroneous Charge-CPRS C			
			FV Park Edu Banner/Poster			
			Habitat Conservation Planning			
			Gabierlino History Ref Materia			
			Easel			
			Easels			
			Citizens Academy			
			Easels/Table Cloth			
			Paper-Magnet Backing			
			Tablecovers EOY 2025			
			Wall Hook for Storage			
			CMHS Lunch & Learn Cookies			
			Employee of Year Event 2025			
			Helmets			
			Eotech Battery Cap			
			Credit Card Service Fee			
			Refund of Gomez Tuition			
			Airfare/Flock Conference			
			Tuition/Flock Conference			
			Handgun Cleaning Kit, Etc.			
			Tuition/Field Trng Prog SAC			
			Lodging/ICI Burglary/Harbert			
			Tuition/Court & Temp Holding			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Lodging/Sherman Block 3/Peters			
			Refund for Purchase of Helmets			
			Tuition/Interal Affairs /Moore			
			Personal Charge			
			Rides for Harvard Inaugual			
			Business Meeting W/CM Gameros			
			IIMC Mbrshp Renewals- 4			
			BHBH Furniture Client RO HO			
			Reconnection Clien ME LA to NC			
			Refund due to Fraud			
			Ride shares for Clients			
			Office Supplies Ink Toner			
			BHBH Ikea Furniture Client RO			
			Mileage Trackinging Membershi			
			Icloud Storage for Stephani Eh			
			Outreach Client RO OU Birth Ce			
			Prof Dev CPR Training James Mu			
			Monthly Subscriptions			
			Memory Card Insurance and Card			
			Renewal of Costa Mesa BAC Webs			
			Office Supply for CMO			
			Refreshments for NHS Meeting			
			Flight for Gov Affairs Managr			
			Flight for ACM for Meeting DGS			
			Storage Bins			
			Coffee Supplies			
			Dry Cleaning Srvs			
			Monthly Subscription			
			Monthly Subscriptions			
			ICSC Carpet and Flooring			
			Central Services Supplies			
			City Council Meeting Lunch			
			City Council Meeting Dinner			
			Earth Day Festival Supplies			
			Deposit for Earth Day Festival			
			Dinner Registration-CM Reynold			
			Frames for Proclamations & Awa			
			Frames for Proclamations Award			
			Giveaways for Earth Day Festiv			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Supplies for Earth Day Festiva			
			Women's History Monthy Lunhceo			
			Monthly Subscription			
			ICSC Booth Charges/Insurance			
			Refreshments for NHS Meeting			
			Government Programming Awards			
			CAPIO Membership for Video Pro			
			Parking for ArtWalk Social Med			
			Monthly Subs			
			Business Meeting CM and CA			
			Working Lunch for Mediation			
			Business Meeting CMO Developme			
			Business Meeting with MPT Chav			
			Sacramento Flight for CM for D			
			ICSC Flight ACM Cecilia			
			ICSC Flight Chris Yeager			
			ICSC Flight Mayor Pro Tem			
			ICSC Flight Mayor Stephens			
			RSVP Mayor Stephens&Plus 1			
			ICSC Scheduling Manager Subs			
			ICSC Flight Dev Srvs Director			
			APA Professional Membership			
			Airline Ticket Sac State Meeti			
			OC-APA Legislative Update Trai			
			Online Subs Advanced Automatic			
			Bisiness Meeting with State Sa			
			Dropbox Account			
			Planning Commissioners Mtng			
			Car Rental			
			Office Supplies			
			Working Lunch CIP			
			Ribbon Replacement			
			Working Lunch Meeting			
			Working Budget Meeting			
			Replacement Coffee Maker			
			Travel for CMTA Annual Conf			
			Bostich Impulse Drive Electric			
			Registration for Staff OC Ch M			
			Monthly Charge for Council			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Mesa Water			
			Cert Join Exercise Sodas			
			27 Gal Storage Totes for FS1			
			Fire Control 3 Cert Fees			
			Credit Card Processing Fee			
			Fuel for Drive Operator Class			
			Gatorade for the Recruit Acade			
			Credit			
			Starbucks			
			Fuel/Loaner Vehicles			
			Uniform Patch Replacement			
			Parking;Cal Cities Public Safe			
			Outfitting-507			
			Lunch/County OPS Meeting			
			Snacks/County OPS Meeting			
			Breakfast/Captains Meeting			
			2 Extensions Cords Sta3			
			Tool Maintenance Supplies			
			Refund for Class/Workshop			
			CFED Conf Regs- 3			
			Manikin Leg for Stop the Bleed			
			Breakfast AFSS Conf			
			Dept Conf Call Line			
			Credit for Estancia HS			
			Depost Estancia HS Event			
			Supplies-Sta 4 Classroom			
			Telecomm Appreciation Week			
			Water and Cookies Comm Prepare			
			Laptops - 2			
			Storage for St 3 Gym			
			File Sharing Membership			
			St 3 Washing Machine Repair			
			Industrial Coffee Machine St 5			
			Conference			
			Meet & Greet			
			Refund Credit			
			Meeting&Training Refreshments			
			PHR APP Test for HRCI Certific			
			Job Advertisement			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	PHR APP Test HRCI Certificatio			
			Oral Board			
			Meet & Greet			
			Training Meal			
			SHRM Membership			
			Retirement Tiles			
			Transcription Srvs			
			Service Awards Supplies			
			Negotiations Refreshments			
			Health&Wellness Lunch&Learn			
			Water for Training Refreshment			
			Fone Lab for iOS 3-PCs Subs			
			Fone Lab for iPhone Cleaner Su			
			Monthly Fee for On-Line Meetin			
			Glass Cleaner			
			iPhone Supplies			
			OpenAI API Usage			
			Double Sided Sticky Tape			
			Monthly Fee On-Line Queing			
			Coffee Supplies Paper Product			
			Coffee Supplies Paper Goods De			
			Coffee Supplies Paper Products			
			Go DeCho Car Safety Hammer Too			
			Office Supplies for Dept Meeti			
					TOTAL	**$169,798.88**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254099	06/20/25	P	Bound Tree Medical LLC	0000011695	18,764.43
		Line Description:	EMS Supplies EMS Supplies EMS Supplies		
0254100	06/20/25	P	FALCK MOBILE HEALTH CORP.	0000019807	199,546.08
		Line Description:	Ambulance Svc 6/1-6/15/25 Ambulance Svc 6/16-6/30/25 Surge Unit-May 20025		
0254101	06/20/25	P	Galls LLC	0000002297	17,701.87
		Line Description:	Uniform-Code Enf Uniform-Pham Uniform-Kiler Uniform-Ammann Uniform-Sanchez Uniform-Hickman Uniform-Damato Uniform-Wadkin Uniform-Savengrith Uniform-Savengrith Uniform-Saguilan Uniform-Chartier Uniform-Bruno Uniform-Bowman Uniform-Hermes Uniform-Yurovsky Uniform-Rios Uniform-Code Enf Uniform-Code Enf Uniform-Code Enf Uniform-Code Enf Uniform-Code Enf Uniform-Code Enf Uniform-Guenther Uniform-Code Enf		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Uniform-Code Enf Uniform-Code Enf Uniform-Code Enf Uniform-Code Enf Uniform-Artiglio Uniform-Barajas Uniform-Garcia Uniform-Garcia Uniform-Maloata Uniform-Legaspi Uniform-Barnes Uniform-Selinske Uniform-Edwards Uniform-Edwards Uniform-Abarca Uniform-Graham Uniform-Diaz Uniform-Code Enf Uniform-Code Enf Uniform-Code Enf Uniform-Code Enf Uniform-Code Enf			
0254104	06/20/25	P	KOA Corporation	0000003129		20,616.62
		Line Description:	Adam Bicycle FacDec 24-Apr25			
0254105	06/20/25	P	Nutrien AG Solutions Inc	0000026392		16,092.06
		Line Description:	Chemicals Price Agreement Chemicals			
0254106	06/20/25	P	Place Works Inc	0000023119		28,987.38
		Line Description:	Fairview Dev Cntr Plan&EIR-May			
0254107	06/20/25	P	Placer Labs Inc	0000029675		27,563.00

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Subscription Software 6/2/25-5			
0254108	06/20/25	P	ARC	0000022726		274.24
		Line Description:	Sponsorship Packet Wetlands at Fairview Pk Movies in the Park Banners			
0254109	06/20/25	P	AT & T	0000001107		3,590.62
		Line Description:	Wakeham Park Estancia Park Outgoing Trunk Line DID Trunk Line PD Emergency Line TeWinkle Park Smallwood Park 800 Mhz Radio Link IT Computer Room Cool Line for PD DRC Alarm			
0254110	06/20/25	P	AY Nursery	0000001142		7,402.42
		Line Description:	Tree Purchase Tree Purchase			
0254111	06/20/25	P	Advantage Event Solutions LLC	0000030172		12,600.00
		Line Description:	Audio& Lighting Svc-7/3 Event			
0254112	06/20/25	P	Agriserve Pest Control Inc	0000025268		790.00
		Line Description:	Tree Treatment Fertilizer Tree Treatment			
0254113	06/20/25	P	Amerinat	0000026372		100.00

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	PIRT Policy for Loan Applctn			
0254114	06/20/25	P	Ardurra Group, Inc.	0000030147		2,400.00
		Line Description:	I-405 Trnptn EnginrngSvc-May25			
0254115	06/20/25	P	Bureau Veritas North America Inc	0000016616		1,171.54
		Line Description:	Plan Check Svc			
0254116	06/20/25	P	CBE	0000015149		36.17
		Line Description:	Copier Maint 5/5-6/4/25			
0254117	06/20/25	P	CHUBB	0000031158		2,546.73
		Line Description:	Long Term Care Ins-May 2025			
0254118	06/20/25	P	Chandlers Air Conditioning &	0000001640		358.00
		Line Description:	ICE MACHINE REPAIRS			
0254119	06/20/25	P	Control Air Enterprises	0000027250		821.16
		Line Description:	Repair of PD Range Exhaust/Sup			
0254120	06/20/25	P	Demetrius Mayhand	0000030111		280.00
		Line Description:	Basketball Referee 6/11/25 Basketball Referee 6/17/25			
0254121	06/20/25	P	Eduardo Iniestra	0000029307		800.00
		Line Description:	DJ Svc-7/3/25			
0254122	06/20/25	P	Fed Ex	0000002190		41.56
		Line Description:	Ground Delivery			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254123	06/20/25	P	G & G Trophy LLC	0000031348	2,827.50
		Line Description:	Plate Plaque Sales Tax (7.75%)		
0254124	06/20/25	P	Hi Standard Automotive LLC	0000002521	278.00
		Line Description:	Air Horn Siren		
0254125	06/20/25	P	Hollywood Honeywagon &	0000029304	1,975.00
		Line Description:	Portable Restroom-7/3/25		
0254126	06/20/25	P	Human Resource Time Management LLC	0000031084	630.00
		Line Description:	Telestaff Trng 6/2/25		
0254127	06/20/25	P	Integrated Impressions	0000003403	6,323.23
		Line Description:	Promotional Items for ICSC		
0254128	06/20/25	P	International Coatings Company Inc	0000025519	1,562.59
		Line Description:	Traffic Paints		
0254129	06/20/25	P	JL Group, LLC	0000029884	7,227.50
		Line Description:	Workplace Investigations		
0254130	06/20/25	P	James Snordan	0000029974	280.00
		Line Description:	Basketball Referee 6/16/25 Basketball Referee 6/11/25		
0254131	06/20/25	P	John Stephens	0000002112	86.95
		Line Description:	Business Mtng w/ Mayor/Comm		

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254132	06/20/25	P	Jump N Bounce LLC	0000029296	1,516.00
		Line Description:	Inflatable Rental-7/3/25		
0254133	06/20/25	P	K2 Calibrations LLC	0000031056	2,230.78
		Line Description:	G888 CHAINSAW SHIPPING SALES TAX (7.75%)		
0254134	06/20/25	P	Karin Gallo	0000029953	300.00
		Line Description:	Utility Box Art-Summer		
0254135	06/20/25	P	Kelly Spicers Stores	0000029500	629.06
		Line Description:	Presentation Bond		
0254136	06/20/25	P	LN Curtis & Sons	0000002983	1,304.75
		Line Description:	Fire Apparel Fire Apparel Fire Apparel Fire Apparel Fire Apparel		
0254137	06/20/25	P	Landscape Structures Inc	0000024524	3,776.38
		Line Description:	Playground Equipment & Parts		
0254138	06/20/25	P	Liebert Cassidy Whitmore	0000002960	1,225.00
		Line Description:	LEGAL UPDATE		
0254139	06/20/25	P	Linscott Law & Greenspan Engineers Inc	0000010877	2,770.00
		Line Description:	On-Call Srvs 2024-2025		

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254140	06/20/25	P	Los Angeles Times	0000003000	5,449.00
		Line Description:	Legal Publications		
0254141	06/20/25	P	MTO Construction Services LLC	0000031230	10,950.00
		Line Description:	Prep EOC for Painting		
0254142	06/20/25	P	Mobile Home Improvement	0000015213	545.00
		Line Description:	Rehab Grant-1750 Whittier #2		
0254143	06/20/25	P	Monument Row	0000030907	8,626.25
		Line Description:	Shalimar Relocation Srvs Apr25		
0254144	06/20/25	P	Mutt Mitt	0000025024	2,889.86
		Line Description:	Dog Waste Bags		
0254145	06/20/25	P	Orange County Council of Governments	0000011417	3,000.00
		Line Description:	COUNTY DATA ACQUISITION PARTNE		
0254146	06/20/25	P	Pyro Spectaculars Inc	0000029672	12,500.00
		Line Description:	INDEPENDANCE DAY FIREWORK SHOW		
0254147	06/20/25	P	Sharpline Solutions Inc	0000025805	1,399.03
		Line Description:	12 Inch White Thermoplatics Ba		
0254148	06/20/25	P	Southern California Edison Company	0000004088	8,022.03
		Line Description:	360 Ogle 5/12-6/10/25 Shalimar Park 5/8-6/8/25 3190 Airport Lp 5/9-6/9/25		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	1350 S Coast 5/8-6/8/25 410 Merrimac A 5/12-6/10/25 410 Merrimac B 5/12-6/10/25 1940 Placentia 5/7-6/5/25 Prez Park 5/13-6/11/25 Vet Hall 5/7-6/5/25 BCC 5/7-6/5/25 350 Bristol 5/9-6/9/25 2590 Placentia 5/7-6/5/25 3190 Red Hill 5/9-6/9/25 717&721 James 5/7-6/5/25 1256 Adams 5/12-6/10/25 Arlington Ped X 5/9-6/9/25 3175 Airway 5/9-6/9/25 1587 Sunflower 5/8-6/8/25 3191 Red HIll 5/9-6/9/25 152 Baker 5/9-6/9/25 707 W 18th 5/7-6/5/25 711 W 18th 5/7-6/5/25 734 James 5/7-6/5/25 740 James 5/7-6/5/25 744 James 5/7-6/5/25 745 W 18th 5/76/5/25 2293 Canyon 5/7-6/5/25 980 Arlington 5/9-6/9/25 980 Arlington A 5/9-6/9/25 1050 Arlington A 5/9-6/9/25 1071 Arlington 5/9-6/9/25 744 James 5/7-6/5/25			
0254150	06/20/25	P	Southern California Gas Company	0000004092		704.88
		Line Description:	3175 Airway 5/9-6/10/25			
0254151	06/20/25	P	Superior Pavement Markings Inc	0000003955		9,788.55
		Line Description:	Arterial & Residential Road St			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0254152	06/20/25	P	Termite Terry Pest Control	0000030103	2,000.00
		Line Description:	Rehab Grant-2060 Nwprt #33		
0254153	06/20/25	P	The Lincoln National Life Insurance Co	0000030039	14,269.69
		Line Description:	Accident Ins June 25 Critical Ill Ins June 25		
0254154	06/20/25	P	Third Wave Corporation	0000025874	10,250.00
		Line Description:	ITSP CONSULTING		
0254155	06/20/25	P	Time Warner Cable	0000011202	34.77
		Line Description:	Cable Services		
0254156	06/20/25	P	US Bank	0000002228	6,853.34
		Line Description:	Payroll 25-11		
0254157	06/20/25	P	Wallop Water USA LLC	0000030376	2,155.00
		Line Description:	WAIVER FREIGHT TRAILER SALES TAX (7.75%) REPEAT EVENT DISCOUNT LABOR		
0254158	06/20/25	P	Ware Disposal Inc	0000000255	2,084.06
		Line Description:	James St Trash June 25		
0254159	06/20/25	P	Waterline Technologies Inc	0000014520	587.38
		Line Description:	DRC Pool Treatment		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0254160	06/20/25	P	West Coast Fence Co	0000021495		1,895.00
	Line Description:		Fence Installation @ Lions Caf			
					TOTAL	**$501,430.46**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0254161	06/20/25	P	Pamela Lilly	0000025324		750.00

Line Description: Payroll Deduction 25-13

TOTAL **$750.00**

End of Report

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-372 **Meeting Date:** 7/15/2025

TITLE:

MINUTES

DEPARTMENT: **City Manager's Office/City Clerk's Division**

RECOMMENDATION:

City Council approve the minutes of the regular meetings of June 3, 2025 and June 17, 2025.

REGULAR CITY COUNCIL AND HOUSING AUTHORITY
JUNE 3, 2025 – 6:00 P.M. - MINUTES

CALL TO ORDER – The Closed Session meeting was called to order by Mayor Stephens at 4:00 p.m.

ROLL CALL

Present: Council Member Buley, Council Member Gameros, Council Member Marr, Council Member Pettis, Council Member Reynolds (arrived at 4:05 p.m.), Mayor Pro Tem Chavez, and Mayor Stephens.

Absent: None.

PUBLIC COMMENTS

Roberto Herrera, Resilience Orange County, spoke in support of the previous City Manager.

CLOSED SESSION ITEMS:

1. **PUBLIC EMPLOYEE APPOINTMENT**
   Pursuant to California Government Code Section 54957(b)(1)
   Title: Interim City Manager

2. **PUBLIC EMPLOYEE APPOINTMENT**
   Pursuant to California Government Code Section 54957(b)(1)
   Title: City Manager

3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATION OF LITIGATION - TWO CASES**
   Pursuant to California Government Code Section 54956.9(d)(2), Potential Litigation.

City Council recessed at 4:04 p.m. for Closed Session.

Closed Session adjourned at 5:47 p.m.

CALL TO ORDER - The Regular City Council and Housing Authority meeting was called to order by Mayor Stephens at 6:00 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE – Led by St. John the Baptist School Choir.

MOMENT OF SOLEMN EXPRESSION – Led by Council Member Marr.

ROLL CALL

Present: Council Member Buley, Council Member Gameros, Council Member Marr, Council Member Pettis, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.

Absent: None.

CITY ATTORNEY CLOSED SESSION REPORT – Ms. Hall Barlow stated that pertaining to item number 1 on the closed session agenda, City Council voted on a 7-0 vote with Mayor Pro Tem Chavez making the motion and Council Member Gameros seconding, to appoint Cecilia Gallardo-Daly as Interim City Manager.

PRESENTATIONS:

City Council honored NMUSD Class of 2025 Graduates who have committed to Military Service.

City Council presented a proclamation to Bryan Terry and Angel Bonilla, representatives of OC Pride in honor of Pride Month.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Juana Trejo thanked Police Chief Lawrence for his service and spoke on individuals working out of their garages late at night.

Carmen Ramirez, Costa Mesa, spoke on parking issues on Baker Street and Fillmore Way and that vehicles are parked permanently and not being moved, and spoke on living in Costa Mesa.

Speakers, spoke on standing with and supporting the immigrant community, spoke on hanging a banner on the 405 freeway and on receiving positive feedback and support, and spoke on humanity.

Roberto Herrera, Resilience Orange County, spoke on immigration and that he is the Co-Founder of Rapid Response Network, spoke on the importance of the public being aware of data on arrests happening in the City, spoke on a legal defense fund, and requested support for the Latino community.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Buley congratulated Estancia High School Baseball team for winning the CIF Southern Section Division 6 title, spoke on homeless issues on 19th Street and requested resources for the area, and encouraged community engagement at the Fairview Developmental Center meeting on June 11th at 6:00 p.m.

Council Member Gameros praised the Police and Fire Departments for their response to activities in the City and requested staff to agendize removing public comments on Zoom.

Council Member Marr spoke in support of public participation in person and remotely and congratulated Ms. Gallardo-Daly on being appointed as Interim City Manager.

Council Member Reynolds congratulated Ms. Gallardo-Daly on being appointed as Interim City Manager, spoke in support of creating opportunities for people to participate, spoke on attending the Employee Service Awards, attending the Costa Mesa Historical Society Spring luncheon, attending the Memorial Day event, attending Senator Stephens Choi's non-profit of distinction event honoring Trellis, spoke on the Mendez case being the catalyst for integration in schools, and combating fear in the community by smiling more.

Council Member Pettis spoke on service and working at the VA Hospital and spoke on Memorial Day is a day of reflection.

Mayor Pro Tem Chavez congratulated high school graduates, congratulated the Estancia High School Baseball team for winning the CIF Southern Section Division 6 title, and congratulated Ms. Gallardo-Daly on being appointed as Interim City Manager, spoke on attending the Costa Mesa Soccer Classic Tournament and the unity and power that sports bring to a community, spoke on joining Supervisor Foley at the County of Orange young supervisors program where students from around the County complete a capstone project, and that the program included three students from Costa Mesa, spoke on attending two outreach meetings regarding the Randall Preserve, spoke on free lunches for students in the community during the summer, spoke on the homeless issues on 19th Street and requested a study session, requested staff to investigate a TOT for next year's ballot, requested staff to agendize the OC Power Authority, and requested staff to research a contract disclosure ordinance.

Mayor Stephens congratulated Ms. Gallardo-Daly as Interim City Manager, congratulated the Estancia High School Baseball team for winning the CIF Southern Section Division 6 title, congratulated the Costa Mesa High School Mustangs who won their league, spoke on attending the SOY Gala, spoke on the State of the City will be on June 25th, spoke on Priceless Pets and how they positively handled an incident and provided statistics, spoke on attending a Memorial Day event and praised Captain Fred McDowell for playing the bugle, and spoke on adjourning the meeting in honor of Shannon Santos, Executive Director at Someone Cares Soup Kitchen.

REPORT – CITY MANAGER – Ms. Gallardo-Daly Congratulated the Public Works Department on receiving the "2025 Outstanding Bikeways and Trails" award for the Adams Avenue and Pinecreek Drive project, spoke on the Information Technology Department is kicking off Phase II of their Master Plan with a public meeting on Monday June 16th at 5:30 p.m., spoke on the monthly statistics from Economic and Development Services Department that are posted on the city website, responded that staff will look into the concerns on the neighbor working on vehicles in the garage, and thanked City Council for her appointment to Interim City Manager.

REPORT – CITY ATTORNEY – Ms. Hall Barlow spoke on the Torch Run Special Olympics in Orange County and spoke on the Special Olympics.

CONSENT CALENDAR

MOVED/SECOND: Mayor Stephens/ Mayor Pro Tem Chavez
MOTION: Approve the Consent Calendar.
The motion carried by the following roll call vote:
Ayes: Council Member Buley, Council Member Gameros, Council Member Marr, Council Member Pettis, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: None.
Absent: None.
Abstain: Mayor Stephens recused himself on item 3 the Warrant Resolution due to campaign contributions received from Ware Disposal.
Motion carried: 7-0

1. PROCEDURAL WAIVER: WAIVE THE FULL READING OF ALL ORDINANCES AND RESOLUTIONS

ACTION:
City Council and Housing Authority approved the reading by title only and waived further reading of Ordinances and Resolutions.

2. READING FOLDER

ACTION:
City Council received and filed Claims received by the City Clerk and authorized staff to reject any and all Claims: AAA (Rebecca Morales), State Farm Mutual Auto Insurance Company (David Berri), Esther Farr, Kyle Samuelson, Debra Von Trapp.

3. ADOPTION OF WARRANT RESOLUTION

Mayor Stephens recused himself on the item due to campaign contributions received from Ware Disposal.

ACTION:
City Council approved Warrant Resolution No. 2735.

4. MINUTES

ACTION:
City Council approved the minutes of the regular meeting of May 6, 2025.

5. SB 1205 COMPLIANCE REPORT FOR 2024 STATE-MANDATED ANNUAL FIRE INSPECTIONS

ACTION:
City Council adopted Resolution No. 2025-09 to accept this Compliance Report as its report on the status of all 2024 state-mandated annual fire inspections in the City as required by California Health and Safety Code Section 13146.4.

6. ADOPT ORDINANCE NO. 2025-03 DESIGNATING LOCAL RESPONSIBILITY AREA FIRE HAZARD SEVERITY ZONES IN THE CITY OF COSTA MESA, AS IDENTIFIED BY THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 51178

ACTION:
City Council adopted Ordinance No. 2025-03 designating moderate and high Local Responsibility Area Fire Hazard Severity Zones by map within the jurisdiction of the City of Costa Mesa.

7. RENEWED MEASURE M (M2) ELIGIBILITY

ACTION:
1. City Council approved the City's Maintenance of Effort (MOE) for Fiscal Year (FY) 2025-26.

2. Approved the M2 Seven-Year Capital Improvement Program (CIP) which consists of the City's Five-Year and future year CIP for FY 2025-26 through FY 2031-32.

3. Adopted Resolution No. 2025-10, for the Master Plan of Arterial Highways Conformance and Mitigation Fee Program.

4. Authorized staff to submit documents to meet M2 Eligibility requirements.

8. RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2025-26 FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

ACTION:
City Council adopted Resolution No. 2025-11, approving the Harbor Boulevard Roadway Rehabilitation Project (from MacArthur Boulevard to South Coast Drive and from Gisler Avenue to Baker Street) for funding with Road Maintenance and Rehabilitation Account (RMRA) revenues for Fiscal Year 2025-26.

AT THIS TIME COUNCIL WILL ADDRESS ANY ITEMS PULLED FROM THE CONSENT CALENDAR

----------END OF CONSENT CALENDAR----------

PUBLIC HEARINGS:
(Pursuant to Resolution No. 05-55, Public Hearings begin at 7:00 p.m.)

1. BUSINESS IMPROVEMENT AREA (BIA) REAUTHORIZATION TO LEVY ANNUAL ASSESSMENT

Presentation by Ms. Jakher, Assistant to the City Manager and Paulette Lombardi Fries, President of Travel Costa Mesa.

Public Comments: None.

DRAFT

MOVED/SECOND: Council Member Reynolds/Council Member Marr
MOTION: Approve staff recommendation.
The motion carried by the following roll call vote:
Ayes: Council Member Buley, Council Member Gameros, Council Member Marr, Council Member Pettis, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: None.
Absent: None.
Abstain: None.
Motion carried: 7-0

ACTION:

1. City Council conducted a public hearing regarding the Business Improvement Area (BIA) reauthorization and levy of the annual assessment for Fiscal Year 2025-2026.

2. Adopted Resolution No. 2025-12, confirming the annual report filed by Travel Costa Mesa and levying an annual assessment for Fiscal Year 2025-2026 for the Business Improvement Area covering certain Costa Mesa hotels and motels.

2. APPEAL OF THE PLANNING COMMISSION'S DECISION TO UPHOLD THE DIRECTOR OF DEVELOPMENT SERVICES' DETERMINATION THAT CONDITIONAL USE PERMIT (CUP) PA-21-23 TO ESTABLISH A CANNABIS STOREFRONT LOCATED AT 1687 ORANGE AVENUE (KING'S CREW) HAS EXPIRED

Presentation by Veronica Donovan, Attorney with Jones & Mayer.

Applicant presentation by Dan Thompson and Ray Dorame, Gold Flora Costa Mesa.

Public Comments: None.

MOVED/SECOND: Mayor Stephens/Council Member Gameros
MOTION: Overrule the decision of the Planning Commission and provide the applicant a 180-day extension to obtain the CUP and permits needed.

SUBSTITUTE MOTION/SECOND: Council Member Marr/Council Member Buley
SUBSTITUTE MOTION: Uphold the Planning Commission's decision that Conditional Use Permit (CUP) PA-21-23 has expired pursuant to Costa Mesa Municipal Code Sections 13-29(k)(2) and CUP Condition of Approval No. 2.
Council Member Marr withdrew the motion.

ORIGINAL MOTION/SECOND: Mayor Stephens/Council Member Gameros
ORIGINAL MOTION: Overrule the decision of the Planning Commission and provide the applicant a 180-day extension to obtain the CUP and permits needed.
The motion carried by the following roll call vote:
Ayes: Council Member Gameros, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: Council Member Buley, Council Member Marr, and Council Member Pettis.
Absent: None.
Abstain: None.
Motion carried: 4-3

ACTION:
City Council Overruled the decision of the Planning Commission and provided the applicant a 180-day extension to obtain the CUP and permits needed.

City Council recessed into a break 8:24 p.m.

City Council reconvened at 8:41 p.m.

3. SCHEDULE OF USER AND REGULATORY FEES

Presentation by Terry Madsen, Clear Source.

Public Comments:

Cynthia McDonald spoke on cost recovery and supports higher fees.

MOVED/SECOND: Mayor Pro Tem Chavez/Council Member Marr
MOTION: Approve staff recommendation which includes a 3.3% CPI adjustment, a credit card transaction processing fee, a General Plan Update fee, and a technology enhancement fee.

Council Member Reynolds requested to add to the motion to direct staff to bring back an item to also allow payments by American Express and to potentially increase the cost recovery of the credit card transaction processing fee to 3%.

Mayor Pro Tem Chavez (1st) and Council Member Marr (2nd) agreed to the addition.

Council Member Reynolds requested to add to the motion to direct staff to seek input from the Parks and Community Services Commission on fees related to programs and community facility rentals.

Mayor Pro Tem Chavez (1st) and Council Member Marr (2nd) agreed to the addition.

SUBSTITUTE MOTION/SECOND: Council Member Buley/Mayor Stephens
SUBSTITUTE MOTION: Approve only the 3.3% CPI adjustment and the 2.7% Credit Card fee.

Mayor Pro Tem Chavez requested to add Council Member Reynolds previous requests.

Council Member Buley (1st) agreed to the additions.

Mayor Stephens (2nd) agreed to the additions and to also allow the Finance and Pension Advisory Committee and the Parks and Community Services Commission to review and discuss the fees related to programs and community facility rentals.

SUBSTITUTE MOTION/SECOND: Council Member Buley/Mayor Stephens
SUBSTITUTE MOTION: Approve only the 3.3% CPI adjustment and the 2.7% Credit Card fee, direct staff to bring back an item to allow American Express and potentially increase the cost recovery to 3%, and direct staff to seek input from the Parks and Community Services Commission and the Finance and Pension Advisory Committee on fees related to programs and community facility rentals.
The motion carried by the following roll call vote:
Ayes: Council Member Buley, Council Member Pettis, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: Council Member Gameros and Council Member Marr.
Absent: None.
Abstain: None.
Motion carried: 5-2

ACTION:
1. City Council opened a Public Hearing and took testimony.

2. Adopted Resolution No. 2025-15 of the City Council of the City of Costa Mesa, California, approving only the CPI adjustment and the Credit Card charges as recommended by the Finance and Pension Advisory Committee.

3. Directed staff to bring back an item to also allow payments by American Express and potentially increase the cost recovery of the credit card transaction processing fee to 3%.

4. Directed staff to seek input from the Parks and Community Services Commission and the Finance and Pension Advisory Committee on fees related to programs and community facility rentals

4. FISCAL YEAR 2025-26 PROPOSED OPERATING AND CAPITAL IMPROVEMENT PROGRAM AND HOUSING AUTHORITY BUDGET INCLUDING ANNUAL REPORTING FOR EQUIPMENT USE POLICY PER AB 481 AND VACANCY STATUS AND RECRUITMENT STRATEGIES PER AB 2561

Presentation by Ms. Molina, Finance Director.

Public Comments:

Christian Lopez, Resilience Orange County, spoke in support of the addition of a crosswalk at Center Street and Placentia Avenue and spoke in support of rental assistance programs.

Ralph Taboada, Costa Mesa, spoke on the replenishment of the current year CAN amount that was waived, spoke on the three Capital Asset Needs funding options, requested clarification on including the 2.2 million use of Capital Assets Account Fund Balance, and expressed concern on deferring funds in the IT budget.

Juana Trejo spoke on the bike trail at the Paularino Channel and requested an update on the project.

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Chavez
MOTION: Approve staff recommendations items 6 through 9 and continue the public hearing to June 10th for discussion and potential adoption of items 1 through 5.

SUBSTITUTE MOTION/SECOND: Council Member Reynolds/Council Member Marr
SUBSTITUTE MOTION: Approve all staff recommendations items 1 through 9 and use option 1 for the Capital Asset Needs Funding.

Finance Director Molina suggested a 4th option: do not utilize reserves, redirect the 1.2 million IT budget for the Capital Asset Needs Funding, and utilize $600,000 from the Fund 401 balance.

Council Member Reynolds adjusted the substitute motion to include bringing back the CAN ordinance with options to amend as part of the mid-year budget discussion, Council Member Marr (2nd) agreed.

Council Member Reynolds adjusted the substitute motion to include option 4 as suggested by Finance Director Molina, Council Member Marr (2nd) agreed.

SUBSTITUTE MOTION/SECOND: Council Member Reynolds/Council Member Marr
SUBSTITUTE MOTION: Approve all staff recommendations items 1 through 9 and use option number 4: do not utilize reserves, redirect the 1.2 million IT budget for the Capital Asset Needs Funding, and utilize $600,000 from the Fund 401 balance, and bring back the CAN ordinance with options to amend as part of the mid-year budget discussion.

The motion carried by the following roll call vote:
Ayes: Council Member Buley, Council Member Gameros, Council Member Marr, Council Member Pettis, Council Member Reynolds, and Mayor Pro Tem Chavez.
Nays: Mayor Stephens.
Absent: None.
Abstain: None.
Motion carried: 6-1

ACTION:
1. Approved Resolution No. 2025-16, adopting the Proposed Fiscal Year 2025-26 Operating and Capital Improvement Program (CIP) Budget; and

2. Approved Joint Resolution No. 2025-17 adopting the Housing Authority Budget including Economic and Community Development expenditures for Fiscal Year 2025-26; and

3. Authorized the “Emergency Exception” clause of the Capital Asset Needs Ordinance under Section 2-209.2 (a)(2), Economic Downturn, for Fiscal Year 2025-26; and

4. Approved a financial plan to reinstate $6.9 million from Fiscal Year 2025-26 in deferred projects by:

    a. Reinstating the funding over a 10-year period to ensure a fiscally sustainable General Fund budget.

5. Authorized and approved staffing for the following full-time positions: increase of 1.0 FTE for Custody Officer for Police Department, decrease of 1.0 FTE for Human Resources Analyst, decrease of 1.0 FTE for Programmer Analyst I, decrease of 1.0 FTE for Senior Management Analyst (CON), and a decrease of 1.0 FTE for Community Outreach Worker as presented at the May 13, 2025 Study Session; and

6. Approved Resolution No. 2025-18 establishing the Fiscal Year 2025-26 Appropriations Limit for the City of Costa Mesa at $330,924,446, by using Orange County’s growth for population adjustment, and the California per capita income growth for inflationary adjustment; and

7. Approved the City of Costa Mesa’s Revised Special Event Rates; and

8. City Council received and filed the 2025 Annual AB 481 Report and took public comment; and

    a. Approved Resolution No. 2025-19 Renewing Ordinance No. 2022-03, the AB 481 Equipment Use Policy of the City of Costa Mesa, California, governing the use of police safety equipment.

9. Received and filed the job vacancy status information required by AB 2561.

10. Approved option number 4: do not utilize reserves, redirect the 1.2 million IT budget for the Capital Asset Needs Funding, and utilize $600,000 from the Fund 401 balance, and bring back the CAN ordinance with options to amend as part of the mid-year budget discussion.

OLD BUSINESS: NONE.

NEW BUSINESS:

1. ONE YEAR USE AGREEMENT FOR JACK HAMMETT SPORTS COMPLEX WITH UNIVERSITY OF CALIFORNIA, LOS ANGELES (UCLA) FOOTBALL ATHLETICS, FOR 2025 PRE-SEASON TRAINING CAMP

Presentation by Ms. Reyes, Deputy City Manager.

Public Comments: None.

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Chavez
MOTION: Approve staff recommendation.
The motion carried by the following roll call vote:
Ayes: Council Member Buley, Council Member Gameros, Council Member Marr, Council Member Pettis, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: None.
Absent: None.
Abstain: None.
Motion carried: 7-0

ACTION:
City Council approved and authorized the Acting City Manager to execute a Use Agreement for the City's Jack Hammett Sports Complex for a portion of UCLA's 2025 Summer Training Camp and related community benefits.

2. RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD PURSUANT TO GOVERNMENT CODE SECTIONS 7522.56 AND 21224, FOR THE REHIRE OF FINANCE OFFICER ANNA DOLEWSKI

Presentation by Ms. Lee, Human Resources Manager.

Public Comments: None.

MOVED/SECOND: Mayor Stephens/Council Member Gameros
MOTION: Approve staff recommendation.
The motion carried by the following roll call vote:
Ayes: Council Member Buley, Council Member Gameros, Council Member Marr, Council Member Pettis, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: None.
Absent: None.
Abstain: None.
Motion carried: 7-0

ACTION:
City Council adopted Resolution No. 2025-14 to make an exception to the 180-Day Wait Period pursuant to Government Code Sections 7522.56 and 21224 to retain the services of retired Finance Officer Anna Dolewski.

ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS – NONE.

ADJOURNMENT – Mayor Stephens adjourned the meeting at 11:30 p.m. in memory of Shannon Santos.

Minutes adopted on this 15th day of July, 2025.

_____
John Stephens, Mayor

ATTEST:

_____
Brenda Green, City Clerk

DRAFT

REGULAR CITY COUNCIL AND HOUSING AUTHORITY
JUNE 17, 2025 - 6:00 PM - MINUTES

CALL TO ORDER – The Closed Session meeting was called to order by Mayor Stephens at 4:01 p.m.

ROLL CALL

Present: Council Member Buley, Council Member Gameros, Council Member Reynolds (arrived at 4:20 p.m.), Mayor Pro Tem Chavez, and Mayor Stephens.

Absent: Council Member Marr and Council Member Pettis.

PUBLIC COMMENTS – NONE.

CLOSED SESSION ITEMS:

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATION OF LITIGATION - ONE CASE
Pursuant to California Government Code Section 54956.9 (d)(2), Potential Litigation.

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Coats v. City of Costa Mesa
United States District Court, Central Dist. of CA, Case No. 8:24-cv-02337-JVS-JDE

3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Jeanie O'Keefe v. City of Costa Mesa
Orange County Superior Court Case No. 30-2024-01443154-CU-PO-CJC

4. PUBLIC EMPLOYEE APPOINTMENT
Pursuant to California Government Code Section 54957(b)(1)
Title: City Manager

City Council recessed at 4:02 p.m. for Closed Session.

Closed Session adjourned at 5:10 p.m.

DRAFT

CALL TO ORDER - The Regular City Council and Housing Authority meeting was called to order by Mayor Stephens at 6:00 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

MOMENT OF SOLEMN EXPRESSION

ROLL CALL
Present: Council Member Buley, Council Member Gameros, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Absent: Council Member Marr and Council Member Pettis.

CITY ATTORNEY CLOSED SESSION REPORT – No reportable Action was taken.

PRESENTATIONS:

City Council recognized the Costa Mesa High School Baseball Team Golden West League Champions.

City Council recognized the Estancia High School Baseball Team CIF Southern Champions.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Jay Humphrey, Costa Mesa, praised the Fire Department, spoke in support of public participation, and requested to add recognizing academics and arts achievements as well as sports achievements.

Speaker, spoke in support of recognizing all groups of students and spoke on Council Member requests being placed on the agenda.

Speaker, spoke on volunteering at Love Costa Mesa Day and suggested trash bins at several locations on the Joann Street Bike Trail.

Speaker, spoke in support of allowing public comments via Zoom.

Roberto Herrera, Resilience Orange County, spoke in support of allowing public comments via Zoom, spoke in support of Spanish YouTube, and spoke on supporting the immigrant community.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Gameros spoke on public participation and free speech, spoke in appreciation of the Public Works employees for the street improvements, praised the pickleball courts at Balearic Park, and commended Chief Lawrence for his service.

Council Member Reynolds spoke on the challenges facing the immigrant community and on resources available to help, requested safety actions for the Randall Preserve due to the encampments and fire threat, requested an update on clearing activity in Canyon Park and Fairview Park for fire prevention tactics, spoke on Caltrans working on a large project for Newport Boulevard and incorporating safety elements and requested staff to bring to Council a letter or resolution on safety concerns for Newport Boulevard, and requested trash bins on 19th Street and Placentia Avenue to be replaced.

Council Member Buley praised the pickleball courts at Balearic Park, spoke on participating in sports and unsupervised free play, and requested staff to research incorporating free play into city programs.

Mayor Pro Tem Chavez thanked the Police Department for work on 19th Street, thanked the Fire Department on their handling several fires recently, and thanked the residents who protested peacefully, spoke on attending the CalOptima resource fair, spoke on attending a small business opening for Zoom Drain, spoke on free lunch is available at Donald Dungan Library 12:00 p.m. -1:00 p.m. during the summer, and spoke on the July 3rd event.

Mayor Stephens spoke on unstructured free play in recreation, praised Public Works for receiving the Golden Hub Award for the Pine Creek Project, spoke on the upgrades to the batting cages at TeWinkle Park and pickleball courts at Balearic Park, spoke on the State of the City on June 25th, spoke on a statement from the city regarding the immigrant community and protests and keeping people safe, spoke on volunteers and resources for those in need, praised the Fire Department for work on a structure fire in the community, praised Chief Lawrence, and spoke on the length of public meetings and time management.

REPORT – CITY MANAGER – Ms. Gallardo-Daly spoke on Chief Lawrence walkout and the Change of Command on June 27th, spoke on a new event called Make Music Costa Mesa on June 21st, spoke on Concerts in the Park, and Chief Pyle provided an update on brush clearings at Fairview and Canyon Parks.

REPORT – CITY ATTORNEY – Ms. Hall Barlow stated she is working with the City Manager's Office to issue guidance to employees in case federal agents enter city facilities.

CONSENT CALENDAR
MOVED/SECOND: Mayor Pro Tem Chavez/Council Member Reynolds
MOTION: Approve the Consent Calendar except for item nos. 5 and 6.
The motion carried by the following roll call vote:
Ayes: Council Member Buley, Council Member Gameros, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: None.
Absent: Council Member Marr and Council Member Pettis.
Abstain: Mayor Stephens recused himself on item 3 Warrant Resolution due to campaign contributions received from Ware Disposal, and on item 6 Professional Services Agreement for Solid Waste Collection Services at City Facilities due to campaign contributions received from Ware Disposal.
Council Member Gameros recused himself on item 3 Warrant Resolution due to his wife working for Priceless Pets.
Motion carried: 5-0

1. PROCEDURAL WAIVER: WAIVE THE FULL READING OF ALL ORDINANCES AND RESOLUTIONS

ACTION:
City Council and Housing Authority approved the reading by title only and waived further reading of Ordinances and Resolutions.

2. READING FOLDER

ACTION:
City Council received and filed Claims received by the City Clerk and authorized staff to reject any and all Claims: Debra Von Trapp.

3. ADOPTION OF WARRANT RESOLUTION

Mayor Stephens recused himself on the item due to campaign contributions received from Ware Disposal.

Council Member Gameros recused himself on the item due to his wife working for Priceless Pets

ACTION:
City Council approved Warrant Resolution No. 2736.

4. MINUTES

ACTION:
City Council approved the minutes of the regular meeting of May 20, 2025.

ITEMS PULLED FROM THE CONSENT CALENDAR

5. TOWING SERVICES CONTRACT

Public Comments:

James Peters, requested individuals first receive a warning prior to towing a vehicle.

Speaker, spoke on behalf of G & W towing and spoke on their commitment with the City.

Faris Hassan, spoke on behalf of Hadley Tow, spoke on the submittal of their proposal and their qualifications, requested the item be delayed to address their proposal, and requested City Council reconsider and add Hadley Tow to the item.

Speaker, spoke on the multiple ways to pay to pick up a vehicle other than cash, requested the tow trucks not to utilize Town Street to get to their tow yard, and spoke on refunds.

DRAFT

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Chavez
MOTION: Approve staff recommendation.

Council Member Reynolds requested to add to the motion to incorporate language for safe traveling on city streets.

Mayor Stephens (1st) and Mayor Pro Tem Chavez (2nd) agreed to the addition.

Council Member Reynolds requested to add to the motion to update the webpage ensuring public information is made available on how to find a vehicle if it is towed, the 24/7 release policy, the right to request a tow hearing, and how to file a complaint.

Mayor Stephens (1st) and Mayor Pro Tem Chavez (2nd) agreed to the addition.

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Chavez
MOTION: Approve staff recommendation and include language for safe traveling on city streets and update the webpage ensuring public information is made available on how to find a vehicle if it is towed, the 24/7 release policy, the right to request a tow hearing, and how to file a complaint.
The motion carried by the following roll call vote:
Ayes: Council Member Buley, Council Member Gameros, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: None.
Absent: Council Member Marr and Council Member Pettis.
Abstain: None.
Motion carried: 5-0

ACTION:
1. City Council approved and authorized the City Manager and City Clerk to execute five-year Professional Services Agreement (PSA), to provide towing services of private vehicles, effective July 1, 2025 - June 30, 2030, in a form as approved by the City Attorney for towing services to:

    · G& W Towing
    · MetroPro Road Services, Inc.
    · Southside Towing

2. Approved and authorized the City Manager and City Clerk to execute five-year Professional Services Agreement (PSA), to provide towing services of City owned vehicles and equipment, in an annual amount not-to-exceed $5,000, effective July 1, 2025 - June 30, 2030, in a form as approved by the City Attorney for towing services to:

    · G& W Towing
    · MetroPro Road Services, Inc.
    · Southside Towing

3. Authorized the City Manager and City Clerk to execute the agreements and future amendments to the agreements.

4. Incorporated language for safe traveling on city streets.

5. Directed staff to update the webpage ensuring public information is made available on how to find a vehicle if it is towed, the 24/7 release policy, the right to request a tow hearing, and how to file a complaint.

6. PROFESSIONAL SERVICES AGREEMENT FOR SOLID WASTE COLLECTION SERVICES AT CITY FACILITIES

Mayor Stephens recused himself on the item and stepped down from the dais due to campaign contributions received from Ware Disposal.

Public Comments: None.

MOVED/SECOND: Council Member Gameros/Council Member Reynolds
MOTION: Approve staff recommendation.
The motion carried by the following roll call vote:
Ayes: Council Member Buley, Council Member Gameros, Council Member Reynolds, and Mayor Pro Tem Chavez.
Nays: None.
Absent: Council Member Marr and Council Member Pettis.
Abstain: Mayor Stephens.
Motion carried: 4-0

ACTION:
1. City Council awarded a Professional Services Agreement (PSA) with Ware Disposal, Inc., 1035 E. 4th Street, Santa Ana, CA 92701, for a two (2) year agreement and up to three (3) additional one-year term periods for Solid Waste Collection Services at City facilities for a not-to-exceed initial annual cost of $145,667, and future annual increases equal to or less than the Consumer Price Index (CPI).

2. Authorized a ten percent (10%) contingency annually for emergency response, special events and other unforeseen costs and approval for Consumer Price Index (CPI) escalation and de-escalation.

3. Authorized the City Manager and City Clerk to execute the PSA and any future amendments to the agreement, only if the rate increase is equal to or less than the annual Consumer Price Index (CPI).

----------END OF CONSENT CALENDAR----------

PUBLIC HEARINGS: NONE.
(Pursuant to Resolution No. 05-55, Public Hearings begin at 7:00 p.m.)

OLD BUSINESS: NONE.

NEW BUSINESS:

1. ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES GRANT FUNDING - OCTA

Presentation by Ms. Villasenor, Parks and Recreation Services Manager.

Public Comments: None.

MOVED/SECOND: Mayor Pro Tem Chavez/Council Member Buley
MOTION: Approve staff recommendation.
The motion carried by the following roll call vote:
Ayes: Council Member Buley, Council Member Gameros, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: None.
Absent: Council Member Marr and Council Member Pettis.
Abstain: None.
Motion carried: 5-0

ACTION:

1. City Council accepted the Enhanced Mobility for Seniors and Individuals with Disabilities (EMSD) grant funding in the amount of $237,600 from Orange County Transportation Authority (OCTA).

2. Authorized a budgetary increase of $237,600 to be funded by the EMSD grant reimbursements.

3. Increased the annual not-to-exceed amount of the current Professional Services Agreement (PSA) with Orange County Yellow Cooperative, Inc, formerly Cabco Yellow, by $200,000 for a total annual amount of $500,000 with an additional 10% contingency.

4. Authorized the Interim City Manager and City Clerk to execute Amendment No. 2 to the PSA and any future changes and amendments to the agreement within Council authorized limits.

2. PROFESSIONAL SERVICES AGREEMENT WITH HOAG EXECUTIVE HEALTH FOR A WELLNESS PROGRAM

Presentation by Lt. Bradbury.

Public Comments: None.

DRAFT

MOVED/SECOND: Council Member Reynolds/Council Member Gameros
MOTION: Approve staff recommendation.
The motion carried by the following roll call vote:
Ayes: Council Member Buley, Council Member Gameros, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: None.
Absent: Council Member Marr and Council Member Pettis.
Abstain: None.
Motion carried: 5-0

ACTION:
1. City Council awarded a Professional Services Agreement (PSA) to HOAG Executive Health to provide a wellness program for a five-year term, effective July 1, 2025 - June 30, 2030, for a not to exceed amount of $150,000 annually.

2. Authorized the City Manager and City Clerk to execute the PSA and any future amendments to the agreement.

3. ADOPTION OF THE AGREEMENTS FOR SUCCESSOR MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF COSTA MESA (CITY) AND THE COSTA MESA POLICE ASSOCIATION (CMPA), THE COSTA MESA POLICE MANAGEMENT ASSOCIATION (CMPMA), THE COSTA MESA CITY EMPLOYEES ASSOCIATION (CMCEA) AND THE CONFIDENTIAL UNIT AND THE ADOPTION OF ACCOMPANYING SALARY RESOLUTIONS

Ex-Parte Communications: None.

Presentation by Ms. Lee Human Resources Manager

Public Comments:

Speaker, spoke on the staff reports fiscal review, the salaries and benefits agreements will be the new baselines, and will be carried forward.

MOVED/SECOND: Mayor Pro Tem Chavez/Mayor Stephens
MOTION: Approve staff recommendation.
The motion carried by the following roll call vote:
Ayes: Council Member Buley, Council Member Gameros, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: None.
Absent: Council Member Marr and Council Member Pettis.
Abstain: None.
Motion carried: 5-0

ACTION:
1. City Council approved and Adopted Agreement for Successor MOU between the City of Costa Mesa and CMPA.

2. Approved and Adopted Agreement for Successor MOU between the City of Costa Mesa and CMPMA.

3. Approved and Adopted Agreement for Successor MOU between the City of Costa Mesa and CMCEA.

4. Approved and Adopted Resolution Number 2025-20 revising the pay ranges for CMPA.

5. Approved and Adopted Resolution Number 2025-21 revising the pay ranges for CMPMA.

6. Approved and Adopted Resolutions Number 2025-22, 2025-23 and 2025-24 revising the pay ranges for CMCEA.

7. Approved and Adopted Resolutions Number 2025-25, 2025-26 and 2025-27 revising the pay ranges for the Confidential Unit.

8. Approved the Fiscal Impact Analyses.

9. Authorized the Interim City Manager and members of the City's Negotiation Team to execute the Letters of Agreement documents.

ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Mayor Stephens congratulated Coach Goelrich for receiving coach of the year.

ADJOURNMENT – Mayor Stephens adjourned the meeting at 8:21 p.m.

DRAFT

Minutes adopted on this 15th day of July, 2025.

_____
John Stephens, Mayor

ATTEST:

_____
Brenda Green, City Clerk

DRAFT

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-365 **Meeting Date:** 7/15/2025

TITLE:

AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR STORMWATER AND WATER QUALITY ADMINISTRATION SUPPORT

DEPARTMENT: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

PRESENTED BY: RAJA SETHURAMAN, PUBLIC WORKS DIRECTOR

CONTACT INFORMATION: SEUNG YANG, P.E., CITY ENGINEER (714) 754-5335

RECOMMENDATION:

Staff recommends the City Council:

1. Award a Professional Services Agreement (PSA) to WSP USA, Inc., 3560 Hyland Avenue, Suite 100, Costa Mesa, California for three (3) years with two (2) one-year renewal periods in an amount not to exceed $164,800 annually, for professional services to provide stormwater and water quality administration support for compliance with the National Pollutant Discharge Elimination System (NPDES) and Municipal Separate Storm Sewer System (MS4) Permit Program.

2. Authorize the Interim City Manager and the City Clerk to execute the PSA and any future amendments to the agreement.

BACKGROUND:

California Regional Water Quality Control Board Order No. R8-2009-0030, NPDES No. CAS618030, amended by Order No. R8-2010-0062, along with the County of Orange Drainage Area Management Plan (DAMP) and City of Costa Mesa Local Implementation Plan (LIP), requires permittees (County of Orange, Orange County Flood Control District and incorporated cities of Orange County) to develop and implement programs, plans and policies necessary to reduce the discharge of pollutants to urban storm water runoff and to protect the water quality of the receiving waters. To this effect, the City annually conducts inspections of approximately 250 commercial/industrial businesses, construction site Best Management Practices (BMPs) during construction and post-construction, and responds to illicit discharges.

ANALYSIS:

In coordination with staff from various departments in the City, a scope of work for professional services was developed, and a Request for Proposals (RFP) was posted on PlanetBids. The scope of work under this contract requires the selected consultant to provide the following services:

- Inspecting industrial/commercial facilities
- Inspecting City fixed facilities
- Reviewing Water Quality Management Plans (WQMPs) for private development projects during design
- Inspecting BMPs during construction
- Updating the City's (WQMP) inventory
- Coordinating and sharing the WQMP inventory with the County of Orange (Stormwater Tools Program)
- Inspecting approximately 55 post-construction WQMPs annually
- Ensuring compliance with upcoming Statewide Trash Provisions
- Responding to illicit discharges and connections
- Updating the City's Local Implementation Plan (LIP)
- Supporting City staff in updating local water quality ordinances, the Annual Program Effectiveness Assessment (PEA) report, and ensuring compliance with Senate Bills
- Providing training to city staff
- Providing other services as agreed upon by the City and WSP

Two (2) proposals were received for consideration. Proposals were screened for compliance with the City's RFP and evaluated based on the method of approach, qualifications, experience, staffing, and cost proposal.

To ensure an objective selection process, an evaluation committee was assembled, and all members evaluated proposals independently to assess qualifications and experience to address the City's needs. After a thorough evaluation of the proposals, the evaluation committee found WSP USA Inc. (WSP) to be well qualified to perform the requested services based on WSP demonstrating the following:

- A thorough understanding of the project
- Substantial experience and technical ability to perform the outlined scope of work
- A proven track record of providing inspection services for commercial and industrial facilities for the City in the past

The other proposer, Willdan Engineering, was also qualified by demonstrating:

- Knowledge of key tasks and deliverables
- A qualified team that is knowledgeable and able
- A comprehensive skill set tailored to adherence to the rules and regulations governing NPDES and MS4 permitting

However, based on the cumulative review of proposals by the evaluation committee, it was determined that WSP possessed better qualifications and experience in administering the City's stormwater quality program. WSP has performed inspection services for commercial/industrial facilities for the City in the past with successful results.

Therefore, staff recommends award of a PSA to WSP (Attachment 1) for three (3) years with two (2) one-year renewal periods in a not to exceed amount of $164,800 annually.

ALTERNATIVES:

The City Council may elect to reject all proposals, re-advertise, and re-evaluate newly submitted consultant proposals. Staff has determined that doing so will not result in any appreciable quality bidders and does not recommend this action.

FISCAL REVIEW:

Funding for this agreement is available in the Adopted Fiscal Year 2025-26 Operating Budget in the General Fund (Fund 101).

LEGAL REVIEW:

The City Attorney's Office has reviewed this staff report and prepared the Professional Services Agreement (PSA) and approves them both as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This project supports the following City Council goal:

- Strengthen the Public's Safety and Improve the Quality of Life
- Advance Environmental Sustainability and Climate Resiliency

CONCLUSION:

Staff recommends the City Council:

1. Award a Professional Services Agreement (PSA) to WSP USA, Inc., 3560 Hyland Avenue, Suite 100, Costa Mesa, California for three (3) years with two (2) one-year renewal periods in an amount not to exceed $164,800 annually, for professional services to provide stormwater and water quality administration support for compliance with the National Pollutant Discharge Elimination System (NPDES) and Municipal Separate Storm Sewer System (MS4) Permit Program.

2. Authorize the Interim City Manager and the City Clerk to execute the PSA and any future amendments to the agreement.

CITY OF COSTA MESA
PROFESSIONAL SERVICES AGREEMENT
WITH WSP USA INC.

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is made and entered into this 15th day of July, 2025 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and WSP USA INC., a New York corporation ("Consultant").

RECITALS

A. City proposes to utilize the services of Consultant as an independent contractor to perform Stormwater and Water Quality Professional services, on an as needed basis, as more fully described herein; and

B. Consultant represents that it has that degree of specialized expertise contemplated within California Government Code section 37103, and holds all necessary licenses to practice and perform the services herein contemplated; and

C. City and Consultant desire to contract for the specific services described in Exhibit "A" and desire to set forth their rights, duties and liabilities in connection with the services to be performed; and

D. No official or employee of City has a financial interest, within the provisions of sections 1090-1092 of the California Government Code, in the subject matter of this Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions contained herein, the parties hereby agree as follows:

1.0. SERVICES PROVIDED BY CONSULTANT

1.1. Scope of Services. Consultant shall provide the professional services described in City's Request for Proposals (RFP No. 25-20), attached hereto as Exhibit "A," and Consultant's Proposal, attached hereto as Exhibit "B," both incorporated herein.

1.2. Professional Practices. All professional services to be provided by Consultant pursuant to this Agreement shall be provided by personnel experienced in their respective fields and in a manner consistent with the standards of care, diligence and skill ordinarily exercised by professional consultants in similar fields and circumstances in accordance with sound professional practices. Consultant also warrants that it is familiar with all laws that may affect its performance of this Agreement and shall advise City of any changes in any laws that may affect Consultant's performance of this Agreement.

1.3. Performance to Satisfaction of City. Consultant agrees to perform all the work to the complete satisfaction of the City. Evaluations of the work will be done by the City Manager or his or her designee. If the quality of work is not satisfactory, City in its discretion has the right to:

(a) Meet with Consultant to review the quality of the work and resolve the matters of concern;

(b) Require Consultant to repeat the work at no additional fee until it is satisfactory; and/or

(c) Terminate the Agreement as hereinafter set forth.

1.4. Warranty. Consultant warrants that it shall perform the services required by this Agreement in compliance with all applicable Federal and California employment laws, including, but not limited to, those laws related to minimum hours and wages; occupational health and safety; fair employment and employment practices; workers' compensation insurance and safety in employment; and all other Federal, State and local laws and ordinances applicable to the services required under this Agreement. Consultant shall indemnify and hold harmless City from and against all claims, demands, payments, suits, actions, proceedings, and judgments of every nature and description including attorneys' fees and costs, presented, brought, or recovered against City for, or on account of any liability under any of the above-mentioned laws, which may be incurred by reason of Consultant's performance under this Agreement.

1.5. Non-Discrimination. In performing this Agreement, Consultant shall not engage in, nor permit its agents to engage in, discrimination in employment of persons because of their race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military or veteran status, except as permitted pursuant to section 12940 of the Government Code.

1.6. Non-Exclusive Agreement. Consultant acknowledges that City may enter into agreements with other consultants for services similar to the services that are subject to this Agreement or may have its own employees perform services similar to those services contemplated by this Agreement.

1.7. Delegation and Assignment. This is a personal service contract, and the duties set forth herein shall not be delegated or assigned to any person or entity without the prior written consent of City. Consultant may engage a subcontractor(s) as permitted by law and may employ other personnel to perform services contemplated by this Agreement at Consultant's sole cost and expense.

1.8. Confidentiality. Employees of Consultant in the course of their duties may have access to financial, accounting, statistical, and personnel data of private individuals and employees of City. Consultant covenants that all data, documents, discussion, or other information developed or received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed by Consultant without written authorization by City. City shall grant such authorization if disclosure is required by law. All City data shall be returned to City upon the termination of this Agreement. Consultant's covenant under this Section shall survive the termination of this Agreement.

2.0. COMPENSATION AND BILLING

2.1. Compensation. Consultant shall be paid in accordance with the fee schedule set forth in Exhibit "C," attached hereto and made a part of this Agreement. Consultant's total compensation shall not exceed One Hundred Sixty-Four Thousand Eight Hundred Dollars ($164,800.00).

2.2. Additional Services. Consultant shall not receive compensation for any services provided outside the scope of services specified in the Consultant's Proposal unless the City Manager or designee, prior to Consultant performing the additional services, approves such additional services in writing. It is specifically understood that oral requests and/or approvals of such additional services or additional compensation shall be barred and are unenforceable.

2.3. Method of Billing. Consultant may submit invoices to the City for approval on a progress basis, but no more often than two times a month. Said invoice shall be based on the total of all Consultant's services which have been completed to City's sole satisfaction. City shall pay Consultant's invoice within forty-five (45) days from the date City receives said invoice. Each invoice shall describe in detail, the services performed, the date of performance, and the associated time for completion. Any additional services approved and performed pursuant to this Agreement shall be designated as "Additional Services" and shall identify the number of the authorized change order, where applicable, on all invoices.

2.4. Records and Audits. Records of Consultant's services relating to this Agreement shall be maintained in accordance with generally recognized accounting principles and shall be made available to City or its Project Manager for inspection and/or audit at mutually convenient times from the Effective Date until three (3) years after termination of this Agreement.

3.0. TIME OF PERFORMANCE

3.1. Commencement and Completion of Work. Unless otherwise agreed to in writing by the parties, the professional services to be performed pursuant to this Agreement shall commence within five (5) days from the Effective Date of this Agreement. Said services shall be performed in strict compliance with the Project Schedule approved by City as set forth in Exhibit "B," attached hereto and incorporated herein. The Project Schedule may be amended by mutual agreement of the parties. Failure to commence work in a timely manner and/or diligently pursue work to completion may be grounds for termination of this Agreement.

3.2. Excusable Delays. Neither party shall be responsible for delays or lack of performance resulting from acts beyond the reasonable control of the party or parties. Such acts shall include, but not be limited to, acts of God, fire, strikes, pandemics (excluding COVID-19), material shortages, compliance with laws or regulations, riots, acts of war, or any other conditions beyond the reasonable control of a party (each, a "Force Majeure Event"). If a party experiences a Force Majeure Event, the party shall, within five (5) days of the occurrence of the Force Majeure Event, give written notice to the other party stating the nature of the Force Majeure Event, its anticipated duration and any action being taken to avoid or minimize its effect. Any suspension of performance shall be of no greater scope and of no longer duration than is reasonably required and the party experiencing the Force Majeure Event shall use best efforts without being obligated to incur any material expenditure to remedy its inability to perform; provided, however, if the suspension of performance continues for sixty (60) days after the date of the occurrence and such failure to perform would constitute a material breach of this Agreement in the absence of such Force Majeure Event, the parties shall meet and discuss in good faith any amendments to this Agreement to permit the other party to exercise its rights under this Agreement. If the parties are not able to agree on such amendments within thirty (30) days and if suspension of performance continues, such other party may terminate this Agreement immediately by written notice to the party experiencing the Force Majeure Event, in which case neither party shall have any liability to the other except for those rights and liabilities that accrued prior to the date of termination.

4.0. TERM AND TERMINATION

4.1. Term. This Agreement shall commence on the Effective Date and continue for a period of thirty-six (36) months, ending on July 14th, 2028, unless previously terminated as provided herein or as otherwise agreed to in writing by the parties. This Agreement may be extended by two [2] additional one [1]-year periods upon mutual written agreement of both parties.

4.2. Notice of Termination. The City reserves and has the right and privilege of canceling, suspending or abandoning the execution of all or any part of the work contemplated by this Agreement, with or without cause, at any time, by providing written notice to Consultant. The termination of this Agreement shall be deemed effective upon receipt of the notice of termination. In the event of such termination, Consultant shall immediately stop rendering services under this Agreement unless directed otherwise by the City.

4.3. Compensation. In the event of termination, City shall pay Consultant for reasonable costs incurred and professional services satisfactorily performed up to and including the date of City's written notice of termination. Compensation for work in progress shall be prorated based on the percentage of work completed as of the effective date of termination in accordance with the fees set forth herein. In ascertaining the professional services actually rendered hereunder up to the effective date of termination of this Agreement, consideration shall be given to both completed work and work in progress, to complete and incomplete drawings, and to other documents pertaining to the services contemplated herein whether delivered to the City or in the possession of the Consultant.

4.4. Documents. In the event of termination of this Agreement, all documents prepared by Consultant in its performance of this Agreement including, but not limited to, finished or unfinished design, development and construction documents, data studies, drawings, maps and reports, shall be delivered to the City within ten (10) days of delivery of termination notice to Consultant, at no cost to City. Any use of uncompleted documents without specific written authorization from Consultant shall be at City's sole risk and without liability or legal expense to Consultant.

5.0. INSURANCE

5.1. Minimum Scope and Limits of Insurance. Consultant shall obtain, maintain, and keep in full force and effect during the life of this Agreement all of the following minimum scope of insurance coverages with an insurance company admitted to do business in California, rated "A," Class X, or better in the most recent A.M. Best's Rating Guide, and approved by City:

(a) Commercial general liability, including premises-operations, products/completed operations, broad form property damage, blanket contractual liability, independent contractors, personal injury or bodily injury with a policy limit of not less than One Million Dollars ($1,000,000.00) per occurrence, Two Million Dollars ($2,000,000.00) general aggregate.

(b) Business automobile liability for owned vehicles, hired, and non-owned vehicles, with a policy limit of not less than One Million Dollars ($1,000,000.00) combined single limit per accident for bodily injury and property damage.

(c) Workers' compensation insurance as required by the State of California. Consultant agrees to waive, and to obtain endorsements from its workers' compensation insurer waiving subrogation rights under its workers' compensation insurance policy against the City, its officers, agents, employees, and volunteers arising from work performed by Consultant for the City and to require each of its subcontractors, if any, to do likewise under their workers' compensation insurance policies.

(d) Professional errors and omissions ("E&O") liability insurance with policy limits of not less than One Million Dollars ($1,000,000.00), combined single limits, per occurrence and aggregate. Architects' and engineers' coverage shall be endorsed to include contractual liability. If the policy is written as a "claims made" policy, the retro date shall be prior to the start of the contract work. Consultant shall obtain and maintain, said E&O liability insurance during the life of this Agreement and for three years after completion of the work hereunder.

5.2. Endorsements. The commercial general liability insurance policy and business automobile liability policy shall contain or be endorsed to contain the following provisions:

(a) Additional insureds: "The City of Costa Mesa and its elected and appointed boards, officers, officials, agents, employees, and volunteers are additional insureds with respect to: liability arising out of activities performed by or on behalf of the Consultant pursuant to its contract with the City; products and completed operations of the Consultant; premises owned, occupied or used by the Consultant; automobiles owned, leased, hired, or borrowed by the Consultant."

(b) Notice: "Said policy shall not terminate, be suspended, or voided, nor shall it be cancelled, nor the coverage or limits reduced, until thirty (30) days after written notice is given to City."

(c) Other insurance: "The Consultant's insurance coverage shall be primary insurance as respects the City of Costa Mesa, its officers, officials, agents, employees, and volunteers. Any other insurance maintained by the City of Costa Mesa shall be excess and not contributing with the insurance provided by this policy."

(d) Any failure to comply with the reporting provisions of the policies shall not affect coverage provided to the City of Costa Mesa, its officers, officials, agents, employees, and volunteers.

(e) The Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

5.3. Deductible or Self-Insured Retention. If any of such policies provide for a deductible or self-insured retention to provide such coverage, the amount of such deductible or self-insured retention shall be approved in advance by City. No policy of insurance issued as to

which the City is an additional insured shall contain a provision which requires that no insured except the named insured can satisfy any such deductible or self-insured retention.

5.4. Certificates of Insurance. Consultant shall provide to City certificates of insurance showing the insurance coverages and required endorsements described above, in a form and content approved by City, prior to performing any services under this Agreement.

5.5. Non-Limiting. Nothing in this Section shall be construed as limiting in any way, the indemnification provision contained in this Agreement, or the extent to which Consultant may be held responsible for payments of damages to persons or property.

6.0. GENERAL PROVISIONS

6.1. Entire Agreement. This Agreement constitutes the entire agreement between the parties with respect to any matter referenced herein and supersedes any and all other prior writings and oral negotiations. This Agreement may be modified only in writing, and signed by the parties in interest at the time of such modification. The terms of this Agreement shall prevail over any inconsistent provision in any other contract document appurtenant hereto, including exhibits to this Agreement.

6.2. Representatives. The City Manager or his or her designee shall be the representative of City for purposes of this Agreement and may issue all consents, approvals, directives and agreements on behalf of the City, called for by this Agreement, except as otherwise expressly provided in this Agreement.

Consultant shall designate a representative for purposes of this Agreement who shall be authorized to issue all consents, approvals, directives and agreements on behalf of Consultant called for by this Agreement, except as otherwise expressly provided in this Agreement.

6.3. Project Managers. City shall designate a Project Manager to work directly with Consultant in the performance of this Agreement.

Consultant shall designate a Project Manager who shall represent it and be its agent in all consultations with City during the term of this Agreement. Consultant or its Project Manager shall attend and assist in all coordination meetings called by City.

6.4. Notices. Any notices, documents, correspondence or other communications concerning this Agreement or the work hereunder may be provided by personal delivery or mail and shall be addressed as set forth below. Such communication shall be deemed served or delivered: (a) at the time of delivery if such communication is sent by personal delivery, and (b) 48 hours after deposit in the U.S. Mail as reflected by the official U.S. postmark if such communication is sent through regular United States mail.

IF TO CONSULTANT:	IF TO CITY:
WSP USA Inc. 3560 Hyland Avenue, Suite 100 Costa Mesa, CA 92626 Tel: (714) 925-4498	City of Costa Mesa 77 Fair Drive Costa Mesa, CA 92626 Tel: (714) 754-5291

Attn: Brent Smith

Attn: Derek Wieske

Courtesy copy to:

City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626
Attn: Finance Dept. | Purchasing

6.5. Drug-Free Workplace Policy. Consultant shall provide a drug-free workplace by complying with all provisions set forth in City's Council Policy 100-5, attached hereto as Exhibit "D" and incorporated herein. Consultant's failure to conform to the requirements set forth in Council Policy 100-5 shall constitute a material breach of this Agreement and shall be cause for immediate termination of this Agreement by City.

6.6. Attorneys' Fees. If litigation is brought by any party in connection with this Agreement, the prevailing party shall be entitled to recover from the opposing party all costs and expenses, including reasonable attorneys' fees, incurred by the prevailing party in the exercise of any of its rights or remedies hereunder or the enforcement of any of the terms, conditions, or provisions hereof.

6.7. Governing Law. This Agreement shall be governed by and construed under the laws of the State of California without giving effect to that body of laws pertaining to conflict of laws. In the event of any legal action to enforce or interpret this Agreement, the parties hereto agree that the sole and exclusive venue shall be a court of competent jurisdiction located in Orange County, California.

6.8. Assignment. Consultant shall not voluntarily or by operation of law assign, transfer, sublet or encumber all or any part of Consultant's interest in this Agreement without City's prior written consent. Any attempted assignment, transfer, subletting or encumbrance shall be void and shall constitute a breach of this Agreement and cause for termination of this Agreement. Regardless of City's consent, no subletting or assignment shall release Consultant of Consultant's obligation to perform all other obligations to be performed by Consultant hereunder for the term of this Agreement.

6.9. Indemnification and Hold Harmless. Consultant agrees to defend, indemnify, hold free and harmless the City, its elected officials, officers, agents and employees, at Consultant's sole expense, from and against any and all claims, actions, suits or other legal proceedings brought against the City, its elected officials, officers, agents and employees arising out of the performance of the Consultant, its employees, and/or authorized subcontractors, of the work undertaken pursuant to this Agreement. The defense obligation provided for hereunder shall apply without any advance showing of negligence or wrongdoing by the Consultant, its employees, and/or authorized subcontractors, but shall be required whenever any claim, action, complaint, or suit asserts as its basis the negligence, errors, omissions or misconduct of the Consultant, its employees, and/or authorized subcontractors, and/or whenever any claim, action, complaint or suit asserts liability against the City, its elected officials, officers, agents and employees based upon the work performed by the Consultant, its employees, and/or authorized subcontractors under this Agreement, whether or not the Consultant, its employees, and/or authorized subcontractors are specifically named or otherwise asserted to be liable.

Notwithstanding the foregoing, the Consultant shall not be liable for the defense or indemnification of the City for claims, actions, complaints or suits arising out of the sole active negligence or willful misconduct of the City. This provision shall supersede and replace all other indemnity provisions contained either in the City's specifications or Consultant's Proposal, which shall be of no force and effect.

6.10. Independent Contractor. Consultant is and shall be acting at all times as an independent contractor and not as an employee of City. Consultant shall have no power to incur any debt, obligation, or liability on behalf of City or otherwise act on behalf of City as an agent. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not, at any time, or in any manner, represent that it or any of its agents or employees are in any manner agents or employees of City. Consultant shall secure, at its sole expense, and be responsible for any and all payment of Income Tax, Social Security, State Disability Insurance Compensation, Unemployment Compensation, and other payroll deductions for Consultant and its officers, agents, and employees, and all business licenses, if any are required, in connection with the services to be performed hereunder. Consultant shall indemnify and hold City harmless from any and all taxes, assessments, penalties, and interest asserted against City by reason of the independent contractor relationship created by this Agreement. Consultant further agrees to indemnify and hold City harmless from any failure of Consultant to comply with the applicable worker's compensation laws. City shall have the right to offset against the amount of any fees due to Consultant under this Agreement any amount due to City from Consultant as a result of Consultant's failure to promptly pay to City any reimbursement or indemnification arising under this paragraph.

6.11 Conflicts with Independent Contractor. Contractor/consultant's duties and services under this Agreement shall not include preparing or assisting the public entity with any portion of the public entity's preparation of a request for proposals, request for qualifications, or any other solicitation regarding a subsequent or additional contract with the public entity. The public entity entering into this Agreement shall at all times retain responsibility for public contracting, including with respect to any subsequent phase of this project. Contractor/consultant's participation in the planning, discussions, or drawing of project plans or specifications shall be limited to conceptual, preliminary, or initial plans or specifications. Contractor/consultant shall cooperate with the public entity to ensure that all bidders for a subsequent contract on any subsequent phase of this project have access to the same information, including all conceptual, preliminary, or initial plans or specifications prepared by contractor pursuant to this Agreement.

6.12. PERS Eligibility Indemnification. In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement claims or is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of the City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

Notwithstanding any other agency, state or federal policy, rule, regulation, law or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing service under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any claims to, any compensation, benefit, or any incident of employment by City,

including but not limited to eligibility to enroll in PERS as an employee of City and entitlement to any contribution to be paid by City for employer contribution and/or employee contributions for PERS benefits.

6.13. Cooperation. In the event any claim or action is brought against City relating to Consultant's performance or services rendered under this Agreement, Consultant shall render any reasonable assistance and cooperation which City might require.

6.14. Ownership of Documents. All findings, reports, documents, information and data including, but not limited to, computer tapes or discs, files and tapes furnished or prepared by Consultant or any of its subcontractors in the course of performance of this Agreement, shall be and remain the sole property of City. Consultant agrees that any such documents or information shall not be made available to any individual or organization without the prior consent of City. Any use of such documents for other projects not contemplated by this Agreement, and any use of incomplete documents, shall be at the sole risk of City and without liability or legal exposure to Consultant. City shall indemnify and hold harmless Consultant from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from City's use of such documents for other projects not contemplated by this Agreement or use of incomplete documents furnished by Consultant. Consultant shall deliver to City any findings, reports, documents, information, data, in any form, including but not limited to, computer tapes, discs, files audio tapes or any other Project related items as requested by City or its authorized representative, at no additional cost to the City.

6.15. Public Records Act Disclosure. Consultant has been advised and is aware that this Agreement and all reports, documents, information and data, including, but not limited to, computer tapes, discs or files furnished or prepared by Consultant, or any of its subcontractors, pursuant to this Agreement and provided to City may be subject to public disclosure as required by the California Public Records Act (California Government Code section 7920.000 *et seq*.). Exceptions to public disclosure may be those documents or information that qualify as trade secrets, as that term is defined in the California Government Code section 7924.510, and of which Consultant informs City of such trade secret. The City will endeavor to maintain as confidential all information obtained by it that is designated as a trade secret. The City shall not, in any way, be liable or responsible for the disclosure of any trade secret including, without limitation, those records so marked if disclosure is deemed to be required by law or by order of the Court.

6.16. Conflict of Interest. Consultant and its officers, employees, associates and subconsultants, if any, will comply with all conflict of interest statutes of the State of California applicable to Consultant's services under this agreement, including, but not limited to, the Political Reform Act (Government Code sections 81000, *et seq*.) and Government Code section 1090. During the term of this Agreement, Consultant and its officers, employees, associates and subconsultants shall not, without the prior written approval of the City Representative, perform work for another person or entity for whom Consultant is not currently performing work that would require Consultant or one of its officers, employees, associates or subconsultants to abstain from a decision under this Agreement pursuant to a conflict of interest statute.

6.17. Responsibility for Errors. Consultant shall be responsible for its work and results under this Agreement. Consultant, when requested, shall furnish clarification and/or explanation as may be required by the City's representative, regarding any services rendered under this Agreement at no additional cost to City. In the event that an error or omission attributable to Consultant occurs, then Consultant shall, at no cost to City, provide all necessary design

drawings, estimates and other Consultant professional services necessary to rectify and correct the matter to the sole satisfaction of City and to participate in any meeting required with regard to the correction.

6.18. Prohibited Employment. Consultant will not employ any regular employee of City while this Agreement is in effect.

6.19. Order of Precedence. In the event of an inconsistency in this Agreement and any of the attached Exhibits, the terms set forth in this Agreement shall prevail. If, and to the extent this Agreement incorporates by reference any provision of any document, such provision shall be deemed a part of this Agreement. Nevertheless, if there is any conflict among the terms and conditions of this Agreement and those of any such provision or provisions so incorporated by reference, this Agreement shall govern over the document referenced.

6.20. Costs. Each party shall bear its own costs and fees incurred in the preparation and negotiation of this Agreement and in the performance of its obligations hereunder except as expressly provided herein.

6.21. Binding Effect. This Agreement binds and benefits the parties and their respective permitted successors and assigns.

6.22. No Third Party Beneficiary Rights. This Agreement is entered into for the sole benefit of City and Consultant and no other parties are intended to be direct or incidental beneficiaries of this Agreement and no third party shall have any right in, under or to this Agreement.

6.23. Headings. Paragraphs and subparagraph headings contained in this Agreement are included solely for convenience and are not intended to modify, explain or to be a full or accurate description of the content thereof and shall not in any way affect the meaning or interpretation of this Agreement.

6.24. Construction. The parties have participated jointly in the negotiation and drafting of this Agreement and have had an adequate opportunity to review each and every provision of the Agreement and submit the same to counsel or other consultants for review and comment. In the event an ambiguity or question of intent or interpretation arises with respect to this Agreement, this Agreement shall be construed as if drafted jointly by the parties and in accordance with its fair meaning. There shall be no presumption or burden of proof favoring or disfavoring any party by virtue of the authorship of any of the provisions of this Agreement.

6.25. Amendments. Only a writing executed by the parties hereto or their respective successors and assigns may amend this Agreement.

6.26. Waiver. The delay or failure of either party at any time to require performance or compliance by the other of any of its obligations or agreements shall in no way be deemed a waiver of those rights to require such performance or compliance. No waiver of any provision of this Agreement shall be effective unless in writing and signed by a duly authorized representative of the party against whom enforcement of a waiver is sought. The waiver of any right or remedy in respect to any occurrence or event shall not be deemed a waiver of any right or remedy in respect to any other occurrence or event, nor shall any waiver constitute a continuing waiver.

6.27. Severability. If any provision of this Agreement is determined by a court of competent jurisdiction to be unenforceable in any circumstance, such determination shall not affect the validity or enforceability of the remaining terms and provisions hereof or of the offending provision in any other circumstance. Notwithstanding the foregoing, if the value of this Agreement, based upon the substantial benefit of the bargain for any party, is materially impaired, which determination made by the presiding court or arbitrator of competent jurisdiction shall be binding, then both parties agree to substitute such provision(s) through good faith negotiations.

6.28. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together and shall constitute one agreement.

6.29. Corporate Authority. The persons executing this Agreement on behalf of the parties hereto warrant that they are duly authorized to execute this Agreement on behalf of said parties and that by doing so the parties hereto are formally bound to the provisions of this Agreement.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by and through their respective authorized officers, as of the date first above written.

CONSULTANT

_____ Date: _____
Signature

_____
Brent Smith, Vice President, Project Manager

CITY OF COSTA MESA

_____ Date: _____
Cecilia Gallardo-Daly
Interim City Manager

ATTEST:

_____
Brenda Green
City Clerk

APPROVED AS TO FORM:

_____ Date: _____
Kimberly Hall Barlow
City Attorney

APPROVED AS TO INSURANCE:

_____ Date: _____
Ruth Wang
Risk Management

APPROVED AS TO CONTENT:

_____ Date: _____
Derek Wieske
Project Manager

DEPARTMENTAL APPROVAL:

_____ Date: _____
Raja Sethuraman
Public Works Director

APPROVED AS TO PURCHASING:

_____ Date: _____
Carol Molina
Finance Director

EXHIBIT A

REQUEST FOR PROPOSALS

REQUEST FOR PROPOSAL

FOR

STORMWATER AND WATER QUALITY PROFESSIONAL SERVICES

RFP NO. 25-20

PUBLIC WORKS DEPARTMENT

CITY OF COSTA MESA

Released on

March 19, 2025

REQUEST FOR PROPOSAL
FOR
STORMWATER AND WATER QUALITY PROFESSIONAL SERVICES

The City of Costa Mesa (hereinafter referred to as the "City") is requesting Proposals from qualified consultants to provide stormwater and water quality professional services on an "as needed" basis. The awarded Contractor, (hereinafter referred to as "Consultant") shall be in accordance with the Sample Professional Service Agreement, **Appendix B** terms, conditions, and scope of work. Prior to submitting a Proposal, Proposers are advised to carefully read the instructions below, including the Sample Professional Service Agreement and any solicitation appendix/exhibits. The term is expected to be for 3 years with 2 one-year renewal options. The City reserves the right to award one or more contracts for this service.

I. GENERAL INFORMATION

The City of Costa Mesa is a general law city, which operates under the council/manager form of government with an annual General Fund budget of over $189.91 million and a total budget of $240.10 million for Fiscal Year 2024-2025.

The City of Costa Mesa, incorporated in 1953, has an estimated population of 115,000 and has a land area of 16.8 square miles. It is in the northern coastal area of Orange County, California, and is bordered by the Cities of Santa Ana, Newport Beach, Huntington Beach, Fountain Valley, and Irvine.

The City is a "full service city" providing a wide range of services. These services include police and fire protection; animal control; emergency medical aid; building safety regulation and inspection; street lighting; land use planning and zoning; housing and community development; maintenance and improvement of streets and related structures; traffic safety maintenance and improvement; and full range of recreational and cultural programs.

The City of Costa Mesa is home of the Segerstrom Center for the Arts, Orange County Fairgrounds, South Coast Repertory Theater and the South Coast Plaza Shopping Center, which is the single largest commercial activity center in the City. The volume of sales generated by South Coast Plaza secures its place as the highest volume regional shopping center in the nation.

The successful Proposer shall have experience in similar types of services. All Proposers responding to this Request for Proposal (RFP) will be evaluated on the basis of their expertise, prior experience on similar projects, demonstrated competence, ability to meet the requested services, adequate staffing, reference check, understanding of services, cost and responsiveness to the needs and concerns of the City of Costa Mesa.

1. **Important Notice:** The City has attempted to provide all information available. It is the responsibility of each Proposer to review, evaluate, and, where necessary, request any clarification prior to submission of a Proposal. **Proposers are not to contact other City personnel with any questions or clarifications concerning this Request for Proposal (RFP).** Any City response relevant to this RFP other than through or approved by City's Purchasing Department is unauthorized and will be considered invalid.

If clarification or interpretation of this solicitation is considered necessary by City, a written addendum shall be issued, and the information will be posted on PlanetBids. Any interpretation of, or correction to, this solicitation will be made only by addendum issued by the City's Purchasing Department. It is the responsibility of each Proposer to periodically check PlanetBids website to ensure that it has received and reviewed all addenda to this solicitation. The city will not be responsible for any other explanations, corrections to, or interpretations of the documents, including any oral information.

2. **Schedule of Events:** This Request For Proposal shall be governed by the following schedule:

Release of RFP	**March 19, 2025**
Deadline for Written Questions	**March 25, 2025, at 11:00 a.m.**
Responses to Questions Posted	**March 27, 2025**
Proposals are Due	**April 8, 2025, by 2:00 p.m.**
Approval of Contract	**TBD**

**All dates are subject to change at the discretion of the City.

3. **Proposer's Minimum Requirements:** Interested and qualified Proposers that can demonstrate their ability to successfully provide the required services outlined in **Appendix A – Scope of Services**, of this RFP are invited to submit a proposal, provided they meet the following requirements. All requirements must be met at the time of the proposal due date. **If these requirements are not met, the proposal may not receive further consideration, as determined at the sole discretion of the City.**

   a. The consultant must provide five references for projects of similar size and scope that have been completed within the last five years in California.

   b. The Contractor shall maintain a local office with a competent representative who can be reached during normal working hours or emergencies who is authorized to make decisions on matters pertaining to this contract with the City. Office facilities that support daily operations must be within ninety (90) miles of the City.

   c. All Proposers must identify the project manager, and the individual authorized to negotiate the contract on behalf of the consulting firm; and provide an organization chart showing all proposed key project team members.

   d. A project team organization chart identifying those who will perform work, and a brief résumé of each team member, including similar type projects in which they have been directly involved shall be included.

II. GENERAL INSTRUCTIONS AND PROVISIONS

1. **Proposal Format Guidelines:** Interested entities or contractors are to provide the City of Costa Mesa with a thorough Proposal using the following guidelines: Proposal should be typed and should contain no more than 25 typed pages using a 12-point font size, including cover letter, Index/Table of Contents, tables, charts, and graphic exhibits, but excluding resumes of key people and pricing forms. Each Proposal will adhere to the following order and content of sections. Proposal should be straightforward, concise and provide "layman" explanations of technical terms that are used. Emphasis should be concentrated on conforming to the RFP

instructions, responding to the RFP requirements, and on providing a complete and clear description of the offer. Proposals which appear unrealistic in terms of technical commitments, lack of technical competence or are indicative of failure to comprehend the complexity and risk of this contract may be rejected. The following Proposal sections are to be included in the Proposer's response:

- **Cover Letter:** A cover letter, not to exceed two pages in length, should summarize key elements of the Proposal. An individual authorized to bind the Contractor must sign the letter. Indicate the address and telephone number of the contractor's office located nearest to Costa Mesa, California, and the office from which the project will be managed. And include proposed working relationship among the offering agency and subcontractors, if applicable.

- **Background and Project Summary Section:** The Background and Project Summary Section should describe your understanding of the City, the work to be done, and the objectives to be accomplished. Refer to **Scope of Services**, **Appendix A** of this RFP.

- **Project Approach and Methodology:** Provide a detailed description of the approach and methodology that will be used to fulfill each requirement listed in the Scope of Services of this RFP. The section should include:

    1. Describes familiarity of project and demonstrates understanding of work and project objectives moving forward.

    2. Detailed description of efforts your firm will undertake to achieve client satisfaction and to satisfy the requirements of the "Scope of Services" section.

    3. Detailed project schedule, identifying all tasks and deliverables to be performed, durations for each task, and overall time of completion.

    4. Identifies the project's potential issues and response to them.

    5. A proposed schedule indicating stages of work, time frames, and ability to perform the required services in a timely manner shall be included in the proposal

    6. Proposers are encouraged to provide additional innovative and/or creative approaches for providing the service that will maximize efficient, safe, and cost-effective operations or increased performance capabilities.

- **Qualifications & Experience of the Firm**: Describe the qualifications and experience of the organization or entity performing services/projects within the past eight years that are similar in size and scope to demonstrate competence to perform these services. Information shall include:

    1. Relevant experience, specific qualifications, and technical expertise of the firm and sub-consultants to provide construction management services.

    2. Submit a description of the organization's qualifications, experience and abilities that make it uniquely capable to provide the services specified in the Scope of Work.

3. If the owner is a corporation please provide Name of corporation, corporate office street address, city, state, and zip code, state where incorporated, date of incorporation, first and last name of officers, local office address, city, state & zip, and the date local office opened its doors for business.

4. If the owner is a partnership or joint venture, please provide Name of partnership or joint venture, principal office street address, city, state, and zip code, state of organization, date of organization, first and last name of general partner(s), local office address, city, state, and zip code, and date local office opened its doors for.

5. Provide a list of current and previous contracts similar to the requirements for this project in Costa Mesa, including all public agencies served (if any). For each, provide a brief description of the scope of work performed, the length of time you have been providing services, and the name, title, and telephone number of the person who may be contacted regarding your organization's service record.

6. A list of similar projects that your firm has completed within the last five years shall be included in the submitted proposal. Information of the completed projects should include project name and description, agency or client name along with the person to contact and telephone number, year completed, engineering fee, and project construction cost.

- **Financial Capacity:** The City is concerned about proposers' financial capability to perform, and therefore, is requesting copies of audited financials from the past three years to allow an evaluation of firm's financial capabilities.

- **Key Personnel:** It is essential that the Proposer provide adequate experienced personnel, capable of and devoted to the successful accomplishment of work to be performed under this contract. The Proposer must agree to assign specific individuals to the key positions.

    - Identify the members of the staff who would be assigned to act for Proposer's firm in key management and filed positions providing the services described in the Proposal, and the functions to be performed by each.

    - Include résumés or curriculum vitae of each such staff member, including name, position, telephone number, email address, education, and years and type of relevant experience. Describe for each such person, the relevant role and functions for each project.

- **Cost Proposal:** Provide a fee schedule/pricing information for the project including identifying the specific assigned personnel, their hourly rates and their number of hours, and the cost for each work task/deliverable as described in the Scope of Services. Personnel hourly rates will reflect all costs for office overhead, including direct and indirect costs. The fee proposal shall reflect all anticipated fee increases during the contract duration. Travel time and mileage will not be allowed.

If work tasks or deliverable are proposed that are not specifically listed in the City's Scope of Services, please identify those costs as separate and optional. Proposals shall be valid for a minimum of 180 days following submission.

- **Disclosure:** Please disclose any and all past or current business and personal relationships with any current Costa Mesa elected official, appointed official, City employee, or family member of any current Costa Mesa elected official, appointed official, or City employee. **Any past or current business relationship may not disqualify the firm from consideration.**

- **Sample Professional Service Agreement:** The firm selected by the City will be required to execute a Professional Service Agreement with the City. A sample of the Agreement is enclosed as **Appendix B but** may be modified to suit the specific services and needs of the City. **If a Proposer has any exceptions or conditions to the Agreement, these must be submitted for consideration with the Proposal. Otherwise, the Proposer will be deemed to have accepted the form of Agreement**.

- **Checklist of Forms to Accompany Proposal:** As a convenience to Proposers, following is a list of the forms, **Appendix C** included in this RFP, which should be included with Proposals:

    1. Vendor Application Form
    2. Company Profile & References
    3. Ex Parte Communications Certificate
    4. Disclosure of Government Positions
    5. Disqualifications Questionnaire
    6. Bidder/Applicant/Contractor Campaign Contribution

2. Process for Submitting Proposals:

- **Content of Proposal:** The Proposal must be submitted using the format as indicated in the Proposal format guidelines.

- **Preparation of Proposal:** Each Proposal shall be prepared simply and economically, avoiding the use of elaborate promotional material beyond those sufficient to provide a complete, accurate and reliable presentation.

- **Cost for Preparing Proposal:** The cost for developing the Proposal is the sole responsibility of the Proposer. All Proposals submitted become the property of the City. Cost proposal shall be submitted in a **separate** file. The cost proposal is confidential and will be unsealed after all proposals have been reviewed, and the most qualified consultant has been selected. Proposals shall be valid for a minimum of 180 days following submission.

- **Forms to Accompany Proposal:** **Appendix C** forms shall be attached at the end of the Proposal with the exception of the Cost Proposal which shall be submitted in a separate file.

- **Number of Proposals:** Submit one (1) PDF file format copy of your proposal in sufficient detail for thorough evaluation and comparative analysis.

- **Submission of Proposals:** Complete written Proposals must be submitted electronically in PDF file format via the planetbids.com website not later than **2:00 p.m. (P.S.T) on April 8, 2025**. Proposals will not be accepted after this deadline. Proposals received after the scheduled closing time will not be accepted. It shall be the sole responsibility of the Proposer to see that the proposal is received in proper time. Faxed or e-mailed Proposals will not be accepted. **NO EXCEPTIONS.**

- **Inquiries:** Questions about this RFP must be posted in the Q & A tab on Planetbids no later than **March 25, 2025, at 11:00 A.M**. The City reserves the right not to answer all questions.

  The City reserves the right to amend or supplement this RFP prior to the Proposal due date. All addendum(s), responses to questions received, and additional information will be posted on Planetbids.

  From the date that this RFP is issued until a firm or entity is selected and the selection is announced, firms or public entities are not allowed to communicate outside the process set forth in this RFP with any City employee other than the contracting officer listed above regarding this RFP. The City reserves the right to reject any Proposal for violation of this provision. No questions other than posted on Planetbids will be accepted, and no response other than written will be binding upon the City.

- **Conditions for Proposal Acceptance:** This RFP does not commit the City to award a contract or to pay any costs incurred for any services. The City, at its sole discretion, reserves the right to accept or reject any or all Proposals received because of this RFP, to negotiate with any qualified source(s), or to cancel this RFP in part or in its entirety. The City may waive any irregularity in any Proposal. All Proposals will become the property of the City of Costa Mesa, USA. If any proprietary information is contained in the Proposal, it should be clearly identified.

- **Insurance & W-9 Requirements:** Upon recommendation of contract award, Contractor will be required to submit the following documents with ten (10) days of City notification, unless otherwise specified in the solicitation:

  - **Insurance** - City requires that licensees, lessees, and vendors have an approved Certificate of Insurance (not a declaration or policy) or proof of legal self-insurance on file with the City for the issuance of a permit or contract. Within ten (10) consecutive calendar days of award of contract, successful Bidder must furnish the City with the Certificates of Insurance proving coverage as specified in the sample contract.

  - **W-9** – Current signed form W-9 (Taxpayer Identification Umber & Certification) which includes Contractor's legal business name(s).

3. Evaluation Criteria: The City's evaluation and selection process will be conducted in accordance with Chapter V, Article 2 of the City's Municipal Code (Code). In accordance with the Code, the responsive responsible proposer shall be determined based on evaluation of qualitative factors. At all times during the evaluation process, the following criteria will be used. Sub-criteria are not necessarily listed in order of importance. Additional sub-criteria that logically fit within a particular evaluation criterion may also be considered even if not specified below.

1. **Project Approach & Methodology ------- 30%**

2. **Qualifications & Experience of Firm ------- 30%**

3. **Key Personnel ---- 35%**

4. **Cost Proposal ----- 5%**

4. Evaluation of Proposals and Selection Process: In accordance with its Municipal Code, the City will adhere to the following procedures in evaluating Proposals. An Evaluation Committee, which may include members of the City's staff and possibly one or more outside experts, will screen and review all Proposals according to the weighted criteria set forth above. While price is one basic factor for award, it is not the sole consideration.

A. **Responsiveness Screening**: Proposals will first be screened to ensure responsiveness to the RFP. The City may reject as non-responsive any Proposal that does not include the documents required to be submitted by this RFP. At any time during the evaluation process, the City reserves the right to request clarifications or additional information from any or all Proposers regarding their Proposals.

B. **Initial Proposal Review:** The Committee will initially review and score all responsive written Proposals based upon the Evaluation Criteria set forth above. The Committee may also contact Proposer's references. Proposals that receive the highest evaluation scores may be invited to the next stage of the evaluation process. The City may reject any Proposal in which a Proposer's approach or qualifications are not considered acceptable by the City. An unacceptable Proposal is one that would have to be substantially rewritten to make it acceptable. The City may conclude the evaluation process at this point and recommend award to the highest ranked consultant or proceed to interview the highest ranked consultants.

C. **Interviews, Presentation, Reference Checks, Revised Proposals, Discussions:** Following the initial screening and review of Proposals, the Proposers included in this stage of the evaluation process may be invited to participate in an oral interview and make a presentation. Interviews/presentations, if held, are tentatively scheduled for **the week of May 5th** and will be conducted at City of Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, CA 92626 or virtually at the discretion of the City. The dates are subject to change. The individual(s) from Proposer's organization that will be directly responsible for carrying out the contract, if awarded, should be present at the oral interview/presentation. The oral interview may, but is not required to, use a written question/answer format for the purpose of clarifying the intent of any portions of the Proposal.

In addition to conducting an oral interview, the City may during this stage of the evaluation process also contact and evaluate the Proposer's references, contact any Proposer to clarify any response or request revised or additional information, contact any current users of a Proposer's services, solicit information from any available source concerning any aspect of a Proposal, and seek and review any other information deemed pertinent to the evaluation process.

Following conclusion of this stage of the evaluation process, the Committee will again rank all Proposers according to the evaluation criteria set forth above. The Committee may conclude the evaluation process at this point and make a recommendation for award. Once the highest ranked consultant is identified, the City will open the Cost Proposal and enter negotiations.

Recommendation for award is contingent upon the successful negotiation of final contract terms. Negotiations shall be confidential and not subject to disclosure to competing Proposers unless an agreement is reached. If contract negotiations cannot be concluded successfully within a time period determined by the City, the City may terminate negotiations and commence negotiations with the next highest scoring Proposer or withdraw the RFP.

5. **Protests:** Failure to comply with the rules set forth herein may result in rejection of the protest. Any proposals awarded pursuant to the formal procurement procedure set forth in the Proposal procedure may be appealed in accordance with the following procedure:

   - The Proposer shall file the written notice of appeal with the Purchasing Officer at least ten (10) working days prior to proposal award date specified in the notice of recommendation to award.
   - The written notice of appeal must include specifics as to the nature of the appeal.
   - The Proposer must provide any and all documentation to support the appeal.
   - The purchasing officer will respond in writing to the Proposer within five (5) working days.
   - In the event the appeal is denied by the purchasing officer, the Proposer may appeal the purchasing officer’s ruling to the City Council at the next available council meeting.

6. **Accuracy of Proposals:** Proposers shall take all responsibility for any errors or omissions in their Proposals. Any discrepancies in numbers or calculations shall be interpreted to reflect the cost to the City.

   If prior to contract award, a Proposer discovers a mistake in their Proposal which renders the Proposal unwilling to perform under any resulting contract, the Proposer must immediately notify the facilitator and request to withdraw the Proposal. It shall be solely within the City's discretion as to whether withdrawal will be permitted. If the solicitation contemplated evaluation and award of "all or none" of the items, then any withdrawal must be for the entire Proposal. If the solicitation provided for evaluation and award on a line item or combination of items basis, the City may consider permitting withdrawal of specific line item(s) or combination of items.

7. **Responsibility of Proposers:** The City shall not be liable for any expenses incurred by potential Contractors in the preparation or submission of their Proposals. Pre-contractual expenses are not to be included in the Contractor’s Pricing Sheet. Pre-contractual expenses are defined as, including but not limited to, expenses incurred by Proposer in:

   - Preparing Proposal in response to this RFP;
   - Submitting that Proposal to the City;
   - Negotiating with the City any matter related to the Proposal; and,

- Any other expenses incurred by the Proposer prior to the date of the award and execution, if any, of the contract.

8. Confidentiality: The California Public Records Act (Cal. Govt. Code Sections 6250 et seq.) mandates public access to government records. Therefore, unless information is exempt from disclosure by law, the content of any request for explanation, exception, or substitution, response to this RFP, protest, or any other written communication between the City and Proposer, shall be available to the public. The City intends to release all public portions of the Proposals following the evaluation process at such time as a recommendation is made to the City Council.

If Proposer believes any communication contains trade secrets or other proprietary information that the Proposer believes would cause substantial injury to the Proposer's competitive position if disclosed, the Proposer shall request that the City withhold from disclosure the proprietary information by marking each page containing such proprietary information as confidential. Proposer may not designate its entire Proposal as confidential nor designate its Price Proposal as confidential.

Submission of a Proposal shall indicate that, if Proposer requests that the City withhold from disclosure information identified as confidential, and the City complies with the Proposer's request, Proposer shall assume all responsibility for any challenges resulting from the non-disclosure, indemnify and hold harmless the City from and against all damages (including but not limited to attorney's fees and costs that may be awarded to the party requesting the Proposer information), and pay any and all costs and expenses related to the withholding of Proposer information. Proposer shall not make a claim, sue, or maintain any legal action against the City or its directors, officers, employees, or agents concerning the disclosure, or withholding from disclosure, of any Proposer information. If Proposer does not request that the City withhold from disclosure information identified as confidential, the City shall have no obligation to withhold the information from disclosure and may release the information sought without any liability to the City.

9. Ex Parte Communications: Proposers and Proposers' representatives should not communicate with the City Council members about this RFP. In addition, Proposers and Proposers' representatives should not communicate outside the procedures set forth in this RFP with an officer, employee, or agent of the City, including any member of the evaluation panel, except for the RFP Facilitator, regarding this RFP until after Contract Award. Proposers and their representatives are not prohibited, however, from making oral statements or presentations in public to one or more representatives of the City during a public meeting.

A "Proposer" or "Proposer's representative" includes all the Proposer's employees, officers, directors, consultants and agents, any subcontractors or suppliers listed in the Proposer's Proposal, and any individual or entity who has been requested by the Proposer to contact the City on the Proposer's behalf. Proposers shall include the Ex Parte Communications Form, **Appendix C** with their Proposals certifying that they have not had or directed prohibited communications as described in this section.

10. Conflict of Interest: The Proposer warrants and represents that it presently has no interest and agrees that it will not acquire any interest which would present a conflict of interest under California Government Code Sections 1090 et seq., or Sections 87100 et seq., during the performance of services under any Agreement awarded. The Proposer further covenants that it will not knowingly employ any person having such an interest in the performance of any

Agreement awarded. Violation of this provision may result in any Agreement awarded being deemed void and unenforceable.

11. **Disclosure of Governmental Position**: In order to analyze possible conflicts that might prevent a Proposer from acting on behalf of the City, the City requires that all Proposers disclose in their Proposals any positions that they hold as directors, officers, or employees of any governmental entity. Additional disclosure may be required prior to contract award or during the term of the contract. Each Proposer shall disclose whether any owner or employee of the firm currently hold positions as elected or appointed officials, directors, officers, or employees of a governmental entity or held such positions in the past twelve months using the attached Disclosure of Government Positions Form, **Appendix C**.

12. **Conditions to Agreement:** The selected Proposer will execute a Professional Service Agreement for Services with the City describing the Scope of Services to be performed, the schedule for completion of the services, compensation, and other pertinent provisions. The contract shall follow the sample form of Agreement provided as **Appendix B** to this RFP, which will be modified by the City to include federal requirements.

    All Proposers are directed to particularly review the indemnification and insurance requirements set forth in the sample Agreement. **The terms of the agreement, including insurance requirements have been mandated by the City and can be modified only if extraordinary circumstances exist.**

    Submittal of a Proposal shall be deemed acceptance of all the terms set forth in this RFP and the sample agreement for services unless the Proposer includes with its Proposal, in writing, any conditions or exceptions requested by the Proposer to the proposed Agreement.

13. **Disqualification Questionnaire:** Proposers shall complete and submit, under penalty of perjury, a standard form of questionnaire inquiring whether a Proposer, any officer of a proposer, or any employee of a Proposer who has a proprietary interest in the Proposer, has **ever** been disqualified, removed, or otherwise prevented from proposing on, or completing a federal, state, or local government project because of a violation of law or safety regulation and if so, to explain the circumstances. A Proposal may be rejected on the basis of a Proposer, any officer or employee of such Proposer, having been disqualified, removed, or otherwise prevented from proposing on, or completing a federal, state, or local project because of a violation of law or a safety regulation, **Appendix C**.

14. **Standard Terms and Conditions:** The City reserves the right to amend or supplement this RFP prior to the Proposal due date. All addendum(s) and additional information will be posted via PlanetBids. Proposers should check this web page daily for new information.

APPENDIX A

SCOPE OF SERVICES
FOR
STORMWATER AND WATER QUALITY PROFESSIONAL SERVICES

The City of Costa Mesa (City) is seeking proposals from qualified engineering, stormwater, and environmental firms (Consultant) who wish to be evaluated and considered to provide "as-needed" Stormwater and Water Quality Professional Services. The Consultant will assist the City with achieving or maintaining compliance with the National Pollutant Discharge Elimination System permit (NPDES Permit) issued by the Santa Ana Regional Water Quality Control Board (Regional Board). (California Regional Water Quality Control Board Order No. R8-2009-0030, NPDES No. CAS618030).

Generally, the Consultant shall provide staff augmentation (with at least two days of on-site presence at City Hall) whereby consultant shall assist the City staff with the overall oversight of the City's Stormwater Program, and on-site staff shall complete the majority of the duties listed below.

A. Inspection of Industrial and Commercial Facilities

Consultant will review database and become familiar with each site prior to inspection. Prior to inspection, consultant will contact property owner via written correspondence.

It is estimated that there will be approximately 250 sites to be inspected each year. To ensure uniformity, an inspection form will be developed and contain at a minimum the following:

- Date and time of inspection.
- Inspector name.
- Facility name, address, SIC code based upon visit.
- Approximate size of facility.
- Contact name and phone number of property owner.
- Lists of BMPs designed at the site and whether they are implemented.
- Observations and comments.
- Corrective actions, if required, along with prioritization of items.
- Geographical Information System (GIS) data for applicable businesses.

Consultant shall provide inspection notifications to each of the business owners prior to the inspections. Photographs of structures, outdoor storage areas and other applicable areas relating to water quality, along with areas of concern that need correcting, are to be included with each inspection sheet and compiled in final report. An electronic version of the report and inspection form database will be required to be submitted to the City. If structural BMPs are identified that require scheduled maintenance, documentation of such completed or scheduled maintenance will be required to be included in final report. After the inspections, business owners shall be made aware of any deficiencies observed through enforcement notices provided by the consultant.

B. Inspect City fixed facilities, document findings and follow-up for any deficiencies.

The consultant shall regularly inspect the City's high priority fixed facilities, based on the frequency outlined in the City's Local Implementation Plan (LIP) and document the results of those inspections. Approximately 5-10 High Priority Fixed Facilities shall be inspected throughout the City annually.

C. Provide training to City staff.

The Consultant shall arrange and provide at least two training sessions per year based on the requirements of the existing permit (California Regional Water Quality Control Board Order No. R8-2009-0030, NPDES No. CAS618030) and any subsequent permit renewals to City staff, including but not limited to capital project engineers, development plan reviewers, maintenance staff, development planners, code enforcement officers, public works inspectors and building inspectors.

D. Review WQMPs during Design

The Consultant shall review Water Quality Management Plan documents that have been submitted as a condition of approval for private development projects to verify water quality compliance requirements on New Development and Significant Re-Development projects. This task may include plan checking and approval of water quality calculations, BMP selection, BMP sizing and appropriate water quality documentation including conformance with WQMP Checklist and consistency with the precise grading plans. Approximately 15-25 WQMPs are typically submitted to the City each year, of which 25% are typically Priority WQMPs and the rest are typically Non-Priority WQMPs.

E. Inspect BMP's during Construction.

The Consultant shall inspect the BMPs during construction for compliance with the Final WQMP. Approximately 5-10 construction sites with BMPs are typically inspected each year during construction for the High Priority WQMPs.

The Consultant shall also coordinate with City staff (including Building Inspectors) to inspect and document the implementation of temporary BMPs associated with all other Erosion and Sediment Control Plans for all other construction sites that require a Stormwater Pollution Prevention Plan.

F. Update City's WQMP Inventory and Coordinate with County to Update the Orange County Stormwater Tools Program

The Consultant shall work with the City and County staff to develop an electronic inventory of all WQMP BMPs installed in the City. It is currently estimated that there are approximately 220 BMPs installed throughout the City to date.

G. Inspect Post-Construction WQMPs (requirement 25% annually)

The Consultant shall inspect and document at least 25% of each of the City's Post-Construction Water Quality Management Plan Best Management Practices (WQMP BMPs) each year. It is

currently estimated that there are approximately 220 BMPs (on approximately 50 sites) installed throughout the City.

H. Compliance with new Statewide Trash Provisions

Program Management: The Consultant shall take the lead in the development of a new City Trash Provisions Compliance Program, with the goal of full program implementation by 2028. This will include the effort to include all trash capturing devices in the City into the City's Geographic Information System and ensure compliance with the State's new Trash Provisions. As part of the Trash Provisions Compliance Program, Consultant shall set quarterly status meetings with the City staff to provide updates on all work tasks, prioritize work, and set deliverable dates. Consultant shall prepare an agenda and status update in advance of each status meeting.

Perform On-Land Visual Trash Assessments: The Bay Area Stormwater Management Agencies Association (BASMAA) with funding from the State, has developed a trash model to correlate land use with trash generation rates (TGRs) for both priority land use (PLU) and non-PLU areas. BASMAA further developed the On-Land Visual Trash Assessment (OVTA) methodology to assess trash levels. Consultant shall conduct limited but targeted OVTAs to determine City-specific trash generating rates (TGRs) and compare these findings with BAASMA-modeled TGRs. This analysis is expected to more accurately predict trash loads in the City. Consultant shall investigate viable technology options and present findings to City Staff prior to commencing OVTA field work.

Trash Provisions Program GIS Layer Updates: Consultant shall collaboratively work with City GIS staff. This task shall include periodic (no less than annual) efforts per City direction to incorporate Citywide GIS layer updates into consultant-developed/maintained Trash Provision specific GIS layers. Consultant shall deliver completed portions of consultant-developed layers to City GIS staff for inclusion in City geodatabases. Consultant shall prepare PLU GIS layers and develop PLU trash generation rates. Consultant shall use ESRI GIS shapefile formats compatible with ArcGIS Pro or ArcMap 10.6.1 or higher.

OTHER DUTIES AS ASSIGNED (AS NEEDED)

I. Respond to Reports of Illicit Discharges and Illicit Connections (ID/IC)

The Consultant shall be available during normal business hours to respond to any reports of illicit discharges and shall respond in a timely manner to document the incident and coordinate the cleanup as well as the collection of the cost of cleanups if necessary.

The Consultant shall also be available during normal business hours to respond to exceedances associated with the County's Monitoring Program and assist City and County staff with tracking the source of any exceedances.

Consultant may assist the City with enforcement including issuance of BMP courtesy notices, notice of violations, and/or administrative citations. Consultant responsibilities may include preparing an administrative citation or notice of violation letter, obtaining the real property information using City resources, and mailing the enforcement letter to the property owner and business owner. Consultant may also issue enforcement documentation such as an

administrative citation during an inspection. Consultant will conduct follow up inspections as required by the MS4 permit to confirm the violation is resolved.

J. Update the City's Local Implementation Plan (LIP)

The Consultant shall, if necessary, revise the City's LIP to include citations of appropriate ordinances, identification of departmental jurisdictions in the implementation and enforcement of these ordinances, and key personnel. The LIP shall include procedures and timeframes for progressive enforcement actions. This shall occur at least once during the contract.

K. Attendance at Stormwater Permittee General Meetings

The Consultant may attend Countywide meetings occasionally when the City staff cannot attend, on an as-needed basis. Assume 3 meetings per year.

L. Update the City's Water Quality Ordinance

Based on the adoption of a new permit issued from the Santa Ana Regional Water Quality Control Board, the Consultant may be needed to assist the City staff with an update of the City's current Water Quality Ordinance, and implementation of any new inspection fees.

M. Preparation of Annual Program Effectiveness Assessment (PEA) Report

The Consultant shall assist City staff with the completion of the City's Annual Program Effectiveness Assessment (PEA) Report, also known as the Annual Report. This is estimated to be approximately 40 hours per year.

N. Ensure Compliance with Senate Bill (SB) 205 / 891

The Consultant shall assist City staff with ensuring compliance with its business licensing division and other departments in full compliance with SB 205 / 891 and all applicable Federal and California stormwater regulations.

APPENDIX C
FORMS

Vendor Application Form
Ex Parte Communications Certification
Disclosure of Government Positions
Disqualification Questionnaire
Company Profile & References
Bidder/Applicant/Contractor Campaign Contribution

EXHIBIT B

CONSULTANT'S PROPOSAL

City of Costa Mesa

NPDES | STORMWATER AND WATER QUALITY PROFESSIONAL SERVICES

TECHNICAL VOLUME

April 8, 2025



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A. Cover Letter

WSP Costa Mesa Office
3560 Hyland Avenue
(949) 642-0245
wsp.com

April 8, 2025

City of Costa Mesa
Mr. Derek Wieske
77 Fair Drive, 4th Floor
Costa Mesa, CA 92626

Subject: Proposal for NPDES Program Management and Inspection Services

Dear Mr. Weiske,

WSP USA Inc. (WSP) would like to thank you for the opportunity to submit a proposal for Stormwater and Water Quality Professional Services for the City of Costa Mesa (City). The WSP Team has a full range of capabilities required to provide the scope of services listed in this Request for Proposal (RFP) and is uniquely qualified to assist the City given our extensive work history with southern California municipalities, including the City.

The WSP Team Advantage:

- ✓ Local team with decades of experience led by a proven Project Manager
- ✓ Environmental compliance is our core capability
- ✓ Decades of successful on-call contract service history
- ✓ Proven methodology
- ✓ Commitment to QA/QC
- ✓ Knowledge of local environment

WSP's southern California offices are staffed by more than 400 professional planners, biologists, scientists, and engineers. Our Costa Mesa, CA office is less than 5 miles from Costa Mesa City Hall and has been designated as the project management location for this contract (address and phone number above). WSP has had a record of success working with the City since 2007. Our long history includes supporting the City's stormwater program and working as an extension of the City's staff.

The proposed key team members, as well as numerous other staff members within our organization will be immediately available to perform the described professional services. Brent Smith, proposed Project Manager, is authorized to negotiate a binding contract on behalf of WSP and the parties named in this proposal. We thank you for the opportunity to continue our support.

Sincerely,
WSP USA Inc.

Theodore Von Bitner, PhD
Vice President

Brent Smith,
Vice President, Project Manager

B. Background and Project Summary Section

This summary section includes a brief WSP firm profile and highlights our understanding of the City of Costa Mesa (City), experience with work to be done, and objectives to be accomplished.

WSP Firm Profile

WSP is a global leader in consulting and engineering across the energy and built environment. We provide consulting, projects, and operations solutions in more than 40 countries, and employ approximately 23,000 people. WSP has provided more than $65 million in storm water compliance, engineering, and design services in California over the past five years alone. WSP's stormwater compliance and water quality professional services are a core capability.

WSP Understanding of the City

Our project team has worked as an extension of the City staff since 2007. Our project team has a thorough understanding of the City's municipal code, departmental structure, and internal procedures and protocols. The key personnel proposed to work on this project have a strong working relationship together and with the City. Because our expertise and previous experience with the City, we won't have a "learning curve" related to the tasks requested in the RFP, which will provide efficiencies and cost savings that we believe is a key benefit to the City.

As a recent example of our understanding of the City, WSP assisted the City with a Santa Ana Regional Water Quality Control Board (SARWQCB) audit in 2023. The WSP Team met with each City department prior to the audit, completed inspections at fixed facilities, prepared trainings to City staff, and filled in some of the data gaps prior to the audit. During the audit, WSP presented on several of the City's programs and assisted with interview responses. Our project team has a long history working with several of the City's NPDES program managers over the last 18 years, so our team is uniquely qualified in understanding the City and having the expertise to manage these programs.

In addition to understanding the City, WSP's Team knows the industrial and commercial facilities that operate in the City. Our work within the City over nearly two decades limits the number of facilities that might deny access or require the presence of City representative since these facilities see the WSP team as an extension of City staff. Facilities are also more responsive to our requirements to address BMP deficiencies and address prohibited discharges since many of the facilities know our inspection staff.

WSP Understanding of the Scope of Work

WSP has a proven track record of providing high-quality, efficient services for NPDES program management and inspection services for cities and counties throughout southern California. We have provided Phase I Municipal Separate Storm Sewer System (MS4) permit compliance consulting services for over 22 years under the Orange County MS4 permit. We also have extensive experience implementing relevant statewide general permits (i.e., Construction General Permit (CGP) and Industrial General Permit (IGP)), in land development water quality management plan (WQMP) development and review, facility construction and post-construction BMP inspections, and have led countless pollutant source investigations and special studies. As some of these services may be more efficiently completed at the City's Public Works offices, WSP proposes to provide these services to the City through a combination of on-site and remote support. Our Costa Mesa office is located less than 5 miles from City Hall, allowing us to be available on very short notice. In addition to on-call on-site support, WSP can also provide regularly scheduled in-person support

staff at City offices to further improve the efficiency of our services. Our understanding of the scope and the envisioned methods for providing technical support under each service area is described in detail in the following sections.

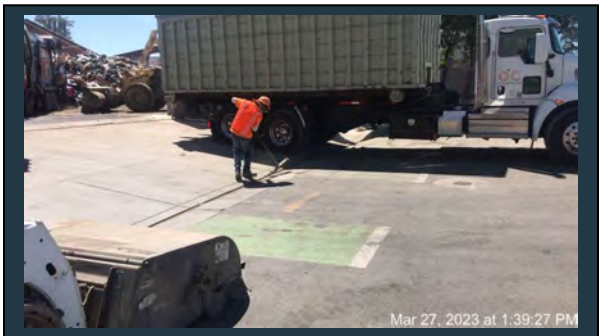
Objectives to be Accomplished

WSP understands the City's goals to maintain compliance and implementing a program that improves surface water quality in downstream receiving waters. With a collaborative network of engineers, scientists, inspectors, project managers and administrative staff, we apply real world experience, focused creativity, innovative technologies and customer focus to deliver solutions from simple design corrections for compliance to addressing complex infrastructure challenges to improve surface water quality. Our experience and ability to provide services for all tasks described reduces administrative burden and costs for the City related to use of multiple consultants/subconsultants, while providing a dedicated point of contact to coordinate and complete requested tasks in a consistent, high quality, and efficient manner.

C. Project Approach and Methodology

Our proposed work plan is described in the section below. Our approach is based on years of experience completing this same type of work and developing efficiencies/knowledge needed to meet the MS4 Permit requirement and subsequent deadlines while providing business-friendly support to the City.

Inspection of Industrial and Commercial Facilities



Industrial/Commercial Inspections – WSP's team documenting cleaning efforts at an industrial facility in Santa Ana.

Our project team will conduct field inspections of commercial and industrial facilities to assess compliance with local water quality regulations and appropriate BMPs. As identified in the RFP, we have assumed 250 inspections per year will be required. Our staff is thoroughly familiar with the City's inspection form as well as the web-based application and database, has gone through our extensive training program before performing solo inspections, and is knowledgeable of the City's procedures for enforcement. Our extensive training program is based on the County's core competencies program for municipal, industrial, and commercial inspectors. Our training program also includes 40-hour safety training and 40 hours of field training with a senior NPDES inspector. Every inspector on the project will have documentation that they have met WSP's extensive training program requirements based on these core competencies.

WSP also has an extensive QA/QC program, which includes having a senior inspector review each inspection record. The review process is documented in the City's web-based application. We understand the reports generated under this program are public documents. The reports generated through the City database will be complete and reflect conditions observed during the inspection.

For the inspection program, our project team proposes the following protocols for announcing our inspections to the industrial and commercial facilities. For IGP sites, the facilities are familiar with

the inspection programs. We will call the site representatives to schedule the site visit. If the facility does not respond or schedule the site visit, WSP will complete a walk-in inspection since many of these facilities will recognize our inspectors and are knowledgeable of the City inspection program. Our inspection staff will schedule the inspection with the facility representative in the event they are not available during the walk-in inspection and the inspector will move on to the next facility. Written notification can be provided, if necessary. For other industrial and commercial facilities, our costs include providing bilingual inspection announcement letters (English/Spanish) to notify businesses of the upcoming inspection. We have assumed the letters will be prepared and sent by our in-house support staff using the resources at City Hall. Once alerted, we will complete the inspections within a month. This approach is business-friendly, providing the business an opportunity to schedule the inspection. Our inspection team also uses the letter for our introductory discussion to obtain access to the facility. WSP staff will also have business cards available, and our inspectors are dressed in business casual attire to serve as representatives of the City.

To facilitate efficiency and reduce travel time between inspections, inspectors will group daily inspections by geographic location. For major streets, we separate our inspections by odd and even street numbers. In addition to travel efficiencies, our inspectors are proficient at explaining the inspection program to obtain access. The initial discussion can result in a good or bad impression with these facilities, sometimes resulting in additional time explaining the program. Our training program works with the inspectors on how to make a good impression and to clearly explain the inspection program. This training program reduces the chances a facility denies access or contacts the City to ask questions about the inspector.

Our inspectors are also equipped with a field inspector “tool box” that includes appropriate BMP fact sheets to provide to businesses and an iPad to complete the mobile component of data collection. Information includes BMP handouts and pamphlets, BMP guidance materials, and fact sheets such as the IGP coverage and No Exposure Certification Fact Sheet. The iPads are used to record the information during the inspection. Inspectors complete most of the form during or immediately after the site walk. The forms are submitted using the web-based application and the record is updated in our database for real-time access by the City. Each inspector has a chance to QA/QC their work prior to submittal and final review by our senior inspector.

In addition to the inspection form, WSP will have a courtesy notice that is provided to each facility. The courtesy notice will notify the facility of any deficiencies observed and provides proof of notification. The proof of notification is anticipated to be a requirement in the next MS4 Permit. A copy of the courtesy notice will be uploaded to the web-based application as part of each inspection record.

During the inspection program, there will be cases of unauthorized discharges observed during the inspection and evidence of poor BMP implementation. Our inspectors will act on the City’s behalf to help manage the response to these cases. Our inspectors will provide a notification via email within 24 hours for discharge cases that do not pose a threat to human health or environment. The City will be immediately notified for cases that may pose a threat. Our project team will track the follow-up status and enforcement on these cases until they are properly documented and the case is closed.

Proposed Schedule for Industrial/Commercial Inspections

Tasks/Anticipated Approach	Start Date	End Date	Personnel Involved (Notes)
Inventory update	1-Sep	15-Sep	Brent Smith
Kick-off Meeting	1-Oct	1-Oct	City representatives & WSP team
Update announcement letters	1-Oct	1-Oct	Cailey Hoff (WSP In-house Support)
Send announcement letters in batches	1-Oct	15-Apr	Mike Lowther & WSP administrative staff (Letters will be sent in batches between the period specified)
Inspections/re-inspections are performed (assumes 250 inspections/year)	15-Oct	30-Jun	NPDES inspectors (1-2 inspectors) typically complete inspections with multiple backup inspectors available.
Enforcement discussions/phone calls	1-Oct	30-Jun	NPDES inspector involved, Mike Lowther and/or Brent Smith
Senior review of forms	1-Oct	30-Jun	Brent Smith & Mike Lowther (Forms are reviewed within five business days)
Prepare/submit draft quarterly report to City	1-Oct 1-Jan 1-Apr 1-July	6-Jan 4-Apr 6-July 3-Oct	Cailey Hoff & Mike Lowther to prepare City quarterly report
Update commercial inventory	6-Jan 4-Apr 6-July 3-Oct	6-Jan 4-Apr 6-July 3-Oct	Brent Smith (This task does not re-prioritize the inventory or officially add businesses to the inventory for compliance reasons)
Prepare PEA Draft County Excel tables and Chapter 9 Report	1-July	31-Aug	Brent Smith & Mike Lowther (draft submittal will be completed well before the deadline; task performed around July or August)
Prepare PEA Final Report (Chapter 9)	15-Sep	15-Sep	Cailey Hoff & Brent Smith

Innovative Solutions, Efficiency, and Safety

WSP uses iPads and a WSP prepared web-application built for the City to complete the inspection program. This web-application streamlines data input and photos to maximize efficiency. WSP also has a robust safety culture. Our team has completed over 25,000 industrial/commercial inspections in southern California since the inception of this inspection program and we have not had one safety-related accident. As indicated in the RFP, WSP's staff assigned to provide staff augmentation will perform the majority of industrial and commercial inspections and assist with enforcement of cases. We have assumed WSP staff will check-in at City Hall for urgent tasks prior to completing inspections in the field.

Inspect City Fixed Facilities, Document Findings, and Follow-up for any Deficiencies

WSP will inspect the City's high priority municipal fixed facilities and document the results on municipal activities program general inspection form or form identified in the City's local implementation plan (LIP). If deficiencies are observed, WSP's inspector will work with the Fixed Facility Manager to address the issue and WSP will document the correction. WSP inspectors are

trained under the County's core competencies program for municipal, industrial, and commercial inspectors so any deficiency noted would be consistent with Model Municipal Program.

Proposed Schedule for Fixed Facility Inspections

As identified in the RFP, we have assumed 5-10 inspections per year will be required. WSP will complete the inspection using the staff assigned to work at City Hall. We have assumed WSP staff will check-in at City Hall for urgent tasks prior to completing inspections in the field.

Tasks/Anticipated Approach	Start Date	End Date	Personnel Involved (Notes)
Inspections at High Priority Fixed Facilities	4-Apr	30-Jun	Cailey Hoff & City representative (Fixed Facility Manager)

Provide Training to City Staff

WSP staff have been providing NPDES training services in southern California for several decades. Several local WSP staff are Industrial General Permit Trainers of Record (IGP ToR) and have trained WSP and client staff to become certified Qualified Industrial Storm Water Practitioners (QISPs). WSP training presentations provided for municipal, industrial, and construction target audiences typically provide an overview of relevant NPDES permit requirements, common issues, and BMPs that should be implemented. We have conducted annual NPDES MS4 trainings for the City and can build on these materials to develop individually crafted presentations to match the tone, themes, and message desired by the City.

WSP staff have completed many of the County's Drainage Area Management Plan (DAMP) model programs trainings, including the Industrial/Commercial Inspector Training, Illicit Discharge and Illegal Connection Training, and Post-Construction BMP Inspection Training. In fact, every WSP inspector completes an extensive training program based on the Orange County Stormwater Programs core competencies program for municipal, industrial, and commercial inspectors. As the County's model programs are updated to reflect changes in new pending MS4 permits, WSP will track these changes and attend any additional proper or pertinent trainings provided by the County.

Proposed Schedule for Training City Staff

As identified in the RFP, we have assumed at least two trainings per year will be required. The training presentations will be updated by WSP staff while working at City Hall with minor updates completed by WSP's Project Manager.

Tasks/Anticipated Approach	Start Date	End Date	Personnel Involved (Notes)
City Trainings	4-Apr	30-Jun	Cailey Hoff, Brent Smith, City Staff

Review WQMPs during Design

WSP staff have an in-depth understanding of the County's New Development/Re-Development Standards and Technical Guidance Document (TGD). Our team routinely provide engineering services for grading and drainage projects associated with site development and redevelopment, and stormwater BMPs (first flush treatment, green infrastructure, etc.), making us well suited for the review of such projects. WSP's engineers have experience with a wide range of civil engineering projects and can collaborate and confer with developers on designs for detention and retention

ponds, drainage swales, culverts, underground storm drain systems, hydraulic modification considers, and overall site grading considerations for new and redevelopment projects. We are experienced water quality engineers and are familiar with the necessary coordination between grading and drainage design and stormwater quality analysis and design and understand the range of local regulations, state regulations and federal regulations to find the best solution to project water quality issues.

Our team has reviewed hundreds of WQMPs for Orange County projects. For this task, our staff at City Hall will complete the initial effort on the City's WQMP Checklist, verify consistency with the precise grading plans, and complete a preliminary review of the water quality calculations. After completing the initial effort on the completion of the City's WQMP Checklist, our staff will submit the document for final engineering review. Our initial effort will streamline our engineering effort by coordinating our engineering resources with our WSP support staff at City Hall.

Proposed Schedule for WQMP Reviews

As identified in the RFP, we have assumed at least 25 WQMPs per year will be reviewed. Our WSP staff at City Hall will be responsible for reviewing non-priority WQMPs while at City Hall. Additional effort has been included for reviewing five Priority WQMPs including engineering effort for responding to the Developers or City staff for WQMPs that may be deficient. WQMP reviews will be initiated immediately during scheduled hours working at City Hall. Additional engineering reviews will typically be completed within one to two weeks of the submittals.

Inspect BMPs during Construction

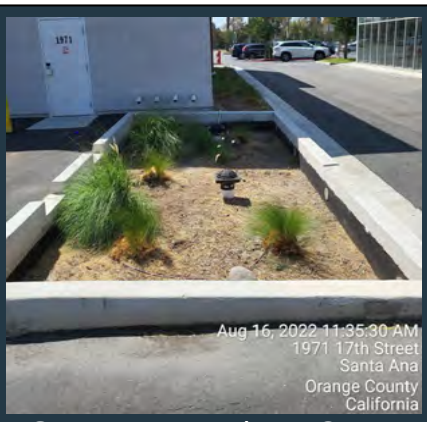
WSP has provided hundreds of WQMP verification inspections during the construction phase of work for several Orange County cities including Anaheim, Santa Ana, Laguna Niguel, and San Juan Capistrano. During our typical verification inspection, WSP verifies that the structural treatment control BMPs were installed in accordance with the WQMP and grading plans, flow patterns are reviewed to confirm that stormwater is directed to the structural treatment controls as intended, and elevations are reviewed to assess storm water detention.

During the construction phase, our inspectors are also assessing potential impacts to the structural treatment controls BMPs installed and confirming the erosion and sediment control BMPs are implemented per the erosion and sediment control plans. Our in-house support staff will work with Public Works and Building Inspectors. Our team also has QSD/QSPs available to lead inspections and have a reputation for swift responses to meet client needs for construction inspection support. Considering our office is located in the City (and less than five miles from City Hall), we can have QSD/QSPs available quickly to support the City's compliance programs when Building Inspectors require additional support.

Proposed Schedule for Construction Inspections

As identified in the RFP, we have assumed at least 5-10 WQMP sites will require inspection. Our WSP's support staff at City Hall will be responsible for completing the required inspections with assistance from WSP senior staff within our Costa Mesa office. We assume senior staff will complete some of the initial inspections identifying key features and issues based on the structural treatment control selected. We have assumed the inspections and any enforcement will occur during the scheduled days for our staff at City Hall.

Update City's WQMP Inventory and Coordinate with County to Update Orange County Stormwater Tools (OC Stormwater Tools) Program



WSP's team conducts O&M inspections of structural treatment control BMPs and obtains documents supporting that the BMPs are operational and maintained.

Orange County Public Works has been encouraging cities to on-board to OC Stormwater Tools, a web-based countywide stormwater BMP inventory, planning, and water quality model tool. The web-based platform provides a uniform stormwater asset management database linked to spatial drainage data and a pollution load reduction model to quantify water quality benefits. The tool is envisioned to encapsulate and eventually fulfill MS4 Permit reporting requirements replacing the current cumbersome reporting methods. WSP has assisted several clients with this process and are familiar with the challenges that on-boarding my present and the software quirks of the still evolving. It is our understanding that the City currently has a backlog of entries to OC Stormwater Tools. For this task, WSP will work with the County to upload entries into OC Stormwater Tools. WSP will complete research on the City-owned and privately-owned stormwater treatment devices prior to providing information to the County or adding the sites into the system. Research may include reviewing the WQMPs and grading plans, verifying records associated with the projects, reviewing Google Earth imagery, and site inspections prior to updating the WQMP Inventory and OC Stormwater Tools. If WQMP site inspections are performed, they will be conducted as part of the Post-Construction BMP inspection under the next task.

Proposed Schedule for WQMP Inventory and OCST Support

OC Stormwater Tools and inventory updates will be completed primarily by support staff at City Hall based on the following schedule.

Tasks/Anticipated Approach	Start Date	End Date	Personnel Involved (Notes)
Gather WQMPs, supporting documentation, and review	1-May	30-Jun	Cailey Hoff (WSP In-house Support), City representatives
Discuss on-boarding with County and submit documentation	1-July	1-Oct	Cailey Hoff (WSP In-house Support), County representatives
WSP to update OC Stormwater Tools and City WQMP Inventory	1-July	1-Oct	Cailey Hoff (WSP In-house Support). Some updates will be pending field inspection observations under the next task

Inspect Post-Construction WQMPs

Our team has reviewed hundreds of WQMPs for Orange County projects and is currently providing WQMP verification and BMP maintenance inspections for several Orange County cities. During our typical verification inspection, WSP verifies that the structural treatment control BMPs are installed

in accordance with the WQMP and grading plans, flow patterns are reviewed to confirm that storm water is directed to the structural treatment controls as intended, and elevations are reviewed to assess storm water detention. WSP understands several of these BMPs were self-verified by the developers. WSP staff will confirm that the BMPs were installed. Based on our experience, there may be projects that were not installed per plan, may have been modified, or maintenance hasn't been performed per the WQMP. WSP has worked with private owners to resolve these issues.

Proposed Schedule for Post-Construction WQMP Inspections

Tasks/Anticipated Approach	Start Date	End Date	Personnel Involved (Notes)
Post-Construction BMP Inspections and Enforcement	1-July	1-Oct	Cailey Hoff (WSP In-house Support) and Mike Lowther. Assumes information is gathered and prepared under the task above. Mike Lowther will assist with confirming issues identified and provide senior support during any enforcement case

Compliance with Statewide Trash Provisions

Program Management

WSP has been leading the compliance effort for the Statewide Trash Provisions (also referred to as the "Trash Amendments") within Orange County. From the onset, WSP worked on behalf of several Orange County cities to create an ad hoc trash committee, provided numerous presentations on track selection within southern California including presentations to the Orange County cities and at a Riverside County workshop, and led efforts to develop a land substitution guidance document. We continue to be a leader in identifying cost-effective pathways to comply with the Trash Provisions requirements.

Our extensive experience working with Orange County cities means we are familiar with the landscape and understand the challenges presented by the Trash Provisions requirements. Our staff have developed several technical reports showing various compliance scenarios for multiple cities. We were also the lead author through a contract with the County of Orange to develop a Trash Provisions Land Substitution Guidance Document. Based on our extensive experience, our team is currently leading the effort in providing comments related to trash provision compliance under the Santa Ana RWQCB's Regional Phase I MS4 Permit. We understand the balance between having a flexible approach to having a clear compliance pathway outlined in the MS4 permit.

Our team also has extensive knowledge of preparing city compliance strategies. We have prepared several Trash Provisions Implementation Plans with defined specific actions to be completed by cities. The plans included current progress on program development, including mapped Priority Land Use (PLU) areas and modeled trash generation rate adjustments, catch basin inlet delineated drainages, land use layer updates, preliminary land use substitution findings, and recommendations. The implementation plans are updated for the City to provide a clear picture of the projected trash load remaining. These items are described further below.

On-Land Visual Trash Assessments (OVTAs)

WSP understands the City's goal of meeting the Track 1 compliance. Because of direct connections on private property (i.e., land areas that drain directly into the MS4 of the City bypassing City municipal catch basins or any Full Capture Systems (FCS) installed to capture trash), OVTAs are one method to improve compliance and still maintain Track 1 compliance through a substitution strategy.



The Bay Area Storm Water Management Agencies Association (BASMAA) developed a trash model that correlates different land uses with Trash Generation Rates (TGRs) for both PLUs and non-PLU areas and further connects these TGRs with an OVTA score that can be verified through field monitoring. This model will ultimately be used for land substitution under the Track 1 compliance strategy.

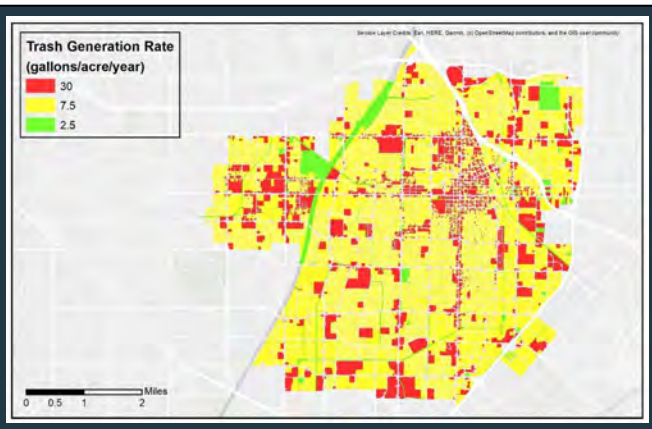
WSP will complete two rounds of OVTA surveys to verify baseline TGRs. Based on OVTA survey results completed for other cities, we believe City land use TGRs will be considerably different than BASMAA modeled TGRs and the OVTAs will reduce the overall compliance trash load. OVTAs require a two-person team. We have assumed the OVTA will occur during the scheduled days for our staff at City Hall and a Public Works inspector can be trained and assist with the inspection. The OVTA survey results will be uploaded into the GIS layer under the following task.

Trash Provisions Program GIS Layer Updates

WSP's GIS team is also uniquely qualified for this work. Our GIS manager for trash provision compliance is Mr. Kacen Clapper. Kacen also has extensive expertise with the Trash Provisions and storm water regulatory compliance. He has trained several of our GIS support staff on Trash Provisions support tasks, including automated delineations, refinement of drainages to include structures not reflected in digital elevation models (DEM), direct connection assessments, and modeling of land use TGR.

Delineation of Drainage Areas and Direct Connections

The goal of this task is to: 1) identify City catch basins that receive runoff from PLUs and select equivalent Alternative Land Uses (ALUs); 2) provide more accurate ways to document runoff from City PLUs and areas that will be served by FCS to meet future annual report requirements; 3) confirm locations not captured by FCS requiring land substitution; and 4) obtain potential future Orange County Transportation Authority



WSP has assisted the City of Santa Ana with preparation of TGR maps to support the land substitution compliance strategy and trash load calculations.

(OCTA) grant funds (as part of the selection process). WSP has completed these delineations for several local clients, including the cities of Santa Ana, Irvine, Anaheim, Garden Grove, San Juan Capistrano, Laguna Beach, Laguna Niguel, Dana Point, and San Diego.

Our approach includes automating the delineation process and performing a subsequent refinement. The initial task includes a desktop GIS analysis to develop a digital elevation model (DEM) based automated drainage delineation. This automated drainage layer saves time and provides a starting point for the subsequent refinement process. WSP recommends the subsequent refinement of drainages to account for structures that may affect drainage flow that are not reflected in the bare-earth DEM. WSP assumes this task will be completed after the initial assessment using a combination of our in-house support staff and WSP GIS staff.

Trash Generation Rate Calculations

WSP will prepare the initial TGR maps for the City and adjust the TGRs based on the OVTA findings. WSP assumes TGR maps will be updated based on additional OVTA findings to further strengthen findings and periodic verification will be needed based on the new MS4 permit requirements. After the adjustments are made, WSP will be prepare the TGR calculations. Our extensive history supporting this task for multiple clients demonstrates there will be no "learning curve" related to this task.

Proposed Schedule for Statewide Trash Provisions

Statewide Trash Provisions work will be completed by support staff at City Hall and WSP GIS Support staff based on the following schedule.

Tasks/Anticipated Approach	Start Date	End Date	Personnel Involved (Notes)
GIS Support - Generate Trash Compliance Maps (PLU and TGR) - Assign OVTA Target Areas	1-July	1-Oct	WSP GIS Team
On-land Visual Trash Assessments	1-Oct	1-Feb	Cailey Hoff (WSP In-house Support), City representative
Prepare Compliance Presentations for City managers	1-Feb	30-Apr	Cailey Hoff (WSP In-house Support), WSP GIS (Katelynn Webb), Brent Smith, City representative
Implement Plan based on compliance status	2026	2028	As needed support

Other Duties as Assigned (As Needed)

Respond to Reports of Illicit Discharges and Illicit Connections (ID/IC)

The City implements a program to actively detect and eliminate illegal discharges and illicit connections to the storm drain system. In addition to the proactive detection identified through County led outfall monitoring or City led facility inspections or special studies, a large portion of city investigations are in response to water pollution complaints or reported incidents. WSP staff have been trained using the Orange County Investigation Guidance Manual developed by Orange County Copermittees to provide a consistent approach and fundamental techniques that should be followed

during investigations. Each investigation must be thoroughly documented and discharges that present a significant threat to the environment must be immediately reported and remediated as quickly as possible.

WSP has provided these types of investigation services to several Orange County cities and understands the process for investigation, the resources available to assist the City with addressing and eliminating the discharge (i.e., pollution response implementation agreement, Countywide Area Spill Control program, Orange County Health Care Agency, Orange County District Attorney's office, Environmental Protection Agency), and the procedures for required reporting to local and State agencies. If WSP assistance is requested, we will respond as quickly as possible. Typically, we have the ability to rearrange work assignments and respond within 1-2 hours. While we have staff at City Hall, we'll be able to shift work responsibilities immediately. Additionally, with City staff authorization we can request additional support through the County Water Pollution Response Unit for a timely response and protection of downstream receiving waters.

Update the City's Local Implementation Plan (LIP)

WSP has extensive experience updating City LIPs for several Orange County cities. Our in-depth knowledge of the County's MS4 permit, along with our understanding of the City's departmental structure and responsibilities provide the experience and insight necessary to perform an effective and efficient update of the City's LIP. WSP's support staff at City Hall can complete the LIP update task upon City approval or based on availability while at City Hall.

Attendance at Stormwater Permittee General Meetings

We understand the City may need support attending County/Co-permittee meetings; Ad Hoc Subcommittees such as Local Implementation Plan (LIP)/Program Effectiveness Assessment (PEA), Trash Amendments, or Caltrans Municipal Coordination meetings; SARWQCB/SWRCB meetings, and/or other NPDES related events such as California Storm Water Quality Association (CASQA) quarterly meetings and conferences. We have provided this type of meeting support to the City as well as a number of Orange County cities. We regularly attend technical and regulatory meetings on behalf of our clients and provide feedback/information, as requested. Our extensive experience with the ***TMDL***, ***LIP, regulatory compliance inspections, public education, trash and debris, and water quality monitoring programs*** gives us the ability to translate the technical issues into program recommendations. We are familiar with the challenges that the City may face in managing these various regulatory requirements. We also have the historical background on past requirements that can be critical when making recommendations or proposing changes. When necessary, WSP has provided concise, technically clear written summaries of the meetings and offer our recommendations to the City as part of the deliverable required under this task.

Update the City's Water Quality Ordinance

WSP understands the implications of the new permit. WSP's in-house support has assisted with review of City Water Quality Ordinances. Our staff can also assess the implementation of new inspection fees with the assistance of senior staff. WSP also has experts that have assisted cities with implementation of new stormwater fees.

Preparation of Annual Program Effectiveness Assessment (PEA) Report

WSP's proposed team has assisted cities with the PEA since 2003. Our support has significantly grown since 2003 as the complexities of the permit have expanded along with our role in supporting various City PEA reporting efforts. Our staff has closely worked with many of city departments on

this task. Because of our previous work for the City including the audit support and review of past annual reports, our team will have no learning curve on assisting with this important task.

For this as needed support task, we anticipate having regular meetings and phone calls with the City project manager throughout the PEA reporting process to provide updates in regards to short comings or to provide information on the data gathered. WSP's team also anticipates changes to the PEA templates to include the trash amendment requirements once the new MS4 permit is adopted. Our team's involvement with the trash provisions will ease the burden on the City staff by planning ahead to address future compliance and reporting requirements. WSP assumed we will continue to complete Section 9, Existing Development under the task above.

Ensure Compliance with Senate Bill (SB) 205 / 891

Senate Bill 205 (SB205) was signed by Governor Gavin Newsom on October 2, 2019 and became effective January 1, 2020. SB205 added sections 16000.3 and 16100.3 to the Business and Professions Code and section 13383.10 to the Water Code, and requires a person applying to a city or county for a new or renewed business license to demonstrate enrollment in a National Pollutant Discharge Elimination System (NPDES) storm water permit, if such a permit is required. Senate Bill 891 (2022) effective January 1, 2023, amends sections 16000.3 and 16100.3 of the Business and Professions Code, and amends Sections 13260 and 13383.10 of the Water Code, to include applications for new or renewed "instruments or permits equivalent to business licenses."

For the City, SB205/891 is handled by Finance and Planning Departments. Prior to the issuance or renewal of a business license, applicants complete a SB205 form and City determines whether any of the primary Standard Industrial Classification (SIC) codes provided by the business are potentially regulated by the NPDES General Permit for Storm Water Discharges Associated with Industrial Activities (Industrial General Permit). SB205 requirements have been added to the draf MS4 permit including a new semi-annual reporting requirement. While SB205 is not part of the current MS4 permit, the requirements have been discussed during some of the other City audits.

For this scope of work, WSP will review the City's process for complying with SB205/891, assist with any changes needed to comply with the future requirements, develop a training program for City staff, and will complete one training for the City's team responsible for implementing the requirements under SB205/891.

D. Qualifications & Experience of the Firm

Construction Management Services Relevant Experience

In addition to the relevant experience, qualifications, and technical expertise managing stormwater programs, WSP has more than 20 local professionals supporting construction storm water permitting and construction management services. We have been providing these services to both public and private sector clients throughout southern California for over 30 years. Over the past two decades our capability to provide these services has been built on securing contracts with many notable clients such as John Wayne Airport, SDG&E, Imperial Irrigation District, San Diego International Airport, Caltrans, US Naval Facilities Command Southwest Division, Ports of San Diego and Long Beach, Panoche Valley Solar Plant, Los Angeles Engineering Inc., cities of Anaheim, Santa Ana and National City and County of Los Angeles. Our staff routinely review construction compliance documents such as SWPPPs, ESCPs, and WPCPs. We have QSD/QSPs available to lead inspections and have a reputation for swift responses to meet client needs.

Our approach to providing construction management services is to be proactive and establish expectations with developers and contractors early in the construction process. We intend to work closely with public works staff and building inspectors based on City needs under any construction management project. We have found that clear and upfront communication with private developers helps properly address and corrections needed in a timely manner.

Organization's Qualifications

WSP's stormwater compliance and water quality professional services are a core capability. WSP believes our detailed proposed work plan described above, example projects below, and references demonstrate our commitment to providing high-quality, efficient services for NPDES program management and inspection services and make WSP uniquely qualified to continue our work with the City.

Corporation Information

WSP USA Inc.
One Penn Plaza, 4th Floor
New York, NY 10119

Andrew J. Lynn Vice President WSP USA Inc. Andrew.Lynn@wsp.com;	Hillary Jassey Secretary WSP USA Inc. Hillary.Jassey@wsp.com

State of Incorporation: New York
Date of Organization: 1883

Local Office Information

WSP USA Inc.
3560 Hyland Avenue
Costa Mesa, CA

Length of Time Performing Similar Services to Orange County Cities: ***22 years***

List of Current Contracts & References

Agency Name	Contact Person	Description of Services Provided and Length of Service
City of Santa Ana	Craig Foster NPDES Manager 714-647-5659 cfoster@santa-ana.org	NPDES Compliance Services: Inspections, Trash Amendments Planning, TMDL Compliance, illegal discharges and illicit connections, Annual Reporting Length of Service: 21 Years
City of Anaheim Public Works Administration	Keith Linker, PE, CPSWQ, QSD Principal Civil Engineer klinker@anaheim.net 714-765-4141	NPDES Compliance Services: Inspections, Trash Amendments, illegal discharges and illicit connections, Annual Reporting Length of Service: 22 Years
City of Laguna Niguel	Jeremy Hohnbaum Engineering Services Manager 949-362-4317 jhohnbaum@cityoflagunaniguel.org	Program Management, Meeting Support, Technical Advisor (Bacteria TMDL, Trash Amendments Planning), Special Studies, Grant Administration, Plan Check Services, Wetlands Program Management, LIP/WQIP Annual Reporting Length of Service: 9 Years
City of Irvine	Thomas Lo Community Development Officer 949-724-6315 tlo@cityofirvine.org	Program management; trash amendments Length of Service: 4 years
City of Costa Mesa	Seung Yang City Engineer 714-754-5633 Seung.yang@costamesaca.gov	Program management, industrial / commercial; audit support Length of Service:18 years

Table lists project experience covers numerous examples of the projects similar in scope, complexity, and regulatory compliance implications as would be expected by the City.

Table 2: The WSP Team's Local Experience and Strong Qualifications Match the Contract Needs	Program Management	Training and Audits	Committee Meetings	Ind/Comm Inspections	Fixed Facility Insp.	WQMP Reviews	During Construction Insp.	WQMP Inventory Updates	O.C. Stormwater Tools	Post Const. WQMP Insp.	Trash Amendments GIS	OVTA Trash Assessments	ID/IC	LIP/JRMP Updates	Water Quality Ordinance	PEA	SB205/891
Client (WSP Partners)	**MS4 Permit Compliance & Reporting**																
City of Costa Mesa	●	●	●	●	●							●	●			●	●
City of Anaheim	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
City of Santa Ana	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
City of Irvine	●	●			●				●		●	●		●		●	●
City of Garden Grove		●	●								●	●	●	●			
City of Laguna Niguel	●	●	●	●	●	●	●	●	●	●	●	●	●	●		●	●
City of Laguna Hills	●	●	●	●	●	●	●	●	●	●	●	●	●	●		●	
City of Dana Point	●		●	●	●	●			●		●	●	●	●		●	
City of Laguna Beach	●	●	●	●	●	●	●	●	●	●	●	●	●	●		●	
City of San Juan Capistrano	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
City of San Clemente	●	●	●	●	●	●	●	●	●	●	●	●	●	●		●	●
John Wayne Airport	●	●	●	●	●	●	●		●	●	●	●	●	●	●	●	
City of San Diego	●	●	●	●	●	●	●	●	●	●	●	●	●	●		●	
City of Imperial Beach	●	●	●	●	●	●		●	●	●	●	●	●			●	
County of San Diego		●	●	●		●	●	●	●	●	●		●			●	
San Diego Regional Airport Authority	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	

List of Similar Projects within Last 5 Years & Project Descriptions

1 NPDES Program Support Services, City of Costa Mesa

Project Location: Costa Mesa, CA



Municipal Fixed Facility Inspection - WSP completed an inspection of the City's fire station.

Project Description: WSP has assisted the City of Costa Mesa with implementation of their industrial/commercial/municipal NPDES inspection program since 2007. WSP has performed more than 2,500 inspections of industrial and commercial facilities and assisted Costa Mesa in developing and maintaining a database to track inspection results. WSP has also assisted them in performing NPDES inspections of municipally-operated facilities (corporate yards, police stations, City Hall, fire stations). WSP also performed a detailed dry weather flow study for the City. Storm drain outlets in the major flood control channels were visually observed to document the presence of flow and the associated flow characteristics. If flow was observed, field analysis was performed, and samples were collected. Field staff initiated upstream flow investigations when visual observation and field test results indicated potentially elevated pollutant levels.

Agency or Client Name	Client Contact Information	Period of Performance	Engineering Fee
City of Costa Mesa, Public Works Department	Seung Yang, PE City Engineer Seung.yang@costamesaca.gov 714-754-5633	2007-present	$45,000 / year

Key Personnel (Including Project Manager)	Task Relevancy
Brent Smith (Project Manager), Mike Lowther, Ellen Smith, Kevin Herring	Similar in scope, size, and complexity to City's RFP

2 Industrial/Commercial and As-Needed NPDES Program Support Services, City of Santa Ana

Project Location: Santa Ana, CA



WSP has performed more than 15,000 industrial/commercial inspections for the City with zero safety incidences and has a record of success for providing high quality work.

Project Description: WSP supports the City with a range of technical services related to the Santa Ana RWQCB-issued MS4 permit, including:

1. Commercial, industrial, and municipal inspections
2. Database management
3. WQMP O&M inspections
4. Trash amendments policy Track 1 program
5. Construction support
6. TMDL technical advisory services
7. PEA annual reporting assistance
8. As-needed services, including environmental engineering, storm water sampling, Copermittee meetings, grant application assistance, and source investigations

Since 2004, WSP has been supporting the City with their NPDES program. As the MS4 permit requirements grew in complexity and volume, our services evolved – starting with the commercial-industrial inspection program and moving to additional subjects, such as municipal facilities, WQMPs, trash provisions, TMDL regulatory support, public complaint investigations, and, for a short period of time, we served as the interim NPDES Program Manager.

Agency or Client Name	Client Contact Information	Period of Performance	Engineering Fee
City of Santa Ana Public Works Administration	Craig Foster NPDES Manager Cfoster@santa-ana.org 714-647-5659	2004-present	$350,000 / year

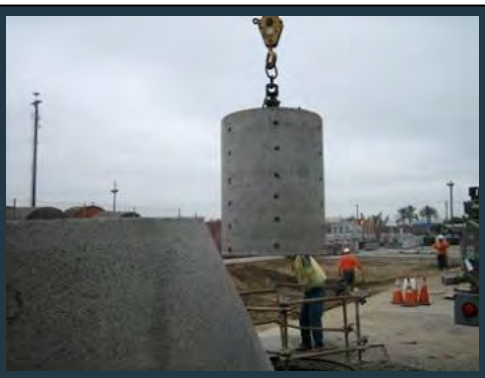
Key Personnel	Task Relevancy
Brent Smith (Project Manager), Mike Lowther, Kacen Clapper, Ted Von Bitner, Ellen Smith, Cailey Hoff	Similar in scope, size, and complexity to City's RFP

3 As-Needed NPDES Program Support Services, City of Anaheim

Project Location: Anaheim, CA

Project Description: WSP supports the City of Anaheim with similar MS4 permit support as the City including:

1. Municipal inspections
2. Industrial/Commercial Program Management
3. Inspection database management
4. WQMP verification and O&M inspections
5. Trash amendments policy Track 1 program development
6. Orange County Transportation Authority (OCTA) M2 Project X Environmental Cleanup Program (ECP) Tier 1 Grant Support since 2016
7. OVTA assessments
8. PEA annual reporting assistance
9. Environmental engineering
10. Storm water sampling
11. Grant application assistance
12. Source investigations
13. Training



WSP performed BMP inspections to verify constructions sites were built per plan.

Client testimonial from a recent inspection: "Exceptional work, as always Mike!!! Not honestly sure what we would do without your support." Keith Linker, February 2, 2021

Similar to the City, our services started with the commercial-industrial inspection program. Our team inspected thousands of businesses each year for the City. WSP now manages this program for Code Enforcement. Our NPDES program support has evolved into additional subjects, such as municipal facilities, WQMPs, and trash provisions. WSP has assisted with grant support for installation of hundreds of connector pipe screen (CPS) devices. WSP has provided engineering support including reviewing engineering plans for large regional storm drain improvement projects

and has assessed the feasibility for trash capture associated with the Chantilly Storm Channel and Burris Basin Regional Project. WSP participated and led several stakeholder meetings with Caltrans and Orange County Water District.

Agency or Client Name	Client Contact Information	Period of Performance	Engineering Fee
City of Anaheim Public Works Administration	Keith Linker, PE, CPSWQ, QSD Principal Civil Engineer klinker@anaheim.net 714-765-4141	2003-present	$300,000 / year

Key Personnel	Task Relevancy
Brent Smith (Project Manager), Cailey Hoff, Mike Lowther, Kacen Clapper, Ted Von Bitner, Ellen Smith, Katelynn Webb	Similar in scope, size, and complexity to City's RFP

4 Laguna Niguel Urban Runoff Improvement Program

Laguna Niguel, CA

Project Description: Stormwater Compliance Services

WSP Scope of Work: WSP has provided Storm Water Compliance technical support to the City's Public Works Department since 2016 including serving in an Environmental Programs management role for the City since June 2021. Through this experience we have developed insights into daily program activities and important areas of support need. Building on this knowledge our work plan approach is based on key service areas:

1. Program Management
2. Program Implementation
3. TMDL and WQIP Technical Consultation
4. Meeting Support and Public Education
5. Project Planning and Grant Administration
6. Program Reporting
7. WQIP Focused Special Studies

In the past years of service to the City, WSP staff supported a number of efforts that provide high profile recognition to the City and its commitment to environmental programs. In 2022, the City received a Best Award from the American Public Works Association related to the Salt Creek Wetland Mitigation Project. In 2020, WSP started a dry weather flow reduction special study for the City to address WQIP-related goals and this work has led to successfully reducing dry weather flows into the MS4 in support of the Unnatural Water Balance and Pathogen Health Risk High Priority Water Quality Conditions

Agency or Client Name	Project Developer	Period of Performance	Engineering Fee
City of Laguna Niguel, Public Works Department	Kathy Nguyen, Program Manager	Not Applicable	$383,000 over 5 years

Key Personnel (Including Project Manager)	Task Relevancy
Kacen Clapper (Project Manager), Theodore Von Bitner (Principal), Brent Smith, Mike Lowther, Ellen Smith, Lijun Xi	Similar in scope, size, and complexity to City's RFP

E. Financial Capacity

WSP average revenue over the past three years exceeds $1.9-billion, with the expectation of continued growth, and access to funding from its ultimate parent entity, WSP Global Inc. As such, WSP USA is financially stable and has the necessary resources both human and financial to provide the services at the level required by the City of Costa Mesa. WSP has the financial capacity to fully perform the required services, including provision of equipment and personnel expenses. The last three years of reports can be found here: Reports & Filings

F. Key Personnel

WSP USA realizes that the success of a project relies heavily on the individual team members' capabilities and experience. WSP USA's team includes certified, experienced planners and seasoned professional engineers, resource specialists, and managers with decades of experience in Southern California. Our key personnel for this assignment were selected because they have demonstrated a successful track record with the service areas requested by the City. WSP USA's key personnel are qualified to perform the specific consulting services requested by the City.

The figure on the following page is our proposed organization chart. Following the figure are brief biographies of our key proposed project team. Table 1 highlights the staff who will be working on the project along with a percentage of each individual's time devoted to the project.

Detailed resumes for staff within our key project team are provided in **Appendix B** (resumes excluded from Appendix B will be available on request). Key personnel will be available to the extent proposed for the duration of the project and no key team members will be removed or replaced without prior agreement by the City. Information on our proposed team is provided below.



Ted Von Bitner, PhD – Principal in Charge: Dr. Von Bitner has more than 20 years of experience in environmental science and program management of water quality-related compliance programs for various city and county level government agencies. Ted will serve as the task manager for many of the as-needed support tasks including trash provisions and TMDL support tasks. Ted specializes in MS4 program implementation. His experience includes helping a number of southern California municipal agencies to complete program evaluations to translate technical findings into management level decision information. Ted has helped city and county agencies to conduct in-depth program re-evaluations to identify regional water quality priorities, reorganize and reprioritize agency resources to improve program effectiveness, and provide technical consulting services to extract management level information from compliance-based programs to develop strategic watershed BMPs.

Education: Ph.D., Inorganic Chemistry, University of California, Los Angeles, 2001; B.S., Chemical Physics, University of California, San Diego, 1995



Brent Smith, ToR, QISP, CPESC, QSD/QSP – Project Manager; Database Management; Construction General permit Support and/or Construction Site Inspections; Future MS4 Permit Support; Training: Brent will be the project manager for this project. He has 23 years of experience providing environmental compliance consulting. In addition, he has managed numerous projects in Orange County and throughout southern California involving municipal NPDES permit compliance and inspections of industrial/commercial sites. He has successfully

managed the work described in the RFP for Santa Ana, Anaheim, and Costa Mesa. Brent understands the regulatory framework in Orange County and has conducted several Core Competencies workshops. He has been actively involved in the development of municipal and IGP-related training programs. Brent has extensive experience with BMP effectiveness evaluations; BMP recommendations and compliance strategies; flow measurement and sampling system design; sampling and analysis; data review; NPDES permit compliance; TMDL support; grant funding support; program development; trash provisions support; and development of training programs. Brent is currently the project manager for compliance programs for several large municipalities in Orange County (including Santa Ana) and storm water programs for large industrial facilities, such as John Wayne Airport.

Education: BS, Environmental Science, University of California, Santa Barbara
Registrations: IGP ToR, 2015; QISP, Reg. No. 115, 2015; QSD/QSP, CASQA Reg. No. 1105, 2011; Certified Professional in Erosion and Sediment Control (CPESC), Reg No. 5585



Michael Lowther, ToR, QISP, CPESC, QSD – NPDES Compliance Inspector; Construction General Permit Support and/or Construction Site Inspections; WQMP Inspections; Municipal Facility Inspections, FSE, IDIC, and Source Investigations; Municipal, FSE, IDIC Inspections; Storm Water Sampling and Analysis: Mike has 20 years of extensive experience with industrial and municipal NPDES permitting requirements, including Orange County's MS4 Permit. Mike has worked with the City since 2004 and is intimately familiar with the City's expectations and requirements for this contract. He has also worked with numerous other Orange County cities. His responsibilities as task manager include overseeing the field training program and documenting that each inspector has met the core competencies training program before the inspector performs solo inspections. Mike also reviews each inspection record as part of our quality control/quality assurance/quality control (QA/QC) program.

Mike has assisted numerous dischargers with compliance under the IGP. He has experience evaluating and developing storm water management programs and providing annual training seminars to comply with the IGP. In addition, he has written and evaluated Storm Water Pollution Prevention Plans (SWPPPs) for a variety of industrial facilities that include sulphur processing, clay mining, oil field drilling, aerospace manufacturing, automotive dismantling, scrap metal/paper/plastic processing, chemical manufacturers, wineries, paint manufacturers, airports, schools bus maintenance shops, marinas and boatyards. Mike also has extensive experience performing treatment control verifications and operation and maintenance (O&M) inspections under the land development program.

Education: BS, Environmental Eng., California Polytechnic State University, San Luis Obispo
Registrations: IGP ToR, 2016; QISP, Reg. No. 159, 2016; QSD/P for SWRCB Region 8, Scrap Metal Recycling, SM-QSD-005, 2012, CPESC, Reg No. 6187, 201



Kacen Clapper, CPSWQ – Statewide Trash Provisions Support; Watershed Management Plans and TMDL Support: Kacen provides 23 years of expertise in the environmental field including more than 16 years working on storm water and surface water quality programs for a public agency. His experience includes conducting storm water compliance programs, managing several bacterial TMDL programs, and GIS analysis work related to environmental impact assessment, surface water quality, and storm water regulation, including the trash provisions. Kacen has extensive experience with GIS web and field applications, project management, hazardous materials investigations, environmental

response to spills, storm water inspections of industrial and commercial facilities, post-construction BMP inspections, and Illicit Connection / Illegal Discharge (ID/IC) pollution response.

Education: M.S., Environmental Studies, University of California, Fullerton, 2001; B.S., Ecology and Evolutionary Biology, University of Connecticut, 1996



Kerri Gannon, PE, QSD – Technical Lead: Ms. Gannon has broad civil engineering and project management experience. She currently provides drainage and stormwater services in the areas of conceptual planning, final design and review for existing and proposed municipal systems. She is currently working with the Port of Long Beach, the San Diego County Regional Airport Authority, the County of San Diego, and the Navy on a variety of projects that include hydrologic/hydraulic analyses, stormwater conveyance and management design, erosion control design, preparation of plans, specifications, and estimates (PS&E), construction-phase support services and stormwater report review. Her expertise also includes stormwater technical studies, CEQA/NEPA review, and QA/QC reviews.

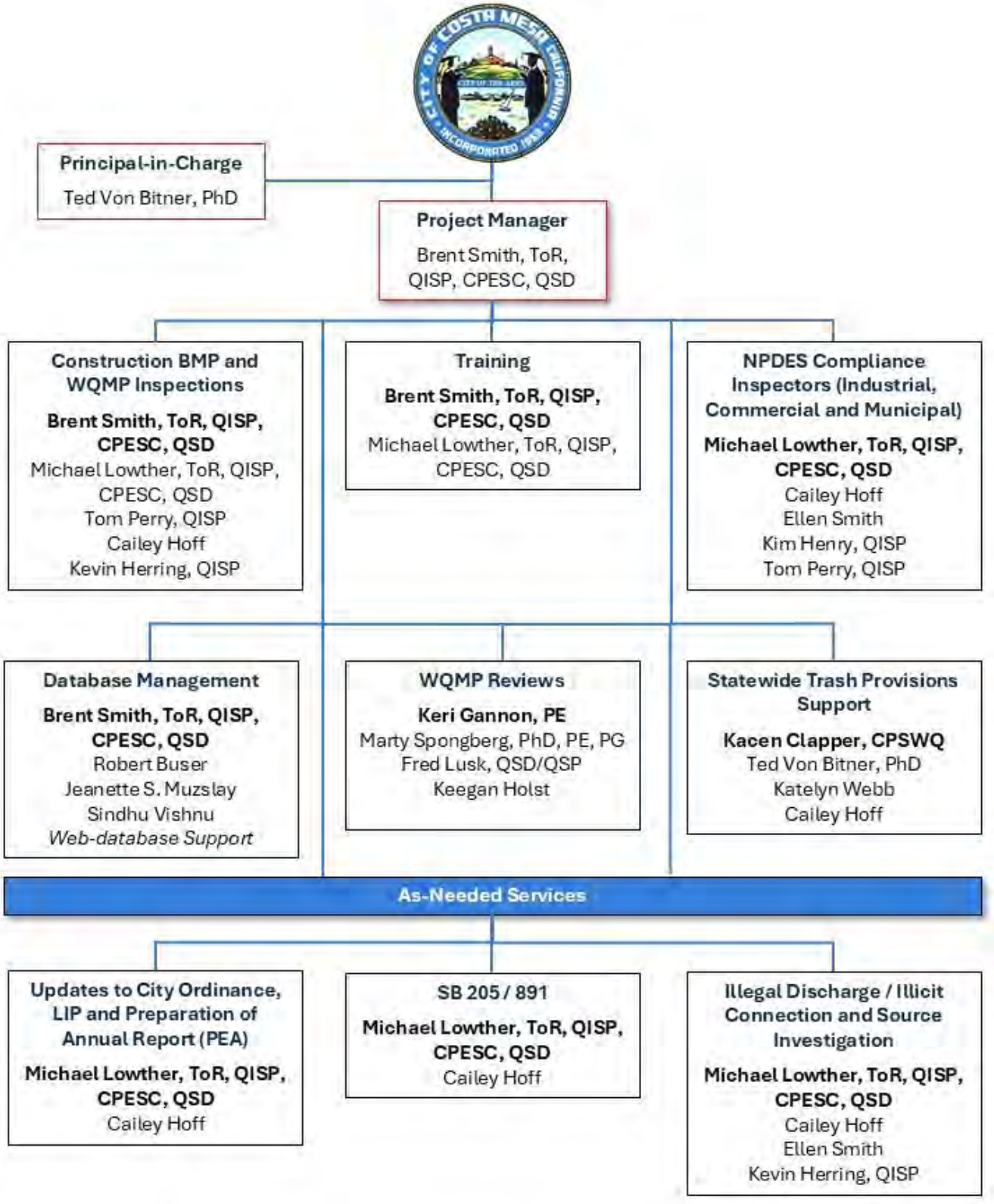
Education: BS, Civil Engineering, Bucknell University, 2002.

Registrations: PE Civil, CA No. 68877

See these individuals on our organization chart on the next page.

Organizational Chart

WSP USA's organization chart reflects the titles of key staff and management contacts of each individual assigned to provide services under this proposal. Our team has successfully implemented the contract scope of work on similar assignments in each of the service areas identified by the City.



Appendix A.

Key Personnel Resumes

(Not included in 25 page limit for proposal)

Years experience

22

Education

PhD, Chemistry, UCLA, 2001

BS, Chemical Physics, UCSD, 1995

Licenses/ Certifications

Certificate of Achievement Real Estate (2022)

Certified Project Manager (2013)

Professional Memberships

CASQA

Mentor Collective

SF Bay Area Trash Technical Advisory Committee (2023-2028)

Statewide Trash Monitoring Methods Technical Advisory Committee (2020)

Office location

Costa Mesa, CA

Dr. VonBitner has 22 years of environmental science and program management of NPDES and TMDL compliance programs of various city, county, and state level government agencies. Primary professional responsibilities include project management for multiple state and local government clients and providing technical advisory services on specific priority issues. His experience has included managing City agency level Jurisdictional Runoff Management Programs, NPDES and TMDL program implementation, developing and performing regulatory compliance inspection programs, and providing community outreach and education.

RELEVANT EXPERIENCE

City of Dana Point, Stormwater Program Technical Support Services, Dana Point, CA: Project Manager (July 2017 to Present). In 2017, WSP was contracted by the City to provide as-needed NPDES and TMDL stormwater program consultancy support. Services to the City cover a wide range of topics including development of regulatory compliance implementation plans for the statewide Trash Amendments policy, reviewing and updating structural treatment control device inventories, water quality inspections, preparing comments letters on proposed regulations, performing technical assessments of water quality data to inform the City on regulatory compliance status, and working with City staff to development implementation strategies for the Bacteria TMDL program compliance.

City of Santa Ana, Stormwater Program Technical Support, Santa Ana, CA: Interim NPDES Program Manager and Technical Lead (December 2017 to Present). WSP's services were contracted beginning in December 2017 to provide interim NPDES Program Management assistance in response to staffing shortages at the City. Support included activities related to general implementation of NPDES program such as TMDLs, statewide Trash Amendments, the Integrated Regional Watershed Management Program, reviewing program budgets, providing regulatory guidance and program implementation recommendations, performing inspections, and meeting with members of the public. Additional project activities have included assisting the City with grant-funding for structural treatment control systems.

City of San Juan Capistrano, NPDES Jurisdictional Runoff Management Program, San Juan Capistrano, CA: Project Manager (March 2015 to Present). WSP supports the City's jurisdictional runoff management program under the San Diego MS4 Permit. Project activities include managing the work of support staff, performing regulatory compliance inspections for commercial, industrial, municipal, and residential management areas; responding to public

complaints, preparing administrative enforcement letters to HOA management and private property owners, managing inspection programs and structural BMP inventories, reviewing WQMPs for Priority Development Projects, and developing technical guidance for Department Directors and Executive Managers. Additional project activities include developing an equestrian facility regulatory compliance inspection program, supporting public works with the Bacteria TMDL and CHWSRS programs, conducting MS4 outfall investigations, and JRMP updates.

Years experience

25

Education

BS, Environmental Science, University of California Santa Barbara, 1999

Professional Registrations/ Certifications

2015 Industrial General Permit Trainer of Record and Qualified Industrial Storm Water Practitioner (QISP) (Reg. No. 115)

2011 QSD/P, CASQA (Reg. No. 01105)

Certified Professional in Erosion and Sediment Control, (Reg. No. 5585)

Office Location

Costa Mesa, CA

Mr. Smith is a principal scientist with more than 25 years of experience providing environmental compliance consulting for a wide variety of projects and clients. Mr. Smith has helped many clients comply with NPDES regulations and permitting, including municipal, industrial, construction, and de minimus permits. Mr. Smith has assisted hundreds of industrial facilities with all aspects of industrial permit compliance, is a Compliance Group Leader, and has been a technical expert for several dischargers that have faced regulatory enforcement actions. Mr. Smith has also assisted several facilities with other compliance programs including Spill Prevention Control and Countermeasure (SPCC) Plans, Facility Response Plans (FRPs), Hazardous Materials Business Emergency Plans (HMBEPs), and industrial wastewater permitting.

RELEVANT EXPERIENCE

Municipal NPDES Programs, Orange County, California. Mr. Smith is the Project Manager for several City NPDES compliance programs including Anaheim, Santa Ana, Costa Mesa, and Irvine. Mr. Smith has assisted with implementation of several aspects of the Phase I MS4 Permit, including development and implementation of industrial and commercial inspection programs with approximately 2,500 industrial and commercial facilities annually. Inspections involve evaluation of BMPs, distribution of educational materials to businesses, issuance of enforcement, and re-inspections for facilities that were found to be non-compliant. Inspections are performed in accordance with Local Implementation Plans, water quality ordinances, and the Phase I MS4 Permit issued by the Santa Ana RWQCB. Mr. Smith has assisted with the Significant Redevelopment Programs including review of WQMPs and performing thousands of field verifications and operation and maintenance inspections of structural treatment control BMPs. Mr. Smith has provided annual report assistance; support during several regulatory audits from both U.S. EPA and the Santa Ana RWQCB; provided trainings to staff on topics such as NPDES permit compliance, Construction General Permit compliance, industrial/commercial NPDES inspections, and Post-Construction Structural BMP inspection programs; assisted with grant funding requirements including grant application preparation and completion of the grant requirements such as progress reporting and monitoring programs; and development and implementation of trash provisions program requirements.

NPDES Program Compliance, John Wayne Airport, Orange County, CA. Mr. Smith assisted the airport with regulatory program compliance tasks, including industrial stormwater, construction, and MS4 permit compliance; SPCC and HMBEP updates; wastewater permitting; and

emergency response. Industrial stormwater permitting support included preparing and implementing the airport's SWPPP, preparing Exceedance Response Actions Level 1 and 2 reports, assisting with planning support related to the Total Maximum Daily Load (TMDL) Numeric Effluent Limitations (NELs) and Time Schedule Order (TSO), assisting feasibility studies and conceptual plans for managing stormwater, assisting with stormwater drainage studies, and completing several tasks for the airport's General Aviation Improvement Project (GAIP). Feasibility studies and conceptual planning included the review of discharging stormwater to the sanitary sewer, evaluating stormwater re-use at the central utility plant, advanced treatment, and no exposure certification assessments. For the GAIP, Mr. Smith was part of the selection committee for selecting the Fixed Based Operators and reviewed the design plans for compliance. Mr. Smith has also provided storm water and SPCC training to airport operations, maintenance department, fire department, and airport tenants with approximately 200 employees trained annually. Mr. Smith managed several other regulatory programs including the review of Water Quality Management Plans and inspection programs on post-structural treatment controls to support the airport's significant re-development program. Mr. Smith managed the airport's SPCC compliance program and assisted with revisions to the SPCC plan. The SPCC-related inspections included checking the foundation, piping, containment system, and response equipment. Mr. Smith has reviewed compliance documentation associated with ASTs and underground piping managed by the airport's fueling contractor.

Industrial General Permit Support, Statewide, California. Mr. Smith has assisted hundreds of industrial facilities with all aspects of the Industrial General Permit compliance programs. Industrial facilities supported includes active and inactive landfills, transfer and hauling facilities, oil and gas producers, ready-mix concrete and asphaltic concrete plants, mines, airports, ports, railway depots, automobile recyclers, glass recyclers, battery recyclers, paint manufacturers, chemical batch processors, wineries, juice product packagers, school districts, truck maintenance and fueling operators, scrap metal recyclers, foundries, and concentrated animal feeding operations (CAFO). Mr. Smith's support has included preparing SWPPPs, Ad Hoc Reports, Annual Reports, Exceedance Response Actions, Water Quality Based Corrective Actions, Time Schedule Orders, and monitoring programs. Mr. Smith is a Compliance Group Leader under the industrial general permit for multiple school district bus yards and has been a technical expert for several dischargers that have faced regulatory enforcement actions.

IGP Reporting and Training, Kern County Waste Management, Multiple Landfill and Transfer Station Sites, Kern County, CA. Mr. Smith is the Project Manager for the County's NPDES compliance program. Mr. Smith has assisted Kern County with IGP compliance at multiple landfills, recycling centers, and transfer stations throughout the County. Services performed include performing site assessments; training County staff annually; making recommendations for BMP implementation; preparing and revising SWPPPs; analyzing collected data; assistance with annual reporting; preparing ERA Level 1 and 2 reports, and assisting with a Notice of Non-Applicability (NONA) report for the Taft Sanitary Landfill that resulted in an IGP exemption for the facility.

Years with WSP

18

Years total

18

Education

BS, Environmental Engineering, California Polytechnic State University

Licenses/ Certifications

2015 Industrial General Permit Trainer of Record/Qualified Industrial Storm Water Practitioner (Reg. No. 159)

Certified Professional in Erosion and Sediment Control, 6187

Qualified Storm Water Pollution Prevention Plan Developer for the Scrap Metal Permit, Order No. R8-2012-0012, Certificate # SMQSD-001

Office location

Costa Mesa

Mr. Lowther has 18 years of professional experience evaluating and developing stormwater management programs and providing annual training seminars to comply with the NPDES Industrial General Permit (IGP). He has written and evaluated SWPPPs for a variety of facilities with industrial activities that have included sulphur processing, clay mining, oil field drilling, aerospace manufacturing, automotive dismantling, scrap metal/paper/plastic processing, chemical manufacturers, wineries, paint manufacturers, airports, schools bus maintenance shops, marinas and boatyards. Mr. Lowther has completed several thousands of municipal/industrial/commercial/construction inspections on behalf of municipalities in Orange County to comply with Phase I MS4 permits. He has extensive experience performing post-construction WQMP stormwater treatment control BMP inspections on behalf of municipalities to verify that BMPs are installed and maintained as proposed in the WQMPs. Mr. Lowther also has extensive experience training WSP and municipal personnel to complete industrial, commercial, municipal, construction, and post-construction WQMP inspections.

RELEVANT EXPERIENCE (CHRONOLOGICAL ORDER)

City of Santa Ana, Municipal NPDES Program, Santa Ana, CA: Compliance Inspector. (2011- Present). Mr. Lowther has assisted the City of Santa Ana with implementation of an industrial and commercial NPDES inspection program that includes inspections at approximately 1,000 industrial and commercial facilities each year. He has audited facilities for compliance with Santa Ana Regional Water Quality Control Board stormwater requirements including an evaluation of current business practices, potential discharges generated by the facility and recommendations for BMP interim actions. Tasks also included enforcement, as necessary, including writing notices of violation.

City of Anaheim, Municipal NPDES Program, Anaheim, CA: Compliance Inspector. (2003 – Present). Mr. Lowther has served as senior NPDES Compliance Inspector responsible for investigating various NPDES-related complaints and audited facilities at industrial and commercial sites for compliance with Santa Ana Regional Water Quality Control Board stormwater requirements. Audits included evaluation of current business practices that involved potential discharges generated by the facility and recommendations for BMP interim actions. He has completed hundreds of verification and operation and maintenance

inspections of structural treatment control BMPs. Mr. Lowther has provided in-class and in-the field training for code enforcement officers to complete WQMP operation and maintenance inspections of structural treatment control BMPs. Mr. Lowther routinely assists the City with providing simple solutions to correct design issues observed in the field and assists the City with construction-related inspections.

Years with WSP

8

Years total

25

Education

MS, Environmental Studies, California State University, Fullerton, 2001

BA, Ecology and Evolutionary Biology, University of Connecticut, 1996

40 Hour HAZWOPER Training, 2008

Licenses/ Certifications

Certified Professional in Storm Water Quality, Number 1139

Professional Memberships

CASQA

Office location

Costa Mesa, CA

Mr. Clapper is a Certified Professional in Storm Water Quality (CPSWQ) and provides 25 years of expertise in the environmental field including over 11 years working on storm water and surface water quality NPDES programs for a public agency. He has supervised the Orange County Public Works internal storm water compliance section, managed several bacterial Total Maximum Daily Load (TMDL) programs, led mass emission program water quality and flow monitoring activities, and currently provides technical support to multiple local agencies in stormwater program implementation and Geographic Information System (GIS) spatial data development and analysis. His areas of expertise include Phase I Municipal Separate Storm Sewer System (MS4) permit implementation under both the San Diego and Santa Ana Water Boards, bacteria TMDL program implementation, pollutant source investigation, and compliance with the statewide Trash Amendments. In addition, Mr. Clapper recently served as co-chair for the California Stormwater Quality Association (CASQA) Policy and Permitting Subcommittee helping to lead discussions and comment development on new and potential precedent setting changes in stormwater regulations.

RELEVANT EXPERIENCE (CHRONOLOGICAL ORDER)

Orange County Public Works, Horno Creek Dry Weather Flow Investigation, Ladera Ranch, CA: Project Manager. (June 2021 – Present). Mr. Clapper is the project manager for a multiyear special study focused on dry weather flow reduction and the identification and elimination of over-irrigation and other controllable non-storm water flows in the unincorporated Ladera Ranch community of Orange County. Project work has included subdrainage mapping, dry weather flow investigation work plan development, the deployment of flow monitoring equipment at three outfall locations, and dry weather flow reconnaissance during peak flow hours to identify controllable non-stormwater discharges such as over-irrigation. Identified flow sources are referred to Orange County Public Works for focused outreach and education efforts and to the Ladera Ranch homeowners association to address common area irrigation deficiencies.

City of Laguna Niguel, Storm Water Compliance Technical Support, Laguna Niguel, CA: Project Manager. (July 2017 - Present). Mr. Clapper is currently the project manager for storm water compliance technical support services to the City of Laguna Niguel including overall management of the City's Environmental Programs. Components of technical support include Local Implementation Plan/Jurisdictional Runoff Management Program (LIP/JRMP) and Water Quality Improvement Plan (WQIP) implementation and reporting, bacteria TMDL compliance support, wetlands program implementation, and other MS4 permit compliance related support. Project activities have included updates to the City's LIP/JRMP to reflect new MS4 permit requirements, development of a Track 2 implementation plan for compliance with the statewide Trash Amendments,

development of MS4 outfall dry weather flow investigation work plan and implementation of a multiyear pilot study in cooperation with Moulton Niguel Water District, conducting a Bacteria TMDL related Comprehensive Human Waste Source Reduction Strategy (CHWSRS) work plan area of investigation study, municipal facility WQMP post-construction BMP inspections, environmental compliance project management oversight of a Salt Creek wetlands restoration project, securing an Orange County Transportation Authority (OCTA) grant for trash capture BMPs, and development of MS4 permit annual reporting submittals.

City of Laguna Beach, Water Quality Program Technical Support, Laguna Beach, CA: Project Manager. (June 2018 – January 2023). Mr. Clapper was the project manager and lead analyst performing all data analysis and development of a state Trash Amendments compliance plan for the City of Laguna Beach and assisting the City implementation of south Orange County Water Quality Improvement Plan (WQIP) program requirements. A conceptual Track 2 plan was developed for the City and baseline trash visual assessment surveys were conducted to further refine additional measures needed for compliance. Data analysis included using GIS software to define priority land use areas, model trash generation rates, and refine drainage area delineations to existing BMPs. WQIP implementation assistance has included technical support in bacteria TMDL compliance and assisting the City with Heisler Park Area of Special Biological Significance (ASBS) Compliance Plan annual reporting.

Orange County Public Works, OC Watersheds Program, Orange County, CA: Section Supervisor, Program Manager, Field Lead. (August 2005 – January 2017) Previous Employer. The County of Orange's OC Watersheds program directs NPDES compliance programs as both a lead permittee conducting MS4 permit program development, monitoring, and reporting through a cost-share on behalf of Orange County cities, and as an individual permittee representing County jurisdictional areas. During his time at the County, Mr. Clapper served in several OC Watersheds program roles including: a monitoring program lead, a hydrology and GIS data analyst, a bacteria TMDL program manager, and as chief of the County's Internal Storm Water Compliance Section managing the County's JRMP for unincorporated areas and the Orange County Flood Control District. Notable program efforts included development of bacteria TMDL required Comprehensive Load Reduction Plans for the Aliso Creek and San Juan Creek Watersheds and leading the County's JRMP MS4 permit annual reporting involving the coordination of multiple County departments and agencies and reporting under two separate permits.

Years with WSP

7

Years total

21

Education

BS, Civil Engineering, Bucknell University, 2002

Professional Registrations

PE, Civil, CA, 68877

Licenses/ Certifications

Construction General Permit Qualified SWPPP Developer, 22492

Office location

San Diego

Ms. Gannon has broad civil engineering and project management experience. She currently provides drainage and stormwater services in the areas of conceptual planning, final design and review for existing and proposed municipal systems. She is currently working with the Port of Long Beach, the San Diego County Regional Airport Authority, the County of San Diego, and the Navy on a variety of projects that include hydrologic/hydraulic analyses, stormwater conveyance and management design, erosion control design, preparation of plans, specifications, and estimates (PS&E), construction-phase support services and stormwater report review. Her expertise also includes stormwater technical studies, CEQA/NEPA review, and QA/QC reviews.

RELEVANT EXPERIENCE (CHRONOLOGICAL ORDER)

San Diego Regional Airport Authority, Water Quality Equivalency Credit Trading Document, San Diego, CA: Technical Lead. (2021-Present). Ms. Gannon led development a Water Quality Equivalency (WQE) Credit Trading Framework for the San Diego County Regional Airport Authority (SDCRAA) with the purpose of providing a framework for implementing water quality credit trading at San Diego International Airport (SAN). This Framework relies on the previously developed SDCRAA's BMP Design Manual for Permanent Site Design and the WQE Guidance Document as a basis for outlining the methods that project applicants, and the SDCRAA, can use to bank, track and trade water quality credits for development projects within the SAN jurisdiction. WSP researched other jurisdictional (local and national) guidance on the tracking of water quality credits to complete the development of the Framework, which has been accepted by the San Diego Regional Water Quality Control Board.

City of Anaheim, Trash Full Capture Analysis, Anaheim, CA: Senior Engineer. (2021-Present). Ms. Gannon was the senior engineer responsible for the peer review of the design of three continuous deflective separation (CDS) units to meet the current trash full capture system requirements. The review entailed a review of the basis of design reports, the project plans, and the CDS unit details to ensure that the new system will meet the requirements.

Multiple Clients, Water Quality Management Plan Document Review, Southern CA: Senior Engineer. (2019 - Present). Ms. Gannon is the senior engineer responsible for providing technical support to the Port of

Long Beach and the City of San Juan Capistrano to review the stormwater reports developed for redevelopment and development projects occurring within their jurisdiction. The reports are reviewed according to the clients' specific requirements in compliance with NPDES MS4 Permits. WSP prepares comments on the report and works with the report preparer to make sure the reports and project designs meet MS4 permit requirements.

Appendix B.

Required Forms

(Not included in 25 page limit for proposal

VENDOR APPLICATION FORM
FOR
RFP No. 25-20 STORMWATER AND WATER QUALITY PROFESSIONAL SERVICES

TYPE OF APPLICANT: ☐ NEW ☒ CURRENT VENDOR

Legal Contractual Name of Corporation: WSP USA Inc.

Contact Person for Agreement: Brent Smith

Title: Vice President, Principal Scientist E-Mail Address: brent.smith@wsp.com

Business Telephone: 949-642-0245 Business Fax: _____

Corporate Mailing Address: One Penn Plaza, 4th Floor

City, State and Zip Code: New York, NY 10119

Contact Person for Proposals: Brent Smith

Title: Vice President, Principal Scientist E-Mail Address: brent.smith@wsp.com

Business Telephone: 949-642-0245 Business Fax: _____

Is your business: (check one)

☐ NON PROFIT CORPORATION ☑ FOR PROFIT CORPORATION

Is your business: (check one)

☑ CORPORATION ☐ LIMITED LIABILITY PARTNERSHIP

☐ INDIVIDUAL ☐ SOLE PROPRIETORSHIP

☐ PARTNERSHIP ☐ UNINCORPORATED ASSOCIATION

EX PARTE COMMUNICATIONS CERTIFICATION

Please indicate by signing below one of the following two statements. **Only sign one statement.**

I certify that Proposer and Proposer's representatives have not had any communication with a City Councilmember concerning informal **RFP No. 25-20 STORMWATER AND WATER QUALITY PROFESSIONAL SERVICES** at any time after **March 19, 2025.**

_____ **Date**: 4/7/2025

Signature

Brent Smith

Print

OR

I certify that Proposer or Proposer's representatives have communicated after **March 19, 2025**, with a City Councilmember concerning informal **RFP No. 25-20 STORMWATER AND WATER QUALITY PROFESSIONAL SERVICES**. A copy of all such communications is attached to this form for public distribution.

_____ **Date**: _____

Signature

_____

Print

DISQUALIFICATION QUESTIONNAIRE

The Contractor shall complete the following questionnaire:

Has the Contractor, any officer of the Contractor, or any employee of the Contractor who has proprietary interest in the Contractor, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a Federal, state, or local government project because of a violation of law or safety regulation?

Yes _____ No X**_____**

If the answer is yes, explain the circumstances in the following space.

DISCLOSURE OF GOVERNMENT POSITIONS

Each Proposer shall disclose below whether any owner or employee of Contractor currently hold positions as elected or appointed officials, directors, officers, or employees of a governmental entity or held such positions in the past twelve months. List below or state "None."

None

BIDDER/APPLICANT/CONTRACTOR CAMPAIGN CONTRIBUTION

DISCLOSURE FORM

Proposer/Consultant/Applicant is required to identify any campaign contribution or cumulative contributions greater than $249 to any city council member in the twelve months prior to submitting an application, proposal, statement of qualifications or bid requiring approval by the City Council.

Date	Name of Donor	Company/Business Affiliation	Name of Recipient	Amount
No contractor campaign contributions				

Except as described above, I/we have not made any campaign contribution in the amount of $250 or more to any Costa Mesa City Council Member in the twelve months preceding this Application/Proposal.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Brent Smith

Bidder/Applicant/Proposer

4/7/2025

Date

EXHIBIT C

FEE SCHEDULE

WSP Costa Mesa Office
3560 Hyland Avenue
(949) 642-0245
wsp.com

May 16, 2025

City of Costa Mesa
Public Works Agency
77 Fair Drive, 4th Floor
Costa Mesa, California 92626

Attention: Mr. Derek Wieske

Re: Pricing Proposal: WSP - Stormwater and Water Quality Professional Services for the 2025-2026 Fiscal Year

Dear Mr. Wieske:

WSP USA Inc.'s (WSP) would like to thank you for the opportunity to submit our price proposal to continue with our assistance with the City of Costa Mesa's (City) Stormwater and Water Quality programs. WSP presents this cost estimate to assist with the following services:

- Staff augmentation and support at City Hall
- Industrial/Commercial Facility Inspections
- Fixed Facility Inspections and Follow-ups
- Training for City Staff
- Inspect BMPs during Construction
- Update to City's WQMP Inventory and Coordination and Update to Orange County Stormwater Tools
- Inspect Post-Construction Water Quality Management Plans (WQMPs)
- Compliance with Statewide Trash Provisions – Project Management and GIS Layer Updates
- As Needed Services

We have assembled a group of highly qualified specialists, with extensive experience providing these services to several cities within Orange County. WSP staff assigned to this project will provide a high quality, technically accurate, reasonably priced, and on-time product. All labor rates and other charges will be on a Time and Materials (T&M) basis according to the WSP Standard Hourly Fee Schedule (Attachment 1). Itemized services for each task for the initial year is included in Attachment 2. The not-to-exceed fee is $164,800.

We are confident that WSP will be a valuable addition to the City of Costa Mesa's team. WSP appreciates the opportunity to assist the City on this important project. If you have any questions regarding this proposal, please contact Brent Smith at (714) 925-4498 or brent.smith@wsp.com.

Sincerely,

WSP USA Inc.



Brent Smith
Vice President, Project Manager

Attachments:
Attachment 1 - WSP Standard Hourly Fee Schedule
Attachment 2 – Itemized Services and Hours 2025-2026 Fiscal Year

ATTACHMENT 1

WSP USA Inc.
Standard Hourly Fee Schedule

City of Costa Mesa

LABOR:

CLIENT agrees to reimburse WSP USA Inc. (WSP) for all hours worked by professionals at the following categories and associated hourly labor rates. Charges for expert services will be at the hourly rates shown. However, for depositions and court appearances, CLIENT agrees to reimburse WSP for all hours worked by professionals at the following classifications, but at two times the associated hourly labor rates. There will be a 4-hour minimum per-day charge for depositions and an 8-hour minimum per-day charge for court appearances.

CONTRACT ROLE	PROFESSIONAL LEVEL	RATE/HOUR
Director	7	$285.00
Senior Lead Consultant	6	$235.00
Lead Consultant	5	$210.00
Senior Consultant	4	$170.00
Consultant	3	$155.00
Associate Consultant	2	$133.00
Assistant Consultant	1	$115.00
Senior Project Coordinator	S3	$115.00

ESCALATION: The hourly labor rates will be escalated 5% annually beginning July 1, 2026.

OTHER DIRECT EXPENSES: CLIENT agrees to reimburse WSP for all other direct expenses incurred as follows:

Vehicle Charges	$50/day
Subcontract Expenses: Supplies or services furnished to WSP in support of project activities by any supplier or firm, except temporary agency or consultant staff charged at above hourly rates	Cost +10%
Direct Expenses: Other expenses in support of project activities	Cost + 15%
Unit Pricing: Any unit pricing work such as in-house equipment rental will be quoted separately	Cost

INVOICES:

Invoices will be rendered at least monthly, either as a final or partial billing, and will be payable upon receipt. An additional late payment charge of 1 1/2% per month or the maximum charge allowed by law, whichever is less, will be payable on accounts not paid within 30 days from billing date.

ATTACHMENT 2

WSP Stormwater and Water Quality Itemized Services and Hours - Year 1

Costa Mesa, California

Client Table: City of Costa Mesa			Task 1 - Industrial and Commercial Inspections		Task 2 - Fixed Facility Inspections		Task 3 - Training City Staff		Task 4 - Construction BMP Inspections		Task 5 - WQMP Inventory and OCST		Task 6 - Post-Construction WQMP Inspections		Task 7 - Trash Provisions Program Development		Task 8 - As Needed Support		Task 9 - Project Management	
Grade	**Job Title**	**Billing Rate**	**Hours**	**Billing**	**Hours**	**Billing**	**Hours**	**Billing**	**Hours**	**Billing**	**Hours**	**Billing**	**Hours**	**Billing**	**Hours**	**Billing**	**Hours**	**Billing**	**Hours**	**Billing**
P7	Director	$ 285.00	32	$ 9,120	2	$ 570	8	$ 2,280	2	$ 570	4	$ 1,140	0	$ -	4	$ 1,140	12	$ 3,420	12	$ 3,420
P6	Senior Lead Consultant	$ 235.00	8	$ 1,880	2	$ 470	0	$ -	10	$ 2,350	8	$ 1,880	24	$ 5,640	16	$ 3,760	4	$ 940	8	$ 1,880
P4	Senior Consultant	$ 170.00	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -
P3	Consultant	$ 155.00	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	80	$ 12,400	0	$ -	0	$ -
P2	Associate Consultant	$ 133.00	363	$ 48,279	25	$ 3,325	16	$ 2,128	40	$ 5,320	110	$ 14,630	83	$ 10,973	40	$ 5,320	155	$ 20,615	0	$ -
P1	Assistant Consultant	$ 115.00	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -
P2	Associate Consultant	$ 133.00	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -
S3	Senior Project Coordinator	$ 115.00	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	12	$ 1,380
		Total	**403**	**$ 59,279**	**29**	**$ 4,365**	**24**	**$ 4,408**	**52**	**$ 8,240**	**122**	**$ 17,650**	**106.5**	**$ 16,613**	**140**	**$ 22,620**	**171**	**$ 24,975**	**32**	**$ 6,680**
BILLABLE EXPENSES																				
No travel costs allowed.				--		--		--		--		--		--		--		--		--
TOTAL ESTIMATED COST:			**$ 164,800**																	

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-366 **Meeting Date:** 7/15/2025

TITLE:

FINAL MAP FOR TRACT NO. 19244 LOCATED AT 1711-1719 POMONA AVENUE, COSTA MESA, CALIFORNIA

DEPARTMENT: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

PRESENTED BY: RAJA SETHURAMAN, PUBLIC WORKS DIRECTOR

CONTACT INFORMATION: SEUNG YANG, P.E., CITY ENGINEER (714) 754-5335

RECOMMENDATION:

Staff recommends the City Council approve the Final Map for Tract No. 19244 and authorize signing of the Map by the City Engineer and the City Clerk.

BACKGROUND:

On September 11, 2023, a Master Plan to construct eight (8) live/work units with attached garages at 1711-1719 Pomona Avenue (Project) was approved by the Planning Commission. The Project proposes to subdivide the property for individual ownership.

Tentative Map for Tract No. 19244 (Attachment 1) and Conditions of Approval (Attachment 2) for the Project were approved by the Planning Commission on September 11, 2023. The map consists of a subdivision created after consolidating two properties (0.46-acre) into one lot for condominium purposes.

ANALYSIS:

All Conditions of Approval imposed by the Planning Commission have been complied with and the Final Map is in substantial conformance with the Tentative Map approved by the Planning Commission. The Tract Map has been checked and found to be technically correct and includes the release and relinquishment of access rights to Pomona Avenue to be accepted by the City.

ALTERNATIVES:

No alternatives were considered since this item is administrative in nature.

FISCAL REVIEW:

There are no fiscal impacts to the City for the approval of the recommended action. All Tract Map filing fees have been paid.

LEGAL REVIEW:

The City Attorney's Office has reviewed this agenda report and approves it as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This project supports the following City Council goal:

- Diversify, Stabilize and Increase Housing to Reflect Community Needs.

CONCLUSION:

Staff recommends the City Council:

Approve the Final Map for Tract No. 19244 and authorize signing of the Map by the City Engineer and the City Clerk.

SHEET 1 OF 3 SHEETS

CONTAINING 1 NUMBERED LOT
TOTAL AREA: 20,202 sq. ft.
DATE OF SURVEY: JULY, 2024
ALL OF TENTATIVE TRACT MAP No. 19244

TRACT NO. 19244

IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF A PORTION OF LOT 608, OF NEWPORT MESA TRACT, AS SHOWN ON A MAP THEREOF FILED IN BOOK 5, PAGE 1 OF MISCELLANEOUS MAPS, ALL IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

FOR CONDOMINIUM PURPOSES

TOAL ENGINEERING, INC.

WM. ALAN BROOKS, LS 6921

ACCEPTED AND FILED AT THE REQUEST OF:

FIRST AMERICAN TITLE COMPANY

DATE _____

TIME _____ FEE $ _____

INSTRUMENT NO. _____

BOOK _____ PAGE _____

HUGH NGUYEN
COUNTY CLERK – RECORDER

BY _____
DEPUTY

OWNERSHIP CERTIFICATE:

WE, THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND COVERED BY THIS MAP, DO HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF SAID MAP, AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE HEREBY RELEASE AND RELINQUISH TO THE CITY OF COSTA MESA ALL VEHICULAR ACCESS RIGHTS TO POMONA AVENUE, EXCEPT AT APPROVED ACCESS LOCATIONS.

BUILDGROUP PROPERTIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____
PRINT NAME:
TITLE:

BY: _____
PRINT NAME:
TITLE:

BENEFICIARY

FIRST CHOICE BANK AS BENEFICIARY PER DEED OF TRUST RECORDED SEPTEMBER 7, 2018 AS INSTRUMENT NO. 2018000329606 OF OFFICIAL RECORDS OF ORANGE COUNTY.

FIRST CHOICE BANK AS BENEFICIARY PER DEED OF TRUST RECORDED APRIL 3, 2019 AS INSTRUMENT NO. 2019000106097 OF OFFICIAL RECORDS OF ORANGE COUNTY.

BY: _____
PRINT NAME:
TITLE:

BY: _____
PRINT NAME:
TITLE:

NOTARY ACKNOWLEDGEMENT

SEE SHEET 2 OF 3 FOR NOTARY ACKNOWLEDGEMENTS

SIGNATURE OMISSIONS

PURSUANT TO THE PROVISIONS OF SECTION 66436 (a)(3)(A) OF THE SUBDIVISION MAP ACT, THE FOLLOWING SIGNATURES HAVE BEEN OMITTED:

1. SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, HOLDER OF EASEMENT FOR ELECTRICAL LINE AND OTHER INCIDENTAL PURPOSES PER DOCUMENT RECORDED AS INSTRUMENT NO. 971 IN BOOK 6307, PAGE 484 OF OFFICIAL RECORDS.

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND HAVE FOUND IT TO BE SUBSTANTIALLY IN CONFORMANCE WITH THE TENTATIVE MAP, IF REQUIRED, AS FILED WITH, AMENDED AND APPROVED BY THE CITY PLANNING COMMISSION; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND CITY SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH.

DATED THIS_____ DAY OF _____, 2025.

REGISTERED PROFESSIONAL ENGINEER
SEUNG WOOK YANG
No. C 66786
Exp. 9/30/26
CIVIL
STATE OF CALIFORNIA

_____
SEUNG WOOK YANG, R.C.E. No. 66786
CITY ENGINEER OF THE CITY OF COSTA MESA
MY REGISTRATION EXPIRES SEPTEMBER 30, 2026

CITY CLERK'S CERTIFICATE

STATE OF CALIFORNIA
COUNTY OF ORANGE } SS
CITY OF COSTA MESA

I HEREBY CERTIFY THAT THIS MAP WAS PRESENTED FOR APPROVAL TO THE CITY COUNCIL OF THE CITY OF COSTA MESA AT A REGULAR MEETING THEREOF HELD ON THE _____, DAY OF _____,2025, AND THAT THEREUPON SAID COUNCIL DID, BY AN ORDER DULY PASSED AND ENTERED, APPROVED SAID MAP;

AND DID ALSO ACCEPT ON BEHALF OF THE CITY OF COSTA MESA:

THE VEHICULAR ACCESS RIGHTS TO POMONA AVENUE AS RELEASED AND RELINQUISHED.

AND DID ALSO APPROVE SUBJECT MAP PURSUANT TO THE PROVISIONS OF SECTION 66436 (a)(3)(A) OF THE SUBDIVISION MAP ACT.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE CITY OF COSTA MESA.

DATED THIS _____DAY OF _____, 2025.

_____
BRENDA GREEN
CITY CLERK OF THE CITY COUNCIL OF
THE CITY OF COSTA MESA

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF BERK PROPERTIES, LLC IN JULY 2024. I HEREBY STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN SUCH POSITIONS WITHIN 90 DAYS OF RECORDATION OF SAID MAP; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. I HEREBY STATE THAT THIS TRACT MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP.

PROFESSIONAL LAND SURVEYOR
WM. ALAN BROOKS
No. 6921
STATE OF CALIFORNIA

_____
WM. ALAN BROOKS, LS 6921 DATE:
PROFESSIONAL LAND SURVEYOR, STATE OF CALIFORNIA

COUNTY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND HAVE FOUND THAT ALL MAPPING PROVISIONS OF THE SUBDIVISION MAP ACT HAVE BEEN COMPLIED WITH AND I AM SATISFIED SAID MAP IS TECHNICALLY CORRECT.

DATED THIS _____DAY OF _____, 2025.

LICENSED LAND SURVEYOR
LILY M. N. SANDBERG
No. 8402
STATE OF CALIFORNIA

_____
LILY M. N. SANDBERG, CHIEF DEPUTY COUNTY SURVEYOR
P.L.S. 8402

COUNTY TREASURER – TAX COLLECTOR'S CERTIFICATE

STATE OF CALIFORNIA } SS
COUNTY OF ORANGE

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF MY OFFICE, THERE ARE NO LIENS AGAINST THE LAND COVERED BY THIS MAP OR ANY PART THEREOF FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES NOT YET PAYABLE.

AND DO CERTIFY TO THE RECORDER OF ORANGE COUNTY THAT THE PROVISIONS OF THE SUBDIVISION MAP ACT HAVE BEEN COMPLIED WITH REGARDING DEPOSITS TO SECURE PAYMENT OF TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES ON THE LAND COVERED BY THIS MAP.

DATED THIS _____DAY OF _____, 2025

SHARI L. FREIDENRICH
COUNTY TREASURER – TAX COLLECTOR

BY: _____
TREASURER – TAX COLLECTOR

SHEET 2 OF 3 SHEETS

CONTAINING 1 NUMBERED LOT
TOTAL AREA: 20,202 sq. ft.
DATE OF SURVEY: JULY, 2024
ALL OF TENTATIVE TRACT MAP No. 19244

TRACT NO. 19244

IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA
TOAL ENGINEERING, INC. WM. ALAN BROOKS, LS 6921

FOR CONDOMINIUM PURPOSES

NOTARY ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS

ON THIS _____ DAY OF _____, 2025 BEFORE ME, _____,

NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE _____ MY PRINCIPAL PLACE OF BUSINESS

NOTARY PUBLIC IN AND FOR SAID STATE IS IN _____ COUNTY.

_____
(print name) MY COMMISSION EXPIRES _____

MY COMMISSION NO. _____

NOTARY ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS

ON THIS _____ DAY OF _____, 2025 BEFORE ME, _____,

NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE _____ MY PRINCIPAL PLACE OF BUSINESS

NOTARY PUBLIC IN AND FOR SAID STATE IS IN _____ COUNTY.

_____
(print name) MY COMMISSION EXPIRES _____

MY COMMISSION NO. _____

NOTARY ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS

ON THIS _____ DAY OF _____, 2025 BEFORE ME, _____,

NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE _____ MY PRINCIPAL PLACE OF BUSINESS

NOTARY PUBLIC IN AND FOR SAID STATE IS IN _____ COUNTY.

_____
(print name) MY COMMISSION EXPIRES _____

MY COMMISSION NO. _____

NOTARY ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS

ON THIS _____ DAY OF _____, 2025 BEFORE ME, _____,

NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE _____ MY PRINCIPAL PLACE OF BUSINESS

NOTARY PUBLIC IN AND FOR SAID STATE IS IN _____ COUNTY.

_____
(print name) MY COMMISSION EXPIRES _____

MY COMMISSION NO. _____

SHEET 3 OF 3 SHEETS

CONTAINING 1 NUMBERED LOT
TOTAL AREA: 20,202 sq. ft.
DATE OF SURVEY: JULY, 2024
ALL OF TENTATIVE TRACT MAP No. 19244

TRACT NO. 19244

IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA

TOAL ENGINEERING, INC. *WM. ALAN BROOKS, LS 6921*

FOR CONDOMINIUM PURPOSES

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING BETWEEN OCS HORIZONTAL CONTROL STATION GPS NO. 6257 & GPS NO. 6233 BEING NORTH 26°54'08" EAST PER RECORDS ON FILE IN THE OFFICE OF THE ORANGE COUNTY SURVEYOR.

DATUM STATEMENT:

COORDINATES SHOWN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE VI, 1983 NAD (2017.50 EPOCH OCS GPS ADJUSTMENT).

ALL DISTANCES SHOWN ARE GROUND UNLESS OTHERWISE NOTED. TO OBTAIN GRID DISTANCE MULTIPLY GROUND DISTANCE BY 0.999969045;
COMBINATION FACTOR BEING THE AVERAGE COMBINATION FACTOR OF GPS NO. 6257 & 6233.

SURVEYOR'S BOUNDARY NOTE:

THERE ARE NO CONFLICTS WITH EXISTING VISIBLE IMPROVEMENTS AND THE EXTERIOR BOUNDARY LINE (DISTINCTIVE BORDER) OF THIS MAP AS ESTABLISHED HEREON.

EASEMENT NOTES:

(1) 6' WIDE EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY FOR ELECTRICAL LINE AND OTHER INCIDENTAL PURPOSES RECORDED NOVEMBER 1, 1962 IN BOOK 6307, PAGE 484 OF OFFICIAL RECORDS. (PLOTTED HEREON.)

REFERENCE NOTES:

(R1) INDICATES RECORD OR CALC'D FROM RECORD PER MAP OF NEWPORT MESA TRACT, M.M. 5/1.
(R2) INDICATES RECORD OR CALC'D FROM RECORD PER RECORD OF SURVEY NO. 2019-1107, R.S.B. 308/13
(R3) INDICATES RECORD OR CALC'D FROM RECORD PER TRACT No. 3102, M.M. 120/3-4.
(R4) INDICATES RECORD OR CALC'D FROM RECORD PER DOCUMENT RECORDED 04/09/2019 AS INSTRUMENT NO. 2019000106096, O.R.
(R5) INDICATES RECORD OR CALC'D FROM RECORD PER DOCUMENT RECORDED 07/18/2018 AS INSTRUMENT NO. 2018000261618, O.R.
(R6) INDICATES RECORD OR CALC'D FROM RECORD PER CR2019-0169 ON FILE IN THE ORANGE COUNTY SURVEYOR'S OFFICE.

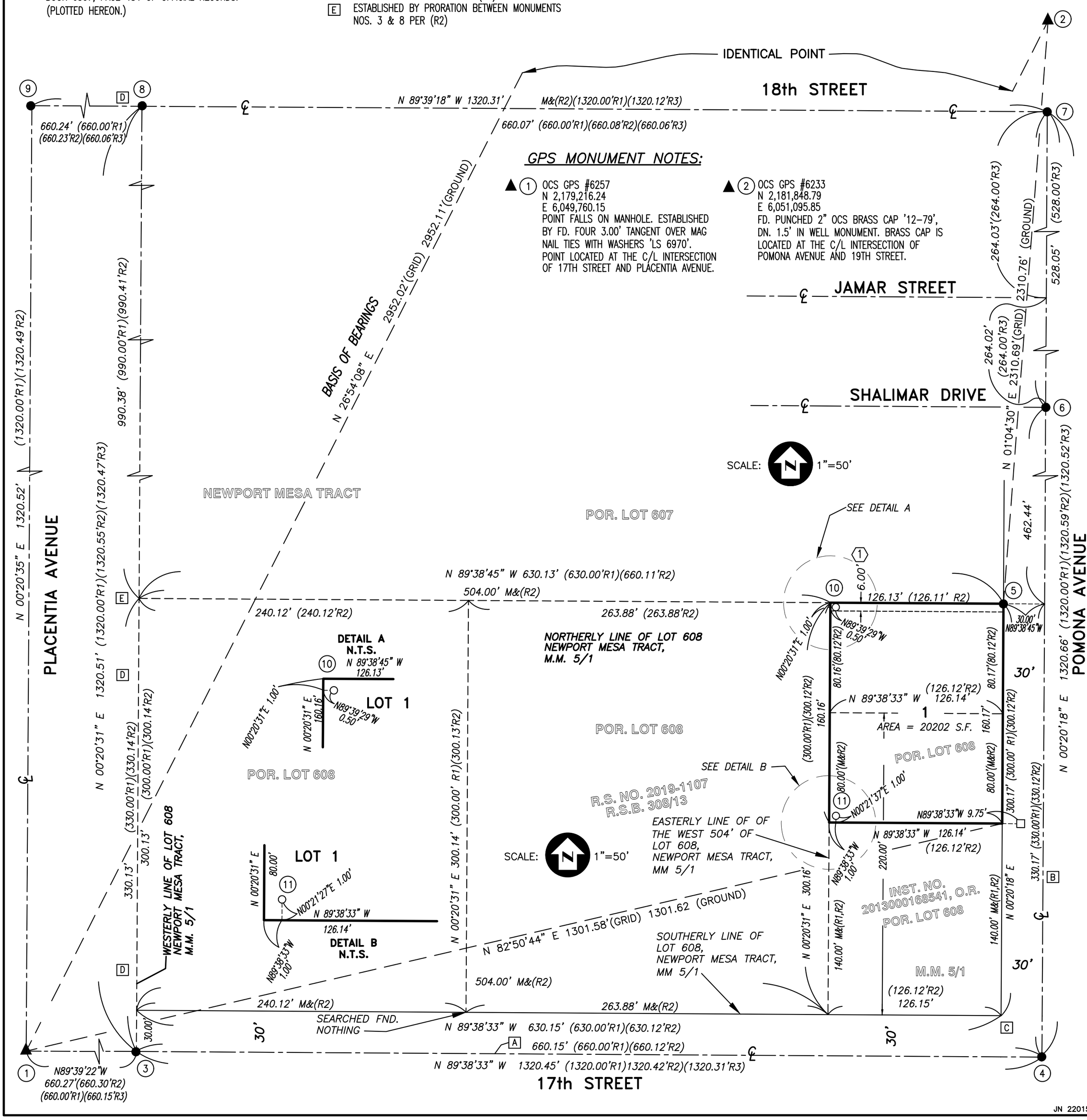
ESTABLISHMENT NOTES:

[A] ESTABLISHED C/L OF 17TH STREET HOLDING MONUMENT NOS. 1 & 4 PER (R1).
[B] ESTABLISHED C/L POMONA AVENUE HOLDING BEST FIT OF MONUMENT NOS. 4, 6 & 7 PER (R1).
[C] ESTABLISHED THE SE CORNER OF LOT 608 BY INTERSECTING LINES PARALLEL WITH AND 30.00' NORTH AND WEST OF THE C/L OF 17TH STREET AND POMONA AVENUE, RESPECTIVELY.
[D] ESTABLISHED THE W'LY LINE OF LOT 608, HOLDING MONUMENT NOS. 3 & 8 PER (R2)
[E] ESTABLISHED BY PRORATION BETWEEN MONUMENTS NOS. 3 & 8 PER (R2)

MONUMENT NOTES:

● FOUND MONUMENT AS NOTED.
□ SET LEAD, TACK & TAG STAMPED 'LS 6921', FLUSH, IN TOP OF CURB, UNLESS OTHERWISE NOTED.
○ SET EPOXY & TAG STAMPED 'LS 6921', FLUSH, IN TOP OF WALL, UNLESS OTHERWISE NOTED.
▲ INDICATES OCS HORIZONTAL GPS CONTROL STATION MONUMENT PER RECORDS ON FILE IN THE OFFICE OF THE ORANGE COUNTY SURVEYOR.

(3) FD. SPIKE & WASHER STAMPED 'LS 6970', PER (R2), FLUSH. ACCEPTED AS THE SW CORNER OF LOT 608.
(4) FD. ORANGE COUNTY SURVEYOR'S 2 1/4" ALUM. CAP STAMPED '12-79' IN O.C.S. WELL MON, PER (R2). DOWN 1.2'. ACCEPTED AS C/L INTERSECTION OF 17TH ST. AND POMONA AVE.
(5) FD. 1" IP WITH TAG STAMPED 'LS 3109', PER (R2), FLUSH. ACCEPTED AS NORTHEAST CORNER OF LOT 608 OF (R1).
(6) FD. MAG NAIL & WASHER STAMPED 'LS 6771', NO REFERENCE, FLUSH. ACCEPTED AS C/L INTERSECTION OF POMONA AVE. AND SHALIMAR DR.
(7) FD. ORANGE COUNTY SURVEYOR'S 2 1/4" ALUM. CAP STAMPED '12-79' IN O.C.S. WELL MON, DOWN 1.2', PER (R2). ACCEPTED AS C/L INTERSECTION OF 18TH ST. AND POMONA AVE.
(8) FD. SPIKE & WASHER STAMPED 'LS 5312', PER (R2), FLUSH. ACCEPTED AS C/L INTERSECTION OF 18TH ST. AND WALLACE AVENUE.
(9) POINT FALLS ON MANHOLE. ESTABLISHED C/L INTERSECTION OF 18TH ST. AND PLACENTIA AVE. FROM (4)-3.00' TANGENT MAG NAILS & WASHERS STAMPED 'LS 6970' PER (R2).
(10) SET EPOXY & TAG STAMPED 'LS 6921', FLUSH IN TOP OF WALL, AT 1.00' x 0.50' OFFSET FROM NW'LY CORNER OF LOT 1 ALONG AND PERPENDICULAR TO THE W'LY LINE OF SAID LOT 1.
(11) SET EPOXY & TAG STAMPED 'LS 6921', FLUSH IN TOP OF WALL, AT 1.00' x 1.00' OFFSET FROM SW'LY CORNER OF LOT 1 ALONG AND PERPENDICULAR TO THE S'LY LINE OF SAID LOT 1.



JN 22015

CITY OF COSTA MESA
CALIFORNIA 92628-1200 P.O. BOX 1200

PUBLIC SERVICES DEPARTMENT

August 22, 2023

Costa Mesa Planning Commission
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

SUBJECT: Tentative Tract No. 19244
LOCATION: 1711-1719 Pomona Avenue

Dear Commissioners:

Tentative Tract Map No. 19244 as furnished by the Planning Division for review by the Public Works Department consists of subdividing one lot into one numbered lot for condominium purposes. Tentative Tract Map No. 19244 meets with the approval of the Public Works Department, subject to the following conditions:

1. The Tract shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Section 13-208 through 13-261 inclusive, of the Municipal Code.

2. The Subdivider shall conduct soil investigations and provide the results to the City of Costa Mesa Engineering and Building Divisions pursuant to Ordinance 97-11.

3. Two copies of the Final Tract Map shall be submitted to the Engineering Division for checking. Map check fee shall be paid per C.C.M.M.C. Section 13-231.

4. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.

5. Dedicate an ingress/egress easement to the City for emergency and public security vehicles purposes only. Maintenance of easement shall be the sole responsibility of a Homeowners Association formed to conform to Section 13-41 (e) of the C.C.M.M.C.

6. Vehicular and pedestrian access rights to Pomona Avenue shall be released and relinquished to the City of Costa Mesa except at approved access locations.

7. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk.

8. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then reconstruct P.C.C. sidewalk per City of Costa Mesa Standards as shown on the Offsite Plan, including four (4) feet clear around obstructions in the sidewalk.

9. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approach per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager.

10. Submit for approval to the City of Costa Mesa, Engineering Division, Street Improvement and Storm Drain Plans, that show Sewer and Water Improvements, prepared by a Civil Engineer.

11. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of Final Tract Map

12. The Subdivider's engineers shall furnish the Engineering Division a storm runoff study to the City of Costa Mesa showing existing and proposed facilities and the method of draining this area and tributary areas without exceeding the capacity of any street or drainage facility on-site or off-site. This study to be furnished with the first submittal of the Final Tract Map. Cross lot drainage shall not occur.

13. In order to comply with the latest DAMP, the proposed Project shall prepare a Water Quality Management Plan conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the City of Costa Mesa Engineering Divisions for review and approval.
    - A WQMP (Priority or Non-Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.
    - Location of BMPs shall not be within the public right-of-way.

14. Ownership and maintenance of the private on-site drainage facilities, BMPs, parkway culverts and other common areas shall be transferred by the owner to the Homeowner Association to be formed pursuant to C.C.M.M.C. Section 13-41 (e) and said association shall indemnify and hold harmless the City of Costa Mesa for any liability arising out of or in any way associated with the connection of the private drainage system with the City's drainage system and shall execute and deliver to the City of Costa Mesa the standard (indemnity) Hold Harmless Agreement required for such conditions prior to issuance of permits.

15. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.

16. Water system improvements shall meet the approval of Mesa Water District; call (949) 631-1200 for information.

17. Dedicate easements as needed for public utilities.

18. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.

19. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital-graphics file of said map in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.

20. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.

21. The elevations shown on all plans shall be on Orange County benchmark datum.

22. Prior to recordation of a Final Tract Map, submit required cash deposit or surety bond to guarantee monumentation. Deposit amount to be determined by the City Engineer.

23. Prior to occupancy on the Tract, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File, reproducible mylar of the recorded Tract Map, and approved off-site plan and nine copies of the recorded Tract Map.

Sincerely,

S. Yang

Seung Yang, P. E.
City Engineer

File #: 25-367 **Meeting Date:** 7/15/2025

TITLE:

TRAFFIC MANAGEMENT SERVICES AGREEMENTS WITH THE 32ND DISTRICT AGRICULTURAL ASSOCIATION

DEPARTMENT: **POLICE DEPARTMENT**

PRESENTED BY: **JARED BARNES, POLICE SERGEANT**

CONTACT INFORMATION: **JARED BARNES (714) 754-5125**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the 2025 agreement between the City and the 32nd District Agricultural Association for traffic management services for the Orange County Fair.

2. Approve the 2025 agreement between the City and the 32nd District Agricultural Association for traffic management services for all designated year-round events at the Orange County Fair and Event Center ("OCFEC").

3. Authorize the City Manager, or their designee, to execute the agreements.

4. Authorize the City Manager, or their designee, to execute any amendments to the agreements, including but not limited to, amendments increasing the maximum compensation to be paid to the City.

BACKGROUND:

Each year the City enters into two agreements with the 32nd District Agricultural Association ("District") to provide traffic management services. The first agreement applies to services provided by Police Department personnel during the annual Orange County Fair ("OC Fair"). The second agreement applies to services provided by Police Department personnel at designated events that occur at the Orange County Fair & Event Center (OCFEC) throughout the year.

The State of California requires the governing body (City Council) to approve all agreements before payment can be made.

ANALYSIS:

The Costa Mesa Police Department is requesting City Council approval to enter into agreements with the District to provide the District with traffic management services during the 2025 OC Fair and during designated events throughout the year at the OCFEC.

The agreements provide for reimbursement of personnel costs incurred by the City for providing traffic management services for the events. The District will compensate the City in accordance with the hourly rates set forth in the City of Costa Mesa Rate Determination, established pursuant to Administrative Regulation 2.13.

Generally, the services that will be provided under both agreements include:

1. Providing and coordinating traffic management services for events at the OCFEC.

2. Controlling traffic lights in unison with the efforts of the District's Parking Department.

3. Closing City streets in unison with the efforts of the District's Parking Department. Police Department personnel will update signage boards to reflect street closures and directional information in conjunction with the District's Parking Department.

The details relating to each agreement are outlined below.

Traffic Management Services - Orange County Fair

The agreement specific to traffic management services during the OC Fair has a term of July 18, 2025, through August 17, 2025. The services will be provided during the OC Fair, which is scheduled from July 18, 2025 through August 17, 2025. The District will pay the City a maximum of $351,354 for services provided during the OC Fair. However, if that amount is reached, the City and District will meet to amend the maximum compensation as needed.

Traffic Management Services - Designated Events at the OCFEC

The agreement specific to traffic management services during designated year-round events has a term of July 1, 2025, through June 30, 2026. The services will be provided during designated large-scale events that occur at the OCFEC. The District will pay the City a maximum of $121,633 for services provided for events throughout the year. However, if that amount is reached, the City and District will meet to amend the maximum compensation as needed.

ALTERNATIVES:

The City Council could choose not to approve the agreements between the City and the 32nd District Agricultural Association for traffic management services. However, this alternative would result in increased traffic congestion in and around the OC Fair during large-scale events, which would impact and require Police Department resources without any compensation.

FISCAL REVIEW:

Cost incurred by the City is offset by the agreement with the 32nd District Agricultural Association.

LEGAL REVIEW:

The City Attorney's Office has reviewed this report and the agreements and approved it as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This item supports City Council Goal:

- Strengthen the Public's Safety and Improve the Quality of Life

CONCLUSION:

Staff recommends the City Council:

1. Approve the 2025 agreement between the City and the 32nd District Agricultural Association for traffic management services for the Orange County Fair.

2. Approve the 2025 agreement between the City and the 32nd District Agricultural Association for traffic management services for all designated year-round events at the Orange County Fair and Event Center ("OCFEC").

3. Authorize the City Manager, or their designee, to execute the agreements.

4. Authorize the City Manager, or their designee, to execute any amendments to the agreements, including, but not limited to, amendments increasing the maximum compensation to be paid to the City.

Initial T.H. DS M.A DS kk

R A F

STATE OF CALIFORNIA
STANDARD AGREEMENT
STD 213 (Rev. 03/2019)

AGREEMENT NUMBER
SA-120-25FT

PURCHASING NUMBER (if applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME
32ND DISTRICT AGRICULTURAL ASSOCIATION / OC FAIR & EVENT CENTER

CONTRACTOR NAME
CITY OF COSTA MESA

2. The term of this Agreement is: **07/1/2025** through **08/20/2025** **FED ID: 95-6005030**

3. The maximum amount of this Agreement is: **$351,354.00**

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement.

Exhibit A – Scope of Work – To provide traffic management for 2025 OC Fair	Page 2-3
Exhibit B – Budget Detail and Payment Provisions (Attached hereto as part of this agreement)	Page 4-5
Exhibit C – General Terms and Conditions (Attached hereto as part of this agreement)	Pages 6-9
Exhibit D – Special Terms and Conditions – CCC (Attached hereto as part of this agreement)	Pages 10-13
Exhibit E – Insurance Requirements (Attached hereto as part of this agreement)	Pages 14-17
Exhibit F – OCFEC Megan's Law Screening & Certification Form (Attached hereto as part of this agreement)	Pages 18
Exhibit G – OCFEC Procedures (Attached hereto as part of this agreement)	Pages 19
Exhibit H – Additional Contract Terms & Conditions (Attached hereto as part of this agreement)	Pages 20-24

Items shown with an Asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto.
These documents can be viewed at https://www.dgs.ca.gov/OLS/Resources

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR NAME *(if other than an individual, state whether a corporation, partnership, etc.)*
City of Costa Mesa

CONTRACTOR AUTHORIZED SIGNATURE ✍ | DATE SIGNED

PRINTED NAME AND TITLE OF PERSON SIGNING
Cecilia Gallardo Daly, City Manager

CONTRACTOR BUSINESS ADDRESS
P.O Box 1200, Costa Mesa, CA 92626

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME
32ND District Agricultural Association/OC Fair & Event Center

AUTHORIZED SIGNATURE ✍ | DATE SIGNED

PRINTED NAME AND TITLE OF PERSON SIGNING
Ken Karns, Chief Operating Officer

CONTRACTING AGENCY ADDRESS
88 Fair Drive, Costa Mesa, CA 92626

California Department of General Services Use Only

☐ Exempt per:

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EXHIBIT A – SCOPE OF WORK (CONT.)

CONTRACT REPRESENTATIVES

32ND DISTRICT AGRICULTURAL ASSOCIATION/OC FAIR & EVENT CENTER
Thane Hollman, Director
Phone Number (714) 708-1547

Costa Mesa Police Department
Ron Lawrence, Chief of Police
Phone Number (714) 754-5117

Executive Order N-6-22 – Russia Sanctions

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law. The EO directs state agencies to terminate contracts with, and to refrain from entering into any new contracts with, individuals or entities that are determined to be a target of Economic Sanctions. Accordingly, should the State determine Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for termination of this Agreement. The State shall provide Contractor advance written notice of such termination, allowing Contractor at least thirty (30) calendar days to provide a written response. Termination shall be at the sole discretion of the State.

Covid 19 Infection Mitigation Protocol & Procedure Guidelines

Contractor agrees to abide by COVID related health directives, if any, in place during the contract period.

GenAI Technology Use & Reporting

During the term of the contract, Contractor must notify the State in writing if their services or any work under this contract includes, or makes available, any previously unreported GenAI technology, including GenAI from third parties or subcontractors. Contractor shall immediately complete the GenAI Reporting and Factsheet (STD 1000) to notify the State of any new or previously unreported GenAI technology. At the direction of the State, Contractor shall discontinue the use of any new or previously undisclosed GenAI technology that materially impacts functionality, risk or contract performance, until use of such GenAI technology has been approved by the State.

Failure to disclose GenAI use to the State and submit the GenAI Reporting and Factsheet (STD 1000) may be considered a breach of the contract by the State at its sole discretion and the State may consider such failure to disclose GenAI and/or failure to submit the GenAI Reporting and Factsheet (STD 1000) as grounds for the immediate termination of the contract. The State is entitled to seek any and all relief it may be entitled to as a result of such non-disclosure.

The State reserves the right to amend the contract, without additional cost, to incorporate GenAI Special Provisions into the contract at its sole discretion and/or terminate any contract that presents an unacceptable level of risk to the State.

CONTRACTOR AGREES:

1. To provide and coordinate traffic management service for twenty-three (23) operating days during the 2025 OC Fair.
2. The dates, times, and number of police personnel required will be mutually determined by the Costa Mesa Police Department and District Management.
4. To attend a pre-fair Parking Operations coordination meeting with District staff in June 2025. Meeting times and locations shall be mutually agreed upon by the Contractor and the District.
5. To control or "pickle" traffic lights in unison with the efforts of the District's Parking Department.
6. To close City streets in unison with the efforts of the District's Parking Department. The Contractor to update signage boards to reflect street closures and directional information in conjunction with the District's Parking Department.

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7. To provide a weekly summary report of the previous week's activities each Wednesday *(July 23, July 30, August 6, and August 13),* including the *date on which services were rendered, employee names/titles, shift start/end time, and employee's hourly rate.*
8. To submit the invoice to the District for services performed during the 2025 OC Fair no later than sixty (60) days after the expiration of the term of the agreement.
9. Invoicing shall include: *date on which services were rendered, employee names/titles, shift start/end time, and employee's hourly rate.*
10. Both Parties reserve the right to terminate this Agreement at any time, with or without cause, by giving the Contractor notice in writing at least thirty (30) days prior to the date when such termination shall become effective. Such termination shall relieve the District of further payment, obligations, and/or performances required in the terms of the Contract.

DISTRICT AGREES:

1. To notify the Contractor in advance of requested services.
2. Contractor to be paid according to Costa Mesa Police Department fee schedule in Exhibit B, the total amount not to exceed THREE HUNDRED FIFTY ONE THOUSAND THREE HUNDRED FIFTY FOUR DOLLARS ($351,354.00). Notwithstanding the foregoing, if the Contractor's compensation reaches $351,354 prior to the end of the term of this Agreement, the District and the Contractor will meet and confer to determine whether an increase in the total compensation is needed to cover the Contractor's services for the remainder of the term of this Agreement. If such an increase is needed, the District and Contractor will negotiate in good faith to determine the amount of such increase and enter into a written Amendment to this Agreement should reflect such an increased amount. If the District and Contractor do not agree upon an increased compensation amount and the Contractor's compensation reaches $351,354.00, the Contractor shall cease providing services until such time as the total compensation is increased as appropriate to compensate Contractor for services required for the remainder of the term.
3. Payment will be made no more than thirty (30) days after the satisfactory completion of services herein required and upon receipt of the proper itemized invoice.

-End Exhibit A-

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EXHIBIT B – BUDGET DETAIL & PAYMENT PROVISIONS

BUDGET DETAIL:

District Account #: 5102-51

PAYMENT PROVISIONS:

Payment will be made Net 30 upon satisfactory completion of services herein required and upon receipt of proper invoice.

Invoices shall include the date on which services were rendered as well as employee names, shift start and end time, hours worked and employee's hourly rate, and contain the District's Purchase Order number 53073. Invoices may be sent via email to AP@ocfair.com or mailed as follows:

OC Fair & Event Center
Attn: Accounts Payable
88 Fair Drive
Costa Mesa, CA 92626

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EXHIBIT B – BUDGET DETAIL & PAYMENT PROVISIONS (CONT.)

PAYMENT RATES:

-End Exhibit B-

CITY OF COSTA MESA
RATE DETERMINATION
Effective July 1, 2025

In accordance with Administrative Regulation 2.13, the following is a list of frequently requested hourly rates [3]

Other City Positions	Straight Time [1]	Special Event Overtime Rate [2]
Animal Control Officer	$53	$64
Animal Control Supervisor	$61	$87
Animal Services Coordinator	$53	$76
Assistant Engineer	$65	$80
Associate Engineer	$81	$100
Associate Planner	$70	$101
Chief Plans Examiner	$93	$113
Code Enforcement Officer II	$50	$63
Communications Officer	$58	$71
Communications Supervisor	$67	$82
Community Services Specialist	$43	$54
Construction Inspector	$56	$68
Crime Analyst	$47	$67
Crime Prevention Specialist	$52	$63
Crime Scene Investigator	$53	$65
Equipment Mechanic II	$46	$57
Equipment Mechanic III	$49	$61
Facilities Maintenance Technician	$44	$55
Lead Equipment Mechanic	$56	$69
Lead Maintenance Worker	$53	$65
Maintenance Services Manager	$83	$103
Maintenance Supervisor	$62	$76
Maintenance Worker (Maint Assistant/Worker)	$40	$48
Office Specialist I	$35	$43
Office Specialist II	$37	$46
Park Ranger	$48	$59
Plan Check Engineer	$84	$104
Principal Planner	$97	$139
Property and Evidence Specialist	$49	$61
Senior Maintenance Worker	$43	$54
Senior Combination Building Inspector	$72	$104

Fire Positions	Straight Time [1]	Special Event Overtime Rate [2]
Battalion Chief	$145	$208
Fire Captain	$108	$156
Fire Engineer	$94	$134
Firefighter	$81	$116
Firefighter - Paramedic	$90	$129
Police Positions		
Police Cadet [4]	$62	$69
Police Lieutenant	$139	$199
Police Officer	$87	$124
Police Officer (Motorcycle)	$91	$129
Police Officer (K9)	$95	$136
Police Recruit	$76	$85
Police Reserve Officer	$97	$108
Police Sergeant	$106	$151
Police Sergeant (Motorcycle)	$110	$158
Police Support Services Reserve	$41	$45
Senior Police Officer	$91	$130
Senior Police Officer (Motorcycle)	$95	$136
Community Risk Reduction Team		
Assistant Fire Chief - Non Sworn/Fire Marshal	$106	$131
Assistant Fire Marshal	$77	$95
Code Enforcement Officer I	$50	$63
Fire Protection Specialist	$61	$75
Other Positions		
Custody Officer	$69	$91
Police Records Technician	$38	$47
Senior Police Records Technician	$41	$50

Notes - Rates are based on most recent applicable Memorandum of Understanding.

[1] Includes annual salary at top step, other compensation and benefits (excluding Unfunded Actuarial Liability and Cafeteria), divided by 2,080 hours/annually.

[2] Includes straight time hourly rate plus 1/2 of the basic hourly rate divided by 2,080 hours. Other benefits are excluded from this portion of the calculations.

[3] These rates do not include equipment and apparatus charges. Equipment and apparatus rates to be utilized are based on CalOES CalOES established rates. The most recent rates may be found at https://www.caloes.ca.gov/office-of-the-director/operations/response-operations/fire-rescue/administration-reimbursement/.

[4] Per City Council Resolution 2023-48, the classification has been renamed from Police Aide to Police Cadet.

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EXHIBIT C – GENERAL TERMS AND CONDITIONS

GTC 2/2025

1. APPROVAL: This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.

2. AMENDMENT: No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.

3. ASSIGNMENT: This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.

4. AUDIT: Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).

5. INDEMNIFICATION: Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.

6. DISPUTES: Contractor shall continue with the responsibilities under this Agreement during any dispute.

7. TERMINATION FOR CAUSE: The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.

8. INDEPENDENT CONTRACTOR: Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.

9. RECYCLING CERTIFICATION: The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post-consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods,
or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).

10. NON-DISCRIMINATION CLAUSE: During the performance of this Agreement, Contractor and its subcontractors shall not deny the contract's benefits to any
person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic
information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. Contractor shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination. Contractor and subcontractors shall comply with the provisions of the Fair

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Employment and Housing Act (Gov. Code §12900 et seq.), the regulations promulgated thereunder (Cal. Code Regs., tit. 2, §11000 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code §§11135-11139.5), and the regulations or standards adopted by the awarding state agency to implement such article. Contractor shall permit access by representatives of the Department of Fair Employment and Housing and the awarding state agency upon reasonable notice at any time during the normal business hours, but in no case less than 24 hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department or Agency shall require to ascertain compliance with this clause. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. (See Cal. Code Regs., tit. 2, §11105.)

Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.

11. CERTIFICATION CLAUSES: The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 04/2017 are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.

12. TIMELINESS: Time is of the essence in this Agreement.

13. COMPENSATION: The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.

14. GOVERNING LAW: This contract is governed by and shall be interpreted in accordance with the laws of the State of California.

15. ANTITRUST CLAIMS: The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.

    a. The Government Code Chapter on Antitrust claims contains the following definitions:

        1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.

        2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.

    b. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.

    c. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.

    d. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.

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16. CHILD SUPPORT COMPLIANCE ACT:

For any Agreement in excess of $100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:

a. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and

b. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

17. UNENFORCEABLE PROVISION:

In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

18. PRIORITY HIRING CONSIDERATIONS:

If this Contract includes services in excess of $200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code §10353.

19. SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS:

a. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)

b. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

20. LOSS LEADER:

If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).)

21. GENERATIVE AI DISCLOSURE OBLIGATIONS:

a. The following terms are in addition to the defined terms and shall apply to the Contract:

   i. “Generative AI (GenAI)” means an artificial intelligence system that can generate derived synthetic content, including text, images, video, and audio that emulates the structure and characteristics of the system's training data. (Gov. Code § 11549.64.)

b. Contractor shall immediately notify the State in writing if it: (1) intends to provide GenAI as a deliverable to the State; or (2), intends to utilize GenAI, including GenAI from third parties, to complete all or a portion of any deliverable that materially impacts: (i) functionality of a State system, (ii) risk to the State, or (iii) Contract

performance. For avoidance of doubt, the term “materially impacts” shall have the meaning set forth in State Administrative Manual (SAM) § 4986.2 Definitions for GenAI.

c. Notification shall be provided to the State designee identified in this Contract.

d. At the direction of the State, Contractor shall discontinue the provision to the State of any previously unreported GenAI that results in a material impact to the functionality of the System, risk to the State, or Contract performance, as determined by the State.

e. If the use of previously undisclosed GenAI is approved by the State, then Contractor will update the Deliverable description, and the Parties will amend the Contract accordingly, which may include incorporating the GenAI Special Provisions into the Contract, at no additional cost to the State.

f. The State, at its sole discretion, may consider Contractor’s failure to disclose or discontinue the provision or use of GenAI as described above, to constitute a material breach of Contract when such failure results in a material impact to the functionality of the System, risk to the State, or Contract performance. The State is entitled to seek any and all remedies available to it under law as a result of such breach, including but not limited to termination of the contract.

-End Exhibit C-

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EXHIBIT D – SPECIAL TERMS AND CONDITIONS

CCC 04/2017 / CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

Contractor/Bidder Firm Name (Printed)	*Federal ID Number*
By (Authorized Signature)	
Printed Name and Title of Person Signing Cecilia Gallardo Daly	
Date Executed	*Executed in the County of*

CONTRACTOR CERTIFICATION CLAUSES

1. **STATEMENT OF COMPLIANCE:**
Contractor has, unless exempted, complied with the nondiscrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 11102) (Not applicable to public entities.)

2. **DRUG-FREE WORKPLACE REQUIREMENTS:**
Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

   a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.

   b. Establish a Drug-Free Awareness Program to inform employees about:
      i. the dangers of drug abuse in the workplace;
      ii. the person's or organization's policy of maintaining a drug-free workplace;
      iii. any available counseling, rehabilitation and employee assistance programs; and,
      iv. penalties that may be imposed upon employees for drug abuse violations.

   c. Every employee who works on the proposed Agreement will:
      i. receive a copy of the company's drug-free workplace policy statement; and,
      ii. agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

   Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Contractor may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the Contractor has made false certification, or violated the certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)

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3. **NATIONAL LABOR RELATIONS BOARD CERTIFICATION:**
Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court, which orders Contractor to comply with an order of the National Labor Relations Board. (Pub. Contract Code §10296) (Not applicable to public entities.)

4. **CONTRACTS FOR LEGAL SERVICES $50,000 OR MORE- PRO BONO REQUIREMENT:**
Contractor hereby certifies that Contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003.

Contractor agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the Contract equal to the lessor of 30 multiplied by the number of full time attorneys in the firm's offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year or 10% of its Contract with the State.

Failure to make a good faith effort may be cause for non-renewal of a state contract for legal services, and may be taken into account when determining the award of future contracts with the State for legal services.

5. **EXPATRIATE CORPORATIONS:**
Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of Public Contract Code Section 10286 and 10286.1, and is eligible to contract with the State of California.

6. **SWEATFREE CODE OF CONDUCT:**
   a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the Contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweat free Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

   b. The contractor agrees to cooperate fully in providing reasonable access to the contractor's records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor's compliance with the requirements under paragraph (a).

7. **DOMESTIC PARTNERS:**
For contracts of $100,000 or more, Contractor certifies that Contractor is in compliance with Public Contract Code section 10295.3.

8. **GENDER IDENTITY**:
For contracts of $100,000 or more, Contractor certifies that Contractor is in compliance with Public Contract Code section 10295.35.

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DOING BUSINESS WITH THE STATE OF CALIFORNIA

The following laws apply to persons or entities doing business with the State of California.

1. CONFLICT OF INTEREST: Contractor needs to be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.

Current State Employees (Pub. Contract Code §10410):

1). No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.

2). No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code §10411):

1). For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the Contract while employed in any capacity by any state agency.

2). For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed Contract within the 12-month period prior to his or her leaving state service.

If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (Pub. Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code §10430 (e))

2. LABOR CODE/WORKERS' COMPENSATION:
Contractor needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)

3. AMERICANS WITH DISABILITIES ACT:
Contractor assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

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4. CONTRACTOR NAME CHANGE:
An amendment is required to change the Contractor's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

5. CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA:

a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the contractor is currently qualified to do business in California in order to ensure that all obligations due to the state are fulfilled.

b. "Doing business" is defined in R&TC Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the state not be subject to the franchise tax.

c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will determine whether a corporation is in good standing by calling the Office of the Secretary of State.

6. RESOLUTION:
A county, city, District, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

7. AIR OR WATER POLLUTION VIOLATION:
Under the State laws, the Contractor shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

8. PAYEE DATA RECORD FORM STD. 204:
This form must be completed by all contractors that are not another state agency or other governmental entity.

-End Exhibit D-

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EXHIBIT E – INSURANCE REQUIREMENTS

(Revised effective January 1, 2023)

I. Evidence of Coverage

The contractor/renter shall provide a signed original evidence of coverage form for the term of the contract or agreement (hereinafter "contract") protecting the legal liability of the State of California, the California Fair Services Authority, District Agricultural Associations, County Fairs, Counties in which County Fairs are located, Lessor/Sublessor if fair site is leased/subleased, Citrus Fruit Fairs, California Exposition and State Fair, or Entities (public or non-profit) operating California designated agricultural fairs, their directors, officers, agents, servants, and employees, from occurrences related to operations under the Contract. This may be provided by:

A. Insurance Certificate - The contractor/renter provides the fair with a signed original certificate of insurance (the ACORD form is acceptable), lawfully transacted, which sets forth the following:

1. List as the Additional Insured: "That the State of California, the California Fair Services Authority, the District Agricultural Association, County Fair, the County in which the County Fair is located, Lessor/Sublessor if fair site is leased/subleased, Citrus Fruit Fair, California Exposition and State Fair, or Entities (public or non-profit) operating California designated agricultural fairs, their directors, officers, agents, servants, and employees are made additional insured, but only insofar as the operations under this contract are concerned."

2. Dates: The dates of inception and expiration of the insurance. **For individual events, the specific event dates must be listed, along with all set-up and tear down dates.**

3. Coverages:

   a. General Liability - Commercial General Liability coverage, on an occurrence basis, at least as broad as the current Insurance Service Office (ISO) policy form #CG 00-01. Limits shall not be less than for the limits in the CFSA Hazardous/Nonhazardous Activities List which includes, but is not limited to, the following: **$5,000,000 per occurrence** for Carnival Rides and for Freefall Attractions (elevated jumps involving airbags); **$5,000,000 per occurrence** for the following types of Motorized Events: Automobile races, drifting exhibitions, burnout contests/competitions, truck rodeos, tractor/truck pulls, destruction derbies, RV destruction derbies, mud bogs, mud racing, car crunches, monster truck shows, automobile thrill shows, figure 8 racing, stock car racing, tuff trucks, boat races, autocross, dirt racing, oval track, sprint cars/410 sprints, modified, super stock, mini-stock, dwarf cars, micro lights, endure, pro stock. **$3,000,000 per occurrence** for the following types of Motorized Events: motorcycle racing, flat track motorcycle racing, arena-cross, freestyle motocross, motorcycle thrill shows and stunt teams, ATV, sand drags, go karts, snowmobile races, quarter midget races, golf cart races, Redneck Roundup (ATVs), lawnmower races. **$3,000,000 per occurrence** for Rodeo Events all types with a paid gate and any Rough Stock Events such as Bull Riding,

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Bareback, Saddle Bronc, or Mutton Busting; **$2,000,000 per occurrence for the following:** Concerts: 2,000 and more attendees; Extreme Attractions*: All Types, including but not limited to bungee attractions, ejection seats, sky scrapers, Trampoline Things/quad jumpers, zip line or similar attractions requiring a Cal/OSHA permit to operate; Fair time Kiddie Carnival Rides: Up to 6 kiddie rides (includes book-in rides); Interim Carnival Rides; Extreme Attractions; Law Enforcement: All types, including but not limited to city police, county sheriff, California Highway Patrol, county probation, California Department of Corrections, state or federal military. Mutual indemnification in the Contract may substitute for coverage with written approval from CFSA. Mechanical Bulls; Motorized Events: Car jumping contests/demonstrations of hydraulic modifications to automobiles; Rave Type Events: Any dance or concert which extends beyond midnight; Rodeo Events: All Types without a paid gate and with any Rough Stock Events such as Bull Riding, Bareback, Saddle Bronc, or Mutton Busting; Simulators; **$1,000,000 per occurrence** for Rodeo Events All Types **without** any Rough Stock Events but including barrel racing, penning, and roping**; $1,000,000 per occurrence** for all other contracts for which liability insurance (and liquor liability, if applicable) is required.

The Certificate of Insurance shall list the applicable policy forms, including endorsements. Any exclusions or coverage limitations, including sub-limits, that apply to the contractor/renter's activities, or business to be conducted under the contract or rental agreement/lease, must be listed in the Certificate of Insurance. If there is a self-insured retention or deductible in the contractor/renter's coverage equal to or in excess of $100,000, the self-insured retention/deductible amount shall be included as part of the Certificate of Insurance. A copy of the contractor/renter's policy declaration page containing this information as an attachment/exhibit to the Certificate of Insurance will be acceptable, provided it contains all the aforementioned information.

b. Automobile Liability - Commercial Automobile Liability coverage, on a per accident basis, at least as broad as the current ISO policy form # CA 00-01, Symbol #1 (Any Auto) with limits of not less than $1,000,000 combined single limits per accident for contracts involving use of contractor vehicles (autos, trucks or other licensed vehicles) on fairgrounds.

c. Workers' Compensation - Workers' Compensation coverage shall be maintained covering contractor/renter's employees, as required by law.

d. Medical Malpractice - Medical Malpractice coverage with limits of not less than $1,000,000 per occurrence shall be maintained for contracts involving medical services.

e. Liquor Liability - Liquor Liability coverage with limits of not less than $1,000,000 per occurrence shall be maintained for contracts involving the sale of alcoholic beverages.

4. Cancellation Notice: Notice of cancellation of the listed policy or policies shall be

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sent to the Certificate Holder in accordance with policy provisions.

5. Certificate Holder:
   - For Individual Events Only - Fair, along with fair's address, is listed as the certificate holder.
   - For Master Insurance Certificates Only - California Fair Services Authority, Attn: Risk Management, 1776 Tribute Road, Suite 100, Sacramento, CA 95815 is listed as the certificate holder.

6. Insurance Company: The company providing insurance coverage must be acceptable to the California Department of Insurance.

7. Insured: The contractor/renter must be specifically listed as the Insured.

OR

B. CFSA Special Events Program - The contractor/renter obtains liability protection through the California Fair Services Authority (CFSA) Special Events Program, when applicable.

OR

C. Master Certificates - A current master certificate of insurance for the contractor/renter has been approved by and is on file with California Fair Services Authority (CFSA).

OR

D. Self-Insurance - The contractor/renter is self-insured and acceptable evidence of self-insurance has been approved by California Fair Services Authority (CFSA).

II. General Provisions

1. Maintenance of Coverage - The contractor/renter agrees that the commercial general liability (and automobile liability, workers' compensation, medical malpractice and/or liquor liability, if applicable) insurance coverage herein provided for shall be in effect at all times during the term of this Contract. In the event said insurance coverage expires or is cancelled at any time or times prior to or during the term of this Contract, contractor/renter agrees to provide the fair, prior to said expiration date, a new certificate of insurance evidencing insurance coverage as provided for herein for not less than the remainder of the term of the Contract, or for a period of not less than one (1) year. New certificates of insurance are subject to the approval of California Fair Services Authority, and contractor/renter agrees that no work or services shall be performed prior to the giving of such approval. In the event the contractor/renter fails to keep in effect at all times insurance coverage as herein provided, the fair may, in addition to any other remedies it may have, take any of the following actions: (1) declare a material breach by contractor/renter and terminate this Contract; (2) withhold all payments due to contractor/renter until notice is received that such insurance coverage is in effect; and (3) obtain such insurance coverage and deduct premiums for same from any sums due or which become due to contractor/renter under the terms of this Contract.

2. Primary Coverage - The contractor/renter's insurance coverage shall be primary and any separate coverage or protection available to the fair or any other additional insured shall be secondary.

3. Contractor's Responsibility - Nothing herein shall be construed as limiting in any way the extent to which contractor/renter may be held responsible for damages resulting from contractor/renter's operations, acts, omissions or negligence. Insurance coverage obtained in the minimum amounts specified above shall not relieve contractor/renter of liability in excess of such minimum coverage, nor shall it preclude the fair from taking other actions available to it under contract documents or by law, including, but not limited to, actions pursuant to contractor/renter's indemnity obligations. **The contractor/renter indemnity obligations shall survive the expiration, termination or assignment of this Contract.**

4. Certified Copies of Policies - Upon request by fair, contractor/renter shall immediately furnish a complete copy of any policy required hereunder, with said copy certified by the underwriter to be a true and correct copy of the original policy. Fairtime Carnival Ride contractors must submit copies of actual liability insurance policies, certified by an underwriter, to California Fair Services Authority (CFSA).

III. Participant Waivers

1. For hazardous participant events (see subsection 4. below), the contractor/renter agrees to obtain a properly executed release and waiver of liability agreement (Form required by contractor/renter's insurance company or CFSA Release and Waiver Form) from each participant prior to his/her participation in the events sponsored by contractor/renter.

2. Contractor/renter shall ensure that any party renting space from the contractor/renter with, or for, hazardous participant events (see subsection 4. below) obtains a properly executed release and waiver of liability agreement (Form required by contractor/renter's insurance company or CFSA Release and Waiver Form) from each participant prior to his/her participation in the events and provides a copy to the contractor/renter.

3. The contractor/renter shall provide copies of all executed release and waiver of liability agreements required under subsections 1. and 2. above to the Fair at the end of the rental agreement.

4. Hazardous participant events include, but are not limited to, any event within the following broad categories: Athletic Team Events; Equestrian-related Events; Extreme Attractions; Freefall Attractions; Mechanical Bulls; Simulators; Motorized Events; Rodeo Events; and Wheeled Events, including bicycle, skates, skateboard, or scooter. Contact California Fair Services Authority, Risk Management Department at (916) 921-2213 for further information and for CFSA Release and Waiver Form.

-End Exhibit E-

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EXHIBIT F – MEGAN'S LAW SCREENING CERTIFICATION

OC Fair & Event Center

Page 1 of 1

This form must be completed legibly, with all information requested. Typewritten or computer-generated forms or reports may be substituted provided that: all required information is included in columnar form. The certification section must be signed by an authorized representative of the contractor.

Company/Organization Name: _____

Contact Name: Cecilia Gallardo Daly _____ **Contact Telephone:** _____

Type of Company/Organization (Circle one): **Contractor** **Consultant** **Concessionaire** **Entertainer** **Exhibitor** **Volunteer**

Other/Explanation if Needed: _____

The undersigned represents and warrants that all persons and individuals performing services on behalf of Contractor, including, but not limited to, its agents, employees, subcontractors, and volunteers have been screened for sex offender registration before each individual commenced work, services, and/or was present at the OCFEC facility. The undersigned represents and warrants that no individual who is a registered sex offender will be assigned or permitted to perform services on behalf of Contractor at or on OCFEC premises.

To the fullest extent permitted by law, Contractor will defend, indemnify, and hold harmless OCFEC from and against all claims, damages, losses, and expenses, of every kind, nature and description (including, but not limited to, attorney's fees, expert fees, and costs of suit), directly or indirectly arising from, or in any way related to the performance or nonperformance of Contractor's obligations under this Megan's Law Screening Certification regardless of responsibility of negligence; by reason of death, injury, property damage, however caused or alleged to have been caused, and even though claimed to be due to the negligence of the OCFEC. Provided, however, that in no event shall Contractor be obligated to defend or indemnify the OCFEC with respect to the sole negligence or willful misconduct of the OCFEC, its employees, or agents (excluding the Contractor, or any of its employees or agents).

The undersigned represents and warrants that he/she is fully authorized to execute this Megan's Law Screening Certification on behalf of Contractor.

_____ _____
Company/Organization Representative's Signature Title of Representative

Cecilia Gallardo Daly
_____ _____
Printed Name Date

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EXHIBIT G – UNIFORM AND ID PROCEDURES & CERTIFICATION

Page 1 of 1

Procedure: OCFEC employees, contractors and contractor employees wearing identification while on OCFEC property in a working capacity. OCFEC employees wearing proper uniform.

Purpose: To ensure all OCFEC employees, contractors and contractor employees are wearing required photo identification and uniforms.

Procedure 0001

1. All OCFEC employees, contractors and contractor employees must wear the approved OCFEC identification badge at all times while working onsite. Identification badges must be worn around the neck using a breakaway lanyard or in some other clearly visible area using a clip.

2. An OCFEC employee/contractor badge does not provide access to the backstage areas of Pacific Amphitheatre, The Hangar or Action Sports Arena. In order to access these areas, employees, contractors and/or contractor employees must secure an authorized backstage pass. Only employees, contractors and/or contractor employees with a specific role/function requiring them to be in the backstage area may enter.

3. Backstage passes to Pacific Amphitheatre, The Hangar and/or Action Sports Arena may be requested by the Director or the Vice President overseeing an employee's/contractor's department. Requests will be forwarded to the Entertainment Director for fulfillment. Approved backstage passes must be worn around the neck using a breakaway lanyard or in some clearly visible area using a clip.

4. All OCFEC employees shall wear their respective department's approved uniform/attire at all times when working on OCFEC premises during year-round events and the annual OC Fair.

By signing this form, the bidder has read and understood OCFEC's policies above, and is agreeing to follow all procedures.

Cecilia Gallardo Daly

_____ _____

(Print Name & Title) (Signature)

_____

(Date)

-End Exhibit G-

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EXHIBIT H – ADDITIONAL CONTRACT TERMS AND CONDITIONS

1. AUTHORIZED REPRESENTATIVE

Contractor must maintain one (1) or more English speaking representatives who are authorized to take immediate action and make requested adjustments and/or changes as required by District Management. This person must be identified to the District as the Contractor's authorized representative.

2. LICENSES, PERMITS AND CERTIFICATIONS

Contractor shall be an individual or firm licensed to do business in California and shall obtain at his/her expense all license(s), permits(s) and certification(s) required by law or as part of this Contract for accomplishing any work required in connection with this agreement. In the event any license(s), permit(s) or certification(s) expire at any time during the term of this Contract, Contractor agrees to provide agency a copy of the renewed license(s), permit(s) or certification(s) within thirty (30) days following the expiration date

In the event the Contractor fails to keep in effect at all times all required license(s), permit(s), and certification(s), the District may, in addition to any other remedies it may have, terminate this Contract upon occurrence of such event.

3. SITE ACCESS

District shall allow Contractor access to the District's property as needed. If access is required during annual OC Fair hours, the District will provide necessary admission and parking credentials for the employees performing in service of the Contract.

4. INSURANCE

Proof of insurance, meeting the requirements of the State (see Exhibit E) must be made available to the District within fifteen (15) days of contract award. Failure to do so could result in termination of said Contract.

5. WORK PERMIT LAW

If Contractor employs youth under the age of eighteen (18) years, he/she is required by law to see that each such employee holds a valid work permit. Contractor is further required to adhere to all applicable child labor laws.

6. PERSONNEL

All Contractor employees are employees of the Contractor and not the District. No agent, servant or employee of the Contractor will under any circumstances be deemed an agent, servant or employee of the District.

The District reserves the sole absolute right to determine, at its discretion, that any person or agent used by Contractor in the performance of the Contract shall be excluded from such performance on the grounds that his or her appearance or conduct is detrimental to the District's operation. Determination of these matters by District Management shall be final.

7. POTENTIAL SUBCONTRACTORS/INDEPENDENT CONTRACTORS

Nothing contained in the ensuing Agreement or otherwise shall create any contractual relation between the District and any subcontractors/independent contractors, and no subcontract shall relieve the Contractor of his/her responsibilities and obligations contained herein. The Contractor agrees to be as fully responsible to the District for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Contractor.

The Contractor's obligation to pay its subcontractors/independent contractors is an independent obligation from the District's obligation to make payments to the Contractor. As a result, the District shall have no obligation to pay or to enforce the payment of any monies to any subcontractor/independent contractor.

Subcontracting of goods or services must be approved in writing by the District.

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EXHIBIT H - ADDITIONAL CONTRACT TERMS & CONDITIONS (CONT.)

8. SUPPLIERS

Nothing contained in the ensuing Agreement or otherwise shall create any contractual relation between the District and any suppliers.

The Contractor agrees to be as fully responsible to the District for the acts and omissions of its suppliers and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Contractor. The Contractor's obligation to pay its suppliers is an independent obligation from the District's obligation to make payments to the Contractor. As a result, the District shall have no obligation to pay or to enforce the payment of any monies to any supplier.

9. TRAVEL, TRANSPORTATION AND ACCOMMODATIONS

Contractor is responsible for all necessary travel, fuel, transportation and housing accommodations.

10. INVOICES

Invoices shall be submitted upon completion of services rendered to the District.

All invoices must contain Contractor's invoice number, District-issued Purchase Order (PO) number, detailed work logs and hours by Service Type for the labor required to fulfill these services.

Contractor shall send invoices and any supporting documentation via email to AP@ocfair.com (the District's preferred mechanism) or mail to OC Fair & Event Center, Attn: Accounts Payable, 88 Fair Drive, Costa Mesa, CA 92626.

Upon contract award and throughout the duration of the Contract, Contractor shall work with the District to ensure invoicing needs are continually met.

11. PAYMENT

Payments to the Contractor will be made by the 32nd District Agricultural Association and paid in full within 30 days upon satisfactory completion of each event and receipt of proper invoice.

12. PRICING/FINANCIAL PROPOSAL BID FORM

The Financial Proposal Bid Form will be used to develop the "not to exceed" amount of the Contract. The estimated quantities provided are based upon historical experience and anticipated future needs, and may change depending upon actual needs/usage. Billing/invoicing will be determined by multiplying actual usage by the Service Type rate as entered on the Financial Proposal Bid Form.

The District may elect to add a contingency line item to accommodate specifications within the scope of the effort, if approved by the District, during the implementation of this Contract.

13. MEGAN'S LAW SCREENING

All of Contractor's employees, agents, servants, volunteers, independent contractors and/or employees, agents, servants, volunteers, independent contractors of Contractor's subcontractors who will be performing job related duties on District premises must pass background checks under "Megan's Law" as required by the District's current Megan's Law policy (and as that policy may be amended by the District from time to time), and any other reasonable background checks that may be required by the District as a result of policies adopted by the District's Board of Directors. Contractor will certify in writing that they have conducted the required screening and will indemnify the District for any negligence arising out of or connected with their obligations pertaining to the required screening. Contractor shall not be held liable for the lack of or inaccuracies in reporting made available by the states. A full, true and correct copy of the District's current Megan's Law policy is attached.

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EXHIBIT H - ADDITIONAL CONTRACT TERMS & CONDITIONS (CONT.)

14. RIGHT TO REPLACE/DISMISS

Contractor's onsite personnel are subject to approval of the District during the entire term of contracted services. The District has the right, in accordance with applicable law, to require replacement of Contractor's onsite personnel or any member of Contractor's onsite personnel.

If at any time the District determines that any employee, agent or officer of Contractor or of Contractor's permitted subcontractors, is in violation of District policies regarding harassment, discrimination or offensive behavior or Megan's Law, or fails to meet the District's safety and customer service standards, the District may notify Contractor verbally and/or in writing. Contractor will promptly correct the behavior, performance or condition giving rise to the notification described herein to the satisfaction of the District. If Contractor fails to correct the behavior, performance or condition giving rise to the notification described herein, the District may demand that Contractor (or Contractor's subcontractor, as the case may be) cease using said employee at the District's facilities and Contractor (or Contractor's subcontractor, as the case may be) will promptly comply with such request. If the District requests replacement of onsite personnel or any of its members, Contractor must furnish a replacement immediately or as otherwise determined necessary by the District. Nothing contained in this paragraph shall obligate the District to monitor the behavior of Contractor's employees or of Contractor's subcontractor's employees. The District retains the right to review the resumes of all Contractor personnel and confirm compliance.

15. GRATUITIES

Contractor is prohibited from offering any gift or gratuity to employees and/or officers of the 32nd District Agricultural Association, as employees and officers are not permitted to accept them under any circumstances. Contractor and/or Contractor's employees shall not solicit or accept any gifts. This includes cash, tickets, food, drinks, merchandise or any other items from District staff, promoters and/or vendors to perform the functions detailed in this agreement. Any violations of this policy may result in the dismissal of the employee and a performance violation notice issued to the Contractor.

16. EVALUATION OF CONTRACTOR PERFORMANCE

Contractor will be evaluated on their performance, including, but not limited to, Contractor's record of conforming to contract requirements and to standards of good workmanship; Contractor's record of forecasting and controlling costs; Contractor's adherence to contract schedules, including the administrative aspects of performance; Contractor's history of reasonable and cooperative behavior and commitment to customer satisfaction; Contractor's record of integrity and business ethics, and generally, Contractor's business-like concern for the interest of the District and its customers.

Contractor shall work with District staff to ensure contract compliance, whether by phone, email or in-person meetings, as determined necessary by the District. The District retains the right to notify Contractor of any performance issues at any time for the duration of the contract term. Notification will be provided in writing to Contractor, whereupon Contractor shall have five (5) days to respond to the District's request for compliance. Unless mutually agreed upon otherwise, performance issues shall be corrected within fifteen (15) days of District's notification to Contractor.

Failure to supply equipment and/or personnel as required may result in a notice of default and/or an adjustment to the fees charged for equipment and/or labor.

Contractor may be disqualified from potential bidding opportunities if the District deems Contractor as unresponsive to repeated requests for corrective action.

17. NON-EXCLUSIVE AGREEMENT

Contractor understands and agrees that this is a non-exclusive agreement. The District may hire other contractors for work of a similar or identical nature.

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EXHIBIT H - ADDITIONAL CONTRACT TERMS & CONDITIONS (CONT.)

18. TERMINATION

The District reserves the right to terminate any contract at any time with or without cause by giving the Contractor notice in writing at least thirty (30) days prior to the date when such termination shall become effective. Such termination shall relieve the District of further payment, obligations and/or performances required in the terms of the Contract.

19. FORCE MAJEURE

If as a result of any Act of God, war, epidemic, accident, fire, violent weather or weather related disaster, strike, lock-out, or other labor controversy, riot, civil disturbance, act of Public enemy, law enactment, rule, restraint, order, or act of any governmental instrumentality or military authority, failure of technical facilities, failure, delay or reduction in transportation services, fire, explosion, or other cause not reasonably within either Party's control and which renders either party's performance impossible, infeasible, or unsafe ("Force Majeure Event"), then either party may cancel this agreement and neither party shall have any further liabilities and/or obligations in connection with this agreement.

20. PHONE NUMBERS

Contractor shall provide the District with phone numbers for their authorized representative(s) and with a 24-hour "On Call" phone number for emergencies.

21. VEHICLES, EQUIPMENT AND SUPPLIES

All vehicles and equipment such as utility carts, trucks, trailers, vans, boom lifts, scissor lifts, pressure washers, back pack blowers, hand trucks, brooms, hoses and pickers and all cleaning supplies such as stripper, detergents, sanitizers, air fresheners and other chemicals shall be owned and/or provided by Contractor. The District will provide consumable paper products, waste receptacles and plastic waste receptacle liners. All vehicles and equipment will be clearly marked with Contractor's company name and/or logo. Equipment shall be in proper operating condition with all guards in place. No equipment shall be left unattended. Equipment and supplies must be stored in designated areas agreed upon by the District. All Safety Data Sheets (SDS) for all chemical-cleaning products used must be on-site accessible by the District, per Global Harmonization System (GHS). Contractor shall take all necessary safety precautions when using vehicles, equipment and cleaning products. Drivers of all vehicles and equipment shall possess a valid driver license and be 18 years of age or older. Street sweepers should be South Coast Air Quality Management District Rule 1186 certified and Rule 1186.1 compliant and no older than 2 years. Contractor shall furnish all necessary labor, supervision, equipment, tools, materials (excluding dumpsters), permits, transportation and insurance in the performance of these specifications.

22. VEHICLE UTILITY CARTS

Contractor may provide utility carts for employees, if necessary, to complete Scope of Work. Carts are not permitted to park in front of buildings or in pathways blocking pedestrian access points. Drivers shall possess a valid driver's license and be 18 years of age or older and abide by all applicable local, State and Federal laws related to cart safety. Weather protection of equipment is the responsibility of the Contractor.

23. VENUE CLEAN-UP

a. Contractor is to keep job site clean daily and upon project completion.
b. Contractor shall sweep and blow all debris daily and upon project completion.
c. Contractor will dump all green waste in the provided 40 yard dumpster on OCFEC grounds.
d. Do not dispose of any construction material or project waste on OCFEC grounds or in OCFEC containers.
e. Contractor is to keep all compound and chemicals out of storm drains & sewers.
f. Contractor will protect ground surfaces from oil and other leaks that may come from service trucks.

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EXHIBIT H - ADDITIONAL CONTRACT TERMS & CONDITIONS (CONT.)

24. PERSONNEL POLICY

All Contractor employees must receive an orientation on the duties they will be required to perform, safety training to ensure employees working with chemicals are familiar with SDS per GHS and harassment training (prior to working). In addition, ongoing customer service training will be required during the term of this Contract to educate current employees and new hires. Contractor is required to supply all required training and a schedule of planned training shall be provided to the District at the beginning of every quarter in January, April, July and October. All employees will be issued an OC Fair & Event Center "Contractor" photo identification badge annually. Identification badges must be worn at all times while on the property; when entering and while working on the grounds. Badges will have the name visible and worn on the upper right or left torso. All badges must be returned from terminated employees. All other employee badges must be returned on Friday following the end of the OC Fair. All employees must abide by the rules and regulations stated in the Employee Handbook provided by the District.

25. UNIFORMS AND BADGES

Contractor's employees shall be at all times neatly and cleanly uniformed and must meet reasonable prescribed grooming guidelines and appearance standards.
The District requires Contractor's employees to wear badges, identification cards, and/or credentials in a clearly visible location (per attached procedure) while Contractor's employees are on the District's premises. Contractor personnel will be issued an OC Fair & Event Center "Contractor" photo identification badge annually. Identification badges must be worn at all times while on the property, when entering and while working on the grounds. Badges shall have the name visible and worn on the upper right or left torso. Badges are specific to each person and are non-transferable. All badges must be returned from terminated employees. All employees must abide by the rules and regulations stated in the Employee Handbook provided by the District.

26. SUBCONTRACTING

Subcontracting of goods or services must be approved in writing, by the District.

27. FIRE REGULATIONS

All fire regulations as prescribed by the State Fire Marshal must be strictly adhered to.

-End Exhibit H-

STATE OF CALIFORNIA
STANDARD AGREEMENT
STD 213 (Rev. 03/2019)

Initial DS DS
R T.H. A MM F kk

AGREEMENT NUMBER
SA-121-25YR

PURCHASING NUMBER (if applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME
32ND DISTRICT AGRICULTURAL ASSOCIATION / OC FAIR & EVENT CENTER

CONTRACTOR NAME
CITY OF COSTA MESA

2. The term of this Agreement is: **07/1/2025** through **06/30/2026** **FED ID: 95-6005030**

3. The maximum amount of this Agreement is: **$121,633.00**

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement.

Exhibit A – Scope of Work – To provide traffic management for year-round events at the OC Fair & Event Center	Page 2-3
Exhibit B – Budget Detail and Payment Provisions (Attached hereto as part of this agreement)	Page 4-5
Exhibit C – General Terms and Conditions (Attached hereto as part of this agreement)	Pages 6-9
Exhibit D – Special Terms and Conditions – CCC (Attached hereto as part of this agreement)	Pages 10-13
Exhibit E – Insurance Requirements (Attached hereto as part of this agreement)	Pages 14-17
Exhibit F – OCFEC Megan's Law Screening & Certification Form (Attached hereto as part of this agreement)	Pages 18
Exhibit G – OCFEC Procedures (Attached hereto as part of this agreement)	Pages 19
Exhibit H – Additional Contract Terms & Conditions (Attached hereto as part of this agreement)	Pages 20-24

Items shown with an Asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto.
These documents can be viewed at https://www.dgs.ca.gov/OLS/Resources

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR NAME *(if other than an individual, state whether a corporation, partnership, etc.)*
City of Costa Mesa

CONTRACTOR AUTHORIZED SIGNATURE | DATE SIGNED

PRINTED NAME AND TITLE OF PERSON SIGNING
Cecilia Gallardo Daly, City Manager

CONTRACTOR BUSINESS ADDRESS
P.O Box 1200, Costa Mesa, CA 92626

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME
32ND District Agricultural Association/OC Fair & Event Center

AUTHORIZED SIGNATURE | DATE SIGNED

PRINTED NAME AND TITLE OF PERSON SIGNING
Ken Karns, Chief Operating Officer

CONTRACTING AGENCY ADDRESS
88 Fair Drive, Costa Mesa, CA 92626

California Department of General Services Use Only

☐ Exempt per:

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EXHIBIT A – SCOPE OF WORK (CONT.)

CONTRACT REPRESENTATIVES

32ND DISTRICT AGRICULTURAL ASSOCIATION/OC FAIR & EVENT CENTER
Love Hertel, Director
Phone Number (714) 708-1885

Costa Mesa Police Department
Ron Lawrence, Chief of Police
Phone Number (714) 754-5117

Executive Order N-6-22 – Russia Sanctions

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law. The EO directs state agencies to terminate contracts with, and to refrain from entering into any new contracts with, individuals or entities that are determined to be a target of Economic Sanctions. Accordingly, should the State determine Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for termination of this Agreement. The State shall provide Contractor advance written notice of such termination, allowing Contractor at least thirty (30) calendar days to provide a written response. Termination shall be at the sole discretion of the State.

Covid 19 Infection Mitigation Protocol & Procedure Guidelines

Contractor agrees to abide by COVID related health directives, if any, in place during the contract period.

GenAI Technology Use & Reporting

During the term of the contract, Contractor must notify the State in writing if their services or any work under this contract includes, or makes available, any previously unreported GenAI technology, including GenAI from third parties or subcontractors. Contractor shall immediately complete the GenAI Reporting and Factsheet (STD 1000) to notify the State of any new or previously unreported GenAI technology. At the direction of the State, Contractor shall discontinue the use of any new or previously undisclosed GenAI technology that materially impacts functionality, risk or contract performance, until use of such GenAI technology has been approved by the State.

Failure to disclose GenAI use to the State and submit the GenAI Reporting and Factsheet (STD 1000) may be considered a breach of the contract by the State at its sole discretion and the State may consider such failure to disclose GenAI and/or failure to submit the GenAI Reporting and Factsheet (STD 1000) as grounds for the immediate termination of the contract. The State is entitled to seek any and all relief it may be entitled to as a result of such non-disclosure. The State reserves the right to amend the contract, without additional cost, to incorporate GenAI Special Provisions into the contract at its sole discretion and/or terminate any contract that presents an unacceptable level of risk to the State.

CONTRACTOR AGREES:

1. To provide and coordinate traffic management service during designated Year-Round Events at the OC Fair & Event Center.
2. To provide traffic management personnel for large-scale events, where there is a high volume of automobile and/or pedestrian traffic.
3. To control or "pickle" traffic lights in unison with the efforts of the District's Parking Department.
4. To close City streets in unison with the efforts of the District's Parking Department. Contractor to update signage boards to reflect street closures and directional information in conjunction with the District's Parking Department.
5. The dates, times and number of police personnel required will be mutually determined by the Costa Mesa Police Department and District Management.

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6. To submit invoice to District for services performed during year-round events no later than thirty (30) days after conclusion of event.
7. Invoicing shall include the event name for which services were rendered as well as employee names, shift start/end time, hours worked, employee's hourly rate and post-event summary report of field operations, including a description of services performed.
8. Both Parties reserve the right to terminate this Agreement, at any time with or without cause by giving the Contractor notice in writing at least thirty (30) days prior to the date when such termination shall become effective. Such termination shall relieve the District of further payment, obligations, and/or performances required in the terms of the contract.

DISTRICT AGREES:

1. To notify Contractor in advance of requested services.
2. Contractor to be paid according to Costa Mesa Police Department fee schedule in Exhibit B, total amount not to exceed ONE HUNDRED TWENTY-ONE THOUSAND SIX HUNDRED THIRTY-THREE Dollars and 00/100 ($121,633.00). Notwithstanding the foregoing, if Contractor's compensation reaches $121,633.00 prior to the end of the term of this Agreement, District and Contractor will meet and confer to determine whether an increase in the total compensation is needed to cover Contractor's services for the remainder of the term of this Agreement. If such increase is needed, District and Contractor will negotiate in good faith to determine the amount of such increase and enter into a written amendment to this Agreement to reflect such increased amount. If District and Contractor do not agree upon an increased compensation amount and Contractor's compensation reaches $121,633, Contractor shall cease providing services until such time as the total compensation is increased as appropriate to compensate Contractor for services required for the remainder of the term.
3. Payment will be made no more than thirty (30) days after satisfactory completion of work herein required and upon receipt of proper invoice.

-End Exhibit A-

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EXHIBIT B – BUDGET DETAIL & PAYMENT PROVISIONS

BUDGET DETAIL:

District Account #: 5102-32

PAYMENT PROVISIONS:

Payment will be made Net 30 upon satisfactory completion of services herein required and upon receipt of proper invoice.

Invoices shall include the date on which services were rendered as well as employee names, shift start and end time, hours worked and employee's hourly rate, and contain the District's Purchase Order number 53074. Invoices may be sent via email to AP@ocfair.com or mailed as follows:

OC Fair & Event Center
Attn: Accounts Payable
88 Fair Drive
Costa Mesa, CA 92626

EXHIBIT B – BUDGET DETAIL & PAYMENT PROVISIONS (CONT.)

PAYMENT RATES

CITY OF COSTA MESA
RATE DETERMINATION
Effective July 1, 2025

In accordance with Administrative Regulation 2.13, the following is a list of frequently requested hourly rates [3]

Other City Positions	Straight Time [1]	Special Event Overtime Rate [2]
Animal Control Officer	$53	$64
Animal Control Supervisor	$61	$87
Animal Services Coordinator	$53	$76
Assistant Engineer	$65	$80
Associate Engineer	$81	$100
Associate Planner	$70	$101
Chief Plans Examiner	$93	$113
Code Enforcement Officer II	$50	$63
Communications Officer	$58	$71
Communications Supervisor	$67	$82
Community Services Specialist	$43	$54
Construction Inspector	$56	$68
Crime Analyst	$47	$67
Crime Prevention Specialist	$52	$63
Crime Scene Investigator	$53	$65
Equipment Mechanic II	$46	$57
Equipment Mechanic III	$49	$61
Facilities Maintenance Technician	$44	$55
Lead Equipment Mechanic	$56	$69
Lead Maintenance Worker	$53	$65
Maintenance Services Manager	$83	$103
Maintenance Supervisor	$62	$76
Maintenance Worker (Maint Assistant/Worker)	$40	$48
Office Specialist I	$35	$43
Office Specialist II	$37	$46
Park Ranger	$48	$59
Plan Check Engineer	$84	$104
Principal Planner	$97	$139
Property and Evidence Specialist	$49	$61
Senior Maintenance Worker	$43	$54
Senior Combination Building Inspector	$72	$104

Fire Positions	Straight Time [1]	Special Event Overtime Rate [2]
Battalion Chief	$145	$208
Fire Captain	$108	$156
Fire Engineer	$94	$134
Firefighter	$81	$116
Firefighter - Paramedic	$90	$129
Police Positions		
Police Cadet [4]	$62	$69
Police Lieutenant	$139	$199
Police Officer	$87	$124
Police Officer (Motorcycle)	$91	$129
Police Officer (K9)	$95	$136
Police Recruit	$76	$85
Police Reserve Officer	$97	$108
Police Sergeant	$106	$151
Police Sergeant (Motorcycle)	$110	$158
Police Support Services Reserve	$41	$45
Senior Police Officer	$91	$130
Senior Police Officer (Motorcycle)	$95	$136
Community Risk Reduction Team		
Assistant Fire Chief - Non Sworn/Fire Marshal	$106	$131
Assistant Fire Marshal	$77	$95
Code Enforcement Officer I	$50	$63
Fire Protection Specialist	$61	$75
Other Positions		
Custody Officer	$69	$91
Police Records Technician	$38	$47
Senior Police Records Technician	$41	$50

Notes - Rates are based on most recent applicable Memorandum of Understanding.

[1] Includes annual salary at top step, other compensation and benefits (excluding Unfunded Actuarial Liability and Cafeteria), divided by 2,080 hours/annually.

[2] Includes straight time hourly rate plus 1/2 of the basic hourly rate divided by 2,080 hours. Other benefits are excluded from this portion of the calculations.

[3] These rates do not include equipment and apparatus charges. Equipment and apparatus rates to be utilized are based on CalOES CalOES established rates. The most recent rates may be found at https://www.caloes.ca.gov/office-of-the-director/operations/response-operations/fire-rescue/administration-reimbursement/.

[4] Per City Council Resolution 2023-48, the classification has been renamed from Police Aide to Police Cadet.

-End Exhibit B-

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EXHIBIT C – GENERAL TERMS AND CONDITIONS

GTC 2/2025

1. APPROVAL: This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.

2. AMENDMENT: No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.

3. ASSIGNMENT: This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.

4. AUDIT: Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).

5. INDEMNIFICATION: Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.

6. DISPUTES: Contractor shall continue with the responsibilities under this Agreement during any dispute.

7. TERMINATION FOR CAUSE: The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.

8. INDEPENDENT CONTRACTOR: Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.

9. RECYCLING CERTIFICATION: The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post-consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods,
or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).

10. NON-DISCRIMINATION CLAUSE: During the performance of this Agreement, Contractor and its subcontractors shall not deny the contract's benefits to any
person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic
information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. Contractor shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination. Contractor and subcontractors shall comply with the provisions of the Fair

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Employment and Housing Act (Gov. Code §12900 et seq.), the regulations promulgated thereunder (Cal. Code Regs., tit. 2, §11000 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code §§11135-11139.5), and the regulations or standards adopted by the awarding state agency to implement such article. Contractor shall permit access by representatives of the Department of Fair Employment and Housing and the awarding state agency upon reasonable notice at any time during the normal business hours, but in no case less than 24 hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department or Agency shall require to ascertain compliance with this clause. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. (See Cal. Code Regs., tit. 2, §11105.)

Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.

11. CERTIFICATION CLAUSES: The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 04/2017 are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.

12. TIMELINESS: Time is of the essence in this Agreement.

13. COMPENSATION: The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.

14. GOVERNING LAW: This contract is governed by and shall be interpreted in accordance with the laws of the State of California.

15. ANTITRUST CLAIMS: The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.

a. The Government Code Chapter on Antitrust claims contains the following definitions:

1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.

2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.

b. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.

c. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.

d. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.

16. CHILD SUPPORT COMPLIANCE ACT:
For any Agreement in excess of $100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:

a. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and

b. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

17. UNENFORCEABLE PROVISION:
In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

18. PRIORITY HIRING CONSIDERATIONS:
If this Contract includes services in excess of $200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code §10353.

19. SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS:

a. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)

b. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

20. LOSS LEADER:
If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).)

21. GENERATIVE AI DISCLOSURE OBLIGATIONS:

a. The following terms are in addition to the defined terms and shall apply to the Contract:

   i. “Generative AI (GenAI)” means an artificial intelligence system that can generate derived synthetic content, including text, images, video, and audio that emulates the structure and characteristics of the system's training data. (Gov. Code § 11549.64.)

b. Contractor shall immediately notify the State in writing if it: (1) intends to provide GenAI as a deliverable to the State; or (2), intends to utilize GenAI, including GenAI from third parties, to complete all or a portion of any deliverable that materially impacts: (i) functionality of a State system, (ii) risk to the State, or (iii) Contract

performance. For avoidance of doubt, the term “materially impacts” shall have the meaning set forth in State Administrative Manual (SAM) § 4986.2 Definitions for GenAI.

c. Notification shall be provided to the State designee identified in this Contract.

d. At the direction of the State, Contractor shall discontinue the provision to the State of any previously unreported GenAI that results in a material impact to the functionality of the System, risk to the State, or Contract performance, as determined by the State.

e. If the use of previously undisclosed GenAI is approved by the State, then Contractor will update the Deliverable description, and the Parties will amend the Contract accordingly, which may include incorporating the GenAI Special Provisions into the Contract, at no additional cost to the State.

f. The State, at its sole discretion, may consider Contractor’s failure to disclose or discontinue the provision or use of GenAI as described above, to constitute a material breach of Contract when such failure results in a material impact to the functionality of the System, risk to the State, or Contract performance. The State is entitled to seek any and all remedies available to it under law as a result of such breach, including but not limited to termination of the contract.

-End Exhibit C-

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EXHIBIT D – SPECIAL TERMS AND CONDITIONS

CCC 04/2017 / CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

Contractor/Bidder Firm Name (Printed)	*Federal ID Number*
By (Authorized Signature)	
Printed Name and Title of Person Signing Cecilia Gallardo Daly	
Date Executed	*Executed in the County of*

CONTRACTOR CERTIFICATION CLAUSES

1. **STATEMENT OF COMPLIANCE:**
Contractor has, unless exempted, complied with the nondiscrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 11102) (Not applicable to public entities.)

2. **DRUG-FREE WORKPLACE REQUIREMENTS:**
Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

   a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.

   b. Establish a Drug-Free Awareness Program to inform employees about:
      i. the dangers of drug abuse in the workplace;
      ii. the person's or organization's policy of maintaining a drug-free workplace;
      iii. any available counseling, rehabilitation and employee assistance programs; and,
      iv. penalties that may be imposed upon employees for drug abuse violations.

   c. Every employee who works on the proposed Agreement will:
      i. receive a copy of the company's drug-free workplace policy statement; and,
      ii. agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

   Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Contractor may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the Contractor has made false certification, or violated the certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)

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EXHIBIT D – SPECIAL TERMS AND CONDITIONS (CONT.)
Page 2 of 4

3. **NATIONAL LABOR RELATIONS BOARD CERTIFICATION:**
Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court, which orders Contractor to comply with an order of the National Labor Relations Board. (Pub. Contract Code §10296) (Not applicable to public entities.)

4. **CONTRACTS FOR LEGAL SERVICES $50,000 OR MORE- PRO BONO REQUIREMENT:**
Contractor hereby certifies that Contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003.

Contractor agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the Contract equal to the lessor of 30 multiplied by the number of full time attorneys in the firm's offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year or 10% of its Contract with the State.

Failure to make a good faith effort may be cause for non-renewal of a state contract for legal services, and may be taken into account when determining the award of future contracts with the State for legal services.

5. **EXPATRIATE CORPORATIONS:**
Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of Public Contract Code Section 10286 and 10286.1, and is eligible to contract with the State of California.

6. **SWEATFREE CODE OF CONDUCT:**
   a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the Contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweat free Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

   b. The contractor agrees to cooperate fully in providing reasonable access to the contractor's records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor's compliance with the requirements under paragraph (a).

7. **DOMESTIC PARTNERS:**
For contracts of $100,000 or more, Contractor certifies that Contractor is in compliance with Public Contract Code section 10295.3.

8. **GENDER IDENTITY**:
For contracts of $100,000 or more, Contractor certifies that Contractor is in compliance with Public Contract Code section 10295.35.

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EXHIBIT D – SPECIAL TERMS AND CONDITIONS (CONT.)
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DOING BUSINESS WITH THE STATE OF CALIFORNIA

The following laws apply to persons or entities doing business with the State of California.

1. CONFLICT OF INTEREST: Contractor needs to be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.

Current State Employees (Pub. Contract Code §10410):

1). No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.

2). No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code §10411):

1). For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the Contract while employed in any capacity by any state agency.

2). For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed Contract within the 12-month period prior to his or her leaving state service.

If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (Pub. Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code §10430 (e))

2. LABOR CODE/WORKERS' COMPENSATION:
Contractor needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)

3. AMERICANS WITH DISABILITIES ACT:
Contractor assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

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EXHIBIT D – SPECIAL TERMS AND CONDITIONS (CONT.)
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4. CONTRACTOR NAME CHANGE:
An amendment is required to change the Contractor's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

5. CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA:

a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the contractor is currently qualified to do business in California in order to ensure that all obligations due to the state are fulfilled.

b. "Doing business" is defined in R&TC Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the state not be subject to the franchise tax.

c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will determine whether a corporation is in good standing by calling the Office of the Secretary of State.

6. RESOLUTION:
A county, city, District, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

7. AIR OR WATER POLLUTION VIOLATION:
Under the State laws, the Contractor shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

8. PAYEE DATA RECORD FORM STD. 204:
This form must be completed by all contractors that are not another state agency or other governmental entity.

-End Exhibit D-

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EXHIBIT E – INSURANCE REQUIREMENTS

(Revised effective January 1, 2023)

I. Evidence of Coverage

The contractor/renter shall provide a signed original evidence of coverage form for the term of the contract or agreement (hereinafter "contract") protecting the legal liability of the State of California, the California Fair Services Authority, District Agricultural Associations, County Fairs, Counties in which County Fairs are located, Lessor/Sublessor if fair site is leased/subleased, Citrus Fruit Fairs, California Exposition and State Fair, or Entities (public or non-profit) operating California designated agricultural fairs, their directors, officers, agents, servants, and employees, from occurrences related to operations under the Contract. This may be provided by:

A. Insurance Certificate - The contractor/renter provides the fair with a signed original certificate of insurance (the ACORD form is acceptable), lawfully transacted, which sets forth the following:

1. List as the Additional Insured: "That the State of California, the California Fair Services Authority, the District Agricultural Association, County Fair, the County in which the County Fair is located, Lessor/Sublessor if fair site is leased/subleased, Citrus Fruit Fair, California Exposition and State Fair, or Entities (public or non-profit) operating California designated agricultural fairs, their directors, officers, agents, servants, and employees are made additional insured, but only insofar as the operations under this contract are concerned."

2. Dates: The dates of inception and expiration of the insurance. **For individual events, the specific event dates must be listed, along with all set-up and tear down dates.**

3. Coverages:

   a. General Liability - Commercial General Liability coverage, on an occurrence basis, at least as broad as the current Insurance Service Office (ISO) policy form #CG 00-01. Limits shall not be less than for the limits in the CFSA Hazardous/Nonhazardous Activities List which includes, but is not limited to, the following: **$5,000,000 per occurrence** for Carnival Rides and for Freefall Attractions (elevated jumps involving airbags); **$5,000,000 per occurrence** for the following types of Motorized Events: Automobile races, drifting exhibitions, burnout contests/competitions, truck rodeos, tractor/truck pulls, destruction derbies, RV destruction derbies, mud bogs, mud racing, car crunches, monster truck shows, automobile thrill shows, figure 8 racing, stock car racing, tuff trucks, boat races, autocross, dirt racing, oval track, sprint cars/410 sprints, modified, super stock, mini-stock, dwarf cars, micro lights, endure, pro stock. **$3,000,000 per occurrence** for the following types of Motorized Events: motorcycle racing, flat track motorcycle racing, arena-cross, freestyle motocross, motorcycle thrill shows and stunt teams, ATV, sand drags, go karts, snowmobile races, quarter midget races, golf cart races, Redneck Roundup (ATVs), lawnmower races. **$3,000,000 per occurrence** for Rodeo Events all types with a paid gate and any Rough Stock Events such as Bull Riding,

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Bareback, Saddle Bronc, or Mutton Busting; **$2,000,000 per occurrence for the following:** Concerts: 2,000 and more attendees; Extreme Attractions*: All Types, including but not limited to bungee attractions, ejection seats, sky scrapers, Trampoline Things/quad jumpers, zip line or similar attractions requiring a Cal/OSHA permit to operate; Fair time Kiddie Carnival Rides: Up to 6 kiddie rides (includes book-in rides); Interim Carnival Rides; Extreme Attractions; Law Enforcement: All types, including but not limited to city police, county sheriff, California Highway Patrol, county probation, California Department of Corrections, state or federal military. Mutual indemnification in the Contract may substitute for coverage with written approval from CFSA. Mechanical Bulls; Motorized Events: Car jumping contests/demonstrations of hydraulic modifications to automobiles; Rave Type Events: Any dance or concert which extends beyond midnight; Rodeo Events: All Types without a paid gate and with any Rough Stock Events such as Bull Riding, Bareback, Saddle Bronc, or Mutton Busting; Simulators; **$1,000,000 per occurrence** for Rodeo Events All Types **without** any Rough Stock Events but including barrel racing, penning, and roping**; $1,000,000 per occurrence** for all other contracts for which liability insurance (and liquor liability, if applicable) is required.

The Certificate of Insurance shall list the applicable policy forms, including endorsements. Any exclusions or coverage limitations, including sub-limits, that apply to the contractor/renter's activities, or business to be conducted under the contract or rental agreement/lease, must be listed in the Certificate of Insurance. If there is a self-insured retention or deductible in the contractor/renter's coverage equal to or in excess of $100,000, the self-insured retention/deductible amount shall be included as part of the Certificate of Insurance. A copy of the contractor/renter's policy declaration page containing this information as an attachment/exhibit to the Certificate of Insurance will be acceptable, provided it contains all the aforementioned information.

b. Automobile Liability - Commercial Automobile Liability coverage, on a per accident basis, at least as broad as the current ISO policy form # CA 00-01, Symbol #1 (Any Auto) with limits of not less than $1,000,000 combined single limits per accident for contracts involving use of contractor vehicles (autos, trucks or other licensed vehicles) on fairgrounds.

c. Workers' Compensation - Workers' Compensation coverage shall be maintained covering contractor/renter's employees, as required by law.

d. Medical Malpractice - Medical Malpractice coverage with limits of not less than $1,000,000 per occurrence shall be maintained for contracts involving medical services.

e. Liquor Liability - Liquor Liability coverage with limits of not less than $1,000,000 per occurrence shall be maintained for contracts involving the sale of alcoholic beverages.

4. Cancellation Notice: Notice of cancellation of the listed policy or policies shall be

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sent to the Certificate Holder in accordance with policy provisions.

5. Certificate Holder:
   - For Individual Events Only - Fair, along with fair's address, is listed as the certificate holder.
   - For Master Insurance Certificates Only - California Fair Services Authority, Attn: Risk Management, 1776 Tribute Road, Suite 100, Sacramento, CA 95815 is listed as the certificate holder.

6. Insurance Company: The company providing insurance coverage must be acceptable to the California Department of Insurance.

7. Insured: The contractor/renter must be specifically listed as the Insured.

OR

B. CFSA Special Events Program - The contractor/renter obtains liability protection through the California Fair Services Authority (CFSA) Special Events Program, when applicable.

OR

C. Master Certificates - A current master certificate of insurance for the contractor/renter has been approved by and is on file with California Fair Services Authority (CFSA).

OR

D. Self-Insurance - The contractor/renter is self-insured and acceptable evidence of self-insurance has been approved by California Fair Services Authority (CFSA).

II. General Provisions

1. Maintenance of Coverage - The contractor/renter agrees that the commercial general liability (and automobile liability, workers' compensation, medical malpractice and/or liquor liability, if applicable) insurance coverage herein provided for shall be in effect at all times during the term of this Contract. In the event said insurance coverage expires or is cancelled at any time or times prior to or during the term of this Contract, contractor/renter agrees to provide the fair, prior to said expiration date, a new certificate of insurance evidencing insurance coverage as provided for herein for not less than the remainder of the term of the Contract, or for a period of not less than one (1) year. New certificates of insurance are subject to the approval of California Fair Services Authority, and contractor/renter agrees that no work or services shall be performed prior to the giving of such approval. In the event the contractor/renter fails to keep in effect at all times insurance coverage as herein provided, the fair may, in addition to any other remedies it may have, take any of the following actions: (1) declare a material breach by contractor/renter and terminate this Contract; (2) withhold all payments due to contractor/renter until notice is received that such insurance coverage is in effect; and (3) obtain such insurance coverage and deduct premiums for same from any sums due or which become due to contractor/renter under the terms of this Contract.

2. Primary Coverage - The contractor/renter's insurance coverage shall be primary and any separate coverage or protection available to the fair or any other additional insured shall be secondary.

3. Contractor's Responsibility - Nothing herein shall be construed as limiting in any way the extent to which contractor/renter may be held responsible for damages resulting from contractor/renter's operations, acts, omissions or negligence. Insurance coverage obtained in the minimum amounts specified above shall not relieve contractor/renter of liability in excess of such minimum coverage, nor shall it preclude the fair from taking other actions available to it under contract documents or by law, including, but not limited to, actions pursuant to contractor/renter's indemnity obligations. **The contractor/renter indemnity obligations shall survive the expiration, termination or assignment of this Contract.**

4. Certified Copies of Policies - Upon request by fair, contractor/renter shall immediately furnish a complete copy of any policy required hereunder, with said copy certified by the underwriter to be a true and correct copy of the original policy. Fairtime Carnival Ride contractors must submit copies of actual liability insurance policies, certified by an underwriter, to California Fair Services Authority (CFSA).

III. Participant Waivers

1. For hazardous participant events (see subsection 4. below), the contractor/renter agrees to obtain a properly executed release and waiver of liability agreement (Form required by contractor/renter's insurance company or CFSA Release and Waiver Form) from each participant prior to his/her participation in the events sponsored by contractor/renter.

2. Contractor/renter shall ensure that any party renting space from the contractor/renter with, or for, hazardous participant events (see subsection 4. below) obtains a properly executed release and waiver of liability agreement (Form required by contractor/renter's insurance company or CFSA Release and Waiver Form) from each participant prior to his/her participation in the events and provides a copy to the contractor/renter.

3. The contractor/renter shall provide copies of all executed release and waiver of liability agreements required under subsections 1. and 2. above to the Fair at the end of the rental agreement.

4. Hazardous participant events include, but are not limited to, any event within the following broad categories: Athletic Team Events; Equestrian-related Events; Extreme Attractions; Freefall Attractions; Mechanical Bulls; Simulators; Motorized Events; Rodeo Events; and Wheeled Events, including bicycle, skates, skateboard, or scooter. Contact California Fair Services Authority, Risk Management Department at (916) 921-2213 for further information and for CFSA Release and Waiver Form.

-End Exhibit E-

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EXHIBIT F – MEGAN'S LAW SCREENING CERTIFICATION

OC Fair & Event Center

Page 1 of 1

This form must be completed legibly, with all information requested. Typewritten or computer-generated forms or reports may be substituted provided that: all required information is included in columnar form. The certification section must be signed by an authorized representative of the contractor.

Company/Organization Name: _____

Contact Name: Cecilia Gallardo Daly _____ **Contact Telephone:** _____

Type of Company/Organization (Circle one): **Contractor** **Consultant** **Concessionaire** **Entertainer** **Exhibitor** **Volunteer**

Other/Explanation if Needed: _____

The undersigned represents and warrants that all persons and individuals performing services on behalf of Contractor, including, but not limited to, its agents, employees, subcontractors, and volunteers have been screened for sex offender registration before each individual commenced work, services, and/or was present at the OCFEC facility. The undersigned represents and warrants that no individual who is a registered sex offender will be assigned or permitted to perform services on behalf of Contractor at or on OCFEC premises.

To the fullest extent permitted by law, Contractor will defend, indemnify, and hold harmless OCFEC from and against all claims, damages, losses, and expenses, of every kind, nature and description (including, but not limited to, attorney's fees, expert fees, and costs of suit), directly or indirectly arising from, or in any way related to the performance or nonperformance of Contractor's obligations under this Megan's Law Screening Certification regardless of responsibility of negligence; by reason of death, injury, property damage, however caused or alleged to have been caused, and even though claimed to be due to the negligence of the OCFEC. Provided, however, that in no event shall Contractor be obligated to defend or indemnify the OCFEC with respect to the sole negligence or willful misconduct of the OCFEC, its employees, or agents (excluding the Contractor, or any of its employees or agents).

The undersigned represents and warrants that he/she is fully authorized to execute this Megan's Law Screening Certification on behalf of Contractor.

_____ _____
Company/Organization Representative's Signature Title of Representative

Cecilia Gallardo Daly
_____ _____
Printed Name Date

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EXHIBIT G – UNIFORM AND ID PROCEDURES & CERTIFICATION

Procedure: OCFEC employees, contractors and contractor employees wearing identification while on OCFEC property in a working capacity. OCFEC employees wearing proper uniform.

Purpose: To ensure all OCFEC employees, contractors and contractor employees are wearing required photo identification and uniforms.

Procedure 0001

1. All OCFEC employees, contractors and contractor employees must wear the approved OCFEC identification badge at all times while working onsite. Identification badges must be worn around the neck using a breakaway lanyard or in some other clearly visible area using a clip.

2. An OCFEC employee/contractor badge does not provide access to the backstage areas of Pacific Amphitheatre, The Hangar or Action Sports Arena. In order to access these areas, employees, contractors and/or contractor employees must secure an authorized backstage pass. Only employees, contractors and/or contractor employees with a specific role/function requiring them to be in the backstage area may enter.

3. Backstage passes to Pacific Amphitheatre, The Hangar and/or Action Sports Arena may be requested by the Director or the Vice President overseeing an employee's/contractor's department. Requests will be forwarded to the Entertainment Director for fulfillment. Approved backstage passes must be worn around the neck using a breakaway lanyard or in some clearly visible area using a clip.

4. All OCFEC employees shall wear their respective department's approved uniform/attire at all times when working on OCFEC premises during year-round events and the annual OC Fair.

By signing this form, the bidder has read and understood OCFEC's policies above, and is agreeing to follow all procedures.

Cecilia Gallardo Daly

_____ _____

(Print Name & Title) (Signature)

_____

(Date)

-End Exhibit G-

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EXHIBIT H – ADDITIONAL CONTRACT TERMS AND CONDITIONS

1. AUTHORIZED REPRESENTATIVE

Contractor must maintain one (1) or more English speaking representatives who are authorized to take immediate action and make requested adjustments and/or changes as required by District Management. This person must be identified to the District as the Contractor's authorized representative.

2. LICENSES, PERMITS AND CERTIFICATIONS

Contractor shall be an individual or firm licensed to do business in California and shall obtain at his/her expense all license(s), permits(s) and certification(s) required by law or as part of this Contract for accomplishing any work required in connection with this agreement. In the event any license(s), permit(s) or certification(s) expire at any time during the term of this Contract, Contractor agrees to provide agency a copy of the renewed license(s), permit(s) or certification(s) within thirty (30) days following the expiration date

In the event the Contractor fails to keep in effect at all times all required license(s), permit(s), and certification(s), the District may, in addition to any other remedies it may have, terminate this Contract upon occurrence of such event.

3. SITE ACCESS

District shall allow Contractor access to the District's property as needed. If access is required during annual OC Fair hours, the District will provide necessary admission and parking credentials for the employees performing in service of the Contract.

4. INSURANCE

Proof of insurance, meeting the requirements of the State (see Exhibit E) must be made available to the District within fifteen (15) days of contract award. Failure to do so could result in termination of said Contract.

5. WORK PERMIT LAW

If Contractor employs youth under the age of eighteen (18) years, he/she is required by law to see that each such employee holds a valid work permit. Contractor is further required to adhere to all applicable child labor laws.

6. PERSONNEL

All Contractor employees are employees of the Contractor and not the District. No agent, servant or employee of the Contractor will under any circumstances be deemed an agent, servant or employee of the District.

The District reserves the sole absolute right to determine, at its discretion, that any person or agent used by Contractor in the performance of the Contract shall be excluded from such performance on the grounds that his or her appearance or conduct is detrimental to the District's operation. Determination of these matters by District Management shall be final.

7. POTENTIAL SUBCONTRACTORS/INDEPENDENT CONTRACTORS

Nothing contained in the ensuing Agreement or otherwise shall create any contractual relation between the District and any subcontractors/independent contractors, and no subcontract shall relieve the Contractor of his/her responsibilities and obligations contained herein. The Contractor agrees to be as fully responsible to the District for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Contractor.

The Contractor's obligation to pay its subcontractors/independent contractors is an independent obligation from the District's obligation to make payments to the Contractor. As a result, the District shall have no obligation to pay or to enforce the payment of any monies to any subcontractor/independent contractor.

Subcontracting of goods or services must be approved in writing by the District.

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EXHIBIT H - ADDITIONAL CONTRACT TERMS & CONDITIONS (CONT.)

8. SUPPLIERS

Nothing contained in the ensuing Agreement or otherwise shall create any contractual relation between the District and any suppliers.

The Contractor agrees to be as fully responsible to the District for the acts and omissions of its suppliers and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Contractor. The Contractor's obligation to pay its suppliers is an independent obligation from the District's obligation to make payments to the Contractor. As a result, the District shall have no obligation to pay or to enforce the payment of any monies to any supplier.

9. TRAVEL, TRANSPORTATION AND ACCOMMODATIONS

Contractor is responsible for all necessary travel, fuel, transportation and housing accommodations.

10. INVOICES

Invoices shall be submitted upon completion of services rendered to the District.

All invoices must contain Contractor's invoice number, District-issued Purchase Order (PO) number, detailed work logs and hours by Service Type for the labor required to fulfill these services.

Contractor shall send invoices and any supporting documentation via email to AP@ocfair.com (the District's preferred mechanism) or mail to OC Fair & Event Center, Attn: Accounts Payable, 88 Fair Drive, Costa Mesa, CA 92626.

Upon contract award and throughout the duration of the Contract, Contractor shall work with the District to ensure invoicing needs are continually met.

11. PAYMENT

Payments to the Contractor will be made by the 32nd District Agricultural Association and paid in full within 30 days upon satisfactory completion of each event and receipt of proper invoice.

12. PRICING/FINANCIAL PROPOSAL BID FORM

The Financial Proposal Bid Form will be used to develop the "not to exceed" amount of the Contract. The estimated quantities provided are based upon historical experience and anticipated future needs, and may change depending upon actual needs/usage. Billing/invoicing will be determined by multiplying actual usage by the Service Type rate as entered on the Financial Proposal Bid Form.

The District may elect to add a contingency line item to accommodate specifications within the scope of the effort, if approved by the District, during the implementation of this Contract.

13. MEGAN'S LAW SCREENING

All of Contractor's employees, agents, servants, volunteers, independent contractors and/or employees, agents, servants, volunteers, independent contractors of Contractor's subcontractors who will be performing job related duties on District premises must pass background checks under "Megan's Law" as required by the District's current Megan's Law policy (and as that policy may be amended by the District from time to time), and any other reasonable background checks that may be required by the District as a result of policies adopted by the District's Board of Directors. Contractor will certify in writing that they have conducted the required screening and will indemnify the District for any negligence arising out of or connected with their obligations pertaining to the required screening. Contractor shall not be held liable for the lack of or inaccuracies in reporting made available by the states. A full, true and correct copy of the District's current Megan's Law policy is attached.

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EXHIBIT H - ADDITIONAL CONTRACT TERMS & CONDITIONS (CONT.)

14. RIGHT TO REPLACE/DISMISS

Contractor's onsite personnel are subject to approval of the District during the entire term of contracted services. The District has the right, in accordance with applicable law, to require replacement of Contractor's onsite personnel or any member of Contractor's onsite personnel.

If at any time the District determines that any employee, agent or officer of Contractor or of Contractor's permitted subcontractors, is in violation of District policies regarding harassment, discrimination or offensive behavior or Megan's Law, or fails to meet the District's safety and customer service standards, the District may notify Contractor verbally and/or in writing. Contractor will promptly correct the behavior, performance or condition giving rise to the notification described herein to the satisfaction of the District. If Contractor fails to correct the behavior, performance or condition giving rise to the notification described herein, the District may demand that Contractor (or Contractor's subcontractor, as the case may be) cease using said employee at the District's facilities and Contractor (or Contractor's subcontractor, as the case may be) will promptly comply with such request. If the District requests replacement of onsite personnel or any of its members, Contractor must furnish a replacement immediately or as otherwise determined necessary by the District. Nothing contained in this paragraph shall obligate the District to monitor the behavior of Contractor's employees or of Contractor's subcontractor's employees. The District retains the right to review the resumes of all Contractor personnel and confirm compliance.

15. GRATUITIES

Contractor is prohibited from offering any gift or gratuity to employees and/or officers of the 32nd District Agricultural Association, as employees and officers are not permitted to accept them under any circumstances. Contractor and/or Contractor's employees shall not solicit or accept any gifts. This includes cash, tickets, food, drinks, merchandise or any other items from District staff, promoters and/or vendors to perform the functions detailed in this agreement. Any violations of this policy may result in the dismissal of the employee and a performance violation notice issued to the Contractor.

16. EVALUATION OF CONTRACTOR PERFORMANCE

Contractor will be evaluated on their performance, including, but not limited to, Contractor's record of conforming to contract requirements and to standards of good workmanship; Contractor's record of forecasting and controlling costs; Contractor's adherence to contract schedules, including the administrative aspects of performance; Contractor's history of reasonable and cooperative behavior and commitment to customer satisfaction; Contractor's record of integrity and business ethics, and generally, Contractor's business-like concern for the interest of the District and its customers.

Contractor shall work with District staff to ensure contract compliance, whether by phone, email or in-person meetings, as determined necessary by the District. The District retains the right to notify Contractor of any performance issues at any time for the duration of the contract term. Notification will be provided in writing to Contractor, whereupon Contractor shall have five (5) days to respond to the District's request for compliance. Unless mutually agreed upon otherwise, performance issues shall be corrected within fifteen (15) days of District's notification to Contractor.

Failure to supply equipment and/or personnel as required may result in a notice of default and/or an adjustment to the fees charged for equipment and/or labor.

Contractor may be disqualified from potential bidding opportunities if the District deems Contractor as unresponsive to repeated requests for corrective action.

17. NON-EXCLUSIVE AGREEMENT

Contractor understands and agrees that this is a non-exclusive agreement. The District may hire other contractors for work of a similar or identical nature.

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EXHIBIT H - ADDITIONAL CONTRACT TERMS & CONDITIONS (CONT.)

18. TERMINATION

The District reserves the right to terminate any contract at any time with or without cause by giving the Contractor notice in writing at least thirty (30) days prior to the date when such termination shall become effective. Such termination shall relieve the District of further payment, obligations and/or performances required in the terms of the Contract.

19. FORCE MAJEURE

If as a result of any Act of God, war, epidemic, accident, fire, violent weather or weather related disaster, strike, lock-out, or other labor controversy, riot, civil disturbance, act of Public enemy, law enactment, rule, restraint, order, or act of any governmental instrumentality or military authority, failure of technical facilities, failure, delay or reduction in transportation services, fire, explosion, or other cause not reasonably within either Party's control and which renders either party's performance impossible, infeasible, or unsafe ("Force Majeure Event"), then either party may cancel this agreement and neither party shall have any further liabilities and/or obligations in connection with this agreement.

20. PHONE NUMBERS

Contractor shall provide the District with phone numbers for their authorized representative(s) and with a 24-hour "On Call" phone number for emergencies.

21. VEHICLES, EQUIPMENT AND SUPPLIES

All vehicles and equipment such as utility carts, trucks, trailers, vans, boom lifts, scissor lifts, pressure washers, back pack blowers, hand trucks, brooms, hoses and pickers and all cleaning supplies such as stripper, detergents, sanitizers, air fresheners and other chemicals shall be owned and/or provided by Contractor. The District will provide consumable paper products, waste receptacles and plastic waste receptacle liners. All vehicles and equipment will be clearly marked with Contractor's company name and/or logo. Equipment shall be in proper operating condition with all guards in place. No equipment shall be left unattended. Equipment and supplies must be stored in designated areas agreed upon by the District. All Safety Data Sheets (SDS) for all chemical-cleaning products used must be on-site accessible by the District, per Global Harmonization System (GHS). Contractor shall take all necessary safety precautions when using vehicles, equipment and cleaning products. Drivers of all vehicles and equipment shall possess a valid driver license and be 18 years of age or older. Street sweepers should be South Coast Air Quality Management District Rule 1186 certified and Rule 1186.1 compliant and no older than 2 years. Contractor shall furnish all necessary labor, supervision, equipment, tools, materials (excluding dumpsters), permits, transportation and insurance in the performance of these specifications.

22. VEHICLE UTILITY CARTS

Contractor may provide utility carts for employees, if necessary, to complete Scope of Work. Carts are not permitted to park in front of buildings or in pathways blocking pedestrian access points. Drivers shall possess a valid driver's license and be 18 years of age or older and abide by all applicable local, State and Federal laws related to cart safety. Weather protection of equipment is the responsibility of the Contractor.

23. VENUE CLEAN-UP

a. Contractor is to keep job site clean daily and upon project completion.
b. Contractor shall sweep and blow all debris daily and upon project completion.
c. Contractor will dump all green waste in the provided 40 yard dumpster on OCFEC grounds.
d. Do not dispose of any construction material or project waste on OCFEC grounds or in OCFEC containers.
e. Contractor is to keep all compound and chemicals out of storm drains & sewers.
f. Contractor will protect ground surfaces from oil and other leaks that may come from service trucks.

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EXHIBIT H - ADDITIONAL CONTRACT TERMS & CONDITIONS (CONT.)

24. PERSONNEL POLICY

All Contractor employees must receive an orientation on the duties they will be required to perform, safety training to ensure employees working with chemicals are familiar with SDS per GHS and harassment training (prior to working). In addition, ongoing customer service training will be required during the term of this Contract to educate current employees and new hires. Contractor is required to supply all required training and a schedule of planned training shall be provided to the District at the beginning of every quarter in January, April, July and October. All employees will be issued an OC Fair & Event Center "Contractor" photo identification badge annually. Identification badges must be worn at all times while on the property; when entering and while working on the grounds. Badges will have the name visible and worn on the upper right or left torso. All badges must be returned from terminated employees. All other employee badges must be returned on Friday following the end of the OC Fair. All employees must abide by the rules and regulations stated in the Employee Handbook provided by the District.

25. UNIFORMS AND BADGES

Contractor's employees shall be at all times neatly and cleanly uniformed and must meet reasonable prescribed grooming guidelines and appearance standards.
The District requires Contractor's employees to wear badges, identification cards, and/or credentials in a clearly visible location (per attached procedure) while Contractor's employees are on the District's premises. Contractor personnel will be issued an OC Fair & Event Center "Contractor" photo identification badge annually. Identification badges must be worn at all times while on the property, when entering and while working on the grounds. Badges shall have the name visible and worn on the upper right or left torso. Badges are specific to each person and are non-transferable. All badges must be returned from terminated employees. All employees must abide by the rules and regulations stated in the Employee Handbook provided by the District.

26. SUBCONTRACTING

Subcontracting of goods or services must be approved in writing, by the District.

27. FIRE REGULATIONS

All fire regulations as prescribed by the State Fire Marshal must be strictly adhered to.

-End Exhibit H-

File #: 25-375 **Meeting Date:** 7/15/2025

TITLE:

RESOLUTION FOR IMPLEMENTATION OF SAFETY IMPROVEMENTS ALONG NEWPORT BOULEVARD (SR-55) SAFETY IMPROVEMENTS IN THE CITY OF COSTA MESA

DEPARTMENT: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

PRESENTED BY: RAJA SETHURAMAN, PUBLIC WORKS DIRECTOR

CONTACT INFORMATION: PAUL MARTIN, P.E., TRANSPORTATION SERVICES MANAGER (714) 754-5343

RECOMMENDATION:

Staff recommends the City Council approve Resolution (2025-xx) requesting the State of California Department of Transportation (Caltrans) to implement safety improvements along Newport Boulevard (State Route (SR) -55) in the City of Costa Mesa.

BACKGROUND:

Costa Mesa Freeway (SR-55) currently terminates at 19th Street and continues south through Downtown Costa Mesa as Newport Boulevard. This major arterial, under the jurisdiction of Caltrans, while providing for regional transportation needs for vehicular traffic, creates significant barriers for pedestrian and bicycle traffic. Therefore, crashes along Newport Boulevard often involve vulnerable roadway users such as people walking and bicycling. Between 2021 and 2023, there have been three pedestrian fatalities along Newport Boulevard between the limits of 19th Street and Industrial Way.

ANALYSIS:

Caltrans recently initiated a project (12-OR32UR) with plans to construct improvements along SR-55 between SR-1 (Pacific Coast Highway) in Newport Beach and SR-91 in Anaheim. In January 2023, Caltrans facilitated a public meeting with invitations sent to members of the Costa Mesa community regarding this project. During the meeting, the community requested Caltrans to consider more aggressive treatments for improving safety along Newport Boulevard, including separated bicycle lanes as well as additional pedestrian treatments. Following this meeting, Caltrans conducted a feasibility analysis and determined that separated bicycle lanes were infeasible and did not include them in the design plans. The Caltrans project included limited improvements for Newport Boulevard (SR-55) within the City of Costa Mesa, including the following:

- New pedestrian accessible curb ramps along Newport Boulevard intersections at 17th Street, Harbor Boulevard, 19th Street, Baker Street, and Paularino Avenue.

- Accessible Pedestrian Signals (APS) and pedestrian countdown signals at signalized intersections.

- Battery backup systems to maintain operations during power outages.

Caltrans has initiated the project implementation and indicated that the project construction schedule is June 2025 to 2027.

The current Caltrans project excluded several safety features desired by the City of Costa Mesa staff and community including:

- Installation of Leading Pedestrian Intervals (LPIs) with supplemental No Right-Turn blankout signs.

- Installation of passive pedestrian detection to supplement push button use (e.g., pedestrian video camera detection).

- Inclusion of advance stop bars at crosswalks.

- Provision of quick build (striping) or permanent (concrete) curb extensions where feasible to reduce pedestrian crosswalk crossing distances across Newport Boulevard or across cross-streets.

- Installation of additional lighting along corridor and at crosswalks for improved pedestrian visibility.

- Provision of a new crosswalk at the Newport Boulevard/Rochester Street-18th Street intersection north leg.

- Provision of a new crosswalk at the Newport Boulevard/Harbor Boulevard intersection south leg.

- Reduction of travel lane widths to reduce pedestrian exposure in crosswalks, manage speeding behavior, and other engineering countermeasures.

- Provision of refuge islands that extend the median past the crosswalk for reduced pedestrian exposure (e.g., Newport Boulevard/Harbor Boulevard north leg).

- Potential for installation of high visibility crosswalks.

- Addition of speed limit signs and stencils reminding motorists of the posted speed limits.

- Consideration of additional posted speed limit reductions consistent with Assembly Bill 43 (AB 43) which provides greater flexibility based on recommendations that the Zero Traffic Fatality Task Force made in January 2020.

- Intelligent Transportation Systems (ITS) features to reduce potential conflicts (e.g., extended yellow for dilemma zone issues, delayed green for unfinished pedestrian crossings).

- Vehicle-to-Infrastructure (V2I) technologies to alert motorists of potential conflicts and enhance safety of vulnerable road users.

- Traffic signal timing modifications to manage speeding behavior customized for time-of-day conditions (e.g., late night with minor cross-street traffic).

- Other safety corridor improvements and features to address traveler safety.

The Costa Mesa City Council, through the attached resolution, requests Caltrans to prioritize pedestrian and bicycle safety in Downtown Costa Mesa. The resolution also requests that Caltrans take immediate steps to incorporate measures to address pedestrian and bicycle safety along this major corridor as part of the current project. The resolution further requests that Caltrans engage with the City on a routine basis to review and address traffic safety concerns of pedestrians and bicyclists in Downtown Costa Mesa.

ALTERNATIVES:

No alternatives were considered since this item is administrative in nature.

FISCAL REVIEW:

There are no fiscal impacts to the City for the approval of the recommended action.

LEGAL REVIEW:

The City Attorney's Office has reviewed this agenda report and resolution and approves them both as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This project supports the following City Council goal:

- Strengthen the Public's Safety and Improve the Quality of Life.

CONCLUSION:

Staff recommends the City Council approve Resolution (2025-xx) requesting the State of California Department of Transportation (Caltrans) to implement safety improvements along Newport Boulevard (State Route (SR) -55) in the City of Costa Mesa.

ATTACHMENT 1

RESOLUTION NO. 2025-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REQUESTING THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION TO IMPLEMENT PEDESTRIAN AND BICYCLE SAFETY IMPROVEMENTS ALONG NEWPORT BOULEVARD (SR-55) IN THE CITY OF COSTA MESA

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

WHEREAS, Costa Mesa Freeway (State Route (SR) – 55) currently terminates at 19th Street and continues south through Downtown Costa Mesa as Newport Boulevard; and

WHEREAS, Newport Boulevard south of 19th Street is under the jurisdiction of the State of California Department of Transportation (Caltrans); and

WHEREAS, Newport Boulevard creates significant barriers to bicycle and pedestrian access in Downtown Costa Mesa; and

WHEREAS, there have been three pedestrian fatalities on Newport Boulevard between 19th Street and Industrial Way between 2021 and 2023; and

WHEREAS, Caltrans is currently embarking on a SR-55 Improvement Project between SR-1 in Newport Beach and SR-91 in Anaheim; and

WHEREAS, the current Caltrans project includes limited measures aimed at addressing pedestrian and bicycle safety needs; and

WHEREAS, the City of Costa Mesa staff and community desires inclusion of several additional safety features listed in attached Exhibit A.

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

Caltrans should prioritize pedestrian and bicycle safety in Downtown Costa Mesa.

Caltrans should take immediate steps to incorporate measures identified in Exhibit A to address pedestrian and bicycle safety in Downtown Costa Mesa as part of the current project.

Caltrans should engage with the City of Costa Mesa on a routine basis to review and address traffic safety concerns of pedestrians and bicyclists in Downtown Costa Mesa.

PASSED AND ADOPTED this 15th day of July, 2025.

_____
John Stephens, Mayor

ATTEST:

_____
Brenda Green, City Clerk

APPROVED AS TO FORM:

_____
Kimberly Hall Barlow, City Attorney

DRAFT

THIS PAGE IS RESERVED FOR CITY CLERK'S OFFICE

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, **BRENDA GREEN,** City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2025-xx and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 15th day of July, 2025, by the following roll call vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 15th day of July, 2025.

_____
Brenda Green, City Clerk

DRAFT

EXHIBIT A

The following additional safety features desired by the City of Costa Mesa staff and community should be considered by Caltrans as part of current SR-55 project:

- Installation of Leading Pedestrian Intervals (LPIs) with supplemental No Right-Turn blankout signs.
- Installation of passive pedestrian detection to supplement push button use (e.g., pedestrian video camera detection).
- Inclusion of advance stop bars at crosswalks.
- Provision of quick build (striping) or permanent (concrete) curb extensions where feasible to reduce pedestrian crosswalk crossing distances across Newport Boulevard or across cross-streets.
- Installation of additional lighting along corridor and at crosswalks for improved pedestrian visibility.
- Provision of a new crosswalk at the Newport Boulevard/Rochester Street-18th Street intersection north leg.
- Provision of a new crosswalk at the Newport Boulevard/Harbor Boulevard intersection south leg.
- Reduction of travel lane widths to reduce pedestrian exposure in crosswalks, manage speeding behavior, and other engineering countermeasures.
- Provision of refuge islands that extend the median past the crosswalk for reduced pedestrian exposure (e.g., Newport Boulevard/Harbor Boulevard north leg).
- Potential for installation of high visibility crosswalks.
- Addition of speed limit signs and stencils reminding motorists of the posted speed limits.
- Consideration of additional posted speed limit reductions consistent with Assembly Bill 43 (AB 43) which provides greater flexibility based on recommendations the Zero Traffic Fatality Task Force made in January 2020.
- Intelligent Transportation Systems (ITS) features to reduce potential conflicts (e.g., extended yellow for dilemma zone issues, delayed green for unfinished pedestrian crossings).
- Vehicle-to-Infrastructure (V2I) technologies to alert motorists of potential conflicts and enhance safety of vulnerable road users.
- Traffic signal timing modifications to manage speeding behavior customized for time-of-day conditions (e.g., late night with minor cross-street traffic).
- Other safety corridor improvements and features to address traveler safety.

CITY OF COSTA MESA

Agenda Report

File #: 25-381 **Meeting Date:** 7/15/2025

TITLE:

FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2024060115), GENERAL PLAN AMENDMENT, REZONE, SPECIFIC PLAN AMENDMENT, MASTER PLAN, VESTING TENTATIVE PARCEL MAP, DENSITY BONUS, AND DEVELOPMENT AGREEMENT FOR HIVE LIVE, A THREE -PHASED, 1,050-UNIT, RESIDENTIAL DEVELOPMENT WITH 3,692-SQUARE-FOOT RETAIL COMPONENT AT 3333 SUSAN STREET

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

PRESENTED BY: **CHRIS YEAGER, SENIOR PLANNER**

CONTACT INFORMATION: **CHRIS YEAGER, 714-754-4883, CHRISTOPHER.YEAGER@COSTAMESACA.GOV**

RECOMMENDATION:

Staff recommends the City Council open and conduct a public hearing, and continue the project to the August 5, 2025 City Council meeting.

BACKGROUND:

The project was noticed for a public hearing on July 15, 2025. Following the notice, the applicant requested to continue the item to the August 5, 2025 City Council meeting.

ANALYSIS:

The applicants request that the project be continued to a date certain to the August 5, 2025 City Council meeting. Staff will return to present the Planning Commission recommendation at that time. If the project is continued to a future uncertain date, the City would need to republish and send out new noticing.

ALTERNATIVES:

There are no recommended alternatives at this time.

FISCAL REVIEW:

The fiscal review will be included as part of the August 5, 2025 agenda packet.

LEGAL REVIEW:

The legal review will be included as part of the August 5, 2025 agenda packet.

CITY COUNCIL GOALS AND PRIORITIES:

The analysis of City Council goals and priorities will be included as part of the August 5, 2025 agenda packet.

CONCLUSION:

The proposed project will be presented at the next City Council meeting on August 5, 2025.

From: Tim O"Brien
To: YEAGER, CHRISTOPHER
Cc: TAI, CARRIE; Matsler, Sean
Subject: Hive Live
Date: Tuesday, July 8, 2025 10:00:39 AM

Chris- following up on our conversation, please continue the city council item to the August 5th meeting. Also, please let me know when we can come into the city to discuss the zoning designation language, etc. Sincerely, Tim

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77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-359 **Meeting Date:** 7/15/2025

TITLE:

MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT (PGPA-24-0001), REZONE, MASTER PLAN (PMAP-24-0002), AND TENTATIVE TRACT MAP NO. 19351 FOR THE DEVELOPMENT OF 40 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 220, 222, 234, AND 236 VICTORIA STREET ("VICTORIA PLACE")

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTED BY: VICTOR MENDEZ, SENIOR PLANNER

CONTACT INFORMATION: VICTOR MENDEZ, SENIOR PLANNER, 714-754-5276

RECOMMENDATION:

The Planning Commission recommends the City Council deny the General Plan Amendment (PGPA-24-0001), Rezone, Master Plan (PMAP-24-0002), and Tentative Tract Map No. 19351.

77 Fair Drive
Costa Mesa, CA 92626

Item #: 25-359 **Meeting Date: 07/15/2025**

TITLE: MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT (PGPA-24-0001), REZONE, MASTER PLAN (PMAP-24-0002), AND TENTATIVE TRACT MAP NO. 19351 FOR THE DEVELOPMENT OF 40 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 220, 222, 234, AND 236 VICTORIA STREET ("VICTORIA PLACE")

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTED BY: VICTOR MENDEZ, SENIOR PLANNER

CONTACT INFORMATION: VICTOR MENDEZ, SENIOR PLANNER, 714-754-5276

RECOMMENDATION:

The Planning Commission recommends the City Council deny the General Plan Amendment (PGPA-24-0001), Rezone, Master Plan (PMAP-24-0002), and Tentative Tract Map No. 19351.

APPLICANT OR AUTHORIZED AGENT:

The applicant is Bundy-Finkel Architects, on behalf of WMC, LLC.

PLANNING APPLICATION SUMMARY

Location:	220 Victoria St	Applications Number(s):	PGPA-24-0001 & PMAP-24-0002
Request:	Development of a residential common interest development community comprising of 18 duplexes (36 dwelling units) and four detached units for a total of 40 dwelling units.		

SUBJECT PROPERTY:		**SURROUNDING PROPERTY:**	
Zone:	C2 - General Business	North:	R3 – Multiple Family Residential
General Plan:	General Commercial	South:	C1 – Local Business (across Victoria Place)
Lot Dimensions:	Approximately 250’ x 307’	East:	C2 - General Business
Lot Area:	1.77 acres	West:	C2 - General Business
Existing Development:	The project site is currently developed with approximately 18,567 square feet of commercial retail use and storage area.		

DEVELOPMENT STANDARDS COMPARISON – RESIDENTIAL INCENTIVE OVERLAY DISTRICT (RIOD) AND RESIDENTIAL COMMON INTEREST DEVELOPMENT (RCID)

	DEVELOPMENT STANDARD	CODE REQUIREMENT	PROPOSED	MEETS CODE
RIOD	Minimum lot size:	0.5 acre	1.77 acres	Yes
RCID	Minimum lot size:	N/A	N/A	N/A
RIOD	Maximum Density:	30 du/acre = maximum 53 units	22.6 du/acre = 40 units	Yes
RCID	Maximum Floor Area Ratio (FAR):	0.75	1.43	Deviation Requested[1]
	Open Space:			
RIOD	Minimum Open Space	40% of total site area (30,840 SF)	42% (32,437 SF)	Yes
RCID	Minimum Open Space	40% of total lot area (30,840 SF)	42% (32,437 SF)	Yes
RIOD	Common Use Open Space	50% of required open space (15,420 SF)	32% (9,817 SF)	Deviation Requested[1]
RCID	Common Open Space	Common open space areas shall be designed and located within the development to allow maximum use by all residents	BBQ/Play Area Centrally Located and a Flex Space	Yes
RIOD	Private Open Space	Private decks or patios – minimum 100 square feet with no dimension less than 5 FT	Roof deck (9,175 SF)	Yes

		(4,000 SF)		
RCID	Private Open Space	An adjoining patio required with no dimension less than 10 FT	Roof deck (9,175 SF)	Yes
RIOD	Maximum Building Height	3 stories	3 stories / 39 FT 6 IN	Yes
RCID	Maximum Building Height	2 stories/27 feet	3 stories / 39 FT 6 IN	Deviation Requested[1]
	Setbacks:			
RIOD	Front (Victoria Place)	20 FT	20 FT	Yes
RCID	Front (Victoria Place)	20 FT	20 FT	Yes
RIOD	Side – Left	20 FT	7 FT 6 IN	Deviation Requested[1, 4]
RCID	Side – Left	5 FT	7 FT 6 IN	Yes
RIOD	Side - Right	20 FT	7 FT 6 IN	Deviation Requested[1, 4]
RCID	Side – Right	5 FT	7 FT 6 IN	No
RIOD	Rear	20 FT	11 FT 3 IN	Deviation Requested [1, 4]
RCID	Rear	20 FT for 2 story structures in R2-MD and R2-HD zones; 15 FT for 2 story structures in the R-3 zone. 10 feet for one story structures…	11 FT 3 IN	N/A[2]
RIOD	Landscape Parkway (Interior Private Streets or Common Driveways)	Combined 10 feet wide, no less than 3 feet on one side	None	Deviation Requested[1]
RCID	Landscape Parkway (Interior Private Streets or Common Driveways)	Combined 10 feet wide, no less than 3 feet on one side. Parkway on house side of private street or common driveway shall be a minimum of 5 feet wide	None	Deviation Requested[1]
	Storage:			
RIOD	Storage	N/A	Garage (390 SF)	N/A
RCID	Storage	Each unit provide 200 cubic feet of securable storage exterior to unit or within garage/carport	Garage (390 SF)	Yes

	Garage Dimension:			
	Two-car garage	20 FT x 20 FT	20 FT x 19 FT 6 IN	Deviation Requested[1]
	Parking Stall Width Between Buildings			
	Parking Stall Width	1 FT ON EACH SIDE: 10 FT 6 IN	9 IN ON EACH SIDE: 10 FT	Deviation Requested[1]
	Parking:			
	Residential Tenant Covered Parking (Three Bedrooms)	40 (1 spaces x 40 units = 40 spaces)	103	Deviation Requested[1]
	Residential Tenant Open Parking (Two Bedroom)	90 (2.25[3] spaces x 40 units = 90 spaces)		
	Residential Guest Parking	20 (0.5 spaces x 40 units = 20)		
	TOTAL	**150**[3]		

[1] Development standard deviations allowed through Master Plan approval process

[2] The development is composed of three-story residential units and is not located within the R2-MD, R2-HD, or R-3 zone, therefore, has no rear setback

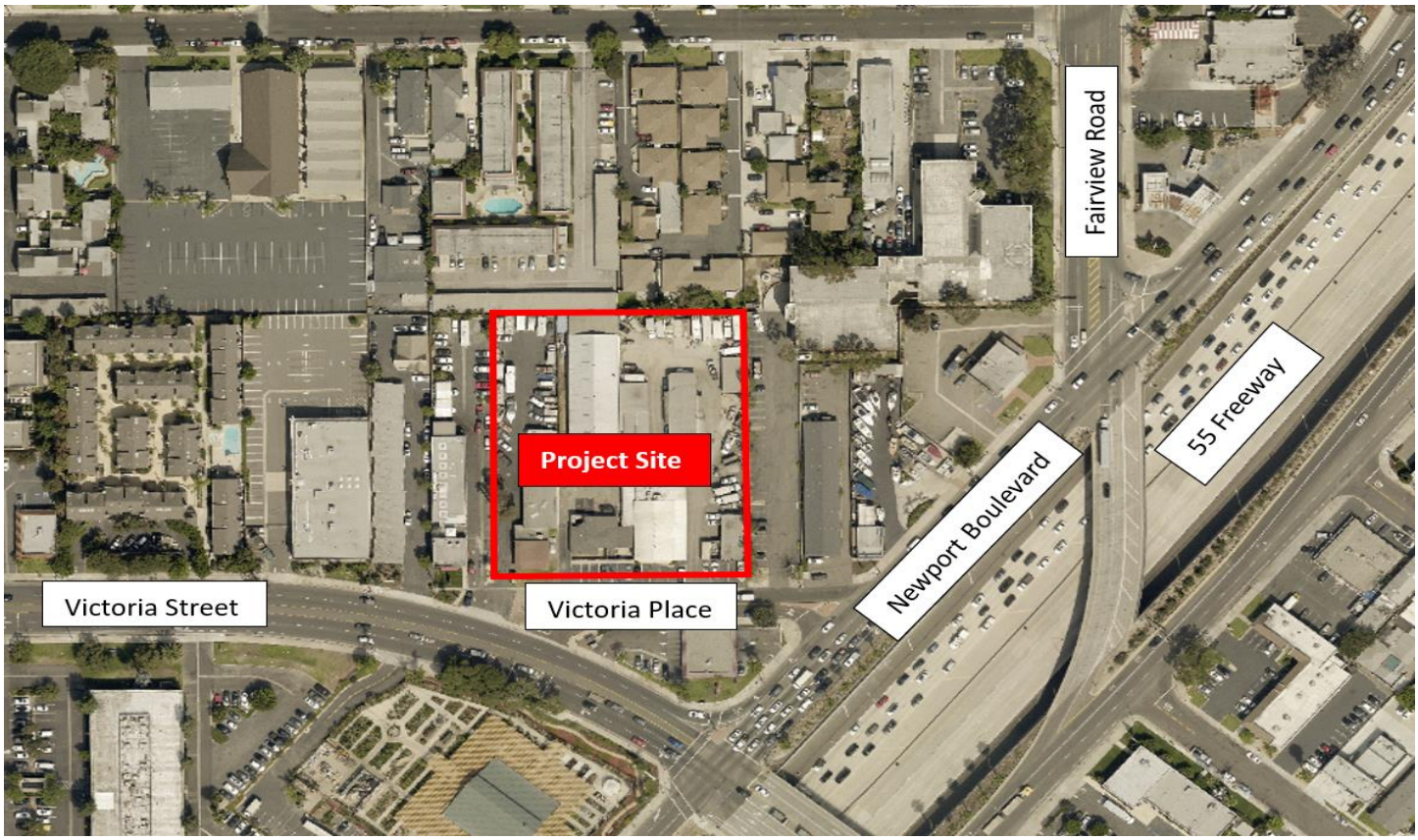
[3] Tenant open parking can be reduced by 0.25 space for one bedroom and larger units if the covered parking is provided within either a carport or a parking structure; therefore, calculation includes 0.25 reduction

[4] Side and rear setback requirements under the RIOD appear to be ambiguous, as the standard states: "20 feet (for 3 stories abutting R2-MD zones)." It is unclear whether this 20-foot setback applies to only when a 3-story building abuts an R2-MD zone. If the development is proposed at 3 stories but does not abut an R2-MD zone, it is uncertain whether a zero setback would be permitted. Given this lack of clarity, staff applied a conservative interpretation and used the 20-foot setback for both side and rear yards.

BACKGROUND:

The project site is located on the north side of Victoria Place near the intersection of Victoria Street and Newport Boulevard. The project site consists of three adjacent properties with a total combined area of 1.77 acres (see the below Exhibit 1).

Exhibit 1 Vicinity & Location



The project site is currently developed with existing commercial retail buildings, a residential unit repurposed as a commercial use, and storage yards. Specifically, approximately 18,567 square feet commercial retail use and storage are located on-site; the buildings are occupied by the following tenants:

Table 1 – Existing Structures

Suite	Use	Square Footage/Units
220 Victoria Street		
Suite A	Storage	500 square feet
Suite B	Boat Storage and Repair (Harvey's Boat Storage)	1,400 square feet
222 Victoria St		
Suite A	Commercial Retail (Allied Lighting)	6,834 square feet
234 Victoria St		
Suite A	Originally constructed as residential use, but has been utilized for commercial purposes for the past 58 years (Currently Vacant)	1 Unit approximately 2,000 square feet
Suite B	Commercial (Suburban Plumbing)	2,333 square feet
236 Victoria St		
Suite A	Commercial Retail (Battery Mart)	5,500 square feet
	Total Commercial Square Footage	**18,567 square feet**

In addition to the existing structure noted in Table 1, the site also contains a one-story residential structure built in 1954. However, rent rolls indicate that for the past 58 years, the structure has been used as a commercial or storage facility for a plumbing business rather than as a residential unit. Currently vacant and in a state of disrepair, the structure has not been occupied for the past five years. Therefore, the existing structure is not a protected residential unit under California state law because it has been used for commercial purposes for the past 58 years, has remained vacant and uninhabitable for the last five years, and does not constitute viable or recently occupied housing.

Access to the project site is currently provided by Victoria Place, which connects Victoria Street and Newport Boulevard. Nearby development includes an 11-unit apartment project on an 0.83-acre lot (13.2 du/acre) and a 32-unit apartment project on 1.12-acre lot (28.6 du/acre) to the north. Commercial uses such as Herb's Garage Auto Center is located to the west, Jiffy Lube to the south, and the Newport Victoria Plaza office building to the east. The project site is also positioned within a ½ mile walking distance to a mix of retail, restaurant, and shopping areas.

Early historical aerials indicate the site was surrounded by rural fields, within sparse development until the iteration of a single-family house in 1938 located at the southwest corner of the site. By the 1950s, following the incorporation of Costa Mesa in 1953, historical aerials indicate the presence of outbuildings (since disappeared) in the rear/north portion of the lot. A proliferation of industrial and commercial buildings had appeared on the parcels and surrounding area by 1963. Between 1972 and 1987, the final building was constructed within the project area. By 1992, the Project area is generally in its current configuration.

Residential Incentive Overlay District (RIOD) Background

On September 20, 2016, the City Council passed Code Amendment CO-16-02 which established the RIOD. The RIOD is situated along Harbor and Newport Boulevards on properties with underlying General Plan land use designations of Commercial Residential, General Commercial or Medium Density Residential. The overlay was initially applied to 14 sites that were developed with marginal operating commercial uses (mainly motels, restaurants, gas stations, and auto services). The overlay added a land use option for residential development of up to 40 dwelling units per acre (du/acre) on these sites compared to the Commercial Residential (maximum of 17.4 du/acre), General Commercial (no residential permitted except in mixed use developments), and the Medium Density Residential (maximum of 12 du/acre) land use designations. The added overlay and higher densities were intended to incentivize residential redevelopment of these parcels. However, after the establishment of the RIOD, the City did not receive any interest from the 14 property owners to redevelop these properties.

Subsequently, on November 13, 2018, the City Council approved a General Plan and Zoning Code amendment to reduce the area of the RIOD from 14 sites to only four sites; including: (1) 3205 Harbor Boulevard (Vagabond Inn), (2) the southeast portion of Harbor Boulevard and Gisler Avenue (consisting of an existing hotel, gas station and restaurant), (3) 2277 Harbor Boulevard (Lux Apartments), and (4) the southeast portion of Newport Boulevard and Albert Place (2250 Newport Boulevard (the Ali Baba Motel) and 2274 Newport Boulevard (the Mesa Vista Apartments). At that time, the City Council also reduced the maximum allowable density within the RIOD from 40 du/acre to 30 du/acre and lowered the maximum building height from four stories to three stories.

On August 6, 2024[1], the City Council reviewed a screening application for the proposed 40-unit RCID. The City Council was generally supportive of the proposed development plan and provided suggestions to prioritize community spaces and streetscape design project features. The City Council provided feedback, which was incorporated into the formal application, particularly emphasizing enhanced community space and streetscape improvements along Victoria Place. Additional comments were provided to remove Palm trees from the landscaping palette.

Subsequently, the applicant prepared their formal submittal incorporating the City Council comments including increasing the common use open space in the center of the development, revitalizing the landscape peninsula along Victoria Place, enhancing the façade of the units and by removing palm trees from the landscape plan.

[1] The August 6, 2024 staff report and meeting video can be viewed links below:

Report:https://costamesa.legistar.com/LegislationDetail.aspx?ID=6816049&GUID=802DDB31-6CD1-40E5-9CCE-E01BF2F8224A

Video: https://costamesa.granicus.com/player/clip/4159?view_id=14&redirect=true

Measure Y/Measure K

Measure Y was approved by the voters on November 8, 2016, and certified by City Council on December 12, 2016, and became effective on December 23, 2016. Measure Y amended the CMMC to require voter approval of certain changes in land use including projects that amend, change, or replace the General Plan, the Zoning Ordinance, a specific plan, or an overlay plan and involve one or more specific conditions as identified in the ordinance. Measure K, approved by Costa Mesa voters in November 2022, permits the City Council to approve housing and mixed-use developments in designated commercial and industrial corridors without requiring voter approval, as was previously mandated by Measure Y. The proposed project is exempt from Measure Y because it falls within the boundaries of the Measure K overlay. Measure K aims to facilitate the revitalization of underutilized areas by encouraging the development of housing opportunities, thereby addressing the community's needs without compromising existing residential neighborhoods.

Housing Element

The 6th Cycle Housing Element identifies housing opportunity sites throughout the City pursuant to the State determined Regional Housing Needs Allocation (RHNA). Although the project site is not an identified housing site by the City's housing element, the project would count toward the City's 6th Cycle RHNA allocation, provided that building permits are issued by the end of the planning period in December 2029.

Planning Commission

On June 9, 2025, the Planning Commission reviewed the proposed 40-unit residential condominium development. As part of its review, staff recommended that the Planning Commission recommend that the City Council take the following actions:

1. Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and

2. Approve the General Plan Amendment (PGPA-24-001), Rezone, Master Plan (PMAP-24-0002), and Tentative Tract Map No. 19351, subject to conditions of approval.

Public comments at the Planning Commission meeting reflected a mix of project support and concerns. Those in favor highlighted that the project consists of ownership units, which could help balance the ratio of owner-occupied to rental housing in the City, noted the family-friendly home sizes, and pointed out it its similarity in scale to another nearby condominium project along Victoria Street. Supporters emphasized that the ownership units would reduce the ratio between owner occupied and rental property in the City, that the size of the homes were suitable for families, and that the project is similar in size and scale to another nearby condominium project along Victoria Street. Public concerns included potential parking shortages, the number of requested deviations, and the suitability of the site location given its location along the high-traffic Newport Boulevard corridor and potential noise and air quality impact due to freeway proximity.

The Planning Commission discussed traffic impacts, public safety, and the appropriateness of applying the Residential Incentive Overlay District zone given the project's various deviations from code. While

some commissioners appreciated the ownership opportunity and design intent, others expressed concern over parking shortages, pedestrian access, and zoning approach.
With a motion by Vice Chair Zich and second by Chair Harlan, the Planning Commission voted 5-2 (Ayes: Zich, Harlan, Martinez, Rojas, and Klepack; Noes: Dickson and Andrade) to recommend the City Council to deny the project (the General Plan Amendment (PGPA-24-001), Rezone, Master Plan (PMAP-24-0002), and Tentative Tract Map No. 19351) and not adopt the Mitigated Negative Declaration and not approve the General Plan Amendment, Rezone, Master Plan, and Tenetative Tract Map. Commissioners (Zich, Harlan, Martinez, and Klepack) expressed concerns related to the project's reliance on deviations from development standards, its use of the residential overlay zoning mechanism, and pedestrian safety. Commissioners that supported the project, cited the need for ownership housing and the applicant's responsiveness to City Council feedback.

The June 9, 2025, Planning Commission agenda report and meeting video can be viewed at the links below:

Report: https://costamesa.legistar.com/LegislationDetail.aspx?ID=7429061&GUID=F544796B-A572-455D-B17D-772A9565FFDB

Video: https://costamesa.granicus.com/player/clip/4269?view_id=14&redirect=true

The project site is entirely within the Airport Planning Area for John Wayne Airport, as defined by the Airport Land Use Commission (ALUC) of Orange County. Consequently, any proposed amendments to the General Plan, such as the one associated with the proposed three-story residential project, must be referred to the ALUC for a consistency determination prior to adoption by the City Council. On June 19, 2025, in compliance with Section 21676(b) of the California Public Utilities Code, ALUC held a public hearing finding that the project is compatible with the Airport Environs Land Use Plan (AELUP).

ANALYSIS:

The project proposes to develop a 40-unit RCID community comprising of 18 duplexes (36 dwelling units) and four detached units adjacent to Victoria Place. Victoria Place, a public street forming the southern boundary of the site, provides access to the project through two new driveways. This street connects to Newport Boulevard and Victoria Street, facilitating circulation to and from the site. As part of the project, a new sidewalk will be constructed along Victoria Place, accompanied by accessible pathways that connect to adjacent pedestrian and future bicycle amenities.

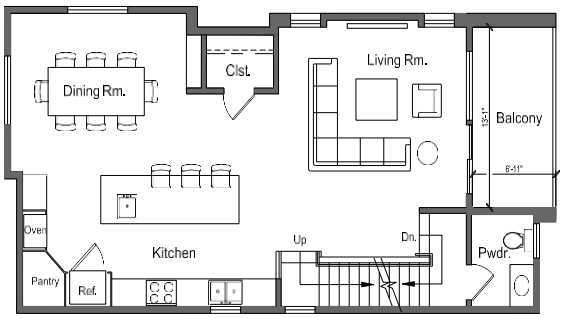
A new Class II bike lane is also proposed along the north side of Victoria Place, connecting Newport Boulevard to Victoria Street and enhancing multimodal access. A Class-2 bike lane is provided on the east side of Newport Boulevard and Costa Mesa's Public Works Department is planning to install a new bike lane along the west side of Newport Boulevard. In addition, there are three additional bicycle lanes in the immediate area located along Victoria Street, Newport Boulevard, and Fairview Road. These bicycle lanes are interconnected with the regional bicycle trail system and provide connections between Costa Mesa, Huntington Beach, Newport Beach, and Santa Ana. The project's internal private drive aisles form an "H-shape" circulation pattern with garage doors facing towards the drive aisles.

The Orange County Transportation Authority (OCTA) operates bus route 71 nearby with two bus stops located approximately 270 and 550 feet away. Bus Route 71 runs north-south generally along portions

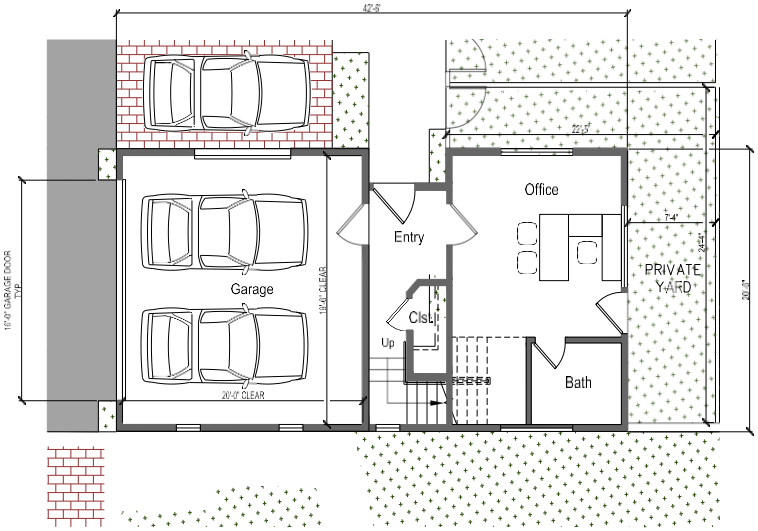
of Newport Boulevard and Red Hill Avenue from Newport Beach through Costa Mesa and into Irvine and Santa Ana and points beyond.

The project proposes an overall density of 22.6 dwelling units per acre (du/acre), where 30 du/acre is allowed under the RIOD. Each unit proposes a square footage of approximately 2,751 square feet with a height of approximately 39 feet, six inches. Each unit includes a first-floor office area, restroom, two-car garage. The second floor includes a living room, a kitchen, a dining area, a bathroom, and a covered balcony. The third floor living area has three bedrooms, two bathrooms, and a laundry area. In addition to a roof deck, each unit would also have private open space at the ground level. The units facing Victoria Place include landscaping with nearby pedestrian access to a proposed future public sidewalk (see the below proposed floor plans in Exhibits 2 and 3). These units also include large, street-facing windows along the Victoria Place frontage.

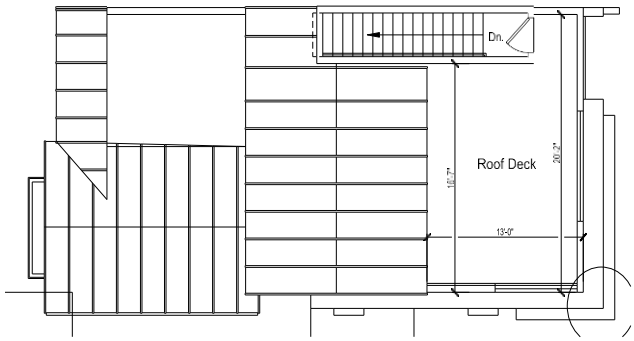
Exhibit 2 Detached Unit Floor Plan



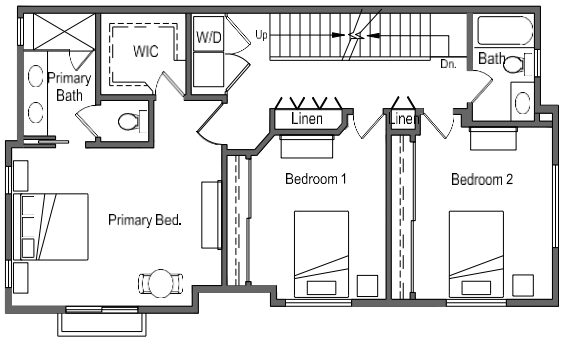
SECOND FLOOR PLAN - DETACHED UNIT
1/4"=1'-0"



FIRST FLOOR PLAN - DETACHED UNIT
1/4"=1'-0"

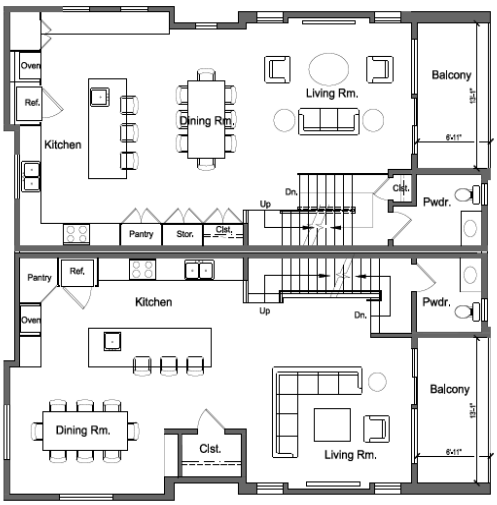


ROOF PLAN - DETACHED UNIT
1/4"=1'-0"

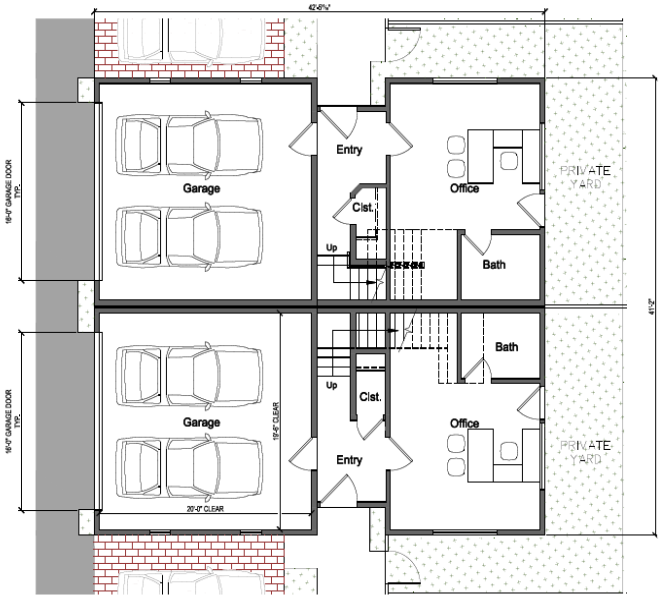


THIRD FLOOR PLAN - DETACHED UNIT
1/4"=1'-0"

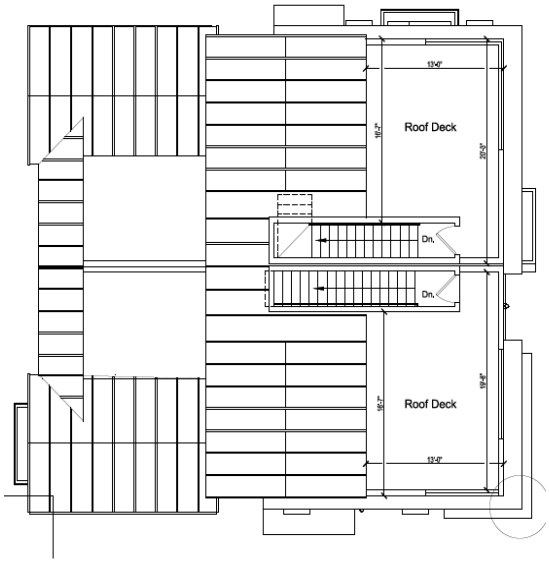
Exhibit 3 Duplex Unit Floor Plan



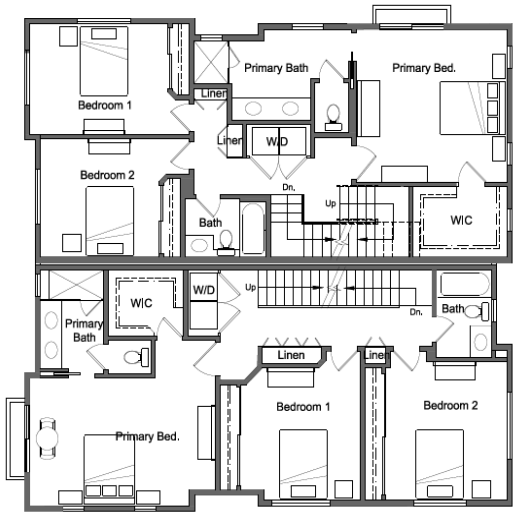
SECOND FLOOR PLAN - DUPLEX UNIT



FIRST FLOOR PLAN - DUPLEX UNIT



SCHEME 1 - ROOF PLAN DUPLEX UNIT



THIRD FLOOR PLAN - DUPLEX UNIT

The duplexes located toward the interior of the site have front doors oriented on the side of the unit, facing the front doors of neighboring units. The project provides five guest parking spaces centrally located within the development, and 18 open parking spaces located between units (see the below Exhibit 4 – Site Plan). As proposed, a total of 103 parking spaces would be available in the two-car garages and adjoining surface parking spaces.

Exhibit 4 Site Plan



Deviations

The RIOD allows for deviations from the requirements to encourage residential development. Deviations require specific findings, including justification that the deviation results in a development that better achieves the goals of the General Plan, that the deviation results in a development which exhibits excellence in design, and that the deviation will not be detrimental to public health. The project proposes the following deviations:

- **Floor Area Ratio (FAR):** The RCID development standards results in a maximum FAR of 0.75. The applicant is requesting a deviation to allow a FAR of 1.43.
- **Common Use Open Space:** The RIOD development standards require a minimum of 50% of the total open space. The applicant is requesting a deviation to allow 32% of common use open space.
- **Building Height:** The RCID development standards limit building height to two stories. The applicant is requesting a deviation to allow three-story residential buildings.
- **Side Setback:** The RIOD development standards require a minimum side setback of 20 feet. The applicant is requesting a deviation to allow a reduced side setback of 7 feet, 6 inches.
- **Rear Setback:** The RIOD development standards require a minimum rear setback of 20 feet. The applicant is requesting a deviation to allow a reduced setback of 11 feet, 3 inches.
- **Landscape Parkway (Interior Private Streets or Common Driveways):** The RCID and RIOD development standards require a landscape parkway along common driveways or interior private streets. The applicant is requesting a deviation to omit the landscaped parkways along the common driveways.
- **Parking:** The City's Residential Off-Street Parking Standards require this development to provide 150 parking spaces including 130 parking spaces and 20 guest parking spaces. The applicant requests a deviation to allow for a total of five guest parking spaces including 98 parking spaces for a total of 103 parking spaces.
- **Garage Dimensions:** The City's Residential Off-Street Parking Standards require a minimum unobstructed interior garage dimension of 20 feet wide by 20 feet long. The applicant requests a deviation to allow an interior garage dimension of 19 feet, six inches wide by 20 feet long for each unit.
- **Parking Stalls Between Buildings:** The City's Parking Design Standards require that parking stalls (open and carports) with vertical restrictions at the side (walls, fences, shrubs, etc.) to be increased in width by one foot beyond the standard requirement. For residential uses, the standard parking stall dimension is eight feet, six inches wide by 18 feet long. The applicant is requesting a deviation to allow a minimum parking stall width of 10 feet.

The analysis and specific findings for the requested development deviations are provided below in the *Master Plan* and *Deviation from Development Standards Findings* sections of this report.

The project proposes two-unit types, Duplex and Detached. Similar to other residential developments throughout the City, each unit includes a two-car garage, home office, and a bathroom on the first floor. The second floor is dedicated to living area and includes a half bathroom, kitchen, dining area, living room, and balcony at the rear of each unit. The third floor of each unit is dedicated to bedrooms. Each plan includes three-bedrooms, two-bathrooms, and a laundry closet. There is also an open roof deck that includes an enclosed stairway.

Elevations

As shown in Exhibit 5 below, the proposed residential project has been designed with contemporary design features including modern elements such as large windows, and a mixture of exterior building materials which contributes to the variety of vertical and horizontal articulations.

Exhibit 5 Street Elevations



As shown in Exhibit 6 below, the duplex and detached units are oriented toward a shared driveway aisle, with front elevations and garages facing one another.

Exhibit 6 Typical Side Elevations for Interior and End Units



The project site is currently designated "General Commercial" by the City's Land Use Element of the General Plan, and is zoned "C2, General Business District." These designations do not support a residential use of the property but instead allow for office and retail/service uses. However, the project site is located within a "Measure K" corridor that runs along Newport Boulevard. "Measure K" was passed by Costa Mesa voters on November 8, 2022, for the purpose of revitalizing commercial corridors by encouraging new housing in commercial and industrial areas while preserving the character of existing residential neighborhoods. Because the current property zoning does not allow for residential development, the applicant is requesting the City re-zone the property with a residential incentive overlay designation to allow for residential development.

A conventional residential rezone would not have facilitated the project because the proposed density of 22.6 dwelling units per acre exceeds the limits of nearly all standard residential zones in the City, which generally cap at 20 dwelling units per acre, and the project does not include affordable housing units that would otherwise qualify for density bonuses or related waivers. Additionally, the City's residential zones limit building heights to two stories or 27 feet, which the proposed project exceeds. Moreover, even under a traditional residential rezone, the project would be required to comply with two sets of development standards — those of the proposed zoning district and the RCID standards as this is a condominium project. This dual compliance can often create the appearance of numerous deviations, as the project must comply with both standards. Pursuing a traditional residential zone would also trigger the need for multiple variances—including for density, height, and setbacks — none of which could reasonably meet the required findings for approval based on special circumstances applicable to the property.

In contrast, the RIOD overlay provides a clear and established framework that allows for increased density (up to 30 du/acre) and greater flexibility in deviating from development standards without relying on variances or variance-type findings. The RIOD is not a workaround; rather, it is a tailored zoning solution that enables the City to facilitate more infill development in appropriate locations, consistent with the General Plan's goals for housing production and efficient land use. The City's original intent was to provide flexibility to property owners to either retain current commercial or residential uses or to redevelop sites over time with new residential housing at densities specified in the overlay zone. Sites proposed for the RIOD were targeted at locations along Harbor Boulevard and Newport Boulevard to take advantage of transit routes and proximity to goods and services. The RIOD also expands development opportunities on commercial property not developed to their full potential or supporting outdated building and underperforming uses. Moving forward, the City's rezoning process will continue to look at the City's zoning regulations and create new development standards that are better suited to the type of housing demand and projects that the City is seeing.

General Plan Amendment

The existing Land Use designation of "General Commercial" does not need to be changed to facilitate the proposed RIOD for the project in that the General Plan Land Use Element specifies that the RIOD is a consistent zoning classification in the "General Commercial" Land Use District. However, a General Plan amendment is needed to modify the Land Use Element maps, figures, text and tables to update the Land Use Element to specifically identify the subject property with a RIOD designation. The proposed Land Use Element update would result in a fifth property location being designated with this "Overlay" and enable residential development on the property up to 30 dwelling units per acre.

Rezone

A Zoning Code Amendment is required to re-zone the project site from C2 – General Business District to RIOD to implement the General Plan RIOD. The Zone Code Amendment will apply a specific set of zoning provisions outlined in Costa Mesa Municipal Code (CMMC) Article 12, *Residential Incentive Overlay District,* to the proposed RCID.

As an "overlay district", the property's base land use and zoning designations do not change. Pursuant to CMMC Section 13-83.64, development standards of the base zoning district still apply to properties that are designated with RIOD; however, are superseded by the overlay district standards when residential development is proposed. Only two RIOD sites have been developed: (1) The Lux Apartments, and (2) a section of the southeast portion of Newport Boulevard and Albert Place was converted from a "Motel 6" to apartments. (See Exhibit 7 and Exhibit 8 below).

Exhibit 7 Lux Apartments (2277 Harbor Boulevard)

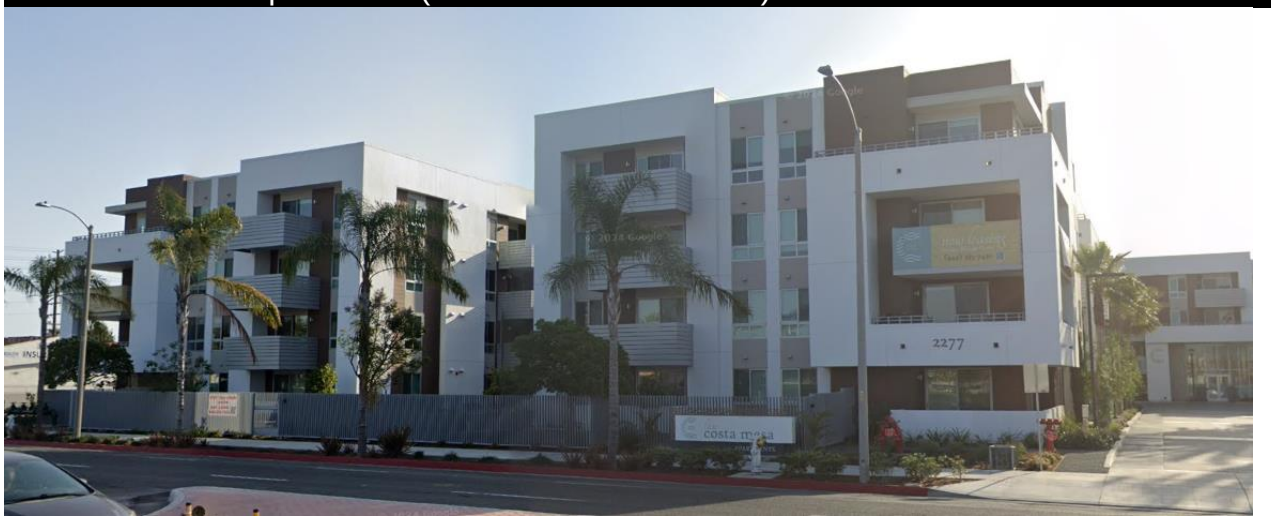


Exhibit 8 Mesa Vista Apartments (2274 Newport Boulevard)



Tentative Tract Map

A Tentative Tract Map is a preliminary subdivision map required under the California Subdivision Map Act when a property is proposed to be divided into five or more lots, including for condominium developments**.** Although typically associated with dividing land into multiple parcels, a Tentative Tract Map is also required when a project proposes a condominium subdivision of airspace units, even if the underlying land results in just one legal lot. In this case, the applicant proposed to merge three existing parcels, approximately 1.77 acres, and create a one-lot subdivision for the development of residential condominium units, common areas, and private streets.

Since the residential units will be developed as condominiums, and pursuant to the RIOD development standards, the project is required to be developed as a "common interest development" that allows for individual ownership. The Tentative Tract Map proposes "air-space" subdivisions for each residential unit, meaning each owner would control the interior space of their unit (including any dedicated ground-floor open space areas), while all common areas would be jointly owned and maintained through a homeowners' association (HOA). As such, approval of the Tentative Tract Map is required to merge

the existing parcels and establish the airspace subdivision, in compliance with the to the Costa Mesa Municipal Code and Subdivision Map Act.

Master Plan

A Master Plan approval is required for all new development within the RIOD. The Master Plan process establishes the project's overall design framework including consideration of deviations from development standards in exchange for high-quality projects. The proposed Master Plan proposes a mix of three-attached and detached residential condominiums, each featuring a two-car garage, with surface parking between the residential buildings. The development consists of 40 residential condominium units, comprised of 18 attached duplex buildings (36 units) and four detached units. In response to City Council feedback the project incorporates several communal amenities, including a centrally located barbecue area, a children's play area, and a flexible-use space, as shown in the site plan.

Also, in response to City Council's comments regarding activation and revitalization of the landscape peninsula, along Victoria Place, the applicant is proposing a new passive recreation area along this frontage. The design includes seating areas, shade trees, landscaping, and a bioswale, which contribute to pedestrian amenities and provide stormwater management functions along the streetscape. Although the area will be situated within the City's right-of-way, its ongoing maintenance will be the responsibility of the future residential homeowners' association (HOA), ensuring its upkeep and integration with the community. This area will be open to the general public, providing a welcoming space for all community members to enjoy, not just residents of the development. As part of the Master Plan process, the project must comply with specific Master Plan findings.

Pursuant to the RIOD provisions, Section 13-83.63(e), deviations from the RIOD development standards may be approved through the Master Plan process provided that the following findings can be made:

1. Strict interpretation and application of the overlay district's development standards would result in practical difficulty inconsistent with the purpose and intent of the General Plan, while the deviation to the regulation allows for a development that better achieves the purposes and intent of the General Plan;
2. The granting of a deviation results in a development which exhibits excellence in design, site planning, integration of uses and structures and compatibility standards for residential development; and
3. The granting of a deviation will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

<u>Site Design</u>

The condominium development is proposed on a 1.77-acre site, which meets the minimum lot size requirement of 0.5 acres as established in the RIOD standards. The project provides a minimum 10-foot building separation, meeting the required standard for building-to-building separation. The site also includes a 20-foot landscape setback along Victoria Place, in compliance with both the RIOD and RCID standards for front yard setbacks. These components demonstrate the project's compliance with applicable site design requirements related to minimum lot size, building separation, and front yard landscaping.

Deviation for Reduced Side and Rear Setbacks

The RIOD development standards require a minimum side setback of 20 feet. The project proposes a side setback of 7 feet, 6 inches, which does not meet the RIOD standard. However, the project complies with the RCID standard, which permits a minimum side setback of five feet. Since the project qualifies as a RCID and proposes to apply the RIOD designation to the site, it is subject to both sets of standards. As such, the applicant is requesting a deviation from the RIOD side setback requirement to allow a reduced side setback of 7 feet, 6 inches.

The RCID rear setback standard does not apply to this project, as the proposed development consists of three-story residential units and is not located within the R2-MD, R2-HD, or R-3 zoning districts. Therefore, no minimum rear setback is required under the RCID standards. However, the RIOD development standards require a minimum rear setback of 20 feet. The project proposes a rear setback of 11 feet, 3 inches, which does not meet the RIOD requirement. As such, the applicant is requesting a deviation from the RIOD rear setback standard to allow a reduced setback of 11 feet, 3 inches.

The intent of side and rear yard setbacks is to provide adequate separation between buildings for light, air circulation, and privacy between adjacent uses. The proposed side setback reduction from 20 feet to 11 feet, 3 inches would continue to meet this intent based on the surrounding context. To the west, the adjacent property is an automobile service center with a building located approximately 30 feet from the shared property line; to the east, the adjacent office building is set back approximately 50 feet. To the north, the nearest residential units within the adjacent multi-family development are approximately 20 feet from the shared property line.

Density

The project site is currently zoned C2 – General Business District. However, the applicant proposes to apply the RIOD to the site to allow for residential development and to be subject to the RIOD's development standards. The RIOD is unique in that it establishes a maximum residential density of 30 dwelling units per acre, which is the highest residential density permitted by the City's development standards. Additionally, because the project is a RCID, it is also subject to the RCID development standards.

The project proposes a density of 22.6 dwelling units per acre. This proposed density is in compliance with the RIOD, which allows a maximum density of up to 30 dwelling units per acre. As such, the project meets the applicable density standards established under the RIOD.

Pursuant to Costa Mesa Municipal Code Section (CMMC) 13-41, Table 13-41(b) (Residential Common Interest Development Standards), the maximum density is tied to the underlying zoning district. Since the C2 – General Business District does not prescribe a maximum residential density, the closest applicable standard is the maximum Floor Area Ratio (FAR). Based on the site's General Plan land use designation of General Commercial and the allowable vehicle trip generation thresholds, a maximum FAR of 0.75 applies.

Deviation for Floor Area Ratio

The proposed project includes a Floor Area Ratio of 1.43 and a residential density of 22.6 dwelling units per acre. Although the FAR exceeds the maximum 0.75 FAR standard, the proposed residential density is well within the 30 dwelling units per acre permitted by the RIOD. Additionally, the applicant has provided a trip generation memorandum demonstrating that the existing traffic infrastructure is adequate to support the proposed project without causing adverse impacts.

Unlike commercial development where FAR controls intensity and traffic impacts, residential projects are better evaluated through density standards (dwelling units per acre), especially under an overlay district such as the RIOD that is intended to facilitate residential opportunities. The proposed development's density aligns with the existing residential character along Victoria Street, where similar densities are observed. Furthermore, the project includes a defined site layout with integrated community amenities, and contributes to the City's goals of expanding homeownership opportunities. The project intensity is compatible with the purpose and intent of the RIOD and it would not exceed the capacity of existing public infrastructure.

Open Space, Common Open Space and Private Open Space

The project proposes a total of 32,437 square feet of open space, which represents approximately 42% of the total site area. This amount exceeds the minimum open space requirement of 40% as established by both the RIOD and the RCID standards. The project also complies with the common open space requirement, which requires that common open space areas be designed and located within the development to allow maximum use by all residents. The proposed site plan includes a centrally located barbecue and play area, along with a flexible-use space, all of which are accessible to residents and designed to support active and passive recreational use. In addition, the project meets the minimum private open space standards by providing private decks or patios for each unit. These private spaces exceed the required minimum of 100 square feet with no dimension less than 10 feet, as the proposed roof decks are approximately 230 square feet each, and each unit also includes private open space at the ground level.

Deviation to Common Use Open Space

In addition to the overall open space requirement, the RIOD standards require that at least 50% of the required open space (or 15,420 square feet) be designated as *common use open space* and include recreational amenities for children. The project proposes 9,817 square feet (32%) of common use open space, which falls short of the RIOD's minimum standard.

However, the project does incorporate key recreational amenities, including a centrally located children's play area, a barbecue area, and a flexible-use open space, consistent with the intent of both the RIOD and RCID standards for community-oriented spaces. Furthermore, while an off-site passive recreation area is not a required development standard, the applicant is voluntarily proposing one along Victoria Place. The area will feature landscaping, shade trees, seating areas, and a bioswale—a landscaped draining feature that helps manage stormwater by filtering runoff and allowing it to absorb into the ground. While the passive recreation area cannot be formally counted toward the common use open space calculation because it is located outside the development boundary, if considered, the total area dedicated to open space would be significantly closer to meeting minimum RIOD requirement. Since the project qualifies as a RCID and proposes to apply the RIOD designation, it must comply with

both sets of standards. Therefore, the applicant is requesting a deviation to allow for 9,817 square feet of common use open space.

Exhibit 9 Off-Site Passive Recreation Area



Building Height and Architecture

The maximum building height allowed within the RIOD is three stories, with rooftop terraces permitted and not counted as an additional story. The project proposes three-story residential units with rooftop terraces, resulting in a total height of approximately 39 feet, six inches. The design includes a contemporary architectural style featuring varied rooflines, building setbacks, and articulation along the facades, which collectively help to break up the visual scale and massing of the buildings. As proposed, the project complies with the RIOD height standard.

Deviation to Building Height

While the RIOD permits a maximum height of three stories, the RCID standards limit building height to two stories. As such, the applicant is requesting a deviation from the RCID height limitation to allow for three-story buildings.

Landscaping

The project proposes approximately 16,368 square feet of on-site landscaping. Per the City's Landscaping Standards (CMMC Chapter VII), landscape areas must consist of drought-tolerant plant materials and meet minimum diversity requirements based on total landscape square footage. The site

plan demonstrates that private yards will be landscaped, with trees and shrubs planted throughout the community, including along roadways for shade, screening, and aesthetic enhancement.
The project features a diverse plant palette, including Hopseed Bush, Afghan Pine, Bloodgood London Plane, Compact Carolina Cherry Laurel, and Brisbane Box trees. Drought-tolerant shrubs such as Blue Flame Agave, Emerald Blanket Natal Plum, Flax Lily, and Aprilgrun Fescue, along with native and drought-tolerant ground covers, are proposed to ensure a sustainable and visually appealing landscape. Exhibit 10 provides the full plant count, and the landscape palette is included on Plan Sheet L1.02. As part of the building permit plan check, final landscape plans will be reviewed and certified by a licensed California landscape architect to confirm compliance with CMMC and the City's Water Efficiency Landscape Guidelines.

Exhibit 10 Landscaping Count

	Requirement	Proposed
Tree Count	82 (one 15-gallon tree or larger per 200 square feet of landscape area)	87 (24 are proposed at 36- inch box)
Shrub Count	656 (one shrub for every 25 square feet of landscape area)	695

As part of the building permit plan check review, final landscape plans shall be prepared and certified by a California licensed landscape architect confirming that they comply with the Costa Mesa Municipal Code (CMMC) and water efficiency landscape guidelines.

Deviation for Landscape Parkway

The RCID and RIOD development standards require a combined 10-foot-wide landscape parkway (minimum three feet on one side) along common driveways or interior private streets. In this case, to preserve the proposed residential unit count and maintain functional and efficient drive aisles, the project does not include the landscaped parkways along the private driveways. Therefore, the applicant is requesting a deviation from the RCID and RIOD parkway requirement.

The intent of landscape parkways within a condominium development is to enhance the visual character of the neighborhood, provide a buffer between pedestrian and vehicular areas, and contribute to the overall livability of the site. In this case, the applicant is requesting to omit traditional landscape parkways; however, the project incorporates landscaping between garages, private side yards, tree wells, common open spaces, and walkways entering the site that are surrounded by landscaping and trees.

Exhibit 11 Aerial View



Parking

Pursuant to the RIOD, required parking for the proposed residential units is based on the City's Off-Street Parking Standards in the CMMC. The City's Residential Off-Street Parking Standards require that units with three or more bedrooms provide 3.5 parking spaces per unit and 0.5 guest parking spaces. However, if covered parking—such as garages or carports—is provided, the parking requirement can be reduced by 0.25 spaces per unit. In this proposal, all 40 units three-bedroom units include attached two-car garages, qualifying as covered parking. Therefore, the development requires 130 parking spaces and 20 guest parking spaces, totaling 150 spaces.

Deviations to Parking

The applicant proposes 103 parking spaces, with a proposed parking ratio of 2.58 spaces per unit, resulting in a shortfall of 47 parking spaces.

The proposed parking ratio would be consistent with other nearby developments along Victoria Street, such as Victoria Gardens (2.57 spaces per unit) and Ocean Breeze Villas (2.5 spaces per unit). Although a formal parking demand analysis specific to this project was not prepared, the proposed reduction in parking is supported by several contextual and project-specific factors. For example, a similar residential project of comparable size, unit count, and parking configuration was approved by the Planning Commission on February 10, 2025, for a 38-unit live/work condominium development located at 960 West 16th Street. That project included 100 total parking spaces—76 within private garages and 24 as open parking/driveway spaces. As part of the review, a parking study was

conducted using empirical data from two existing live/work developments in the City: the Lighthouse Community (89 units) and the Level 1 development on Industrial Way (60 units). The study identified a peak mid-day parking demand of 2.57 spaces per unit.

The proposed project provides a parking ratio of 2.58 spaces per unit, consistent with comparable projects in the City. Additionally, public on-street parking is available along the south side of Victoria Place, which may serve as supplemental parking if needed. The project is also close to bike lanes and transit, providing access to car-free travel.

Deviations to Garage Dimensions

The City's Residential Off-Street Parking Standards require that all two-car garages provide a minimum unobstructed interior dimension of 20 feet wide by 20 feet long. The proposed project includes a two-car garage for each residential unit; however, the garages are designed with interior dimensions of 19 feet, six inches wide by 20 feet long, which does not fully meet the City's minimum requirement.

As a result, the applicant is requesting a deviation to allow an interior garage dimension of 19 feet, six inches by 20 feet for each unit.

Deviation to Parking Stalls Located Between Buildings

The City's Parking Design Standards require that parking stalls (open and carports) with vertical obstructions on the sides—such as walls, fences, or landscaping—be increased by one foot beyond the standard width. For residential uses, the standard parking stall size is eight feet, six inches wide by 18 feet long; therefore, where vertical obstructions are present on both sides, the minimum required stall width is 10 feet, six inches. In this case, the project proposes open parking stalls located between residential units, where vertical obstructions are present on both sides. The proposed parking stall widths range from 10 feet to 11 feet, which does not fully meet the minimum width requirement in all instances. As such, the applicant is requesting a deviation to allow a minimum parking stall width of 10 feet. Of the 18 proposed parking stalls adjacent to vertical obstructions, 14 are proposed to be less than the required with of 10 feet, six inches—representing approximately 78% of the affected open stall count. The requested deviation in minor in nature, reflecting a reduction of only six inches, or approximately 4.8%, from the required stall width.

Trip Generation

CMMC Section 13-275(e) indicates that any increase in traffic generation by a change of use that is required to obtain a discretionary permit, shall be subject to review by the appropriate reviewing authority, which may impose fees to address increased trip generation. If required, the fee collected is used to fund the City's comprehensive transportation system improvement program. The purpose of the program is to ensure that the City's transportation system has the capacity to accommodate additional trips. The Citywide Traffic Impact Fee related to new and expanding developments is determined using estimated Average Daily Trips (ADT), which is the combined total number of vehicular trips both in and out of a development generated throughout an average weekday. The applicant submitted a trip generation study that has been reviewed by the City's Transportation Division. The trip generation study indicated that the project would result in approximately 298 daily trips and would generate more trips compared to the existing commercial uses. Therefore, a traffic

impact fee will be required and is conditioned as part of the project. The fee calculation would be finalized during the building permit plan check process and be paid prior to building permit issuance.

Lastly, CMMC Section 13-275(a), specifies that "a traffic impact study shall be required for all development projects estimated by the Public Works Department to generate one hundred (100) or more vehicle trip ends during a peak hour." The highest peak hour trips in either the AM or PM are used to estimate the number of vehicular trips generated both in and out of a new or expanded development, known as vehicle trip-ends during a peak hour. The City's Transportation Services staff determined that the proposed project would result in approximately 21 AM and 35 PM peak hour trips, and thus a traffic study was not required.

Fire and Emergency Access

Based on the Fire and Rescue Department's review of the project, there does not appear to be any significant issues that would preclude the project from moving forward. The Department has evaluated the proposed development for compliance with fire safety standards, including access for emergency vehicles, water supply for firefighting, and the design of fire protection systems. All identified requirements will be incorporated during the building permit phase to ensure the project meets all applicable requirements of the California Fire Code.

GENERAL PLAN CONFORMANCE

To make a decision regarding the general plan conformance, the City Council must consider whether the proposed residential development is consistent with the goals, objectives, and policies of the General Plan. The includes evaluating that the project's contribution to balance land use pattern, new housing opportunities, and compatibility with surrounding uses.

ZONING AND RESIDENTIAL INCENTIVE OVERLAY DISTRICT CONFORMANCE

The project site is currently zoned C2 – General Business District. This zoning permits a broad range of commercial uses.The applicant proposes a Zoning Code Amendment to rezone the site from C2 to the RIOD. This change aims to implement the General Plan's Residential Incentive Overlay designation and facilitate a residential development through a Master Plan.

FINDINGS

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, in order for the City Council to make a decision on the project, it must determine whether the evidence presented in the administrative record substantially meets specified findings as follows.

General Plan Amendment (PGPA-24-0001)

According to Costa Mesa Municipal Code Section 13-29(g), there are no specific findings required for a General Plan Amendment. Such amendments are considered legislative actions and are subject to the discretion of the City Council. In this case, the proposed General Plan Amendment seeks to modify the Land Use Element's maps, figures, text, and tables to apply the RIOD designation to the subject property. The underlying land use designation of General Commercial would remain unchanged. Moreover, the development incorporates design features that provide community-oriented amenities

such as a barbecue area, children's play area, flex-use space, and proximity to an adjacent off-site passive recreation area. These features contribute to the City's objective of expanding homeownership opportunities. The project's intensity is consistent with the purpose and intent of the RIOD and is designed to operate withing the capacity of existing public infrastructure.

Rezone

Pursuant to Title 13, Section 13-29(g)(11), Findings, of the CMMC, in order for the City Council to make a decision on the project, it must determine whether, the evidence presented in the administrative record substantially meets the following applicable required **Rezone findings**:

- The proposed rezone is consistent with the Zoning Code and the general plan and any applicable specific plan.

Tentative Tract Map No. 19351

Pursuant to Title 13, Section 13-29(g)(13), Findings, of the CMMC, in order for the City Council to make a decision on the project, it must determine whether the evidence presented in the administrative record substantially meets the following applicable required **Tentative Tract Map findings**:

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

- The proposed use of the subdivision is compatible with the general plan.

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

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

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

- The 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).

Master Plan

Pursuant to Title 13, Section 13-29(g)(5), Findings, of the CMMC, in order for the City Council to make a decision on the project, it must determine whether the evidence presented in the administrative record substantially meets the following applicable required **Master Plan findings**:

- 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.

- 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.

- 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.

Master Plan for Residential Incentive Overlay District

Pursuant to Title 13, Section 13-83.63(c), Findings, of the CMMC, in order for the City Council to make a decision of the project, it must determine whether the evidence presented in the administrative record substantially meets the following applicable required **Master Plan for Residential Incentive Overlay District findings**:

- The project is consistent with the General Plan and meets the purpose and intent of the residential incentive overlay district.

- The project includes adequate resident-serving amenities in the common open space areas and/or private open space areas in areas including, but not limited to, patios, balconies, roof terraces, walkways, and landscaped areas.

- The project is consistent with the compatibility standards for residential development in that it provides adequate protection for residents from excessive noise, odors, vibration, light and glare, toxic emanations, and air pollution.

- The proposed residences have adequate separation and screening from adjacent commercial uses through site planning considerations, structural features, landscaping, and perimeter walls.

Deviations from Residential Incentive Overlay District Development Standards

Pursuant to Title 13, Section 13-83.63(e), Findings, of the CMMC, in order for the City Council to make a decision on the project, it must determine whether the evidence presented in the administrative record substantially meets the following applicable required **Deviation from Residential Incentive Overlay District Development Standards findings**:

- Strict interpretation and application of the overlay district's development standards would result in practical difficulty inconsistent with the purpose and intent of the General Plan, while the deviation to the regulation allows for a development that better achieves the purposes and intent of the General Plan.

- The granting of a deviation results in a development which exhibits excellence in design, site planning, integration of uses and structures and compatibility standards for residential development.

- The granting of a deviation will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

ENVIRONMENTAL DETERMINATION:

A Draft Mitigated Negative Declaration (MND) has been prepared in accordance with the California Environmental Quality Act (CEQA). The MND examines the potential environmental impacts of the proposed project and focuses on the changes to the existing environment that would result from the proposed project. The MND examines all stages of the project, including construction and operation.

The MND evaluated the proposed project's potential environmental impacts on various topics (e.g., air quality, aesthetics, hydrology and water quality, land use, etc.) and identified specific mitigation measures to lessen environmental impacts whenever feasible. In accordance with CEQA Guidelines section 15072 the Draft MND was made available for a public comment period beginning on April 1, 2025, and ending at 5:00 p.m. on April 30, 2025. Copies of the Initial Study, the proposed MND, and supporting materials were available for public review at City Hall and other public facilities including online.

MND Including Response to Comments

A total of two comments were received from public agencies, one from the California Department of Transportation and the other from Department of Toxic Substances Control. Copies of all comments received and responses to the comments are provided as an attachment to this staff report. The Final MND consists of the response to comments, errata and Mitigation Monitoring and Reporting Program (MMRP). The response to comments is responses to the public comments received during the public review period of the Draft MND. The errata makes minor changes to the Draft MND that do not affect the overall conclusions of the environmental document. The MMRP is a comprehensive list of all mitigation measures identified in the Draft MND.

Summary of Significant Environmental Impacts and Mitigation Measures

The MMRP lists the mitigation based on each environmental topic with mitigation measures required in order to reduce the project's potentially significant impacts. The MMRP also specifies which City department is responsible for monitoring and ensuring compliance with the mitigations. The MMRP also includes timing of when the mitigation measure applies e.g. prior to issuance of building permits, during ground disturbance activities, etc. The MMRP includes mitigation measures for environmental impacts that were found to be less than significant with mitigation incorporated for the following environmental factors identified in the Draft MND:

- Geology and Soils
- Cultural Resources
- Transportation
- Hazards and Hazardous Materials
- Tribal Cultural Resources

ALTERNATIVES:

City Council alternatives include the following:

1. *Deny the project*. The City Council could accept the Planning Commission's recommendation and deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution. If the project is denied, the applicant could not submit substantially the same type of application for six months from the City Council's decision for denial.

2. *Approve the project.* The City Council could elect to adopt the MND and approve the General Plan Amendment, Rezone, Master Plan, and Tentative Tract Map, subject to conditions of approval and findings, and give first reading to the Ordinance for the Rezone. A set of draft decisions documents are attached if the City Council elects this option.

3. *Approval of the project with modifications*. The City Council may suggest specific project changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the hearing could be continued to a future meeting to allow a redesign or additional analysis. Should significant modifications occur, staff would return with a revised resolution and/or ordinance incorporating new findings and/or conditions for consideration by the City Council.

FISCAL REVIEW:

The City anticipates the following fees: 1) approximately $553,160 for Park Development Impact Fees, or a rate of $13,829 per unit for the development of the 40 units; 2) estimated Traffic Impact Fee of $20,315; 3) an approximate Drainage Impact Fee of $31,568; The project would also require building permit fees of approximately $101,005 and building plan check fees of approximately $6,006.

LEGAL REVIEW:

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

PUBLIC NOTICE:

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

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site on Wednesday, June 25, 2025. The required notice radius is measured from the external boundaries of the property.
2. **On-site posting.** A public notice was posted on the street frontage of the project site on Wednesday, July 2, 2025.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on Sunday, June 22, 2025.

Any public comments received for the July 15, 2025 City Council meeting, may be viewed at this link: CITY OF COSTA MESA - Calendar (legistar.com)

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the City Council Goals to “Diversify, stabilize and increase housing to reflect community needs”.

CONCLUSION:

Approval of the project would facilitate the development of 40 new for-sale condominium units, expanding homeownership opportunities and contributing to the City’s market-rate housing supply in alignment with the goals of the General Plan and Housing Element. The applicant has incorporated City Council feedback provided during the screening process, and the proposed development is consistent with the General Plan, Zoning Code, State Law, and all necessary findings can be made. The site is adequately served by existing infrastructure and falls within a Measure K corridor, which encourages new housing in commercial and industrial zones while preserving the character of existing residential neighborhoods. The residential use is compatible with surrounding land uses and is not anticipated to conflict with existing or future development. Inclusion of this site in the RIOD zone would provide a clear and flexible regulatory path to accommodate the proposed infill housing project without reliance on variances. The overlay is a deliberate planning tool designed to unlock housing potential along key corridors like Newport Boulevard, consistent with the City’s long-term land use and housing strategies. While staff initially recommended approval of the project based on its consistency with applicable standards and General plan, the Planning Commission ultimately recommended denial. As City Council is the final review authority, it may consider the Commission’s recommendation along with the staff analysis in determining whether to deny, approve,or approve the project with modifications.

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, DENYING A GENERAL PLAN AMENDMENT (PGPA-24-0001), MASTER PLAN (PMAP-24-0002), AND TENTATIVE TRACT MAP NO. 19351 FOR THE DEVELOPMENT OF 40 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 220, 222, 234, and 236 VICTORIA STREET ("VICTORIA PLACE")

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, a General Plan Amendment, Rezone, Tentative Tract Map, and Master Plan, was filed by Bundy-Finkel Architects, on behalf of WMC, LLC, requesting approval of the following: General Plan Amendment, Rezone, Master Plan, and Tentative Tract Map to facilitate the development of a 40-unit residential common interest development project located at 220, 222, 234, and 236 Victoria Street;

WHEREAS, pursuant to Costa Mesa Municipal Code (CMMC) Section 13-83.63(a) and City Council Policy 500-2, a project screening is required for all residential development proposals within the RIOD, as well as for any privately-initiated General Plan Amendment;

WHEREAS, a screening provides awareness of the application to the community and gives the City Council an opportunity to offer comments on the merits and appropriateness of the proposed development before the applicant submits the formal planning application(s);

WHEREAS, a screening for General Plan Amendment (PSCR-24-0001) and RIOD was conducted by the City Council August 6, 2024, pursuant to the requirements of the CMMC Section 13-83.63(a) and City Council Policy 500-2;

WHEREAS, a General Plan Amendment is required to modify the Land Use Element's maps, figures, text and tables to apply a RIOD zoning designation to the subject property, as the site currently has a land use designation of General Commercial, which does not allow residential development;

WHEREAS, General Plan Amendment (PGPA-24-0001) requested, the following revisions to the Land Use Element;

1. Figure LU-3 – apply the RIOD designation to the project site, without changing the underlying General Commercial land use designation
2. Figure LU-9 – amend text apply the RIOD designation to the project site
3. Table LU-16 – update the Newport Boulevard RIOD Density Column to 117 units and total combined units to 478 units and remove the Floor Area Ratio section as FAR no longer applies to the RIOD
4. Figure LU-11: *Residential Incentive Overlay: Newport Boulevard* by revising exhibits to show the RIOD designation to the project site and revising allowable maximum residential units to 117 units and removing commercial square footage

WHEREAS, based on the proposed General Plan Amendment, a Rezone is requested to establish consistency between the General Plan and Zoning Code and apply the RIOD zoning designation to the subject project site, currently zoned C2 – General Business District, to facilitate the residential development while maintaining the underlying commercial zoning;

WHEREAS, the Master Plan (PMAP-24-0002) proposes a 40-unit residential development and is consistent with and meets the objectives of the General Plan as market-rate housing is encouraged and is compatible with the existing commercial and residential uses nearby;

WHEREAS, the applicant proposes to deviate from the following development standards: increased floor area ratio; reduced common use open space; increased building height; reduce side setback; reduced rear setback; omit landscape parkways; reduced parking; reduced garage space; and reduced parking space next to buildings;

WHEREAS, Tentative Tract Map No. 19351 is a request to subdivide the property for future individual ownerships through the condominium subdivisions process;

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, pursuant to the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS/MND) including the Mitigation Monitoring and Reporting Program was prepared in compliance with CEQA and the local environmental review guidelines;

WHEREAS, on June 9, 2025, the Planning Commission recommended denial of the proposed project (in a vote 5-2), expressing concerns related to the project's reliance on deviations from development standards, its use of the residential overlay zoning district mechanism, and pedestrian safety;

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit B,the City Council hereby **RESOLVES** as follows:

1. **Deny** General Plan Amendment PGPA-24-0001 to modify the Land Use Element's maps, figures, text and tables to apply a RIOD zoning designation to the subject property, as the site currently has a land use designation of General Commercial, which does not allow residential development; and
2. **Deny** Master Plan PMAP-24-0002 for a 40-unit residential common interest development; and
3. **Deny** Tentative Tract Map No. 19351 to subdivide the properties for condominium purposes.

BE IT FURTHER RESOLVED that the City Council does hereby find and determine that the adoption of this Resolution is based on the findings that the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment, Rezone, Master Plan and Tentative Tract Map, as described in the staff report, are not consistent with the applicable provisions of the General Plan and Municipal Code, and therefore, the project is denied.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 15th day of July, 2025.

_____
John Stephens, Mayor

ATTEST: APPROVED AS TO FORM:

_____ _____
Brenda Green, City Clerk Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2025-xx and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 15th day of July, 2025, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 15th day of July, 2025.

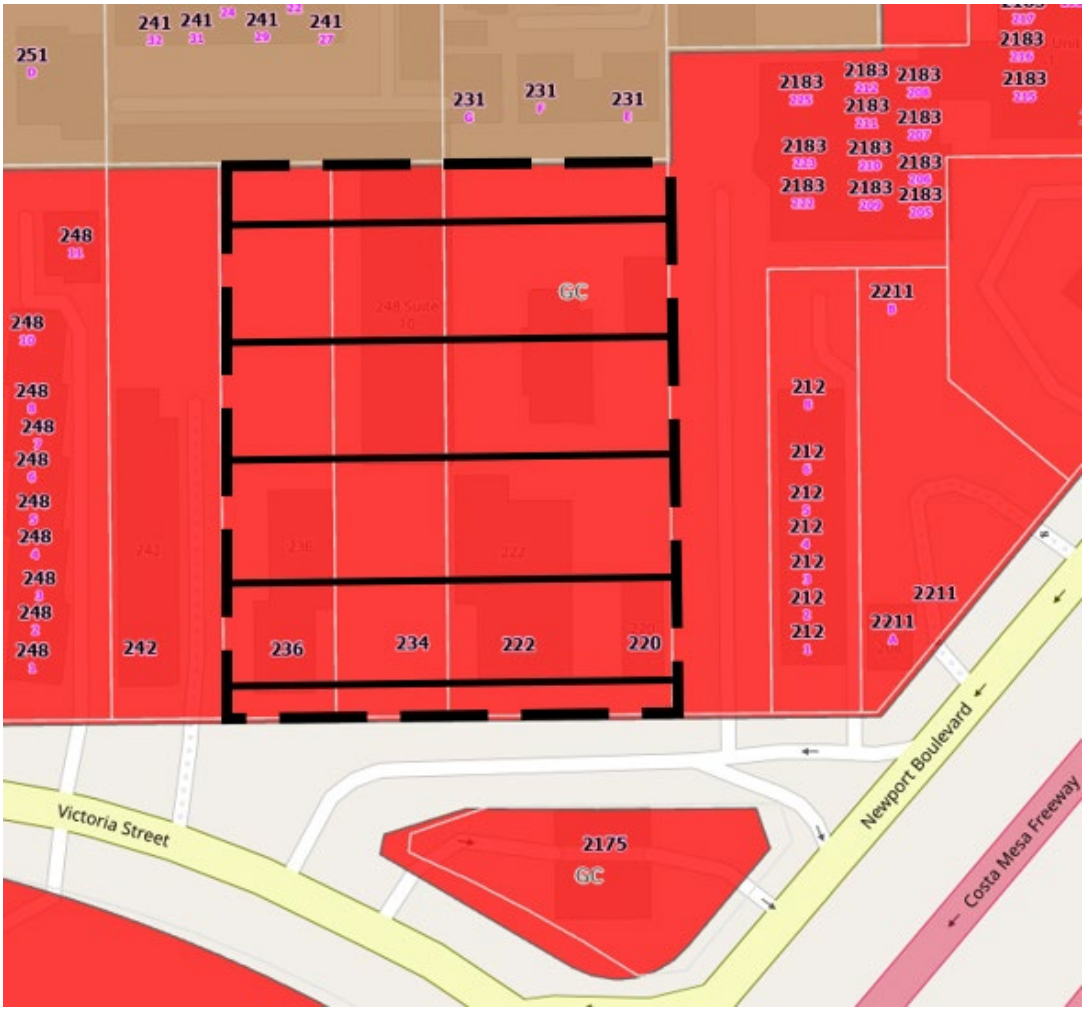
_____
Brenda Green, City Clerk

EXHIBIT A

GENERAL PLAN AMENDMENT PGPA-24-0001

Amendment to Land Use Map (Figure LU-3)

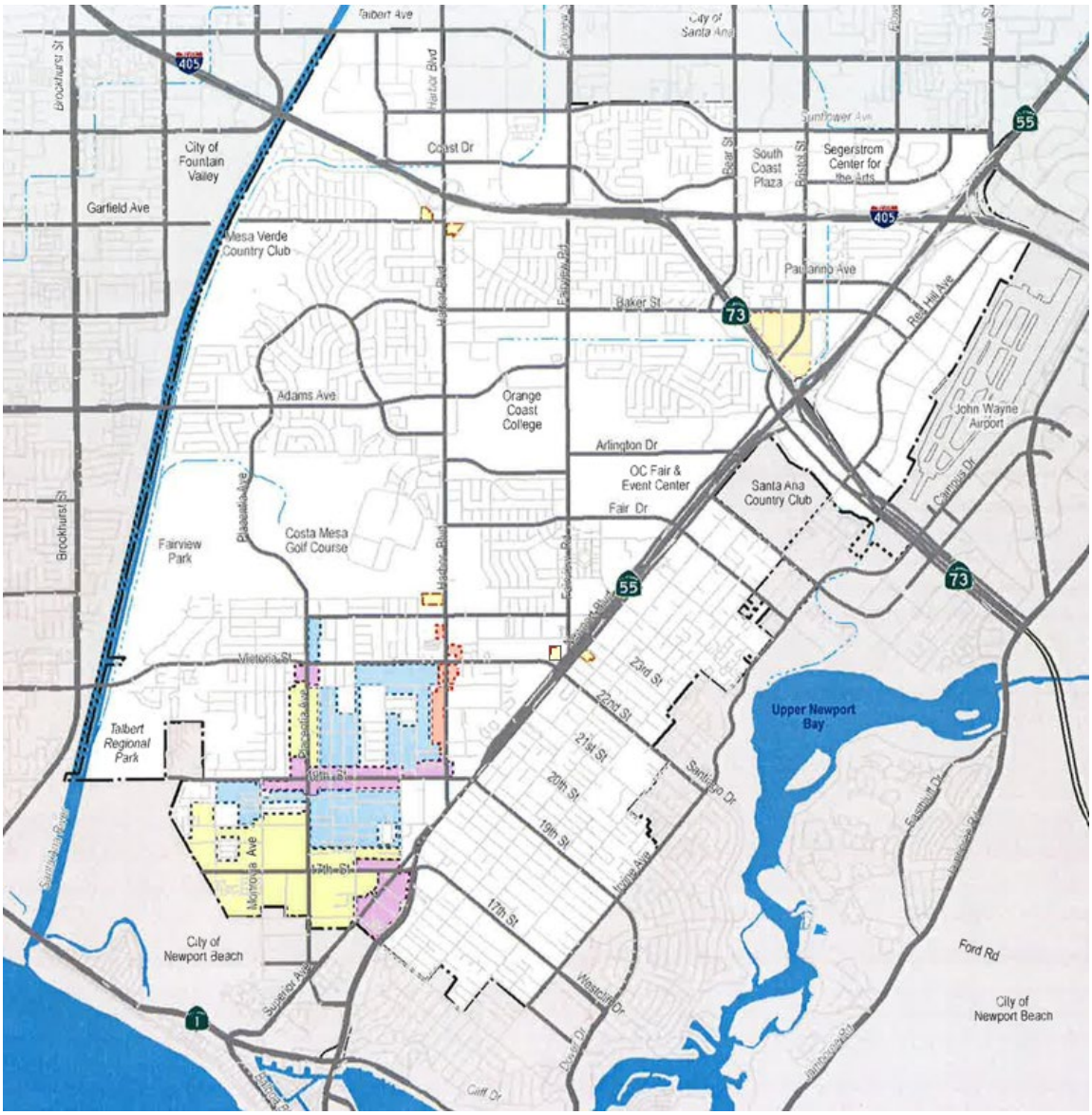
Update Land Use Map by applying the Residential Incentive Overlay District designation to the project site, without changing the underlying General Commercial land use designation:



Residential Incentive Overlay (30 du/ac)

Amendment to Overlays and Urban Plans (Figure LU-9)

Update Figure LU-9: *Overlays and Urban Plans* by applying the Residential Incentive Overlay District designation to the project site, without changing the underlying zone:



Residential Incentive Overlay (30 du/ac)

Amendment to Residential Incentive Overlay (Table LU-16)

Update Table LU-16: *Residential Incentive Overlay* by updating the Newport Boulevard Residential Incentive Overlay Density Column to 117 units and total combined units to 478 units and remove the Floor-Area Ratio (FAR) calculation as FAR no longer applies to the RIOD:

Categories		Baseline (2015)	Residential Incentive Overlay
Density (DU/AC)		N/A	30
Units	Harbor Boulevard	84	361
	Newport Boulevard	237	~~64~~ 117
	Total Units	321	~~425~~ 478
~~Floor-Area Ratio (FAR)~~			
~~Building Square Feet~~	~~Harbor Boulevard~~	~~162,500~~	~~149,976~~
	~~Newport Boulevard~~	~~582,200~~	~~43,208~~
	~~**Total Building Square Feet**~~	~~744,700~~	~~193,184~~

Amendment to Residential Incentive Overlay: Newport Boulevard (Figure LU-11)

Update Figure LU-11: *Residential Incentive Overlay: Newport Boulevard* by revising exhibits to show the Residential Incentive Overlay designation to the project site and revising allowable maximum residential units to 117 units and removing commercial square footage.

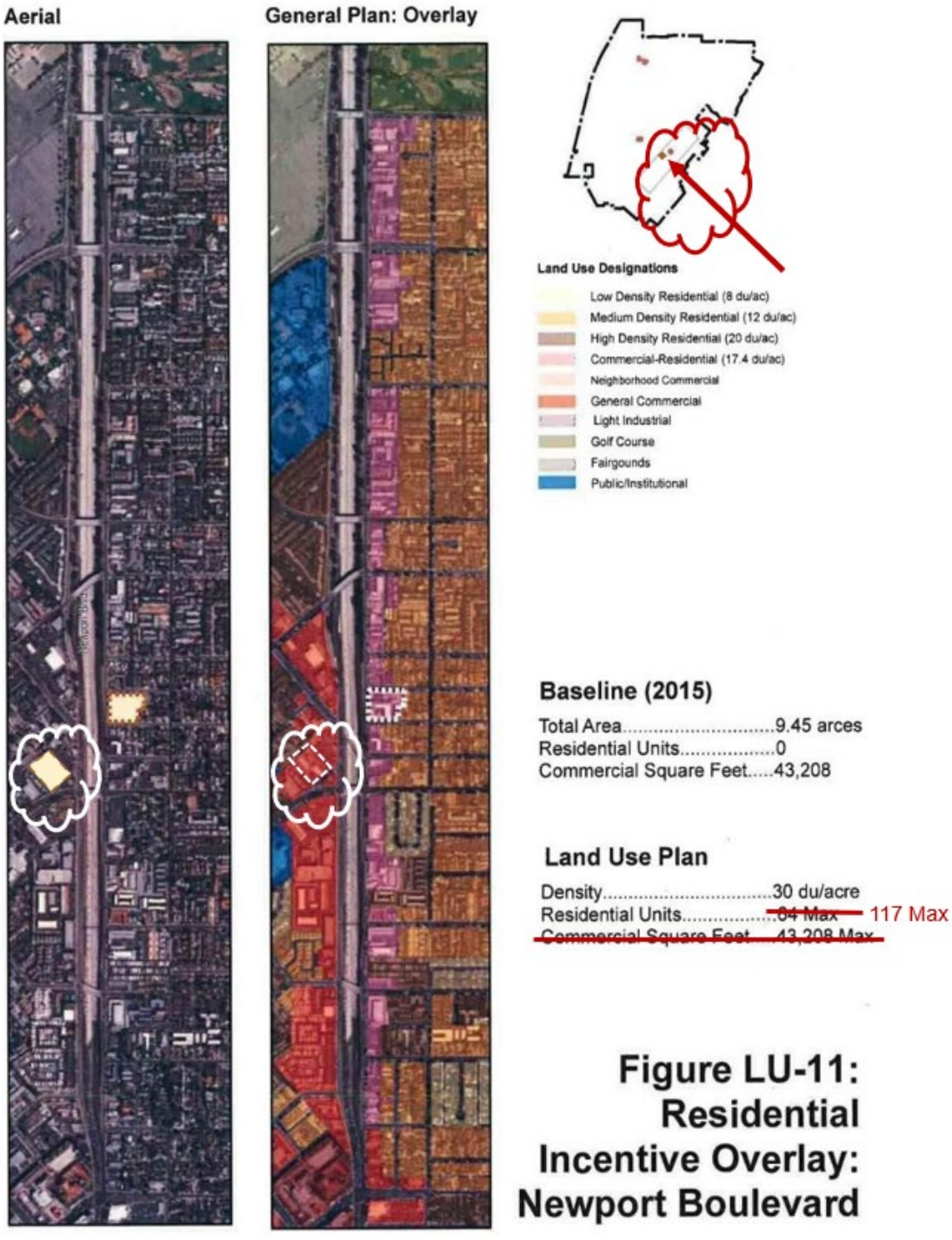


EXHIBIT B

FINDINGS

A. ***General Plan Amendment (PGPA-24-0001)***

According to Costa Mesa Municipal Code Section 13-29(g), there are no specific findings required for a General Plan Amendment. Such amendments are considered legislative actions and are subject to the discretion of the City Council. In this case, the proposed General Plan Amendment seeks to modify the Land Use Element's maps, figures, text, and tables to apply the Residential Incentive Overlay District (RIOD) designation to the subject property. The underlying land use designation of General Commercial would remain unchanged.

B. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(g)(11) "**Rezone Findings**" because:

Finding: The proposed rezone is consistent with the Zoning Code and the general plan and any applicable specific plan.

Facts in Support of Finding:

C. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(g)(13) – "**Tentative Tract Map Findings**" because:

***Finding: The creation of the subdivision and related improvements is consistent with the general plan, any applicable specific plan, and this Zone Code. proposed rezone is consistent with this Zoning* Code.**

Facts in Support of Finding:

Finding: The proposed use of the subdivision is compatible with the general plan.

Facts in Support of Finding:

Finding: 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.

Facts in Support of Finding:

Finding: 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

Facts in Support of Finding:

Finding: 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.

Facts in Support of Finding:

Finding: 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).

Facts in Support of Finding:

The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(g)(5) – "**Master Plan Findings**" because:

Finding: 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.

Facts in Support of Finding:

Finding: 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.

Facts in Support of Finding:

Finding: 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.

Facts in Support of Finding:

The proposed project does not comply with Title 13, Section 13-83.63(c) of the Costa Mesa Municipal Code "**Master Plan for Residential Incentive Overlay District Findings**" because:

Finding: The project is consistent with the General Plan and meets the purpose and intent of the residential incentive overlay district.

Facts in Support of Finding:

Finding: The project includes adequate resident-serving amenities in the common open space areas and/or private open space areas in areas including, but not limited to, patios, balconies, roof terraces, walkways, and landscaped areas.

Facts in Support of Finding:

D. ***Finding: The project is consistent with the compatibility standards for residential development in that it provides adequate protection for residents from excessive noise, odors, vibration, light and glare, toxic emanations, and air pollution.***

Facts in Support of Finding:

Finding: The proposed residences have adequate separation and screening from adjacent commercial uses through site planning considerations, structural features, landscaping, and perimeter walls.

Facts in Support of Finding:

The proposed project does not comply with Title 13, Section 13-83.63(e) of the Costa Mesa Municipal Code **"Deviation from Residential Incentive Overlay District Standards Findings"** because:

Finding: Strict interpretation and application of the overlay district's development standards would result in practical difficulty inconsistent with the purpose and intent of the General Plan, while the deviation to the regulation allows for a development that better achieves the purposes and intent of the General Plan.

Facts in Support of Finding:

Finding: The granting of a deviation results in a development which exhibits excellence in design, site planning, integration of uses and structures and compatibility standards for residential development.

Facts in Support of Finding:

Finding: The granting of a deviation will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Facts in Support of Finding:

December 26, 2024

Planning Department
City of Costa
Mesa 77 Fair
Drive
Costa Mesa, CA 92626

Subject: Request for Approval and Justification of Deviation for Master-Planned Residential Community on Victoria Place

To Whom It May Concern:

On behalf of WMC, LLC Partners, we respectfully submit this detailed application for the approval of a transformative development project located on approximately 1.78 acres of land along Victoria Place, within the City of Costa Mesa. The purpose of this application is to seek approval not only for the proposed Master-Planned Residential Community but also for specific deviations from the Residential Incentive Overlay District (RIOD) standards, which, if granted, will facilitate a project that more fully realizes the City's goals as outlined in the General Plan.

This new Residential Common Interest Development project represents a high-caliber residential community, designed to replace a blighted and underutilized commercial site with a sustainable, upscale, and cohesive neighborhood that integrates seamlessly with Costa Mesa's forward-thinking housing policies. Our proposed development aligns with the City's broader housing objectives by contributing much-needed residential units, providing energy-efficient, contemporary living spaces, and enhancing neighborhood aesthetics and quality of life.

Project Overview and Vision:

The proposed community comprises 40 three-story, single-family residences, each incorporating ground-floor office spaces to meet the modern demand for flexible, remote work environments. The homes are designed to provide 2,200 to 2,300 square feet of living space, merging form and function with thoughtfully appointed interiors, state-of-the-art appliances, and smart-home technologies. The community's layout includes 18 duplex units situated within the development's interior and four individual units facing Victoria Place. Each
residence will feature ground-level fenced yards, multiple balconies, and spacious rooftop decks, ensuring a balance of privacy and outdoor space while enhancing the community's overall appeal.

Site Conditions and Transformation Plan:

The site currently includes deteriorated retail structures and storage yards, which detract from the neighborhood's potential. By developing this blighted property into a secure, gated residential community, we are committed to improving both the visual and practical aspects of the neighborhood. This development is designed with an emphasis on sustainability, employing materials and energy systems intended to reduce environmental impact, which will contribute to both the residents' quality of life and the City's long-term environmental goals.

The proposed community will also support the City's urban development plan by fostering a

safe, modern, and family-friendly neighborhood. The project's contemporary design, coupled with elements of timeless architectural elegance, will ensure the community remains an attractive residential choice for future generations, enhancing Costa Mesa's residential profile.

Strategic Location and Accessibility:

Strategically located near major shopping centers, the Back Bay, the Costa Mesa Fairgrounds, Orange County Airport, and multiple freeway connections, this community provides residents with convenient access to a range of urban and recreational amenities. The project's unique combination of accessibility and high-quality design positions it as a distinguished development that enhances connectivity to Costa Mesa and the broader region while offering a premium living experience.

Zoning Compliance and Deviation Requests:

To achieve the City's residential growth targets, this project includes deviations from certain RIOD requirements, detailed below. These deviations are essential to maximize the development's potential and to create a residential space that aligns with Costa Mesa's housing, density, and community goals as outlined in the General Plan.

See Exhibit A for additional information on proposed deviations.

Parking:

RIOD Standard:

	Required	**Provided**
Covered Parking	40 spaces	80 garage spaces
Open Parking	90 spaces	23 spaces
Guest Parking	20 spaces	18 spaces
Total:	**150 spaces**	**103 spaces**

Parking Deficit: **47 spaces**

While the proposal includes a parking shortfall, we anticipate that our two-car garages, combined with strategically distributed guest parking, will adequately address the parking needs of residents and their visitors. The provision of ground-floor office spaces within each unit further suggests a reduced reliance on off-street parking, as residents will have dedicated workspaces at home.

The project also is within one-half mile of a High-Quality Transit Corridor as defined by the city, and therefore has a reduced parking demand due to easy access to public transit.

Open Space:

Type of Open Space RIOD Requirement - Proposed Solution:

	Required	Provided
Total Lot Area:		77,101 sq. ft. (1.77 acres)
Minimum Open Space:	30,840 sq. ft. (40% of total site)	32,437 sq. ft.
Common Use Open Space:	15,420 sq. ft. (50% of min.)	9,817 sq. ft.
Private Use Open Space:	Not specified	22,620 sq. ft.

The proposed development provides a total of 32,437 square feet of open space, exceeding the minimum requirement of 30,840 square feet. This open space includes thoughtfully designed communal amenities such as a barbecue area, a children's play area, a Flexible-Use Space, and an off-site park, all of which enhance the quality and appeal of the project. Additionally, the private open spaces—including individual yards, balconies, and roof decks—offer a total of 22,620 square feet, significantly surpassing common space requirements and ensuring ample opportunities for private enjoyment by residents.

The Flexible-Use Space is designed to serve as a large communal area for a variety of gatherings, including barbecues, mixers, holiday events, and other community-building activities, providing an enjoyable space for residents of all ages. Additionally, the new public off-site landscaped area on Victoria Place will feature over 5,500 square feet of landscaped area, benefiting not only the residents of this community but also those in the surrounding neighborhood. The park has been thoughtfully designed with seating areas, shade trees, lush landscaping, a bioswale, and other amenities, creating an inviting and functional addition to the streetscape along Victoria Street.

Building Setbacks Compliance and Proposed Deviations:

Based on the site's commercial zoning designation and the existing conditions along Victoria Street, the proposed setback deficiencies align with the established character of the surrounding area. Several nearby residential properties have setbacks closer to the street and side property lines than those proposed for this project. Therefore, the proposed setback is consistent with the development pattern in the City of Costa Mesa, particularly along Victoria Street, and is not expected to result in any adverse impacts on the neighborhood.

Justification for Requested Deviations

The strict application of RIOD standards would hinder this project's ability to achieve the intended number of units, which is a fundamental objective of Costa Mesa's General Plan. The City's General Plan specifically advocates for increased housing to address local demand, and adhering rigidly to the RIOD standards would result in a reduction of units, thereby undermining this goal.

The deviations requested in this application represent measured and necessary adjustments that enhance the community's design and functionality. Approving these adjustments will not only support the General Plan's intent to increase residential capacity but will also replace an area of urban blight with a thoughtfully planned residential environment. This development will revitalize the area along Victoria Place,

encouraging further redevelopment and economic growth in this underutilized corridor.

Community and Municipal Benefits:

Approving the requested deviations will enable a project that exemplifies excellence in site planning, architectural design, and community integration. This development prioritizes livability, security, and sustainability, aligning with Costa Mesa's commitment to public health, welfare, and environmental responsibility. The proposal upholds compatibility standards for residential developments, providing a model for future projects that seek to contribute positively to the City's urban landscape.

Conclusion:

We respectfully request that the City of Costa Mesa approve the proposed zoning adjustments and deviation requests, allowing us to proceed with a project that enhances the City's housing stock, addresses its General Plan objectives, and contributes to the economic and aesthetic revitalization of Victoria Place. We are committed to collaborating with the Planning Department and the City Council and Planning Commission to ensure this project fully aligns with Costa Mesa's vision for sustainable, high-quality urban growth.

We look forward to discussing this application in further detail at the Planning Commission hearing and to working in close coordination with City Staff to bring this transformative development to fruition. Please do not hesitate to reach out for further clarification on any aspect of this proposal.

Thank you for your attention and consideration of this proposal.

Sincerely,

Tony Weeda
WMC, LLC
Partners

DEVELOPMENT STANDARD	CODE	REQUIRED	PROVIDED	MEETS CODE
GENERAL REQUIREMENTS:				
MINIMUM LOT SIZE	RIOD	0.5 ACRES	1.77 AC.	YES
	RCID	N/A	N/A	N/A
MAXIMUM DENSITY	RIOD	30 UNITS PER ACRE	22.6 UNITS PER ACRE	YES
	RCID	N/A	N/A	N/A
F.A.R.	RIOD	N/A	N/A	N/A
	RCID	0.75	1.43	NO[1]
MAXIMUM BUILDING HEIGHT	RIOD	3 STORIES	3 STORIES / 39 FT 6 IN	YES
	RCID	2 STORIES / 27 FT.	3 STORIES / 39 FT 6 IN	NO[1]
OPEN SPACE:				
MINIMUM OPEN SPACE	RIOD	40% SITE AREA = 30,840 S.F.	34,578 S.F. (42%)	YES
	RCID	40% SITE AREA = 30,840 S.F.	34,578 S.F. (42%)	YES
	RIOD	40% SITE AREA = 30,840 S.F.	34,578 S.F. (42%)	YES
COMMON USE OPEN SPACE	RCID	COMMON OPEN SPACE AREAS SHALL BE DESIGNED AND LOCATED WITHIN THE DEVELOPMENT TO ALLOW MAXIMUM USE BY ALL RESIDENTS	BBQ/PLAY AREA CENTRALLY LOCATED AND FLEX SPACE	YES
PRIVATE OPEN SPACE	RIOD	PRIVATE DECKS OR PATIOS - MIN. 100 S.F. WITH NO DIMENSION LESS THAN 5 FT. (4,000 S.F.)	ROOF DECKS (9,175 SF)	YES
	RCID	AN ADJOINING PATIO REQUIRED WITH NO DIMENSION LESS THAN 10 FT.	ROOF DECKS (9,175 SF)	NO[1]
SETBACKS:				
FRONT (VICTORIA PLACE)	RIOD	20 FT.	20 FT.	YES
	RCID	20 FT.	20 FT.	YES
SIDE (EAST/WEST)	RIOD	20 FT.	7 FT. 6 IN.	NO[1]
	RCID	5 FT.	7 FT. 6 IN.	YES
REAR (NORTH)	RIOD	20 FT.	11 FT. 3 IN.	NO[1]
	RCID	20 FT. FOR 2-STORY STRUCTURES IN R2-MD AND R2-HD ZONES; 15 FT. FOR 2-STORY STRUCTURES IN R-3 ZONE; 10 FT. FOR ONE-STORY STRUCTURES	11 FT. 3 IN.	N.A[3]
LANDSCAPE PARKWAY (INTERIOR PRIVATE STREETS OR COMMON DRIVEWAYS)	RIOD	COMBINED 10 FT. WIDE; NO LESS THAN 3 FT. ON ONE SIDE	NONE	NO[1]
LANDSCAPE PARKWAY (INTERIOR PRIVATE STREETS OR COMMON DRIVEWAYS)	RCID	COMBINED 10 FT. WIDE, NO LESS THAN 3 FT. ON ONE SIDE. PARKWAY ON HOUSE SIDE OF PRIVATE STREET OR COMMON DRIVEWAY SHALL BE A MIN. OF 5 FT. WIDE	NONE	NO[1]

DEVELOPMENT STANDARD	CODE	REQUIRED	PROVIDED	MEETS CODE
PARKING:				
PARKING:	RESIDENTIAL TENANT COVERED PARKING (3 BEDROOMS)	1 SPACE x 40 UNITS = 40 SPACES		
	RESIDENTIAL TENANT COVERED PARKING (2 BEDROOMS)	2.25 SPACES x 40 UNITS = 90 SPACES		
	RESIDENTIAL GUEST PARKING	0.5 SPACES x 40 UNITS = 20 SPACES		
	TOTAL:	150 SPACES[3]	103 SPACES	NO[1]
	RIOD	N/A		N/A
STORAGE	RCID	EACH UNIT PROVIDES 200 CU.FT OF SECURABLE STORAGE EXTERIOR TO UNIT OR WITHIN GARAGE/CARPORT	390 CU. FT.	YES

1 DEVELOPMENT STANDARD DEVIATIONS ARE ALLOWED THROUGH A MASTER PLAN APPROVAL PROCESS
2 THE DEVELOPMENT IS COMPRISED OF 3-STORY RESIDENTIAL UNITS AND IS NOT LOCATED WITHIN THE R2-MD, R2-HD, OR R-3 ZONE, THEREFORE, HAS NO REAR SETBACK
3 TENANT OPEN PARKING CAN BE REDUCED BY 0.25 SPACE FOR 1-BEDROOM AND LARGER UNITS IF THE COVERED PARKING IS PROVIDED WITHIN EITHER A CARPORT OR PARKING STRUCTURE; THEREFORE, CALCULATION INCLUDES A 0.25 REDUCTION

SUMMARY OF DEVIATIONS:

1. FLOOR AREA RATIO (FAR): THE RCID ALLOWS A MAXIMUM FAR OF 0.75, HOWEVER, THE PROJECT EXCEEDS THIS AT 1.43. THE PROJECT COMPLES WITH THE RIOD DENSITY STANDARD OF 30 DU/ACRE, PROPOSING 22.6 DU/ACRE.

2. COMMON USE OPEN SPACE: THE PROJECT PROPOSES 32% OPEN SPACE INSTEAD OF THE REQUIRED 50% UNDER RIOD STANDARDS, THEREBY NECESSITATING A DEVIATION.

3. BUILDING HEIGHT THE RCID LIMITS BUILDING HEIGHT TO TWO STORIES, HOWEVER, THE PROJECT COMPLIES WITH THE RIOD'S ALLOWANCE OF THREE STORIES.

4. SIDE SETBACK: THE PROJECT MEETS THE RCID SIDE SETBACK OF 5 FT., HOWEVER, DEVIATES FROM RIOD REQUIREMENT OF 20 FT.

5. REAR SETBACK: THE PROJECT DOES NOT COMPLY WITH RCID REAR SETBACK STANDARDS AND DEVIATES FROM THE RIOD 20 FT. STANDARD AS THE DEVELOPMENT CONSISTS OF THREE-STORY RESIDENTIAL UNITS AND IS OUTSIDE THE RS-MD, RS-HD AND R-3 ZONES.

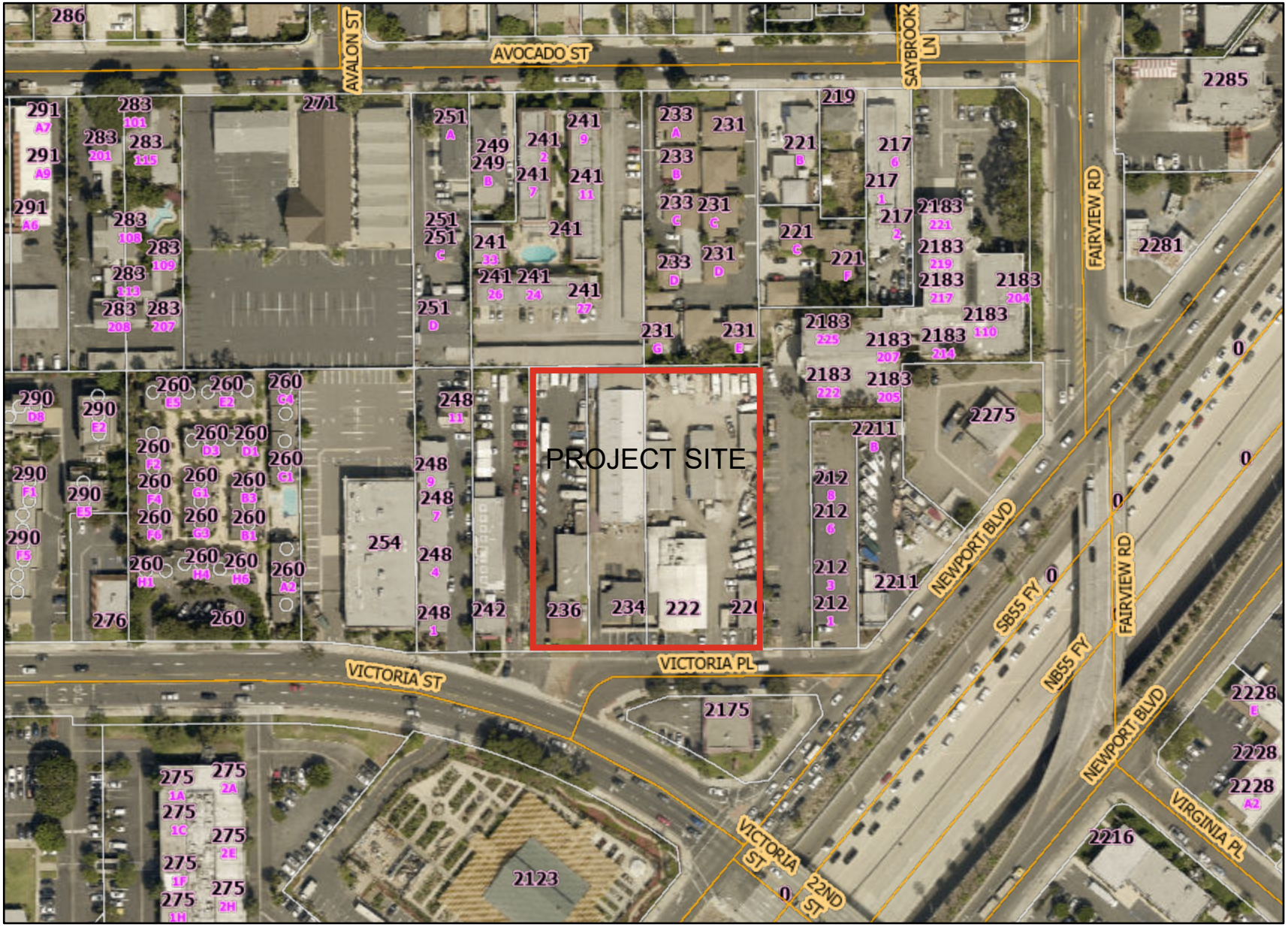
6. LANDSCAPE PARKWAY: A DEVIATION IS REQUIRED AS THE LANDSCAPE PARKWAY ON COMMON DRIVEWAYS IS OMITTED TO PRESERVE UNIT COUNT AND OPTIMIZE DRIVE-AILSE FUNCTIONALITY. THE PROJECT MAINTAINS DESIGN EXCELLENCE WITH AMPLE LANDSCAPE AND INTEGRATED AMENITIES.

8. MINIMUM PARKING REQUIREMENTS: A DEVIATION FROM THE REQUIRED PARKING STANDARDS IS PROPOSED TO ALIGN WITH THE PROJECT DESIGN AND UNIT NEEDS.

9. PARKING STALLS BETWEEN BUILDINGS: A DEVIATION IS NEEDED FOR THE 10 FT. 6 IN. SPACE REQUIREMENT BETWEEN BUILDINGS AS SOME STALLS (OPEN OR CARPORT) DO NOT MEET THIS STANDARD.

Vicinity Map

ATTACHMENT 3



Legend

- City Limit
- Streets
- Addresses
- Silver

N W E S

0 0.03 0.05 0.1 mi

The City of Costa Mesa makes no guarantee as to the accuracy of any of the information provided and assumes no liability for any errors, omissions, or inaccuracies.

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Zoning Map

ATTACHMENT 4



Legend

- City Limit
- Streets
- Addresses
- Silver

Zoning

- AP - Administrative Professional
- IR-MLT - Institutional Recreational Multi-Use
- R1 - Single-Family Residential
- R2-MD - Multiple-Family Residential, Medium Density
- R2-HD - Multiple-Family Residential, High Density
- R3 - Multiple Family Residential
- MG - General Industrial
- MP - Industrial Park
- PDI - Planned Development Industrial
- C1 - Local Business
- C2 - General Business
- C1-S - Shopping Center
- TC - Town Center
- PDR-NCM - Planned Development Residential - North Costa Mesa
- I&R - Institutional Recreactional
- I&R-S - Institutional Recreational - School
- P - Parking

N W E S

0 0.03 0.05 0.1 mi

The City of Costa Mesa makes no guarantee as to the accuracy of any of the information provided and assumes no liability for any errors, omissions, or inaccuracies.

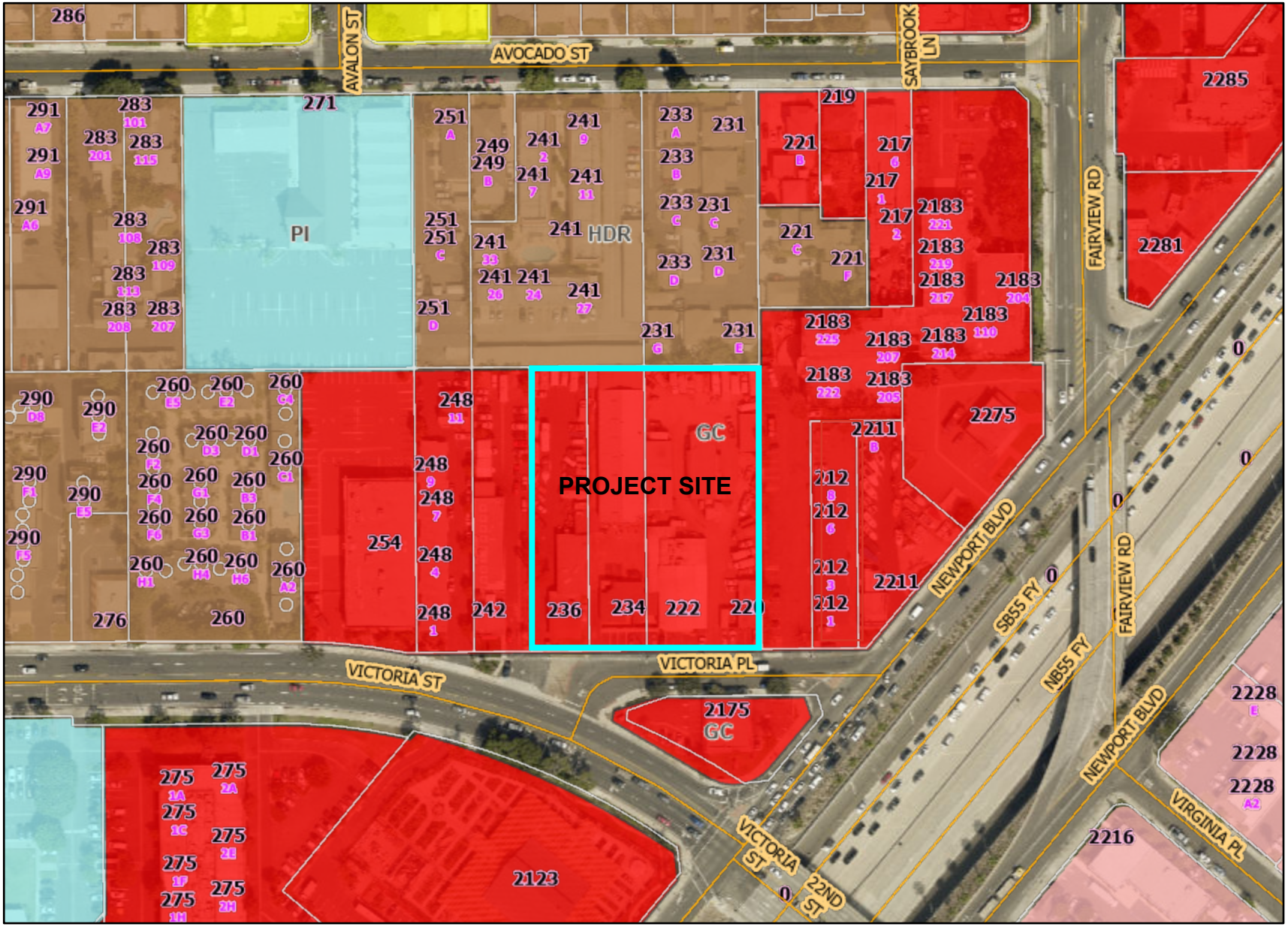
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Costa Mesa

Land Use Map

ATTACHMENT 5



Legend

- City Limit
- Streets
- Addresses
- Silver

Land Use

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial Residential
- General Commercial
- Commercial Center
- Neighborhood Commercial
- Regional Commercial
- Urban Center Commercial
- Cultural Arts Center
- Light Industry
- Industrail Park
- Golf Course
- Fairgrounds
- Public/Institutional

N W E S

0 0.03 0.05 0.1 mi

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CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 12
1750 East 4th Street, Suite 100 | SANTA ANA, CA 92705
(657) 328-6000 | FAX (657) 328-6522 TTY 711
https://dot.ca.gov/caltrans-near-me/district-12

April 28, 2025

Mr. Victor Mendez
City of Costa Mesa
778 Fair Drive
Costa Mesa, CA 92626

File: LDR/CEQA
SCH# 2025031168
LDR LOG #2025-02783
SR-55

Dear Mr. Mendez,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Initial Study for a Mitigated Negative Declaration for the proposed Victoria Place Project. The project proposes to develop a 40-unit residential common interest development community comprising of 18 duplexes and four detached units fronting Victoria Place. The 76,923-square foot lot area (or approximately 1.77 acres) would be developed with 18 duplexes, or 36 units, with a square footage of 2,751 square feet per unit (which includes 425-square feet of space available for a home office on the ground floor). The project would also construct four detached units. The four detached, situated along Victoria Place, would have a square footage of 2,751-square feet per unit (which includes 427 square feet of space available for a home office on the ground floor). Proposed utility connections, landscaping improvements, and circulation improvements would also be installed. Proposed City entitlements include General Plan Amendment (PGPA-24-0001), a Zoning Code Amendment, Tentative Tract Map (TTM No. 19351), and a Master Plan. The project site is approximately 1.77 acres and is located at 220, 222, 234, and 236 Victoria Street in the southern portion of the City of Costa Mesa and the nearest state facility is SR-55.

The mission of Caltrans is Improving lives and communities through transportation. Caltrans is a responsible agency on this project and has the following comments:

1. The project scope includes new sidewalks along the project frontage at Victoria Place, which would allow pedestrian access to the project. However, the project's Conceptual Site Plan (Exhibit 2-30), does not show any designated pedestrian walkways to each unit. This may create vehicle-pedestrian conflict. If feasible, consider adding pedestrian walkways to each unit.

2. The project is increasing the number of residential units in the area. This may increase pedestrian activity in the area. To enhance pedestrian safety and connectivity to the Downtown/Triangle District, consider installing high visibility crosswalks at the intersection of Victoria Place/Newport Boulevard and Victoria Place/Victoria Street.

3. During construction, please ensure that appropriate detours and safety measures are in place to prioritize the mobility, access, and safety of bicyclists, pedestrians, and transit users. If adjacent sidewalks or bike lanes need to be closed during construction, please ensure that closures and detours are clearly signed.

4. On page 4.17-1 of the IS/MND, Caltrans looks forward to City's further discussion about existing transit services for all on local, intercounty and regional bus services, including the connectivity to rail services from the nearest train stations, provided by Metrolink and/or Amtrak Pacific Surfliner.

5. Provide discussion about the City's multimodal mobility strategies and opportunities to connect and/or expand transit services locally and regionally such as continuous coordination with OCTA.

6. Encourage the use of transit among future residents, visitors, and workers of the proposed areas of developments. Increasing multimodal transportation will lead in a reduction to congestion, Vehicle Miles Traveled and improve air quality.

7. Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. Prior to submitting to Caltrans Permit's branch, applicant should fill out Applicant's Checklist to Determine Applicable Review Process (QMAP List) Form TR-0416 to determine if project oversight/coordination with Caltrans Project Manager is needed. If coordination is not required, please submit an encroachment permit application package (EPAP) through the Caltrans Encroachment Permit System (CEPS - https://ceps.dot.ca.gov/). EPAP should include application, PE signed and stamped site-specific traffic control plan, insurance, letter of authorizations as needed, and any other relevant documents. EPAP should be submitted as early as possible to avoid any delays.

8. Project plans and traffic control plans must be stamped and signed by a licensed engineer. For all plans, including traffic control plans, Caltrans R/W lines should be clearly labeled, which includes existing and proposed (if there are any changes to Caltrans R/W), the north arrow, the edge of pavement, and edge of the sidewalk, if applicable. When submitting the application, please include final Environmental Clearance Documentation, relevant design details including design exception approvals and construction and drainage plans, traffic control plans, traffic management plan and traffic impact study if proposed traffic delay of 30 minutes above normal recurring traffic delay is anticipated, any Caltrans R/W certifications if needed, maintenance agreement as needed, shoring plans for any excavation 5-feet or more, ADA certification, and any letter of authorizations.

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Maryam Molavi, at Maryam.Molavi@dot.ca.gov.

Sincerely,

Scott Shelley (Apr 28, 2025 14:38 PDT)

Scott Shelley
Branch Chief – Local Development Review/Climate Change/Transit Grants
District 12

Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Katherine M. Butler, MPH, Director
8800 Cal Center Drive
Sacramento, California 95826-3200
dtsc.ca.gov

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

April 3, 2024

Victor Mendez
Senior Planner
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626
Victor.Mendez@costamesaca.gov

RE: MITIGATED NEGATIVE DECLARATION FOR VICTORIA PLACE PROJECT DATED MARCH 26, 2025, STATE CLEARINGHOUSE NUMBER 2025031168

Dear Victor Mendez,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the Victoria Place Project (Project). The Project proposes to develop a 40-unit residential development community comprising of 18 duplexes and four detached units. The 76,923-square foot lot area would be developed with 18 duplexes, or 36 units. The Project would also construct four detached units. Proposed City entitlements include a General Plan Amendment (24-0001), a Zoning Code Amendment, Tentative Tract Map (No. 19351), and a Master Plan.

DTSC recommends and requests consideration of the following comments:

1. The Phase II Environmental Site Assessment indicated if the use of the property is changed to more sensitive uses such as residential, care stations, schools or childcare, further subsurface soil and soil gas investigations and health risk assessments may be required. Mitigation Measure HAZ-1 stated a Soil Management Plan (SMP) will be prepared and implemented during earthwork redevelopment activities in case soil impacts are encountered during grading and excavation activities. As part of this SMP, any on-site

contaminated soils, including soils that could potentially be imported to the site, would be assessed to confirm that they are handled in compliance with all applicable regulatory guidance. DTSC does not recommend a SMP be used as a primary cleanup plan.

DTSC recommends that any potential contamination be fully characterized and then remediated under the oversight of a self-certified local agency, DTSC or a Regional Water Quality Control Board as a SMP alone cannot sufficiently identify and document the potential contaminants that may pose a threat to human health and the environment. DTSC recommends that a cleanup plan, a Removal Action Workplan or Remedial Action Plan, be prepared to adequately address all site impacts after complete characterization. If entering into one of DTSC's cleanup plans such as a voluntary agreement, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: Request for Agency Oversight Application. Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact your Regional Brownfield Coordinator.

2. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in DTSC's Preliminary Endangerment Assessment Guidance Manual. Additionally, DTSC advises referencing the DTSC Information Advisory Clean Imported Fill Material Fact Sheet if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting DTSC's Human and Ecological Risk Office (HERO) webpage.

DTSC appreciates the opportunity to comment on the DEIR for Victoria Place Project. Thank you for assisting in protecting California's people and the environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via CEQA Review email for additional guidance.

Sincerely,

Dave Kereazis

Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

cc: (via email)

Governor's Office of Land Use and Climate Innovation
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Kristen Bogue
Project Manager
Michael Baker International
kbogue@mbakerintl.com

Tony Weeda
Project Applicant
WMC LLC
tweeda@sbcglobal.net

Tamara Purvis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

Scott Wiley
Associate Governmental Program Analyst
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov

VICTORIA PLACE

222 VICTORIA STREET
COSTA MESA, CA 92627





PROJECT DIRECTORY:

CLIENT:
WMC LLC
8015 Chrystal Court
Anaheim, CA 92336
Attn: Tony Weeda
Phone: 714.329.2405
Email: tweeda@sbcglobal.net

ARCHITECT:
Bundy-Finkel Architects
1120 Bristol St., Ste. 120
Costa Mesa, CA 92626
Phone: (714) 850-7575
Attn: Richard Finkel
Email: rfinkel@bundyfinkel.com

CIVIL ENGINEER:
CA Engineering, Inc.
13821 Newport Ave., Ste. 110
Tustin, CA 92780
Attn: Fred Cornwell
Phone: (949) 724-9480
Email: fcornwell@ca-eng.net

LANDSCAPE ARCHITECT:
Studio Berzunza
5000 Birch St., Ste. 3000
Newport Beach, CA 92660
Attn: Vladimir Berzunza
Phone: (714) 795-8080
Email: vladimir@studioberzunza.com

Deferred Submittals:

- Fire Alarm System
- Fire Sprinklers

Sheet Index:

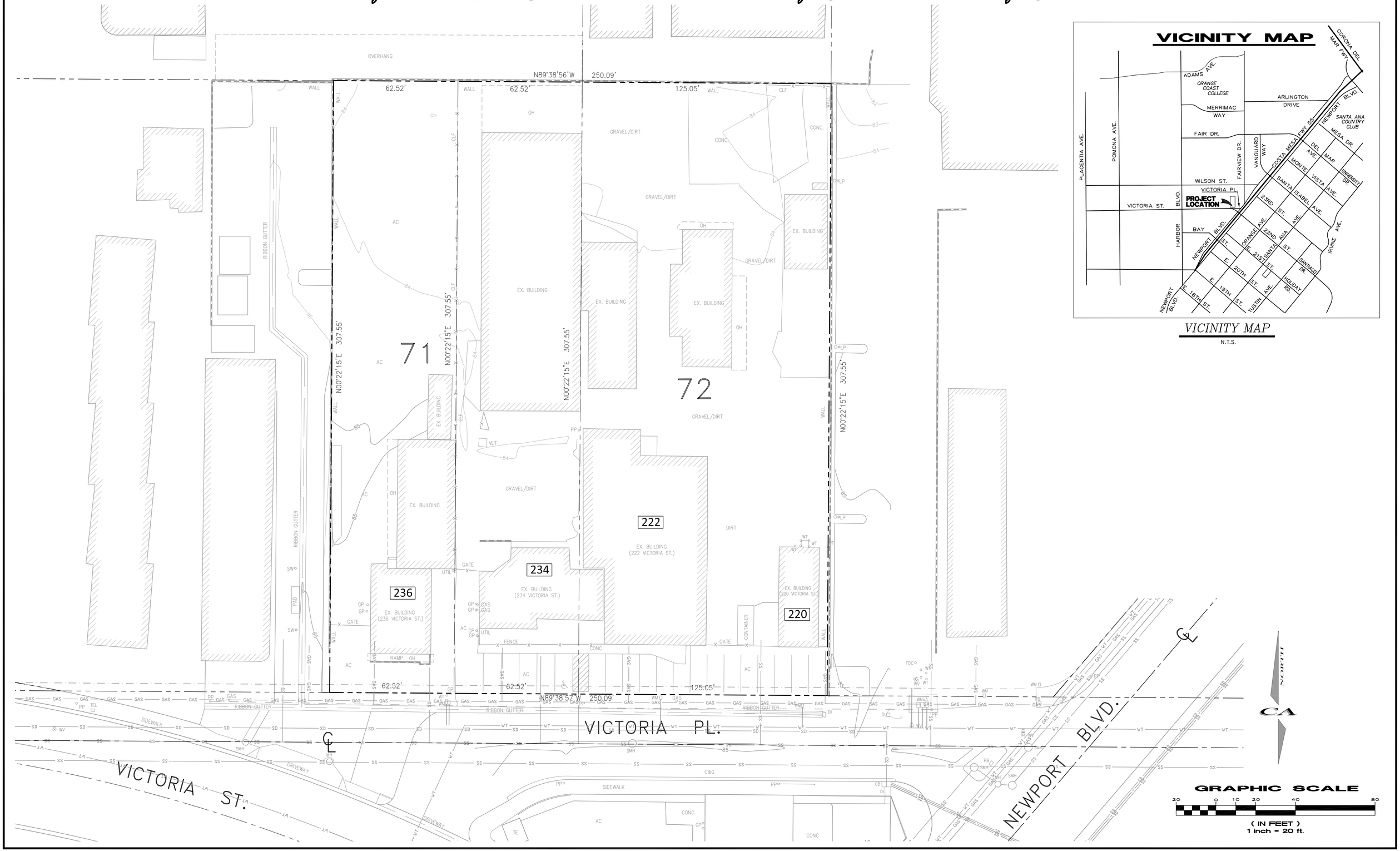
COVER		A2.1	FLOOR PLAN - TYPICAL DUPLEX UNIT
1 of 1	TOPOGRAPHY MAP	A2.2	FLOOR PLAN - TYPICAL DETACHED UNIT
1 of 1	CONCEPTUAL GRADING & UTILITY PLAN	A3.1	OVERALL ELEVATIONS
1 of 1	TENTATIVE TRACT MAP	A3.2	VICTORIA PLACE - STREET ELEVATIONS
1 of 1	WATER QUALITY MANAGEMENT PLAN	A3.3	TYPICAL DETACHED UNIT ELEVATIONS
1 of 1	WATER IMPROVEMENT PLAN	A3.4	TYPICAL DUPLEX UNIT ELEVATIONS
1 of 1	HYDROLOGY MAP	A4.1	3D IMAGES
1 of 1	SIDEWALK EXTENSION EXHIBIT	L1.00	PLANTING PLAN
1 of 1	CONSTRUCTION MANAGEMENT PLAN EXHIBIT	L1.01	SCHEMATIC IRRIGATION PLAN (DETAIL)
A0.1	SITE PHOTOS	L1.02	PLANT SCHEDULES
A1.1	SITE PLAN	L2.00	SCHEMATIC IRRIGATIOIN PLAN (OVERALL)
A1.2	WASTE MANAGEMENT PLAN		

CITY COUNCIL SUBMITTAL

BUNDY-FINKEL ▪ Architects
1120 ◦ BRISTOL STREET ◦ STE 120
COSTA MESA ◦ CA 92626
TEL 714 ◦ 850 ◦ 7575
FAX 714 ◦ 850 ◦ 7576

TOPOGRAPHY MAP

220, 222 & 234 Victoria Place, Costa Mesa, CA



VICINITY MAP

N.T.S.

GRAPHIC SCALE

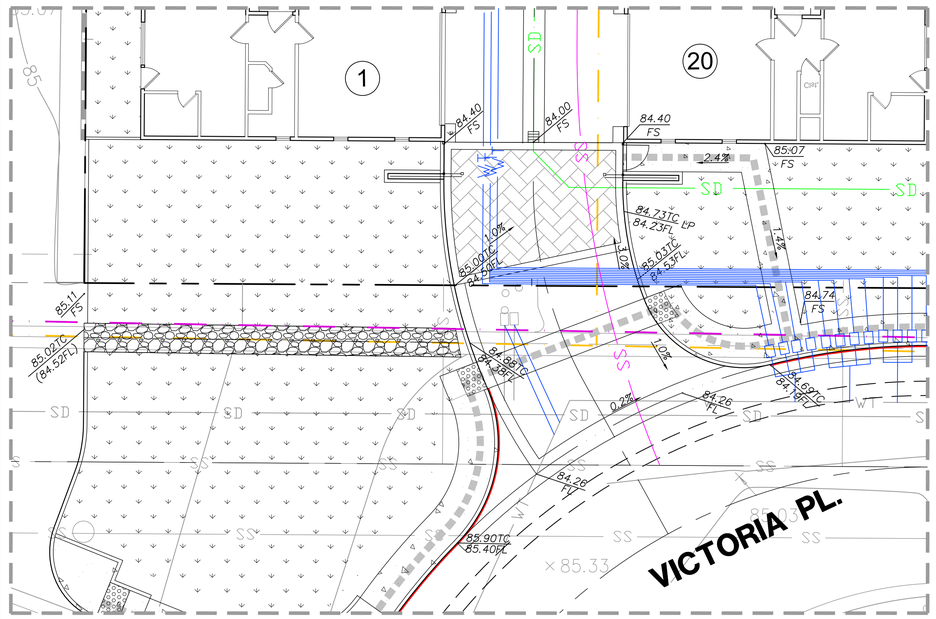
20 0 10 20 40 80

(IN FEET)

1 inch = 20 ft.

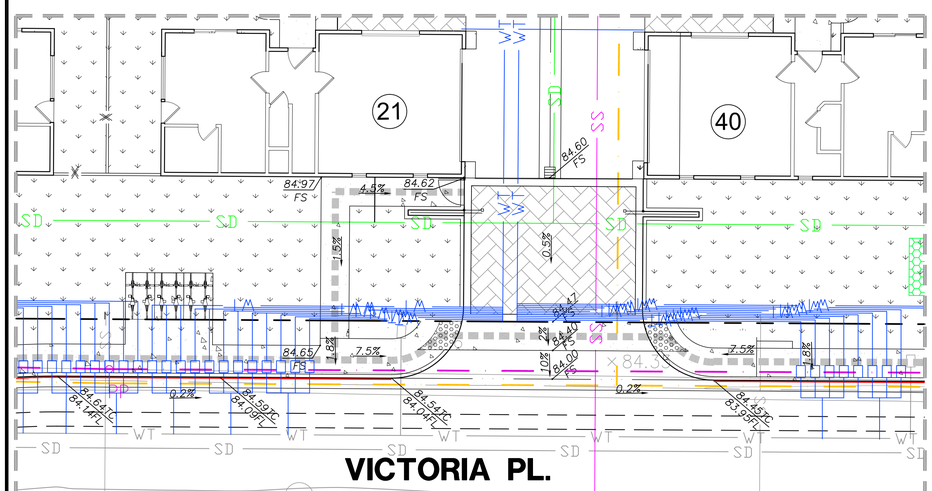
CONCEPTUAL GRADING AND UTILITY PLAN

Victoria Place, Costa Mesa, CA



DETAIL "A"

SCALE : 1"=10'



DETAIL "B"

SCALE : 1"=10'



LEGAL DESCRIPTION

THE EASTERLY ONE HALF OF LOT 71 OF TRACT NO. 57, AS PER MAP RECORDED IN BOOK 10, PAGE 3, MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY.

LOT 72 OF TRACT NO. 57, AS PER MAP RECORDED IN BOOK 10, PAGE 3, MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY.

APN: 419-111-19 & 20

LEGEND

- BOUNDARY LINE
- PROP. CURB
- EX. CURB
- PROPOSED SEWER — SS —
- EXISTING SEWER — SS —
- PROPOSED WATER — WT —
- PROPOSED WATER METER
- EXISTING WATER — WT —
- PROPOSED STORM DRAIN — SD —
- EXISTING STORM DRAIN — SD —
- RED CURB
- ADA PATH
- PROPOSED EDISON CONDUIT
- EXISTING EDISON ABOVE GROUND
- MODULAR WETLANDS
- UNIT NUMBER — (38)

FL — FLOW LINE
P — PAD ELEVATION
FF — FINISH FLOOR
FS — FINISH SURFACE
GFF — GARAGE FINISH FLOOR
HP — HIGH POINT
LP — LOW POINT

NORTH

CA

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

GENERAL NOTES

1. EXISTING LAND USE: GENERAL COMMERCIAL
2. EXISTING ZONING: C-2 GENERAL BUSINESS
3. PROPOSED ZONING: RESIDENTIAL INCENTIVE OVERLAY DISTRICT (RIOD)
4. WATER SERVICE PROVIDED BY: MESA WATER DISTRICT
5. ELECTRIC SERVICE PROVIDED BY: SOUTHERN CALIFORNIA EDISON COMPANY
6. SEWER SERVICE PROVIDED BY: COSTA MESA SANITARY DISTRICT
7. NATURAL GAS SERVICE PROVIDED BY: THE GAS COMPANY
8. FEMA FLOOD ZONE: ZONE X – FLOOD MAP 06059 C0268J
9. GROSS AREA 1.77 AC. / NET AREA 1.77 AC.
10. SEE PWQMP FOR WATER QUALITY BMP's
11. STORM DRAINS, STREET AND LANDSCAPING SHALL BE MAINTAINED BY THE H.O.A.
12. TOTAL NUMBER OF UNITS = 40

ADDRESS

220, 222, 234 & 236 Victoria Street
Costa Mesa , CA 92626
A.P.N. 419-111-19, 20, & 21

SUBDIVIDER/OWNER

WMC, L.L.C.
1024 Bayside Dr., #109
Newport Beach, CA 90660
(714) 329-2405
Contact: Tony Weeda

PREPARED BY:

CA ENGINEERING, INC.
Planning Engineering · Surveying
4101 BIRCH ST., STE 140
NEWPORT BEACH, CA 92660
949-724-9480

REGISTERED PROFESSIONAL ENGINEER FRED CORNWELL No. 45591 Exp. 12/31/24 CIVIL STATE OF CALIFORNIA

S:\121-6 Victoria Place, Costa Mesa\CON GRADE\121-6 CON GRADE 6.dwg Last Modified: 11 Feb 2025 - 3:34pm
Plotted on: 11 Feb 2025 - 3:42pm by cwood

300

TENTATIVE TRACT MAP NO. 19351
FOR CONDOMINIUM PURPOSES



LEGAL DESCRIPTION

LOT 71–72 OF TRACT NO. 57, AS PER MAP RECORDED IN BOOK 10, PAGE 3, MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY.

APN: 419–111–19, 20, & 21

LEGEND

- BOUNDARY LINE
- PROP. CURB
- EX. CURB
- PROPOSED SEWER — SS —
- EXISTING SEWER — SS —
- PROPOSED WATER — WT —
- PROPOSED WATER METER
- EXISTING WATER — WT —
- PROPOSED STORM DRAIN — SD —
- EXISTING STORM DRAIN — SD —
- RED CURB
- PROPOSED EDISON CONDUIT
- EXISTING EDISON ABOVE GROUND
- MODULAR WETLANDS

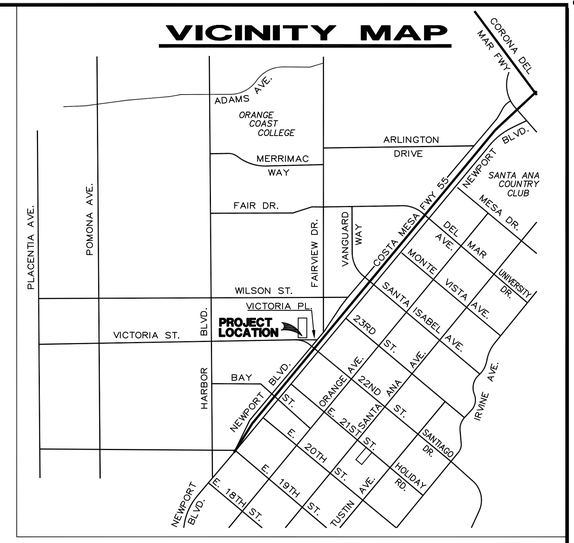
UNIT NUMBER — (38)

FL — FLOW LINE
P — PAD ELEVATION
FF — FINISH FLOOR
FS — FINISH SURFACE
GFF — GARAGE FINISH FLOOR
HP — HIGH POINT
LP — LOW POINT

GENERAL NOTES

1. EXISTING LAND USE: GENERAL COMMERCIAL
2. EXISTING ZONING: C–2 GENERAL BUSINESS
3. PROPOSED ZONING: RESIDENTIAL INCENTIVE OVERLAY DISTRICT (RIOD)
4. WATER SERVICE PROVIDED BY: MESA WATER DISTRICT
5. ELECTRIC SERVICE PROVIDED BY: SOUTHERN CALIFORNIA EDISON COMPANY
6. SEWER SERVICE PROVIDED BY: COSTA MESA SANITARY DISTRICT
7. NATURAL GAS SERVICE PROVIDED BY: THE GAS COMPANY
8. FEMA FLOOD ZONE: ZONE X – FLOOD MAP 06059 C0268J
9. GROSS AREA 1.77 AC. / NET AREA 1.77 AC.
10. SEE PWQMP FOR WATER QUALITY BMP's
11. STORM DRAINS, STREET AND LANDSCAPING SHALL BE MAINTAINED BY THE H.O.A.
12. TOTAL NUMBER OF UNITS = 40
13. LOT AND BOUNDARY DIMENSIONS ARE APPROXIMATE.
14. PROPOSED UNITS:
    LOTS 1: 40 CONDO UNITS
15. TRACT TO BE GRADED IN ONE PHASE.
16. ACCESS TO THE SITE IS FROM VICTORIA PL.

VICINITY MAP



VICINITY MAP
N.T.S.

NORTH

CA

GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

STATEMENT OF OWNERSHIP

I HEREBY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY SUPERVISION AND THAT THE OWNERS OF RECORD HAVE KNOWLEDGE OF AND CONSENTS TO THE FILING OF THIS MAP.

REGISTERED PROFESSIONAL ENGINEER FRED CORNWELL No. 45591 CIVIL STATE OF CALIFORNIA

FRED CORNWELL RCE 45591 DATE

REVISIONS	BY	DATE

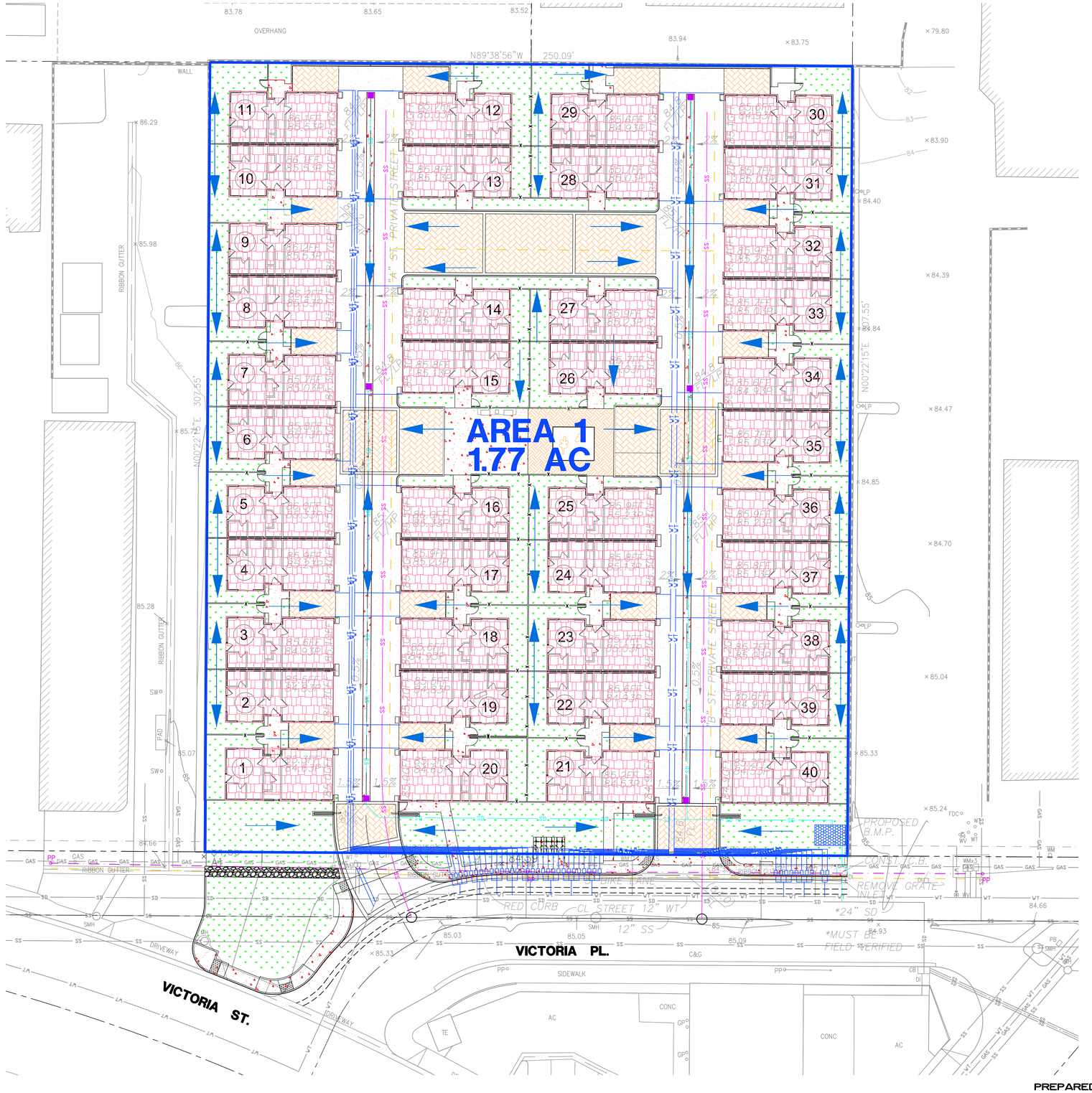
ADDRESS
220, 222, 234 & 236 Victoria Street
Costa Mesa , CA 92626
A.P.N. 419–111–19, 20, & 21

SUBDIVIDER/OWNER
WMC, L.L.C.
1024 Bayside Dr., #109
Newport Beach, CA 90660
(714) 329–2405
Contact: Tony Weeda

PREPARED BY:
CA ENGINEERING, INC.
Planning Engineering · Surveying
4101 BIRCH ST., STE 140
NEWPORT BEACH, CA 92660
949-724-9480

S:\727-6 Victoria Place, Costa Mesa \CON GRADE \727-6 CON GRADE 6.dwg Last Modified: 11 Feb 2025 - 3:34pm
© Plotted on: 11 Feb 2025 - 3:34pm by cwest

301



LEGEND: STRUCTURAL / TREATMENT BMPS

- LANDSCAPE AREA EFFICIENT IRRIGATION
  LANDSCAPE AREA RUNOFF-MINIMIZING DESIGN
- MODULAR WETLANDS
- FLOW PATTERN
- DRAINAGE AREAS **A1**
- BUILDING PAD AREAS
- CONCRETE (DRIVEWAY/GUTTERS/SIDEWALKS)
- ASPHALT CONCRETE DRIVE AISLES
- ENHANCED PAVING
- CATCH BASINS W/ INSERT FILTERS & STENCIL SIGNAGE
- SEWER
- WATER
- STORM DRAIN

PROJECT DATA:

TOTAL SITE AREA OF PROPOSED DEVELOPMENT: 1.77 AC (76,916 SF)

BUILDING FOOTPRINT: 34,036 SF
DRIVE AISLES & LOADING AREA: 18,798 SF
CONCRETE HARDSCAPE/OTHER: 8,257 SF

15,825 SF LANDSCAPING
(20.6% PERVIOUS AREA)

CURRENT USE: COMMERCIAL
PROPOSED USE: RESIDENTIAL

WATERSHED:
NEWPORT BAY-NEWPORT COASTAL STREAMS WATERSHED

WATER QUALITY CALCULATIONS
AREA 1: MODULAR WETLANDS UNIT SIZING

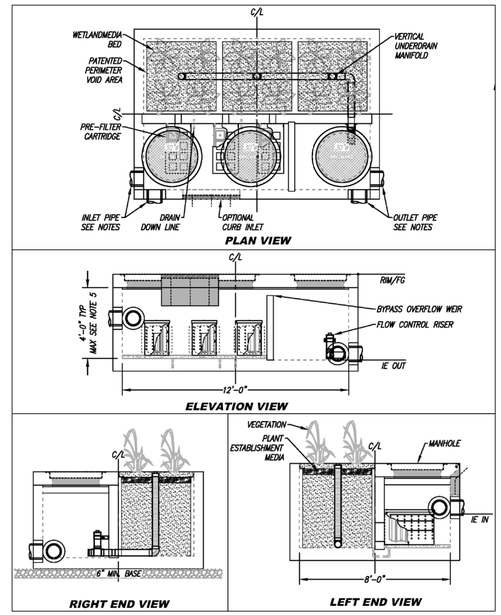
AREA 1 – 76,916 SF / 1.77 AC (79.4% IMPERVIOUS)
DESIGN FLOWRATE (Qd) = C * DI * DA * 43,560 / (12in/ft x 3600sec/hr)
RUNOFF COEFFICIENT (C) = 0.75 * Imp% + 0.15 = 0.75 * 0.794 + 0.15 = 0.75
DI = DESIGN INTENSITY (in/hr) = 0.26 in/hr
DA = DRAINAGE AREA: 1.77 AC
DESIGN FLOWRATE (Qd) = 0.75 * 0.26in/hr * 1.77 AC * 43,560 / (12in/ft x 3600sec/hr)
= 0.348 cfs

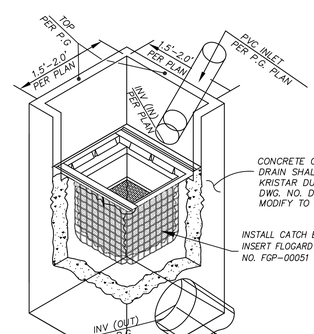
MODULAR WETLANDS SELECTED SIZING : MWS-L-8-12-V-HC (8' x 12' BOX)
HIGH CAPACITY MODEL – 3.50
TREATMENT FLOW RATE (Qf) = 0.357 cfs
TREATMENT FLOW RATE (Qf) > DESIGN FLOWRATE (Qd)
0.357 cfs > 0.348 cfs

BMP LOCATIONS

BMP#1 – MWS (LAT: 33.652724° / LONG: -117.908822°)

MODULAR WETLANDS (MWS-L-8-12-V-HC) DETAIL





CATCH BASIN FILTER INSERT DETAIL
GRATED INLET

FILTER PER FLOGARD PLUS, DWG. NO. FGP-00051

NORTH

CA

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

PREPARED BY:

CA ENGINEERING, INC.
Planning • Engineering • Surveying
4101 BIRCH ST., STE 140
NEWPORT BEACH, CA 92660
949-724-9480 949-724-9484 FAX

OWNER:

WMC, L.L.C.
1024 Bayside Dr., #109
Newport Beach, CA 90660
Contact: Tony Weeda
(714) 329-2405

Feb 11 2025

WATER QUALITY MANAGEMENT PLAN
BMP EXIBIT (SITE PLAN)
A.P.N. 419-111-19, 20, & 21
220, 222, 234 & 236 Victoria Street
Costa Mesa , CA 92626

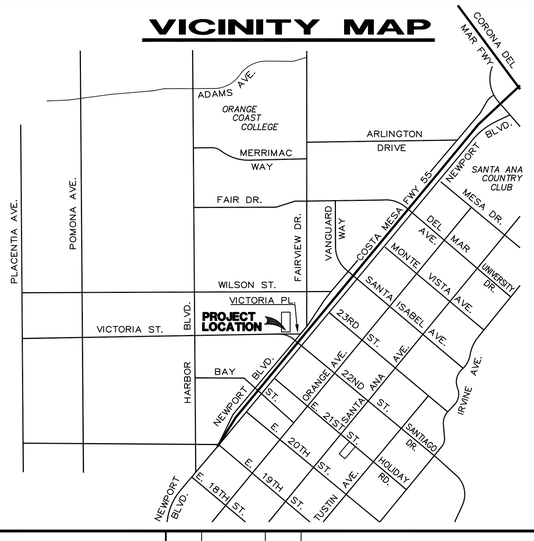
SHEET 1 OF 1

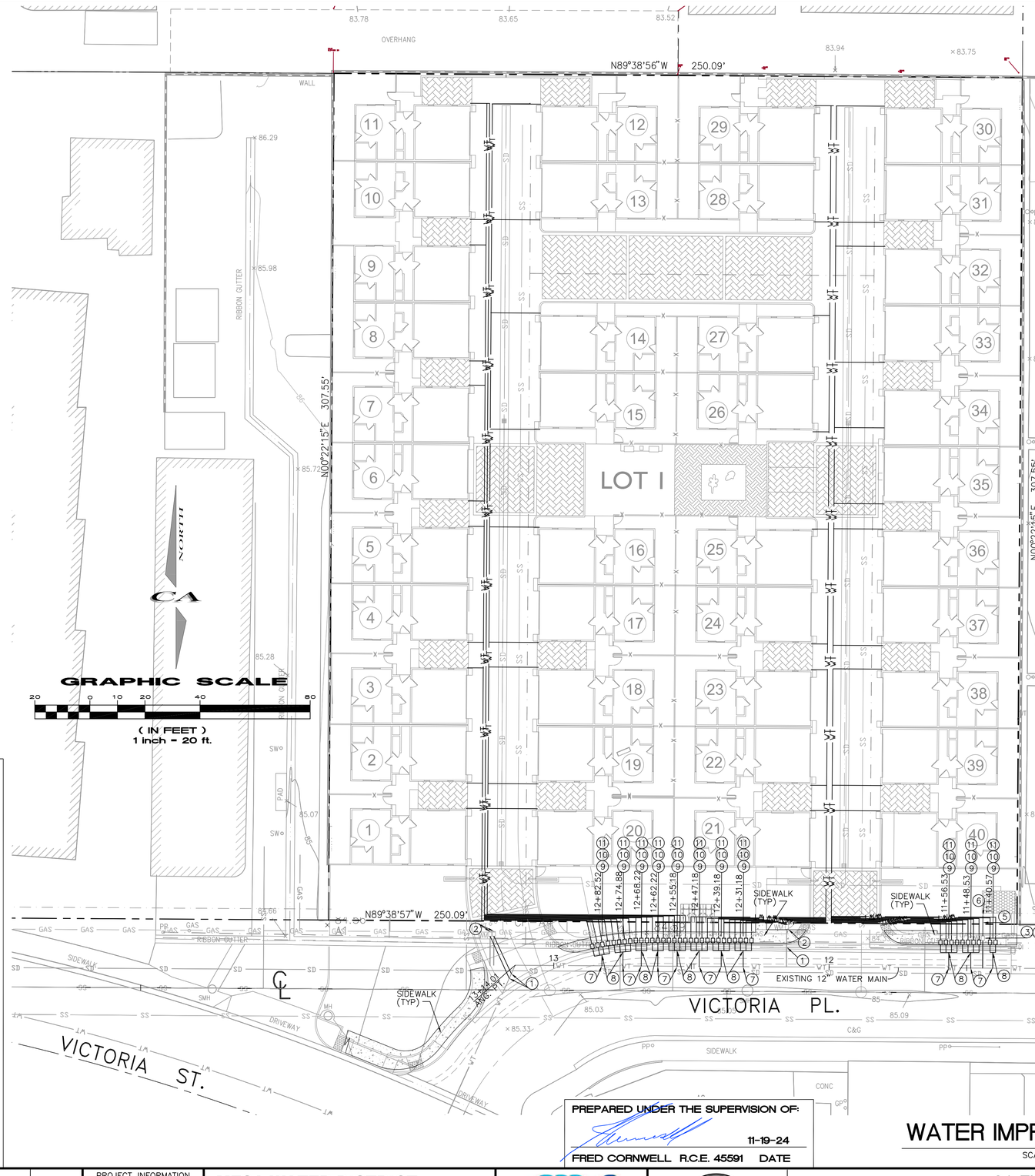
S:\27-6 Victoria Place, Costa Mesa\WQMP\27-6 WQMP SITE PLAN.dwg Last Modified: 11 Feb 2025 – 3:39pm
Plotted on: 11 Feb 2025 – 4:06pm by cesar

MESA WATER DISTRICT STANDARD WATER NOTES:

1. ENGINEERING PLAN CHECK/INSPECTION FEE AND PERFORMANCE GUARANTEE BOND SHALL BE PAID AND APPLICATION/PERMIT (A.P.) COMPLETED BY THE APPLICANT PRIOR TO THE PLANS AND ISSUANCE OF THE A.P. FEE SHALL BE IN ACCORDANCE WITH MESA WATER RATES AND DEPOSIT SCHEDULE.
2. CAPACITY CHARGES SHALL BE COLLECTED BY MESA WATER AT THE TIME OTHER FEES ARE COLLECTED PRIOR TO APPROVAL OF PLANS AND SERVICE AGREEMENT. THIS FEE SHALL BE IN ACCORDANCE WITH MESA WATER RATES AND DEPOSIT SCHEDULE.
3. WATER MAINS SHALL BE INSTALLED ACCORDING TO THE LATEST STANDARDS AND SPECIFICATION OF MESA WATER.
4. CONTRACTOR TO HAVE, ON THE JOB SITE, A COPY OF THE LATEST STANDARD SPECIFICATIONS AT ALL TIMES.
5. CONTRACTOR SHALL SCHEDULE INSPECTIONS A MINIMUM OF 24 HOURS IN ADVANCE AND IN ACCORDANCE WITH THE INSPECTION CHECKLIST REQUIREMENTS. THE SCHEDULE AN INSPECTION, CALL (949) 207-5518.
6. A CASH PERFORMANCE GUARANTEE BOND SHALL BE HELD ONE YEAR AFTER MESA WATER'S NOTICE OF COMPLETION TO GUARANTEE WORK PERFORMANCE BY THE CONTRACTOR.
7. SEPARATION BETWEEN SANITARY SEWER AND WATER MAINS SHALL BE A MINIMUM OF 10' HORIZONTAL, 1' VERTICAL (ABOVE SEWER)
8. A 15' WATER MAIN EASEMENT SHALL BE GRANTED TO MESA WATER FOR MAINTENANCE PURPOSES, 5' FOR WATER SERVICES (7.5' EACH SIDE OF MAIN; 2.5' EACH SIDE OF SERVICE). EASEMENT DOCUMENTS ARE TO BE SUBMITTED TO MESA WATER FOR APPROVAL PRIOR TO A PERMIT BEING ISSUED.
9. SERVICE LATERALS SHALL BE SET TO GRADE BY CONTRACTOR PRIOR TO THE INSTALLATION OF WATER METERS AND BOXES PER MESA WATER STANDARD DRAWINGS 1, 2, & 3.
10. WATER METER SHALL NOT BE INSTALLED NOR WATER TURNED ON UNTIL THE BACKFLOW DEVICES REQUIRED FOR THE BUILDING AND IRRIGATION SYSTEMS HAVE BEEN INSTALLED, TESTED, APPROVED, AND CERTIFIED. CONTACT CROSS CONNECTION CONTROL AT (949) 631-1291.
11. PROTECT EXISTING UTILITIES IN PLACE.
12. WATER MAINS SHALL HAVE 42" MINIMUM COVER TO FINISH GRADE.
13. RAISE EXISTING WATER VALVE COVERS TO GRADE PER MESA WATER STANDARD DRAWING 14.
14. INSTALL FIRE HYDRANT PER MESA WATER STANDARD DRAWING 4, 4A, AND 4B.
15. INSTALL BLOW-OFF PER MESA WATER STANDARD DRAWING 9.
16. WATER MAINS SHALL BE TESTED AT 225 PSI FOR FOUR HOURS.
17. BACKFILL MATERIAL IN PIPE ZONE SHALL HAVE A SAND EQUIVALENT OF 30 OR GREATER.
18. THE BACKFILL ABOVE THE PIPE ZONE SHALL BE COMPACTED PER MESA WATER STANDARD DRAWING 18 AND BE IN COMPLIANCE WITH THE CITY OF COSTA MESA STANDARD DRAWING 813.
19. CHIP 2" "W" IN CURB FACE TO IDENTIFY WATER SERVICE LOCATION.
20. INSTALL THRUST AND GRAVITY BLOCKS PER MESA WATER STANDARD DRAWING 11 AND 12.
21. CONTRACTOR SHALL VERIFY DEPTH AND LOCATION OF ALL UTILITIES PRIOR TO TRENCHING.
22. CONTRACTOR SHALL INSTALL TEMPORARY TAPS FOR TESTING AND CHLORINATION PRIOR TO CONNECTING TO EXISTING MAINS.
23. CONTRACTOR, AT THEIR EXPENSE, SHALL RETURN ALL REMOVED EQUIPMENT TO MESA WATER YARD AND DISPOSE OF OTHER MATERIAL, INCLUDING BUT NOT LIMITED TO A.C.P., BROKEN CONCRETE, AND NATIVE SOIL.
24. WATER METERS AND BOXES SHALL BE INSTALLED BY MESA WATER BUT PAID FOR BY THE APPLICANT/OWNER.
25. A REDUCED PRESSURE PRINCIPLE ASSEMBLY SHALL BE REQUIRED ON ALL METERED WATER SERVICES TO ANY CONDOMINIUM UNIT OVER TWO STORES OR FIVE OR MORE UNITS ON ONE METERED WATER SERVICE. CONTACT CROSS CONNECTION CONTROL AT (949) 631-1291.
26. IRRIGATION METERS SHALL REQUIRE A REDUCED PRESSURE PRINCIPLE ASSEMBLY.
27. IN LANDSCAPED AREAS, NO TREES SHALL BE LOCATED IN MESA WATER EASEMENT OR WITHIN 7.5' OF ANY MESA WATER FACILITY.
28. A REDUCED PRESSURE PRINCIPLE ASSEMBLY SHALL BE REQUIRED ON METERED WATER SERVICES TO ALL INDUSTRIAL BUILDINGS.
29. A DOUBLE CHECK DETECTOR ASSEMBLY WITH COMBINATION FLOW METER WILL BE REQUIRED ON FIRE LINE SERVICES, PER MESA WATER STANDARD DRAWING 17.
30. FIRELINE SERVICES SHALL NOT BE TURNED ON UNTIL THE MESA WATER ENGINEERING DEPARTMENT HAS RECEIVED A LETTER FROM THE OWNER, OF OWNER'S AUTHORIZED AGENT, REQUESTING IT AND STATION THAT THE PLUMBING IS READY FOR THE FIRELINE TO BE TURNED ON. THE LETTER SHALL ALSO CONTAIN MESA WATER'S FILE NUMBER, SIZE, AND SERIAL NUMBER OF THE DEVICE, AND PROJECT ADDRESS.
31. IF A 13D SPRINKLER SYSTEM IS NOT A FLOW THROUGH SYSTEM, THEN A TESTABLE BACKFLOW DEVICE SHALL BE INSTALLED NEXT TO THE BUILDING. MESA WATER INSPECTOR SHALL VERIFY FLOW THROUGH SYSTEMS BY TURNING OFF THE HOUSE VALVE AND CHECKING FOR FLOW THROUGH CONNECTION (I.E. TOILET OR SINK).

VICINITY MAP





KEY NOTES

1. Mesa Water District will disconnect and remove 5/8-inch meter.
2. Owner's Contractor to abandon existing water service per Mesa Water District Standard Drawing No. 34.
3. Mesa Water District shall furnish and install a new 1-inch Badger HR-E radio read meter with cellular end points per Mesa Water District Standard Drawing No. 3. Meter will remain locked off until the new 1-inch lead free RPPD backflow preventer is ready to be test and certified per Key Note No. 5.
4. Owner's Contractor to make the downstream connection from the new 1-inch meter to new 1-inch RPPD lead free backflow preventer per Key Note No. 13. Owner will be required to make all applicable landscaping and concrete sidewalk repairs per City of Costa Mesa Standard Drawing No. 813.
5. Owner's Contractor to furnish and install new 1-inch lead free RPPD backflow preventer per Mesa Water District Standard Drawing No. 23 as close to meter as possible but remaining in private right of way for irrigation purposes only.
6. Owner's Contractor to make the downstream connection from the new 1-inch RPPD lead free backflow preventer to the landscaping point of connect.
7. Owner's Contractor shall construct 2-inch water service connection per Mesa Water District Standard Drawings 2, 18 and 19 and City of Costa Mesa Standard Drawings No. 813.
8. Owner's Contractor shall construct 2-inch manifold per Mesa Water District Standard Drawings 7, 18 and 19 and City of Costa Mesa Standard Drawings No. 813.
9. Owner's Contractor shall prepare site for forty (40) new #5-meter box to be provide by Mesa Water District. Forty (40) new #5-meter boxes shall be back of curb per Mesa Water District Std Dwg. No. 3. New meter boxes cannot be in driveway or driveway approach.
10. Mesa Water District will furnish and install forty (40) new #5-meter boxes and forty (40) new 1" meters per Mesa Water District Std Dwg. No. 3. Meter boxes and meters installation shall be upon Owner's Contractor request. Meters once installed shall remain shut off and locked until the fire protection system can be tested and passes.
11. Owner's Contractor shall furnish and install new water line from forty (40) new 1-inch meter to supply lines to forty (40) residences. Owner's Contractor will be required to make all concrete sidewalk repairs per City of Costa Mesa standards
12. City of Costa Mesa Public Works Inspection is required prior to issuance of building final. At the time of inspection, if any of existing public improvements surrounding the site is damaged; new curb & cutter and street pavement will be required.
13. An approved encroachment permit from the City of Costa Mesa is required for all work within the public right-of-way from City Public Works Department.

TOTAL IRRIGATED LANDSCAPE=7,090 S.F.

FIRE PROTECTION SYSTEM SHALL BE NFPA13D PASSIVE PURGE (I.E. FLOW THROUGH) SYSTEM APPROVED BY COSTA MESA FIRE & RESCUE.

PREPARED UNDER THE SUPERVISION OF:

11-19-24

FRED CORNWELL R.C.E. 45591 DATE

WATER IMPROVEMENT PLAN

SCALE: 1"=20'

DIGALERT CALL TOLL FREE 1-800-227-2600 TWO WORKING DAYS BEFORE YOU DIG Underground Service Alert

REV.	DATE	BY	DESCRIPTION	APPROVED	DATE

PROJECT INFORMATION

DATE	DESIGN
FILE NO.	DRAWN
DRAWING NO.	CHECKED

MESA WATER DISTRICT

C0584-25-01

DISTRICT ENGINEER ____ DATE ____

MesaWater DISTRICT

REGISTERED PROFESSIONAL ENGINEER FRED CORNWELL No. 45591 CIVIL STATE OF CALIFORNIA

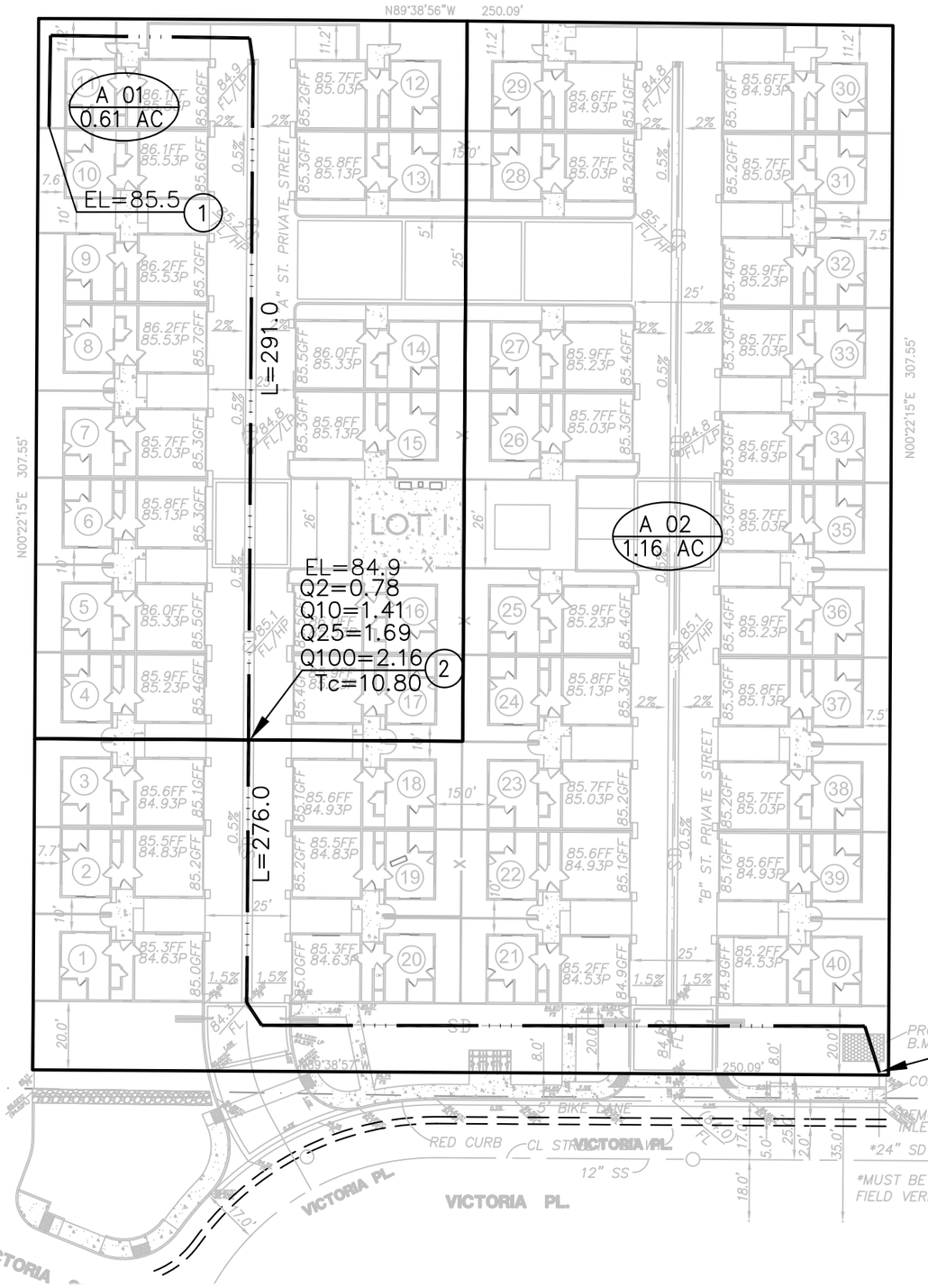
P. E. SEAL

CA ENGINEERING

220, 222, 234, 236 VICTORIA STREET

WMC, LLC

SHEET NO 1 OF 1 SHEETS



LEGEND

A 13 / 1.16 AC	SUBAREA LABEL SUBAREA ACREAGE
(1)	NODE
Q100 =	FLOW–C.F.S. 100 YEAR STORM
Q25 =	FLOW–C.F.S. 25 YEAR STORM
Tc=	TIME OF CONCENTRATION (100 YR)
ELEV=	ELEVATION AT NODE
	TRIBUTARY AREA (MAJOR)
	FLOWLINE
	SOIL TYPE D

NORTH

GRAPHIC SCALE

40 0 20 40 80 160

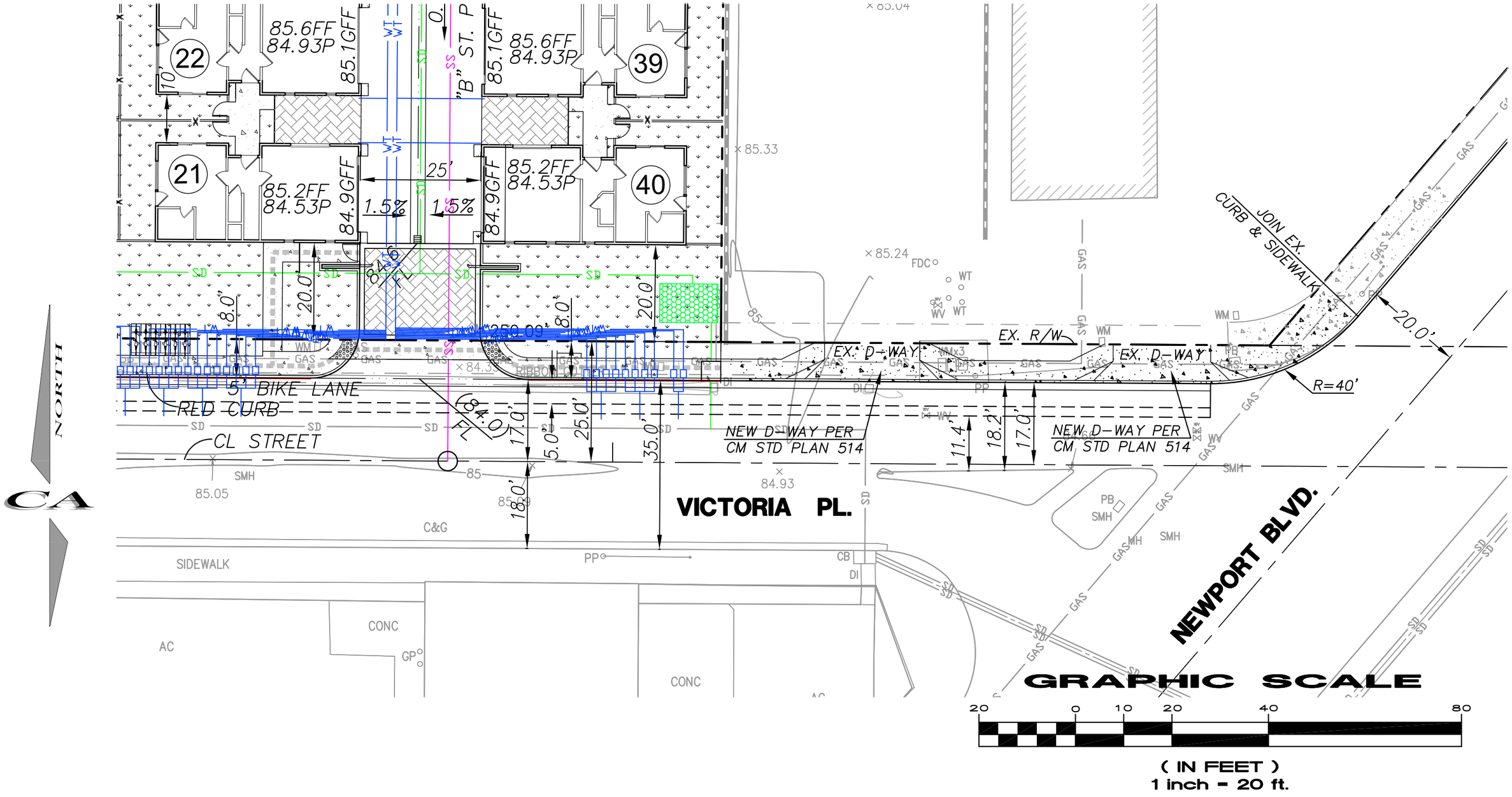
(IN FEET)
1 inch = 40 ft.

HYDROLOGY MAP PROPOSED CONDITION OVERALL FLOWS

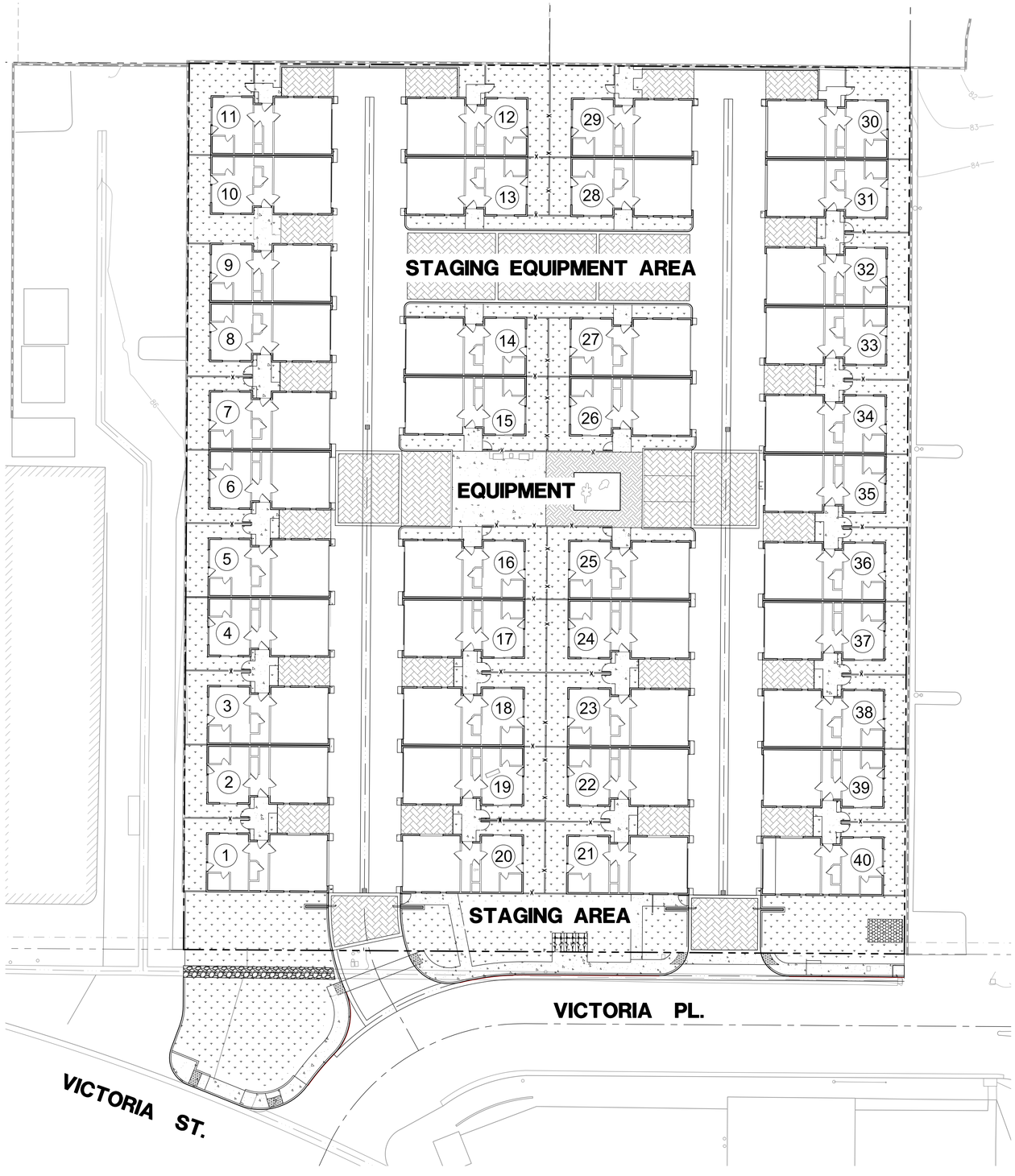
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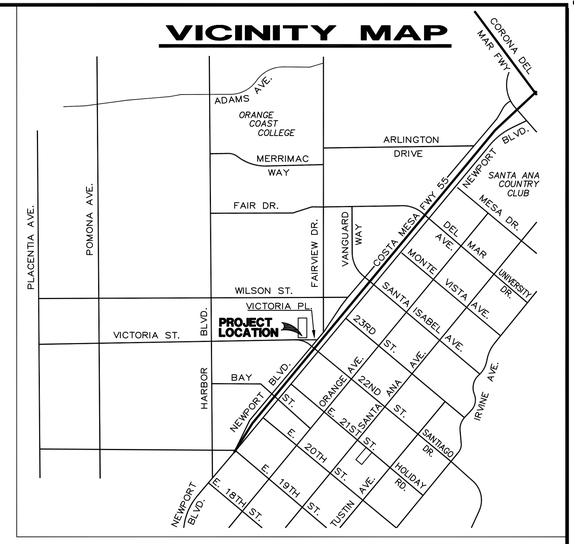
Sht. 1 of 1

SIDEWALK EXTENSION EXHIBIT



CONSTRUCTION MANAGEMENT PLAN EXHIBIT





VICINITY MAP
N.T.S.

NORTH

CA

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

ADDRESS

220, 222, 234 & 236 Victoria Street
Costa Mesa , CA 92626
A.P.N. 419-111-19 & 20

SUBDIVIDER/OWNER

WMC, L.L.C.
1024 Bayside Dr., #109
Newport Beach, CA 90660
(714) 329-2405
Contact: Tony Weeda

PREPARED BY:

CA ENGINEERING, INC.
Planning Engineering . Surveying
4101 BIRCH ST., STE 140
NEWPORT BEACH, CA 92660
949-724-9480

J:\CA-SHR\Drawings\727-6 Victoria Place, Costa Mesa\CON GRADE\727-6 CON GRADE 6.dwg Last Modified: 11 Feb 2025 - 5:50pm
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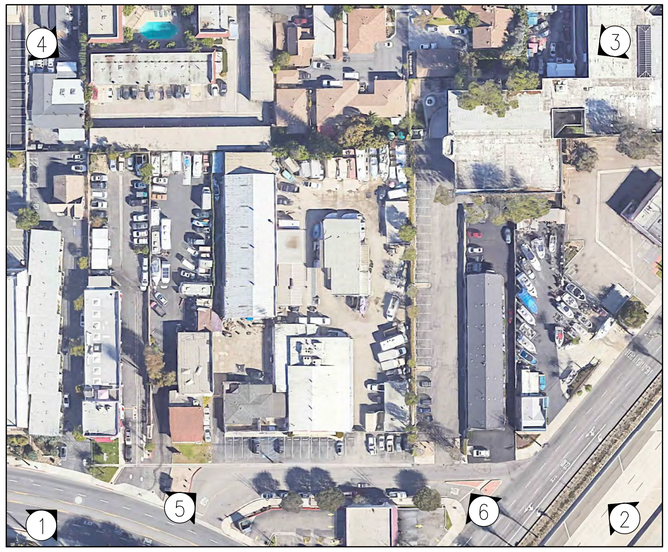
BUNDY-FINKEL • Architects
1120 · BRISTOL STREET · STE 120
COSTA MESA · CA 92626
TEL 714 · 850 · 7575
FAX 714 · 850 · 7576



2



1



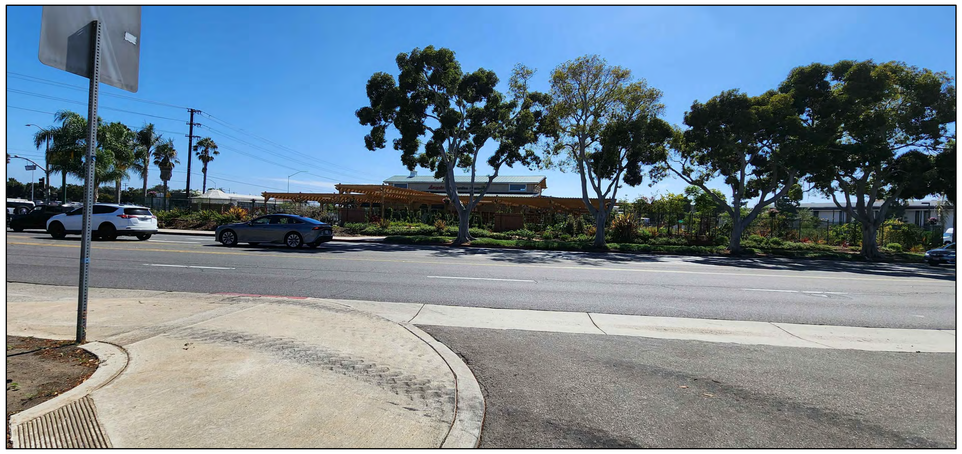
Key Plan



4



3



6



5

STAMP

LICENSED ARCHITECT
RICHARD FINKEL
C-19014
6-30-24
RENEWAL DATE
STATE OF CALIFORNIA

PROJECT NAME:

VICTORIA PLACE

222 VICTORIA PLACE
COSTA MESA, CA 92627

SHEET TITLE

SITE PHOTOS

NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND MODELS THEREOF, ARE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR DISCLOSED IN WHOLE OR IN PART FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF BUNDY-FINKEL ARCHITECTS. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT OR ACCURATE EXISTING CONDITIONS. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF EXISTING CONDITIONS SHOWN ON THESE DRAWINGS OR DISCREPANCIES BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS. THESE PLANS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND EVALUATION BY THE CLIENT, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OTHERS WHO AGREE TO COMPLY WITH AND ENFORCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.

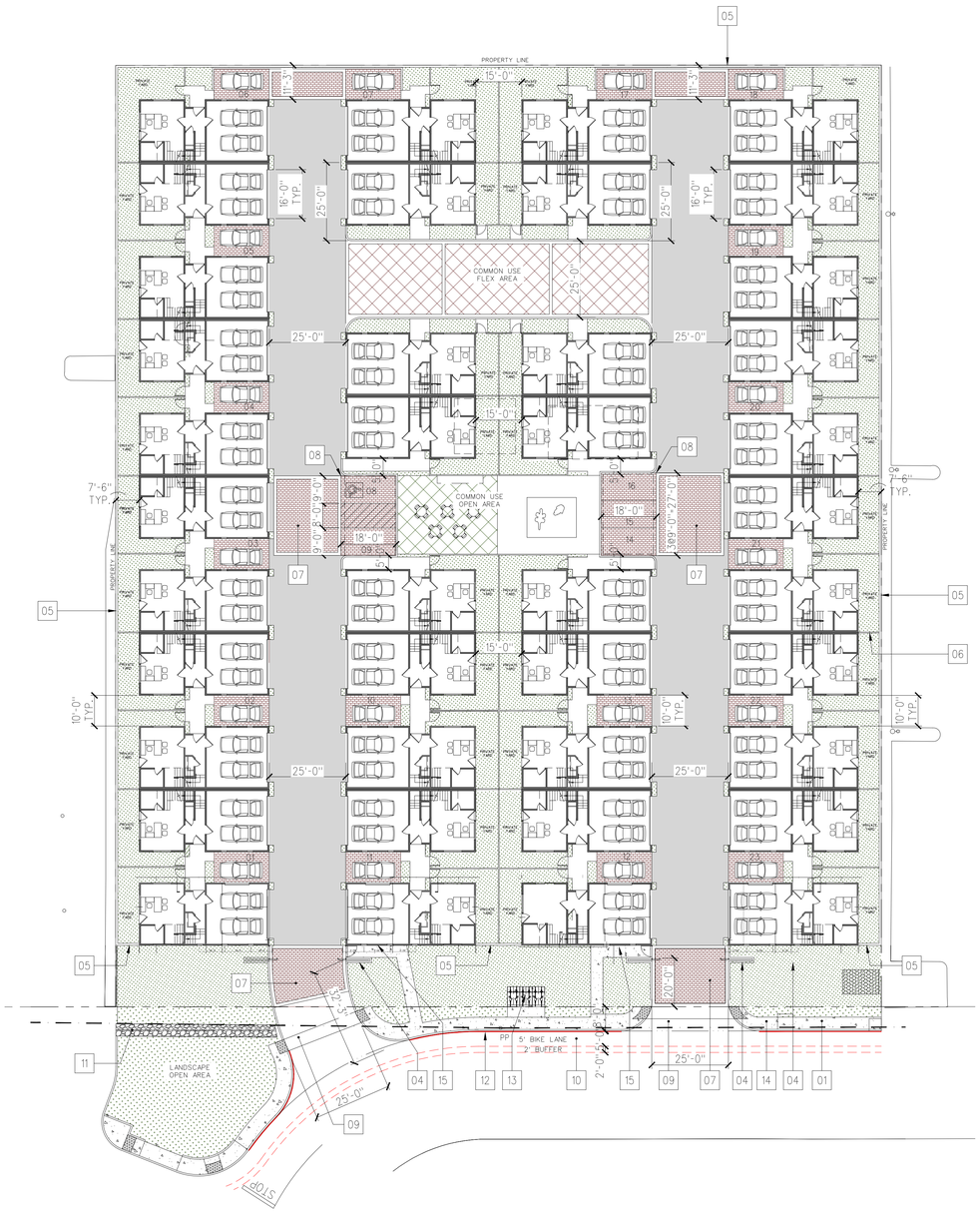
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PROJECT NO.: 23-822
LAST ISSUE DATE: 11-21-24
BY: SD CHKD: RF
PLANNING SUBMITTAL 11-21-24

FILE:

SHEET
A0.1

BUNDY-FINKEL • Architects
2151 MICHELSON DR. STE.182
IRVINE·CA·92612
TEL 714·850·7575
FAX 714·850·7576



KEYNOTES:

NO.	DESCRIPTION
1.	NEW SIDEWALK PER CITY STDS. - SEE GRADING PLAN
2.	ACCESSIBLE STALLS AND LOADING ZONE
3.	CURB-CUT RAMP WITH TRUNCATED DOMES
4.	MOTOR-OPERATED DOUBLE-SLIDING GATES WITH CARD READER
5.	NEW +7' HIGH CONCRETE BLOCK WALL - SPLIT-FACED BLOCK
6.	+6'-0" HIGH WOOD FENCES BETWEEN RESIDENCES
7.	DECORATIVE PAVING - TOPCAST OR EQ. WITH SCORED PATTERN
8.	CARPORT ABOVE
9.	NEW DRIVEWAY APPROACH
10.	NEW CLASS II BIKE LANE WITH 2'-0" BUFFER PER CITY STDS.
11.	PARKWAY DRAIN - SEE CIVIL
12.	RED "NO PARKING" PAINT FOR CURB ALONG STREET FRONTAGE
13.	(2) INVERTED "U" BIKE RACKS
14.	CURB RAMP WITH TRUNCATED DOMES
15.	KNOX BOXES PER CITY STDS.
16.	SEBMENTED GARAGE DOOR WITH GLASS PANELS - 16'-0" WIDE - TYP.

ZONING DATA:

APNS:	419-111-20 (PARCEL 1),419-111-19 (PARCEL 2),419-111-21 (PARCEL 3)
LOT AREA:	76,923 S.F. (1.77 AC)
EXISTING ZONING:	C-2 GENERAL BUSINESS
EXISTING LAND USE:	GENERAL COMMERCIAL
PROPOSED ZONING:	RESIDENTIAL INCENTIVE OVERLAY DISTRICT (RIOD)
LOT COVERAGE:	40 UNITS (22.6 UNITS PER AC)
NUMBER OF STORIES:	3
MAX. BUILDING HEIGHT:	39'-6"
CONSTRUCTION TYPE:	VB NON-RATED
OCCUPANCY TYPE:	R-3
SPRINKLERS:	FULLY SPRINKLERED

PARKING:

REQUIRED UNDER RIOD:	
COVERED PARKING @ 1 SPACE PER UNIT:	40 SPACES
OPEN PARKING @ 2.25 SPACES PER UNIT (INCLUDES 0.25 REDUCTION)[1]:	90 SPACES
GUEST PARKING @ 0.5 SPACES PER UNIT:	20 SPACES
TOTAL:	150 SPACES

[1] PURSUANT TO COSTA MESA ZONING CODE SECTION 13-85(D), OPEN PARKING CAN BEREDUCED BY 0.25 SPACE PER UNIT FOR ONE-BEDROOM AND LARGER UNITS IF COVERED PARKING IS PROVIDED WITHIN EITHER A CARPORT OR A PARKING STRUCTURE.

PROPOSED:	
GARAGE PARKING:	80 SPACES
UNCOVERED OPEN/GUEST PARKING:	18 SPACES
COVERED OPEN/GUEST PARKING:	5 SPACES
TOTAL:	103 SPACES
TOTAL PARKING SHORTFALL REQ'D BY RIOD:	47 SPACES

OPEN SPACE:

TOTAL SITE AREA:	77,101 S.F.
REQUIRED OPEN SPACE - 40% OF TOTAL SITE AREA:	30,840 S.F.
REQUIRED COMMON USE OPEN SPACE - 50% OF OPEN SPACE:	15,420 S.F.
PROVIDED - COMMON USE OPEN SPACE:	9,817 S.F.
PROVIDED - PRIVATE USE OPEN SPACE:	22,620 S.F.
TOTAL OPEN SPACE PROVIDED:	32,437 S.F.
OPEN SPACE BREAKDOWN:	
COMMON USE:	
BBQ/PLAY AREA:	6,317 S.F.
FLEX SPACE:	3,500 S.F.
TOTAL:	9,817 S.F.
PRIVATE USE:	
PRIVATE YARDS:	10,438 S.F.
BALCONIES:	3,007 S.F.
ROOF DECKS:	9,175 S.F.
TOTAL:	22,620 S.F.

UNIT AREAS	BUILDING TYPE	
FLOOR LEVEL	SINGLE	DUPLEX
1ST FLOOR		
GARAGE:	430 SF	864 SF
LIVING SPACE:	425 SF	853 SF
1ST FLOOR TOTAL	855 SF	1,717 SF
2ND FLOOR	916 SF	1,804 SF
3RD FLOOR	980 SF	1,980 SF
TOTAL:	**2,751 SF**	**5,501 SF**
ROOF DECK	230 SF	454 SF

TOTAL BUILDING AREA:	SINGLE	DUPLEX
TOTAL UNITS:	4	18
AREA PER UNIT:	2,751 SF	5,501 SF
TOTAL PER UNIT TYPE:	**11,004 SF**	**99,018 SF**
OVERALL TOTAL:		**110,022 SF**

TOTAL LOT AREA:	76,923 SF
TOTAL 1ST FLR. AREA:	34,326 SF
LOT COVERAGE:	0.45
F.A.R.:	1.43

DRAFT DEVELOPMENT STANDARDS COMPARISON
Residential Incentive Overlay District (RIOD) and Residential Common Interest Development (RCID)

	DEVELOPMENT STANDARD	CODE REQUIREMENT	PROPOSED	MEETS CODE
RIOD	Minimum lot size:	0.5 acre	1.77 acres	Yes
RCID	Minimum lot size:	N/A	N/A	N/A
RIOD	Maximum Density:	30 du/acre	22.6 du/acre	Yes
RCID	Maximum Floor Area Ratio (FAR):	0.75	1.43	No[1]
	Open Space:			
RIOD	Minimum Open Space	40% of total site area (30,840 SF)	42% (32,437 SF)	Yes
RCID	Minimum Open Space	40% of total lot area (30,840 SF)	42% (32,437 SF)	Yes
RIOD	Common Use Open Space	50% of required open space (15,420 SF)	32% (9,817 SF)	No[1]
RCID	Common Open Space	Common open space areas shall be designed and located within the development to allow maximum use by all residents	BBQ/Play Area Centrally Located and a Flex Space	Yes
RIOD	Private Open Space	Private decks or patios – minimum 100 square feet with no dimension less than 5 FT (4,000 SF)	Roof deck (9,175 SF)	Yes
RCID	Private Open Space	An adjoining patio required with no dimension less than 10 FT	Roof deck (9,175 SF)	Yes
RIOD	Maximum Building Height	3 stories	3 stories / 39 FT 6 IN	Yes
RCID	Maximum Building Height	2 stories/27 feet	3 stories / 39 FT 6 IN	No[1]
	Setbacks:			
RIOD	Front (Victoria Place)	20 FT	20 FT	Yes
RCID	Front (Victoria Place)	20 FT	20 FT	Yes
RIOD	Side – Left	20 FT	7 FT 6 IN	No[1]
RCID	Side – Left	5 FT	7 FT 6 IN	Yes
RIOD	Side - Right	20 FT	7 FT 6 IN	No[1]
RCID	Side – Right	5 FT	7 FT 6 IN	Yes
RIOD	Rear	20 FT	11 FT 3 IN	No[1]
RCID	Rear	20 FT for 2 story structures in R2-MD and R2-HD zones; 15 FT for 2 story structures in the R-3 zone. 10 feet for one story structures…	11 FT 3 IN	N/A[2]
RIOD	Landscape Parkway (Interior Private Streets or Common Driveways)	Combined 10 feet wide, no less than 3 feet on one side	None	No[1]
RCID	Landscape Parkway (Interior Private Streets or Common Driveways)	Combined 10 feet wide, no less than 3 feet on one side. Parkway on house side of private street or common driveway shall be a minimum of 5 feet wide	None	No[1]
	Storage:			
RIOD	Storage	N/A	Garage (390 SF)	N/A
RCID	Storage	Each unit provide 200 cubic feet of securable storage exterior to unit or within garage/carport	Garage (390 SF)	Yes

	Parking:			
	Residential Tenant Covered Parking (Three Bedrooms)	40 (1 spaces x 40 units = 40 spaces)	103	No[1]
	Residential Tenant Open Parking (Two Bedroom)	90 (2.25[3] spaces x 40 units = 90 spaces)		
	Residential Guest Parking	20 (0.5 spaces x 40 units = 20)		
	TOTAL	150[3]		

[1] Development standard deviations allowed through Master Plan approval process
[2] The development is composed of three-story residential units and is not located within the R2-MD, R2-HD, or R-3 zone, therefore, has no rear setback
[3] Tenant open parking can be reduced by 0.25 space for one bedroom and larger units if the covered parking is provided within either a carport or a parking structure; therefore, calculation includes 0.25 reduction

1"-20'-0" 0 10' 20' 40' 60'

STAMP



PROJECT NAME:

VICTORIA PLACE

222 VICTORIA STREET
COSTA MESA, CA 92627

SHEET TITLE

SITE PLAN

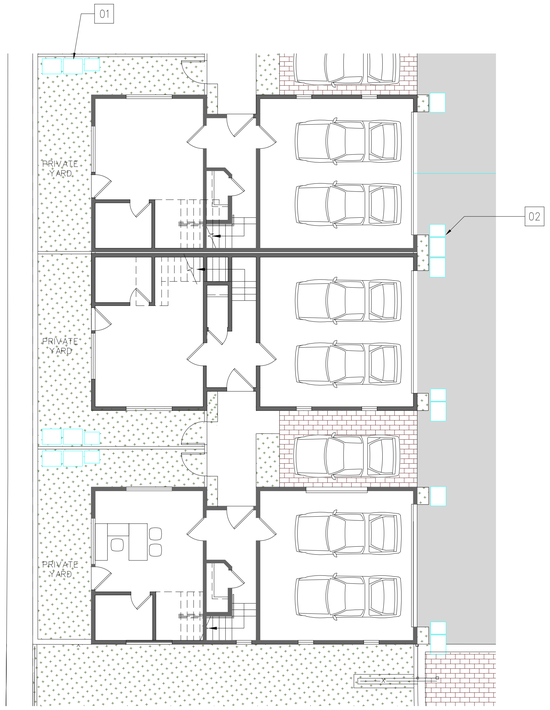
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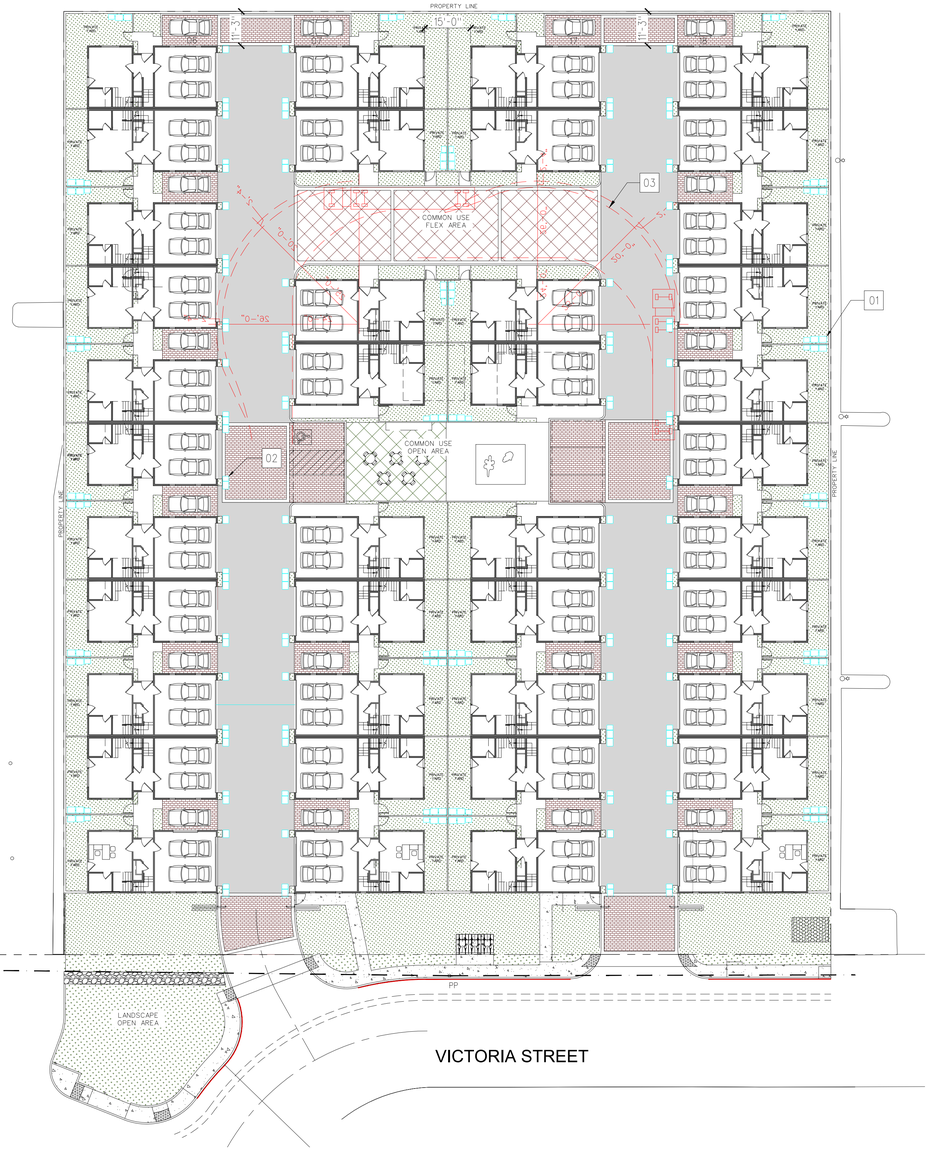
FILE:

SHEET
A1.1



ENLARGED PLAN

1/8"=1'-0" 0 4' 8' 16' 24'



KEYNOTES:

NO.	DESCRIPTION
1.	TRASH/RECYCLING/ORGANICS CONTAINERS TYP. STORAGE LOCATION IN YARD
2.	CONTAINER PLACEMENT ON TRASH PICK-UP DAY
3.	TRASH TRUCK PATH

1"-20'-0" 0 10' 20' 40' 60'

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LICENSED ARCHITECT ROBERT KEITH FINKEL 019014 8-31-24 RENEWAL DATE STATE OF CALIFORNIA

PROJECT NAME:

VICTORIA PLACE

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COSTA MESA, CA 92627

SHEET TITLE

WASTE MANAGEMENT PLAN

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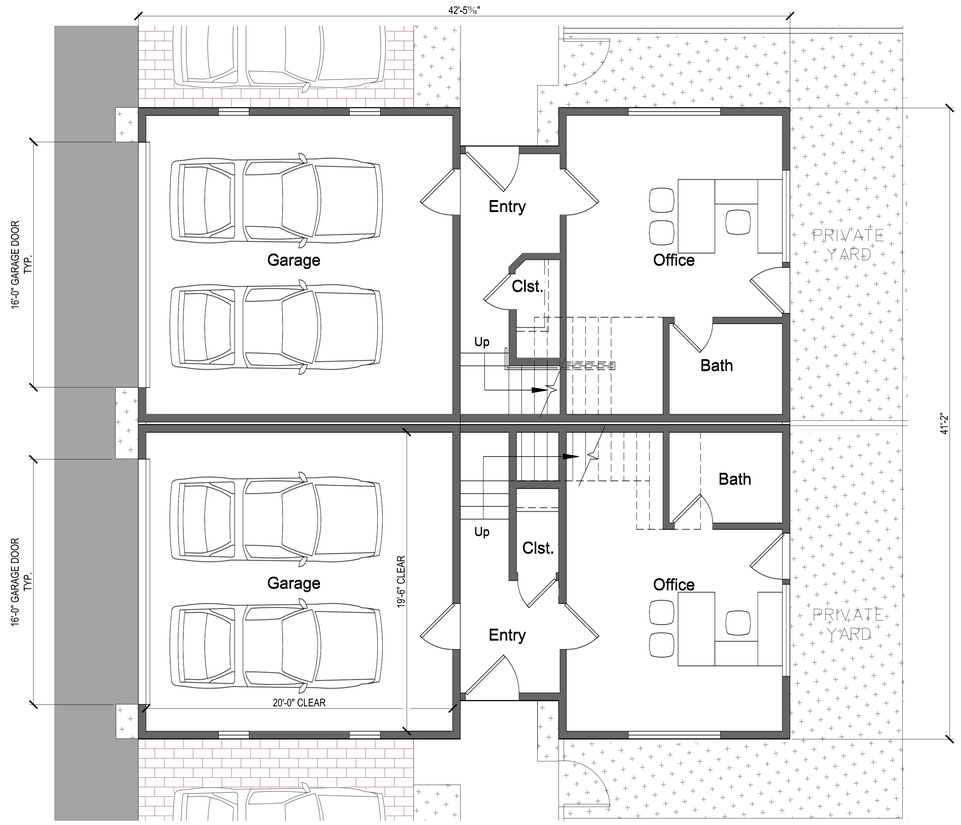
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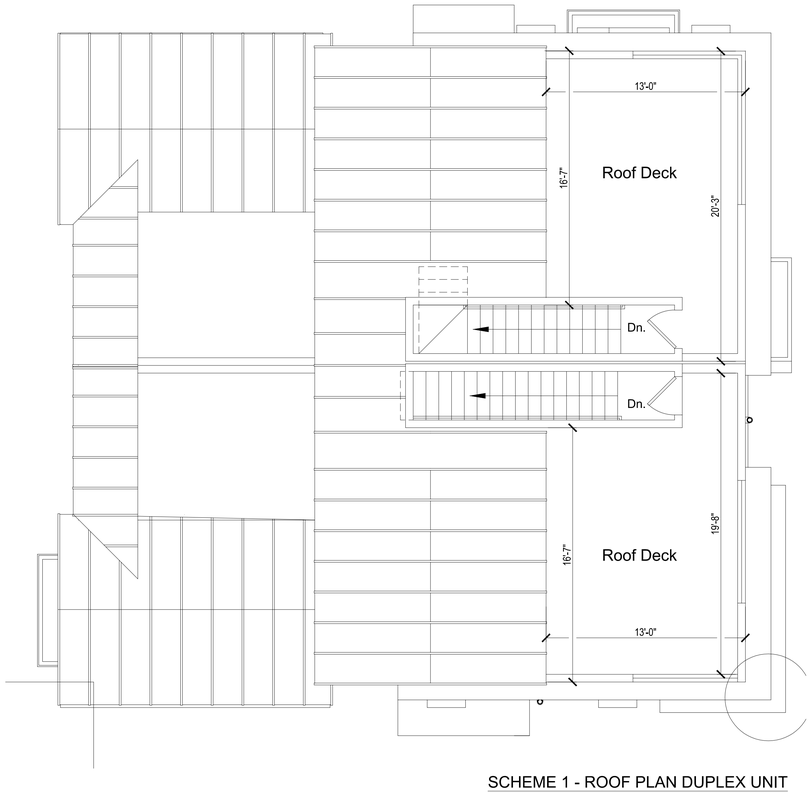
A1.2



SECOND FLOOR PLAN - DUPLEX UNIT



FIRST FLOOR PLAN - DUPLEX UNIT



SCHEME 1 - ROOF PLAN DUPLEX UNIT



THIRD FLOOR PLAN - DUPLEX UNIT

1/8"=1'-0" 0 4' 8' 16' 24'

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COSTA MESA, CA 92627

SHEET TITLE

TYPICAL DUPLEX FLOOR PLANS

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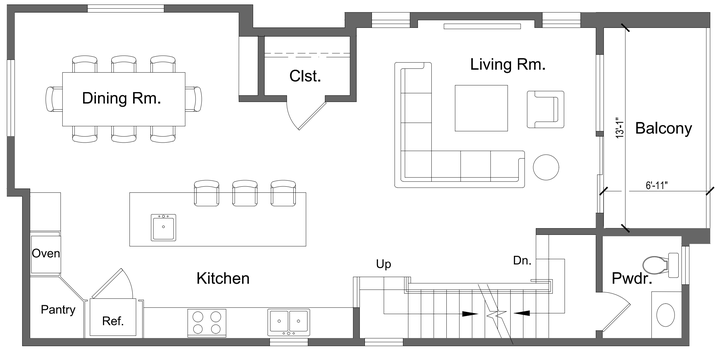
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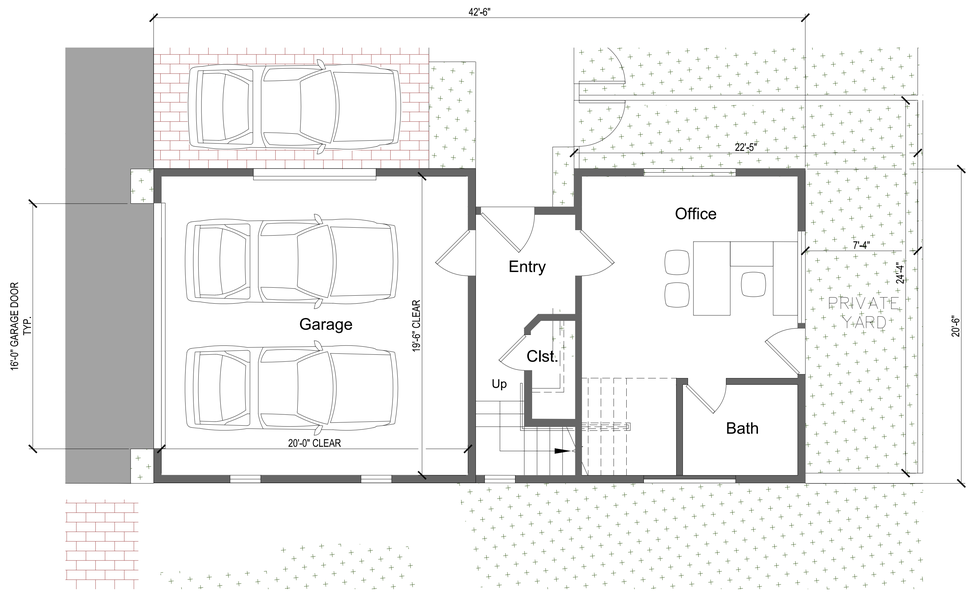
SHEET

A2.1



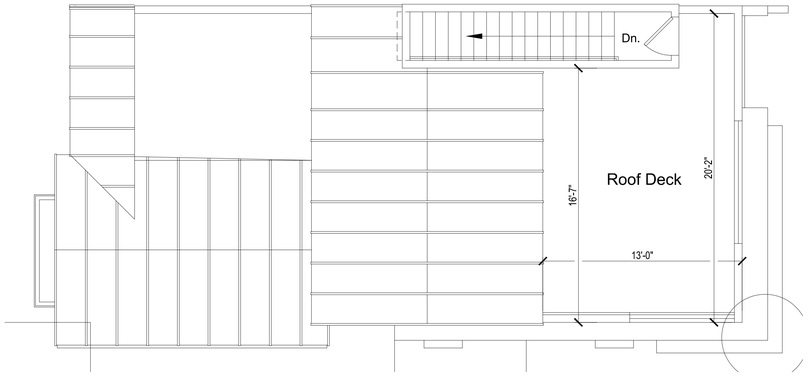
SECOND FLOOR PLAN - DETACHED UNIT

1/4"=1'-0"



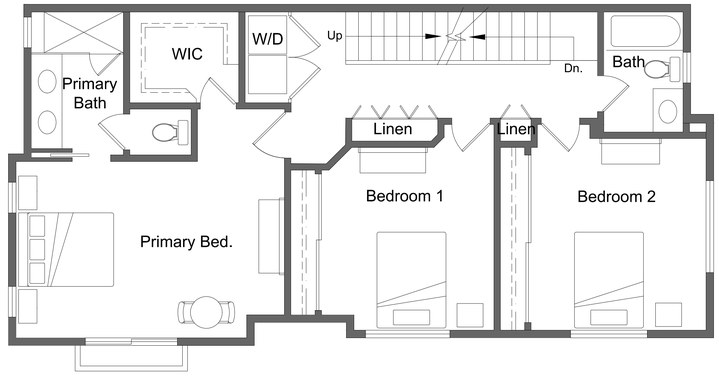
FIRST FLOOR PLAN - DETACHED UNIT

1/4"=1'-0"



ROOF PLAN - DETACHED UNIT

1/4"=1'-0"



THIRD FLOOR PLAN - DETACHED UNIT

1/4"=1'-0"

1/8"=1'-0" 0 4' 8' 16' 24'

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TYPICAL DETACHED UNIT FLOOR PLANS

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FILE:

SHEET

A2.2



SOUTH (VICTORIA PLACE)

3/32"=1'-0"



EAST

3/32"=1'-0"



NORTH

3/32"=1'-0"



WEST

3/32"=1'-0"

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VICTORIA PLACE

222 VICTORIA STREET
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SHEET TITLE

OVERALL ELEVATIONS

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FILE: 637 A3_1 EE.dwg

SHEET

A3.1



BUILDING 1 - STREET ELEVATION

1/4"=1'-0"



BUILDING 2 - STREET ELEVATION

1/4"=1'-0"



BUILDING 3 - STREET ELEVATION

1/4"=1'-0"



BUILDING 4 - STREET ELEVATION

1/4"=1'-0"

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ROGER KEITH FINKEL
019014
8-31-24
RENEWAL DATE
STATE OF CALIFORNIA

PROJECT NAME:

VICTORIA PLACE

222 VICTORIA STREET
COSTA MESA, CA 92627

SHEET TITLE

ELEVATIONS

VICTORIA PLACE
STREET VIEW

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SHEET

A3.2



WEST ELEVATION
1/4"=1'-0"



SOUTH (STREET) ELEVATION
1/4"=1'-0"



EAST ELEVATION
1/4"=1'-0"



NORTH ELEVATION
1/4"=1'-0"

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VICTORIA PLACE

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SHEET TITLE

TYPICAL DETACHED UNIT ELEVATIONS

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SHEET
A3.3



SIDE / ENTRY ELEVATION

1/4"=1'-0"



SIDE / ENTRY ELEVATION

1/4"=1'-0"



FRONT / GARAGE ELEVATION

1/4"=1'-0"



REAR ELEVATION

1/4"=1'-0"

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TYPICAL DUPLEX UNIT ELEVATIONS

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SHEET

A3.4

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LANDSCAPED PENINSULA - VICTORIA STREET



AERIAL VIEW FROM SOUTH



VIEW FROM VICTORIA PLACE



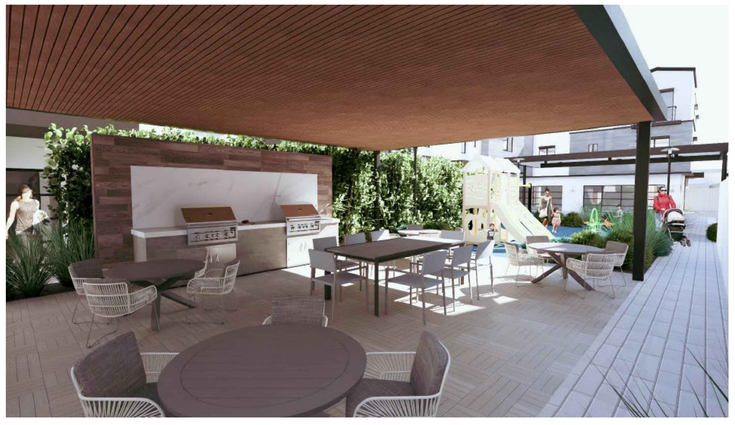
FLEX SPACE



TYPICAL ROOF DECK



VICTORIA PLACE



COMMON USE PLAY/BBQ AREA



COMMON USE PLAY / BBQ AREA



VIEW FROM VICTORIA PLACE

STAMP

LICENSED ARCHITECT
RICHARD KEITH FINKEL
C 019014
R-31-24
RENEWAL DATE
STATE OF CALIFORNIA

PROJECT NAME:

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3D IMAGES

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FILE:

SHEET

A4.1

A A

4 3 2 1 17 18 19 20 24 23 22 21 37 38 39 40

306 S.F. 306 S.F.

WALKWAY WALKWAY WALKWAY WALKWAY

SIDEWALK SIDEWALK

5' BIKE LANE 5' BIKE LANE
2' BUFFER 2' BUFFER

VICTORIA PL.

SIDEWALK SIDEWALK 5' BIKE LANE 2' BUFFER

STOP

VICTORIA ST.

C&G SIDEWALK

PP PP

CONC AC TE GP GP GP

DRIVEWAY

0 8 16 24 feet
SCALE: 1/8" = 1'-0"

PLANTING PLAN- (NOT FOR CONSTRUCTION, REF. ONLY)

STUDIO BERZUNZA
URBAN & ARCHITECTURE DESIGN

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VLADIMIR BERZUNZA
PRINCIPAL VISIONARY DESIGNER

DEVELOPER:
W M C , L L C
1024 BAYSIDE DR. ST.109
NEWPORT BEACH CA 92660
ATTE: TONY WEEDA

PROJECT:
VICTORIA PLACE
222 VICTORIA PLACE
COSTA MESA, CA 92627

DRAW BY:
V. BERZUNZA

CHECKED BY:
V. BERZUNZA

SHEET DESCRIPTION:
PLANTING PLAN

REVISIONS:

No.	DATE	DESCRIPTION

DIGALERT
SECTION 4216.4(C)1 OF THE GOVERNMENT CODE REQUIRES A DIG ALERT IDENTIFICATION NUMBER BE OBTAINED BEFORE ANY EXCAVATION MARKOUT WILL BE VALID. FOR YOUR DIG ALERT I.D. NUMBER CALL UNDERGROUND SERVICE ALERT TOLL FREE 1-800-422-4133 TWO WORKING DAYS BEFORE YOU DIG.

north

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SHEET NUMBER:

L1.00

PROJECT:24.004.10
DATE: 5-02-25 REV:



PLANTING PLAN- (NOT FOR CONSTRUCTION, REF. ONLY)

0 8 16 24 feet

SCALE: 1/8" = 1'-0"

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SHEET NUMBER:
L1.01

PROJECT:24.004.10
DATE: 5-02-25 REV:

PLANT_SCHEDULE

PHOTO	SYMBOL	BOTANICAL / COMMON NAME	SIZE	MATURE SIZE	WATER	QTY
SHRUBS						
		AGAVE X 'BLUE FLAME' / BLUE FLAME AGAVE	15 GAL	2` H & W	LOW 0.1 - 0.3	17
		CARISSA MACROCARPA 'EMERALD BLANKET' / EMERALD BLANKET NATAL PLUM	1 GAL	1.5`H X 1.5`W	VERY LOW <0.1	157
		DIANELLA REVOLUTA / LITTLE REV™ FLAX LILY	5 GAL	2`-3` H X 3`-4` W	LOW 0.1 - 0.3	90
		FESTUCA AMETHYSTINA 'APRILGRUN' / APRILGRUN FESCUE	1 GAL	1.5`H X 1.5`W	VERY LOW <0.1	94
		FESTUCA MAIREI / ATLAS FESCUE	1 GAL	1.5` H X 2` W	VERY LOW <0.1	57
		LAVANDULA STOECHAS / SPANISH LAVENDER	1 GAL	2` H & W	VERY LOW <0.1	31
		MUHLENBERGIA RIGENS / DEER GRASS	1 GAL	3`-4` H X W	VERY LOW <0.1	18
		MYRTUS COMMUNIS 'COMPACTA' / DWARF COMMON MYRTLE	5 GAL	2` H X 2`-3` W	VERY LOW <0.1	85
		NANDINA DOMESTICA 'GULF STREAM' / GULF STREAM HEAVENLY BAMBOO	5 GAL	3` H X 3` W	VERY LOW <0.1	111
		PITTOSPORUM CRASSIFOLIUM 'NANA' / DWARF KARO PITTOSPORUM	5 GAL	3` H X W	LOW 0.1 - 0.3	13
		TRACHELOSPERMUM JASMINOIDES / CHINESE STAR JASMINE	1 GAL		VERY LOW <0.1	14
		WESTRINGIA FRUTICOSA 'SMOKEY' / SMOKEY COAST ROSEMARY	5 GAL	3`-5` H X 3`-5` W	LOW 0.1 - 0.3	8

PLANT SCHEDULE

PHOTO	SYMBOL	BOTANICAL / COMMON NAME	SIZE	MATURE SIZE	WATER	QTY
TREES						
		DODONAEA VISCOSA / HOPSEED BUSH	15 GAL	5`-12` H & W	LOW 0.1 - 0.3	13
		PINUS ELDARICA / AFGHAN PINE	36"BOX	60` H X 75` W	LOW 0.1 - 0.3	2
		PLATANUS X ACERIFOLIA 'BLOODGOOD' / BLOODGOOD LONDON PLANE TREE	36"BOX	12` - 40` H X W	MODERATE 0.4 - 0.6	5
		PRUNUS CAROLINIANA 'COMPACTA' / COMPACT CAROLINA CHERRY LAUREL	15 GAL	6`-8` H X 2`-3` W	MODERATE 0.4 - 0.6	50
		TRISTANIA CONFERTA / BRISBANE BOX	36"BOX	8` X 35` H X W	LOW 0.1 - 0.3	17

PLANT SCHEDULE

PHOTO	SYMBOL	BOTANICAL / COMMON NAME	SIZE	MATURE SIZE	WATER	SPACING	QTY
GROUND COVERS							
		BUCHLOE DACTYLOIDES / BUFFALO GRASS	SOD		LOW 0.1 - 0.3		2,819 SF
		FESTUCA RUBRA 'MOLATE' / MOLATE RED FESCUE	FLAT		LOW 0.1 - 0.3		371 SF
		SENECIO MANDRALISCAE 'BLUE CHALK STICKS' / SENECIO	FLAT	1`-2" H X 18" W	VERY LOW <0.1		11 FLATS

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VLADIMIR BERZUNZA
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222 VICTORIA PLACE
COSTA MESA, CA 92627

DRAW BY:
V. BERZUNZA

CHECKED BY:
V. BERZUNZA

SHEET DESCRIPTION:
PLANTING SCHEDULE

REVISIONS:

No.	DATE	DESCRIPTION

DIGALERT

SECTION 4216/4217 OF THE GOVERNMENT CODE REQUIRES A DIG ALERT IDENTIFICATION NUMBER BE ISSUED BEFORE A 'PERMIT TO EXCAVATE' WILL BE VALID. FOR YOUR DIG ALERT I.D. NUMBER CALL UNDERGROUND SERVICE ALERT TOLL FREE 1-800-422-4133 TWO WORKING DAYS BEFORE YOU DIG

north

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SHEET NUMBER:
L1.02

PROJECT:24.004.10
DATE: 5-02-25 REV:



IRRIGATION SCHEDULE

SYMBOL	DESCRIPTION	QTY	PRECIP	PSI	GPM
	RAIN BIRD-RISER 1402 FLOOD	180.9 S.F.	0.5 in/h	30	1
	SHRUB DRIPLINE 0.9 GPH @ 12Â¢?Â O.C. (3.5 L/H @ 0.3M) DRIPLINE WITH 0.90 GPH EMITTERS AT 12" O.C., ROW SPACING AT 12" O.C.	559.0 S.F.	1.44 in/h	25	8
	SHRUB DRIPLINE 0.9 GPH @ 18Â¢?Â O.C. (3.5 L/H @ 0.46M) DRIPLINE WITH 0.90 GPH EMITTERS AT 18" O.C., ROW SPACING AT 18" O.C.	3,487 S.F.	1.03 in/h	25	37
	TURF ROTARY (TORO, RAIN BIRD) 12' TO 24' RADIUS (3.7M-7.3M), TRIANGULAR SPACED, HEAD TO HEAD COVERAGE.	2,864 S.F.	0.68 in/h	40	20

WATERING SCHEDULE

NUMBER	MODEL	TYPE	PRECIP	IN./WEEK	MIN./WEEK	GAL./WEEK	GAL./DAY
1	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 12Â¢?Â O.C. (3.5 L/H @ 0.3M)	1.44 in/h	0.25	11	31.7	10.6
2	RAIN BIRD DV	TURF ROTARY (TORO, RAIN BIRD)	0.68 in/h	1.5	133	692	173
3	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 18Â¢?Â O.C. (3.5 L/H @ 0.46M)	1.03 in/h	0.25	15	54.9	16.3
4	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 18Â¢?Â O.C. (3.5 L/H @ 0.46M)	1.03 in/h	0.25	15	87.5	29.2
5	RAIN BIRD DV	TURF ROTARY (TORO, RAIN BIRD)	0.68 in/h	1.5	133	936	234
6	RAIN BIRD DV	RAIN BIRD-RISER 1402 FLOOD	0.5 in/h	0.5	60	12	4
7	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 18Â¢?Â O.C. (3.5 L/H @ 0.46M)	1.03 in/h	0.25	15	26.0	8.66
8	RAIN BIRD DV	TURF ROTARY (TORO, RAIN BIRD)	0.68 in/h	1.5	133	592	148
9	RAIN BIRD DV	RAIN BIRD-RISER 1402 FLOOD	0.5 in/h	0.5	60	14.2	4.73
10	RAIN BIRD DV	TURF ROTARY (TORO, RAIN BIRD)	0.68 in/h	1.5	133	582	146
11	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 12Â¢?Â O.C. (3.5 L/H @ 0.3M)	1.44 in/h	0.25	11	34.3	11.4
12	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 18Â¢?Â O.C. (3.5 L/H @ 0.46M)	1.03 in/h	0.25	15	69.4	23.1
13	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 18Â¢?Â O.C. (3.5 L/H @ 0.46M)	1.03 in/h	0.25	15	38.5	12.8
14	RAIN BIRD DV	RAIN BIRD-RISER 1402 FLOOD	0.5 in/h	0.5	60	6.58	2.19
15	RAIN BIRD DV	TURF ROTARY (TORO, RAIN BIRD)	0.68 in/h	1.5	133	283	70.8
16	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 18Â¢?Â O.C. (3.5 L/H @ 0.46M)	1.03 in/h	0.25	15	87.4	29.1
17	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 12Â¢?Â O.C. (3.5 L/H @ 0.3M)	1.44 in/h	0.25	11	26.0	8.66
18	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 18Â¢?Â O.C. (3.5 L/H @ 0.46M)	1.03 in/h	0.25	15	24.2	8.07
19	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 18Â¢?Â O.C. (3.5 L/H @ 0.46M)	1.03 in/h	0.25	15	23.2	7.72
20	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 18Â¢?Â O.C. (3.5 L/H @ 0.46M)	1.03 in/h	0.25	15	38.3	12.8
21	RAIN BIRD LFV-075	SHRUB DRIPLINE 0.9 GPH @ 18Â¢?Â O.C. (3.5 L/H @ 0.46M)	1.03 in/h	0.25	15	110	36.8
22	RAIN BIRD DV	RAIN BIRD-RISER 1402 FLOOD	0.5 in/h	0.5	60	23.6	7.87
		TOTALS:			1,088	3,794	1,007

CRITICAL ANALYSIS

P.O.C. NUMBER: 01
Water Source Information: SCHEMATIC

FLOW AVAILABLE
Custom Max Flow: 50 GPM
Flow Available 50 GPM

PRESSURE AVAILABLE
Static Pressure at POC: 65 PSI
Pressure Available: 65 PSI

DESIGN ANALYSIS
Maximum Station Flow: 7.36 GPM
Flow Available at POC: 50 GPM
Residual Flow Available: 42.64 GPM

Critical Station: 5
Design Pressure: 40 PSI
Friction Loss: 1.58 PSI
Fittings Loss: 0.16 PSI
Elevation Loss: 0 PSI
Loss through Valve: 4.53 PSI
Pressure Req. at Critical Station: 46.3 PSI
Loss for Fittings: 0.01 PSI
Loss for Main Line: 0.11 PSI
Loss for POC to Valve Elevation: 0 PSI
Loss for Backflow: 11 PSI
Critical Station Pressure at POC: 57.4 PSI
Pressure Available: 65 PSI
Residual Pressure Available: 7.62 PSI

0 20 40 60 feet
SCALE: 1" = 20'

00.3 SCHEMATIC IRRIGATION PLAN- (NOT FOR CONSTRUCTION, REF. ONLY)

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NEWPORT BEACH CA 92660
ATTE: TONY WEEDA

PROJECT:
VICTORIA PLACE
222 VICTORIA PLACE
COSTA MESA, CA 92627

DRAW BY:
V. BERZUNZA

CHECKED BY:
V. BERZUNZA

SHEET DESCRIPTION:
SCHEMATIC CONCEPT IRRIGATION PLAN

REVISIONS:

No.	DATE	DESCRIPTION

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SHEET NUMBER:
L2.00

PROJECT:24.004.10
DATE: 5-02-25 REV:



CONCEPT GRAPHICS SCHEDULE

COMMON AREA LANDSCAPE AREAS
TAKEOFF: 5,662 SF

PUBLIC-RIGHT-OF-WAY
TAKEOFF: 2,422 SF

0 20 40 60 feet
SCALE: 1" = 20'

00.3 LANDSCAPE CALCULATIONS

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SHEET NUMBER:
L2.01

PROJECT:24.004.10
DATE: 5-02-25 REV:

INFRASTRUCTURE GROUP, INC.

2672 N. Vista Crest Road
Orange, CA 92867
(714) 749-6386

December 2, 2024

City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

Subject: Trip Generation Analysis for 220, 222, 224, 236 Victoria Place in the City of Costa Mesa

Infrastructure Group Inc (IGI) is pleased to submit a Trip Generation Analysis for the proposed development of 36 single family attached homes (18 duplexes) & 4 single family detached homes.

The proposed project will occupy an approximately 1.8-acre site that is currently fully occupied with a mixture of retail, service, and storage uses. The project will continue to take access on Victoria Street.

Exhibit A shows the Trip Generation Table.

Exhibit B shows the Existing Site & project location.

Exhibit C shows a street view of the existing proposed site.

Exhibit D shows the proposed site plan layout.

Exhibit A: Trip Generation Analysis

Land Use	Source[1]	Quantity	Units[2]	Peak Hour Trips						Daily
				Morning			Evening			
				Inbound	Outbound	Total	Inbound	Outbound	Total	
Trip Generation Rates per 1000 SF										
Single Family Attached Homes	ITE 215	-	DU	0.12	0.36	0.48	0.34	0.23	0.57	7.20
Single-Family Detached Housing	ITE 210	-	TSF	0.18	0.52	0.70	0.59	0.35	0.94	9.43
Strip Retail Plaza >40k	ITE 822	-	TSF	1.42	0.94	2.36	3.30	3.29	6.59	54.45
General Light Industrial	ITE 110	-	TSF	0.65	0.09	0.74	0.09	0.56	0.65	4.87
Proposed Project Trips										
Single Family Attached Homes	ITE 215	36	DU	5	13	18	12	9	21	260
Single-Family Detached Housing	ITE 210	4	DU	1	2	3	2	2	4	38
TOTAL PROPOSED PROJECT TRIPS				**6**	**15**	**21**	**14**	**11**	**35**	**298**
Existing Trips To Be Displaced (With Active Business License)										
Strip Retail Plaza (222 Victoria, Allied Lighting & Lamps)	ITE 822	4,888	TSF	-7	-5	-12	-16	-16	-32	-266
Light Industrial Use (220 Victoria, Harvey's Boat Rental)	ITE 110	1,400	TSF	-1	-0	-1	-0	-1	-1	-7
Net Project Trips Generated (Proposed Less Existing)				**-2**	**+10**	**+8**	**-2**	**-6**	**+2**	**+25**

Note – There are other warehouse storage uses on-site that generate a negligible amount of trips.

[1] Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, 11th Edition, 2021.

[2] DU = Dwelling Units; TSF = Thousand Square Feet

Exhibit B: Existing Site & Project Location



Exhibit C: Street View



EXHIBIT D: SITE PLAN



Infrastructure Group Inc.
A California Corporation



Denis Bilodeau

Denis Bilodeau, PE

PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JUNE 9, 2025 ITEM NUMBER: PH-1

SUBJECT: RECOMMENDATION TO THE CITY COUNCIL ON A MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT (PGPA-24-0001), REZONE, MASTER PLAN (PMAP-24-0002), AND TENTATIVE TRACT MAP NO. 19351 FOR THE DEVELOPMENT OF 40 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 220, 222, 234, AND 236 VICTORIA STREET ("VICTORIA PLACE")

FROM: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: VICTOR MENDEZ, SENIOR PLANNER

FOR FURTHER INFORMATION CONTACT: **VICTOR MENDEZ**
714-754-5276
Victor.Mendez@costamesaca.gov

RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the City Council:

1. Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and

2. Approve the General Plan Amendment (PGPA-24-0001), Rezone, Master Plan (PMAP-24-0002), and Tentative Tract Map No. 19351, subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT:

The applicant is Bundy-Finkel Architects, on behalf of WMC, LLC.

PLANNING APPLICATION SUMMARY

Location:	220 Victoria St	Applications Number(s):	PGPA-24-0001 & PMAP-24-0002
Request:	Development of a residential common interest development community comprising of 18 duplexes (36 dwelling units) and four detached units for a total of 40 dwelling units.		

SUBJECT PROPERTY:		**SURROUNDING PROPERTY:**	
Zone:	C2 - General Business	North:	R3 – Multiple Family Residential
General Plan:	General Commercial	South:	C1 – Local Business (across Victoria Place)
Lot Dimensions:	Approximately 250′ x 307′	East:	C2 - General Business
Lot Area:	1.77 acres	West:	C2 - General Business
Existing Development:	The project site is currently developed with approximately 18,567 square feet of commercial retail use and storage area.		

DEVELOPMENT STANDARDS COMPARISON – RESIDENTIAL INCENTIVE OVERLAY DISTRICT (RIOD) AND RESIDENTIAL COMMON INTEREST DEVELOPMENT (RCID)

	DEVELOPMENT STANDARD	CODE REQUIREMENT	PROPOSED	MEETS CODE
RIOD	Minimum lot size:	0.5 acre	1.77 acres	Yes
RCID	Minimum lot size:	N/A	N/A	N/A
RIOD	Maximum Density:	30 du/acre = maximum 53 units	22.6 du/acre = 40 units	Yes
RCID	Maximum Floor Area Ratio (FAR):	0.75	1.43	No[1]
	Open Space:			
RIOD	Minimum Open Space	40% of total site area (30,840 SF)	42% (32,437 SF)	Yes
RCID	Minimum Open Space	40% of total lot area (30,840 SF)	42% (32,437 SF)	Yes
RIOD	Common Use Open Space	50% of required open space (15,420 SF)	32% (9,817 SF)	No[1]
RCID	Common Open Space	Common open space areas shall be designed and located within the development to allow maximum use by all residents	BBQ/Play Area Centrally Located and a Flex Space	Yes
RIOD	Private Open Space	Private decks or patios – minimum 100 square feet with no dimension less than 5 FT (4,000 SF)	Roof deck (9,175 SF)	Yes
RCID	Private Open Space	An adjoining patio required with no dimension less than 10 FT	Roof deck (9,175 SF)	Yes
RIOD	Maximum Building	3 stories	3 stories / 39 FT 6	Yes

	Height		IN	
RCID	Maximum Building Height	2 stories/27 feet	3 stories / 39 FT 6 IN	No[1]
	Setbacks:			
RIOD	Front (Victoria Place)	20 FT	20 FT	Yes
RCID	Front (Victoria Place)	20 FT	20 FT	Yes
RIOD	Side – Left	20 FT	7 FT 6 IN	No[1]
RCID	Side – Left	5 FT	7 FT 6 IN	Yes
RIOD	Side - Right	20 FT	7 FT 6 IN	No[1]
RCID	Side – Right	5 FT	7 FT 6 IN	Yes
RIOD	Rear	20 FT	11 FT 3 IN	No[1]
RCID	Rear	20 FT for 2 story structures in R2-MD and R2-HD zones; 15 FT for 2 story structures in the R-3 zone. 10 feet for one story structures…	11 FT 3 IN	N/A[2]
RIOD	Landscape Parkway (Interior Private Streets or Common Driveways)	Combined 10 feet wide, no less than 3 feet on one side	None	No[1]
RCID	Landscape Parkway (Interior Private Streets or Common Driveways)	Combined 10 feet wide, no less than 3 feet on one side. Parkway on house side of private street or common driveway shall be a minimum of 5 feet wide	None	No[1]
	Storage:			
RIOD	Storage	N/A	Garage (390 SF)	N/A

RCID	Storage	Each unit provide 200 cubic feet of securable storage exterior to unit or within garage/carport	Garage (390 SF)	Yes
	Parking:			
	Residential Tenant Covered Parking (Three Bedrooms)	40 (1 spaces x 40 units = 40 spaces)	103	No[1]
	Residential Tenant Open Parking (Two Bedroom)	90 (2.25[3] spaces x 40 units = 90 spaces)		
	Residential Guest Parking	20 (0.5 spaces x 40 units = 20)		
	TOTAL	**150**[3]		

[1] Development standard deviations allowed through Master Plan approval process

[2] The development is composed of three-story residential units and is not located within the R2-MD, R2-HD, or R-3 zone, therefore, has no rear setback

[3] Tenant open parking can be reduced by 0.25 space for one bedroom and larger units if the covered parking is provided within either a carport or a parking structure; therefore, calculation includes 0.25 reduction

EXECUTIVE SUMMARY

Bundy-Finkel Architects has filed applications for the development of a 40-unit residential common interest development (RCID) located at 220, 222, 234, and 236 Victoria Street (APNS: 419-111-20, 419-111-19, 419-111-21). The applications also include a Tentative Tract Map to merge the existing properties and divide the property for individual ownership through the condominium subdivision process. The approximately 1.77-acre site is designated for commercial use and the existing development is proposed to be demolished and redeveloped to accommodate the residential development. Each unit will include an office area on the ground floor, two-car garage, bedroom living quarters and private open spaces. The project site currently has a General Plan land use designation of General Commercial and is zoned C2 – General Commercial Business District, which does not allow for residential development. To enable residential uses, the applicant seeks a General Plan Amendment and Rezone to apply a Residential Incentive Overlay District (RIOD) to the existing General Plan land use designation and zoning.

This project is subject to the Costa Mesa Municipal Code, which mandates the preparation of a Master Plan for developments located within the RIOD. While the Planning Commission typically serves as the final review authority for a Tentative Tract Map and Master Plan applications, in this case, all related applications—General Plan Amendment, Rezone, Master Plan, and Tentative Tract Map require City Council approval. As these requests are being processed concurrently, the Planning Commission provides a comprehensive recommendation to the City Council for final consideration.

The proposed project complies with many standards, as demonstrated in the planning application summary tables, including lot area, private open space, and building separation. Deviations are required for increased floor area ratio (FAR), reduced common use open space, landscape parkways, reduced setbacks, and reduced parking. In accordance with the California Environmental Quality Act (CEQA), the project requires adoption of a Mitigated Negative Declaration (MND) and adoption of a Mitigation Monitoring and Reporting Program (MMRP). Staff recommends that the Planning Commission recommend that the City Council approve the associated planning applications based on adherence to applicable goals and policies of the General Plan, site planning, design, and amenities.

SETTING

The project site is located on the north side of Victoria Place near the intersection of Victoria Street and Newport Boulevard. The project site consists of three adjacent properties with a total combined area of 1.77 acres (see the below Exhibit 1).

Exhibit 1 Vicinity & Location



The project site is currently developed with existing commercial retail buildings, a residential unit repurposed as a commercial use, and storage yards. Specifically, approximately 18,567 square feet commercial retail use and storage are located on-site; the building are occupied by the following tenants:

Table 1 – Existing Structures

Suite	Use	Square Footage/Units
220 Victoria Street		
Suite A	Storage	500 square feet
Suite B	Boat Storage and Repair (Harvey's Boat Storage)	1,400 square feet
222 Victoria St		
Suite A	Commercial Retail (Allied Lighting)	6,834 square feet
234 Victoria St		
Suite A	Originally constructed as residential use, but has been utilized for commercial purposes for the past 58 years (Currently Vacant)	1 Unit approximately 2,000 square feet
Suite B	Commercial (Suburban Plumbing)	2,333 square feet

Suite	Use	Square Footage/Units
236 Victoria St		
Suite A	Commercial Retail (Battery Mart)	5,500 square feet
	Total Commercial Square Footage	**18,567 square feet**

In addition to the existing structure noted in Table 1, the site also contains a one-story residential structure built in 1954. However, rent rolls indicate that for the past 58 years, the structure has been used as a commercial or storage facility for a plumbing business rather than as a residential unit. Currently vacant and in a state of disrepair, the structure has not been occupied for the past five years. Therefore, the existing structure is not a protected residential unit under California state law because it has been used for commercial purposes for the past 58 years, has remained vacant and uninhabitable for the last five years, and does not constitute viable or recently occupied housing.

Access to the project site is currently provided by Victoria Place, which connects Victoria Street and Newport Boulevard. Nearby development includes an 11-unit apartment project on an 0.83-acre lot (13.2 du/acre) and a 32-unit apartment project on 1.12-acre lot (28.6 du/acre) to the north. Commercial uses such as Herb's Garage Auto Center is located to the west, Jiffy Lube to the south, and the Newport Victoria Plaza office building to the east. The project site is also positioned within a ½ mile walking distance to a mix of retail, restaurant, and shopping areas.

BACKGROUND

Early historical aerials indicate the site was surrounded by rural fields, within sparse development until the iteration of a single-family house in 1938 located at the southwest corner of the site. By the 1950s, following the incorporation of Costa Mesa in 1953, historical aerials indicate the presence of outbuildings (since disappeared) in the rear/north portion of the lot. A proliferation of industrial and commercial buildings had appeared on the parcels and surrounding area by 1963. Between 1972 and 1987, the final building was constructed within the project area. By 1992, the Project area is generally in its current configuration.

Residential Incentive Overlay District Background

On September 20, 2016, the City Council passed Code Amendment CO-16-02 which established the RIOD. The RIOD is situated along Harbor and Newport Boulevards on properties with underlying General Plan land use designations of Commercial Residential, General Commercial or Medium Density Residential. The overlay was initially applied to 14 sites that were developed with marginal operating commercial uses (mainly motels, restaurants, gas stations, and auto services). The overlay added a land use option for residential development of up to 40 dwelling units per acre (du/acre) on these sites compared to the Commercial Residential (maximum of 17.4 du/acre), General Commercial (no residential permitted except in mixed use

developments), and the Medium Density Residential (maximum of 12 du/acre) land use designations. The added overlay and higher densities were intended to incentivize redevelopment of these parcels. However, after the establishment of the RIOD, the City did not receive any interest from the 14 property owners to redevelop these properties.

Subsequently, on November 13, 2018, the City Council approved a General Plan and Zoning Code amendment to reduce the area of the RIOD from 14 sites to only four sites; including: (1) 3205 Harbor Boulevard (Vagabond Inn), (2) the southeast portion of Harbor Boulevard and Gisler Avenue (consisting of an existing hotel, gas station and restaurant), (3) 2277 Harbor Boulevard (Lux Apartments), and (4) the southeast portion of Newport Boulevard and Albert Place (2250 Newport Boulevard (the Ali Baba Motel) and 2274 Newport Boulevard (the Mesa Vista Apartments). At that time, the City Council also reduced the maximum allowable density within the RIOD from 40 du/acre to 30 du/acre and lowered the maximum building height from four stories to three stories.

On August 6, 2024[1], the City Council reviewed a screening application for the proposed 40-unit RCID. The City Council was generally supportive of the proposed development plan and provided suggestions to prioritize community spaces and streetscape design project aspects. The City Council provided feedback, which was incorporated into the formal application, particularly emphasizing enhanced community space and streetscape improvements along Victoria Place. Additional comments were provided to remove Palm trees from the landscaping palette.

Subsequently, the applicant prepared their formal submittal incorporating the City Council comments including increasing the common use open space in the center of the development, revitalizing the landscape peninsula along Victoria Place, enhancing the façade of the units and by removing palm trees from the landscape plan.

Measure Y

Measure Y was approved by the voters on November 8, 2016, and certified by City Council on December 12, 2016, and became effective on December 23, 2016. Measure Y amended the CMMC to require voter approval of certain changes in land use including projects that amend, change, or replace the General Plan, the Zoning Ordinance, a specific plan, or an overlay plan and involve one or more specific conditions as identified in the ordinance. The proposed project is exempt from Measure Y because it falls within the boundaries of the Measure K overlay. Measure K, approved by Costa Mesa voters in November 2022, permits the City Council to approve housing and mixed-use developments in designated commercial and

[1] The August 6, 2024 staff report and meeting video can be viewed links below:
Report:https://costamesa.legistar.com/LegislationDetail.aspx?ID=6816049&GUID=802DDB31-6CD1-40E5-9CCE-E01BF2F8224A

Video: https://costamesa.granicus.com/player/clip/4159?view_id=14&redirect=true

industrial corridors without requiring voter approval, as was previously mandated by Measure Y. Measure K aims to facilitate the revitalization of underutilized areas by encouraging the development of housing opportunities, thereby addressing the community's needs without compromising existing residential neighborhoods.

Housing Element

The 6th Cycle Housing Element identifies housing opportunity sites throughout the City pursuant to the State determined Regional Housing Needs Allocation. Although the project site is not an identified housing site by the City's housing element, the project would count toward the City's 6th Cycle RHNA allocation, provided that building permits are issued by the end of the planning period in December 2029.

REQUEST

To entitle and execute the proposed project the following requests must be approved:

- **General Plan Amendment** is required to modify the Land Use Element's maps, figures, text and tables to apply a RIOD designation to the subject property.

- **Rezone** is required to implement the General Plan RIOD zoning designation.

- **Tentative Tract Map No. 19351** is required pursuant to Municipal Code Chapter III Planning Applications, Section 13-28(r) to merge the existing 1.77 acre site and divide the property for future individual ownerships through the condominium subdivision process.

- **Master Plan** is required pursuant to Municipal Code Chapter V, Application review procedures in RIOD, Section 13-83.63(b) to establish the overall development plan (i.e., site layout, building placement, architecture, floor plans, parking, and landscaping, etc.) for the proposed residential project. In this case, an approved master plan will result in the property's underlying zoning district regulations being superseded by the residential incentive overlay zone provisions.

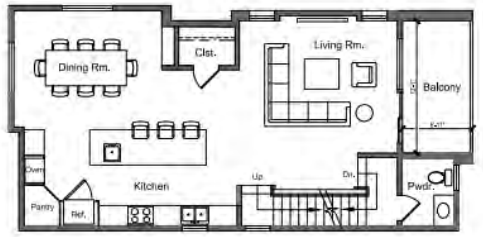
DESCRIPTION

The project proposes to develop a 40-unit RCID community comprising of 18 duplexes (36 dwelling units) and four detached units adjacent to Victoria Place. Victoria Place, a public street forming the southern boundary of the site, provides access to the project through two new driveways. This street connects to Newport Boulevard and Victoria Street, facilitating circulation to and from the site. As part of the project, a new sidewalk will be constructed along Victoria Place, accompanied by accessible pathways that connect to adjacent pedestrian and future bicycle amenities.

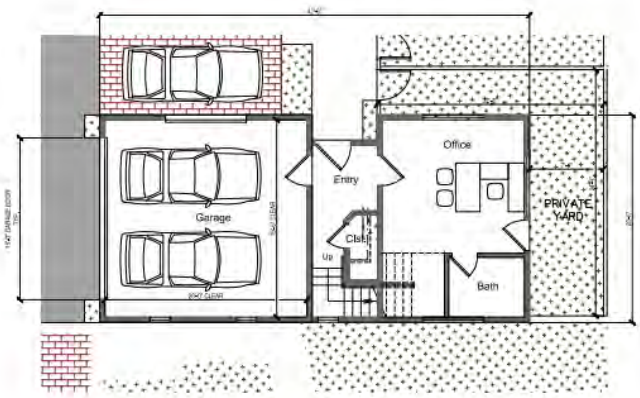
A new Class II bike lane is also proposed along the north side of Victoria Place, connecting Newport Boulevard to Victoria Street and enhancing multimodal access. A Class-2 bike lane is provided on the east side of Newport Boulevard and Costa Mesa's Public Works Department is planning to install a new bike lane along the west side of Newport Boulevard. In addition, there are three additional bicycle lanes in the immediate area located along Victoria Street, Newport Boulevard, and Fairview Road. These bicycle lanes are interconnected with the regional bicycle trail system and provide connections between Costa Mesa, Huntington Beach, Newport Beach, and Santa Ana. The project's internal private drive aisles form an "H-shape" circulation pattern with garage doors facing towards the drive aisles.

The Orange County Transportation Authority (OCTA) operates bus route 71 nearby with two bus stops located approximately 270 and 550 feet away. Bus Route 71 runs north-south generally along portions of Newport Boulevard and Red Hill Avenue from Newport Beach through Costa Mesa and into Irvine and Santa Ana and points beyond. The project proposes an overall density of 22.6 dwelling units per acre (du/acre), where 30 du/acre is allowed under the RIOD. Each unit proposes a square footage of approximately 2,751 square feet with a height of approximately 39 feet, six inches. Each unit includes a first-floor office area, restroom, two-car garage. The second floor includes a living room, a kitchen, a dining area, a bathroom, and a covered balcony. The third floor living area has three bedrooms, two bathrooms, and a laundry area. In addition to a roof deck, each unit would also have private open space at the ground level. The units facing Victoria Place include landscaping with nearby pedestrian access to a proposed future public sidewalk (see the below proposed floor plans in Exhibits 2 and 3). These units also include large, street-facing windows along the Victoria Place frontage.

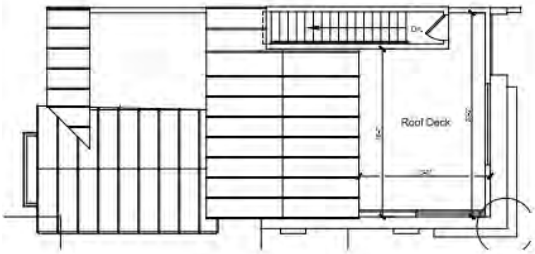
Exhibit 2 Detached Unit Floor Plan



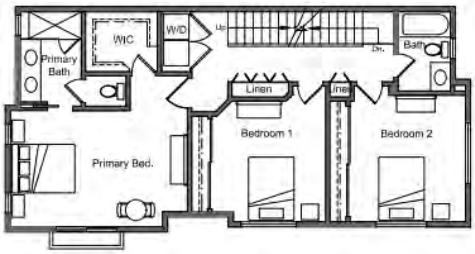
SECOND FLOOR PLAN - DETACHED UNIT



FIRST FLOOR PLAN - DETACHED UNIT



ROOF PLAN - DETACHED UNIT



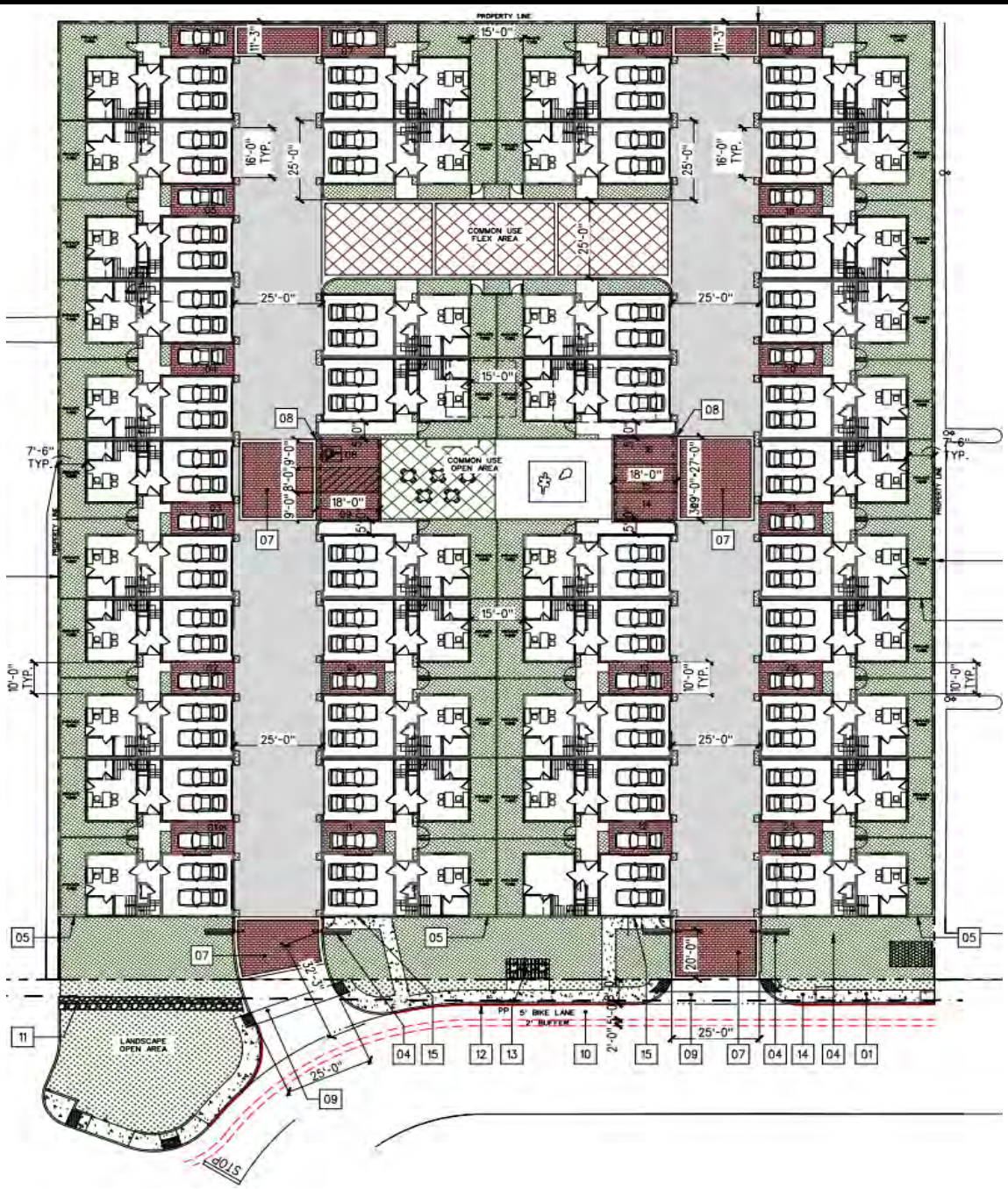
THIRD FLOOR PLAN - DETACHED UNIT

Exhibit 3 Duplex Unit Floor Plan



The duplexes located toward the interior of the site have front doors oriented on the side of the unit, facing the front doors of neighboring units. The project provides five guest parking spaces centrally located within the development, and 18 open parking spaces located between units (see the below Exhibit 4 – Site Plan). As proposed, a total of 103 parking spaces would be available in the two-car garages and adjoining surface parking spaces.

Exhibit 4 Site Plan



Deviations

The RIOD allows for deviations from the requirements to encourage residential development. Deviations require specific findings, including justification that the deviation results in a development that better achieves the goals of the General Plan, that the deviation results in a development which exhibits excellence in design, and that the deviation will not be detrimental to public health. The project proposes the following deviations:

- **Floor Area Ratio (FAR):** The RCID development standards results in a maximum FAR of 0.75. The applicant is requesting a deviation to allow a FAR of 1.43.
- **Common Use Open Space:** The RIOD development standards require a minimum of 50% of the total open space. The applicant is requesting a deviation to allow 32% of common use open space.
- **Building Height:** The RCID development standards limit building height to two stories. The applicant is requesting a deviation to allow three-story residential buildings.
- **Side Setback:** The RIOD development standards require a minimum side setback of 20 feet. The applicant is requesting a deviation to allow a reduced side setback of 7 feet, 6 inches.
- **Rear Setback:** The RIOD development standards require a minimum rear setback of 20 feet. The applicant is requesting a deviation to allow a reduced setback of 11 feet, 3 inches.
- **Landscape Parkway (Interior Private Streets or Common Driveways):** The RCID and RIOD development standards require a landscape parkway along common driveways or interior private streets. The applicant is requesting a deviation to omit the landscaped parkways along the common driveways.
- **Parking:** The City's Residential Off-Street Parking Standards require this development to provide 150 parking spaces including 130 parking spaces and 20 guest parking spaces. The applicant requests a deviation to allow for a total of five guest parking spaces including 98 parking spaces for a total of 103 parking spaces.
- **Garage Dimensions:** The City's Residential Off-Street Parking Standards require a minimum unobstructed interior garage dimension of 20 feet wide by 20 feet long. The applicant requests a deviation to allow an interior garage dimension of 19 feet, six inches wide by 20 feet long for each unit.
- **Parking Stalls Between Buildings:** The City's Parking Design Standards require that parking stalls (open and carports) with vertical restrictions at the side (walls, fences, shrubs, etc.) to be increased in width by one foot beyond the standard requirement. For residential uses, the standard parking stall dimension is eight feet, six inches wide by 18 feet long. The applicant is requesting a deviation to allow a minimum parking stall width of 10 feet.

The analysis and specific findings for the requested development deviations are provided below in the *Master Plan* and *Deviation from Development Standards Findings* sections of this report.

Floor Plan

The project proposes two-unit types, Duplex and Detached. Similar to other residential developments throughout the City, each unit includes a two-car garage, home office,

and a bathroom on the first floor. The second floor is dedicated to living area and includes a half bathroom, kitchen, dining area, living room, and balcony at the rear of each unit. The third floor of each unit is dedicated to bedrooms. Each plan includes three-bedrooms, two-bathrooms, and a laundry closet. There is also an open roof deck that includes an enclosed stairway.

Elevations

As shown in Exhibit 5 below, the proposed residential project has been designed with contemporary design features including modern elements such as large windows, and a mixture of exterior building materials which contributes to the variety of vertical and horizontal articulations.

Exhibit 5 Street Elevations



As shown in Exhibit 6 below, the duplex and detached units are oriented toward a shared driveway aisle, with front elevations and garages facing one another. These elevations include enhanced architectural detailing, and landscaping is provided between each garage and building to create visual interest and soften the interface between units.

Exhibit 6 Typical Side Elevations for Interior and End Units



ANALYSIS

The project site is currently designated "General Commercial" by the City's Land Use Element of the General Plan, and is zoned "C2, General Business District." These designations do not support a residential use of the property but instead allow for office and retail/service uses. However, the project site is located within a "Measure K" corridor that runs along Newport Boulevard. "Measure K" was passed by Costa Mesa voters on November 8, 2022, for the purpose of revitalizing commercial corridors by encouraging new housing in commercial and industrial areas while preserving the character of existing residential neighborhoods. Because the current property zoning does not allow for residential development, the applicant is requesting the City re-zone the property with a residential incentive overlay designation to allow for residential development.

A conventional residential rezone would not have facilitated the project because the proposed density of 22.6 dwelling units per acre exceeds the limits of nearly all standard residential zones in the City, which generally cap at 20 dwelling units per acre, and the project does not include affordable housing units that would otherwise qualify for density bonuses or related waivers. Additionally, the City's residential zones limit building heights to two stories or 27 feet, which the proposed project exceeds. Moreover, even under a traditional residential rezone, the project would be required to comply with two sets of development standards – those of the proposed zoning district and the RCID standards as this is a condominium project. This dual compliance can often create the appearance of numerous deviations, as the project must comply

with both standards. Pursuing a traditional residential zone would also trigger the need for multiple variances—including for density, height, and setbacks—none of which could reasonably meet the required findings for approval based on special circumstances applicable to the property.

In contrast, the RIOD overlay provides a clear and established framework that allows for increased density (up to 30 du/acre) and greater flexibility in deviating from development standards without relying on variances or variance-type findings. The RIOD is not a workaround; rather, it is a tailored zoning solution that enables the City to facilitate more infill development in appropriate locations, consistent with the General Plan's goals for housing production and efficient land use.

If approved, the applicant would develop 40 residential units. The current C2, General Business District zoning is intended to accommodate a wide range of goods and services, often less compatible with residential or institutional settings. Conversely, the proposed RIOD permits new residential housing opportunities in strategic locations along Harbor Boulevard and Newport Boulevard.

General Plan Amendment

The existing Land Use designation of "General Commercial" does not need to be changed to facilitate the proposed RIOD for the project in that the General Plan Land Use Element specifies that the RIOD is a consistent zoning classification in the "General Commercial" Land Use District. However, a General Plan amendment is needed to modify the Land Use Element maps, figures, text and tables to update the Land Use Element to specifically identify the subject property with a RIOD designation. The proposed Land Use Element update would result in a fifth property location being designated with this "Overlay" and enable residential development on the property up to 30 dwelling units per acre.

Rezone

A Zoning Code Amendment is required to re-zone the project site from C2 – General Business District to RIOD to implement the General Plan RIOD. The Zone Code Amendment will apply a specific set of zoning provisions outlined in Costa Mesa Municipal Code (CMMC) Article 12, *Residential Incentive Overlay District,* to the proposed RCID.

As an "overlay district", the property's base land use and zoning designations do not change. Pursuant to CMMC Section 13-83.64, development standards of the base zoning district still apply to properties that are designated with RIOD; however, are superseded by the overlay district standards when residential development is proposed. Only two RIOD sites have been developed: (1) The Lux Apartments, and (2) a section of the southeast portion of Newport Boulevard and Albert Place was converted from a "Motel 6" to apartments. (See Exhibit 7 and Exhibit 8 below).

Exhibit 7 Lux Apartments (2277 Harbor Boulevard)

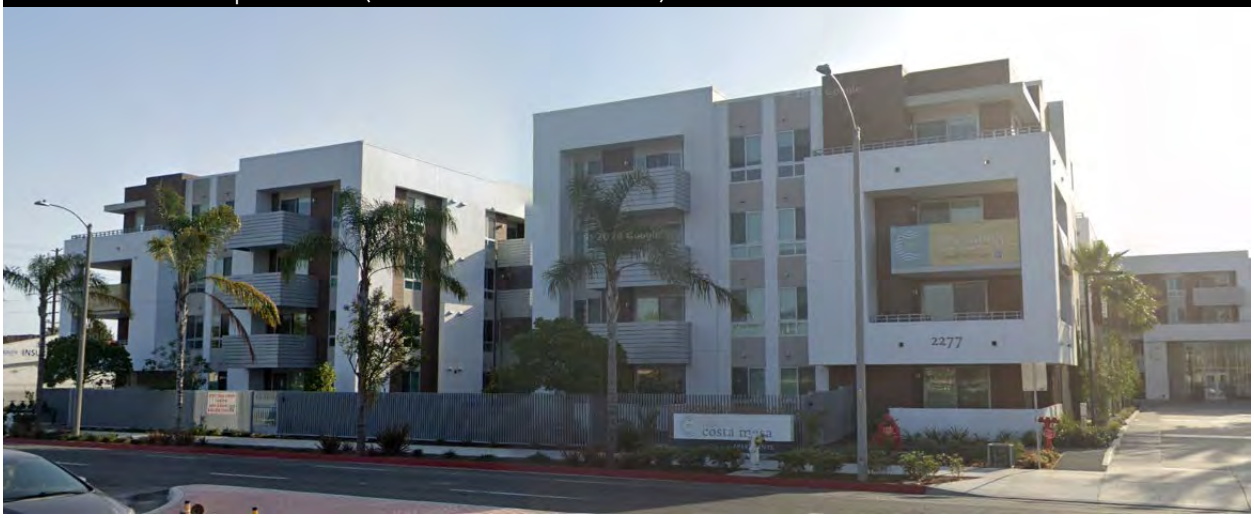
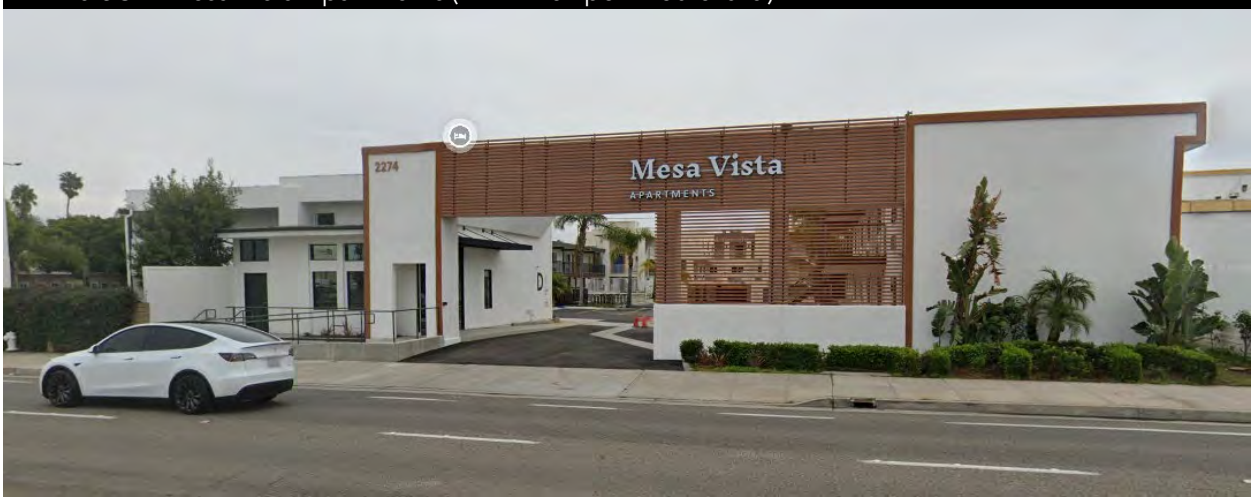


Exhibit 8 Mesa Vista Apartments (2274 Newport Boulevard)



Tentative Tract Map

A Tentative Tract Map is a preliminary subdivision map required under the California Subdivision Map Act when a property is proposed to be divided into five or more lots, including for condominium developments. Although typically associated with dividing land into multiple parcels, a Tentative Tract Map is also required when a project proposes a condominium subdivision of airspace units, even if the underlying land results in just one legal lot. In this case, the applicant proposed to merge three existing parcels, approximately 1.77 acres, and create a one-lot subdivision for the development of residential condominium units, common areas, and private streets.

Since the residential units will be developed as condominiums, and pursuant to the RIOD development standards, the project is required to be developed as a "common interest development" that allows for individual ownership. The Tentative Tract Map proposes "air-space" subdivisions for each residential unit, meaning each owner would control the interior space of their unit (including any dedicated ground-floor open

space areas), while all common areas would be jointly owned and maintained through a homeowners' association (HOA). As such, approval of the Tentative Tract Map is required to merge the existing parcels and establish the airspace subdivision, in compliance with the to the Costa Mesa Municipal Code and Subdivision Map Act.

Master Plan

A Master Plan approval is required for all new development within the RIOD. The Master Plan process establishes the project's overall design framework including consideration of deviations from development standards in exchange for high-quality projects. The proposed Master Plan proposes a mix of three-attached and detached residential condominiums, each featuring a two-car garage, with surface parking between the residential buildings. The development consists of 40 residential condominium units, comprised of 18 attached duplex buildings (36 units) and four detached units. In response to City Council feedback the project incorporates several communal amenities, including a centrally located barbecue area, a children's play area, and a flexible-use space, as shown in the site plan.

Also, in response to City Council's comments regarding activation and revitalization of the landscape peninsula, along Victoria Place, the applicant is proposing a new passive recreation area along this frontage. The design includes seating areas, shade trees, landscaping, and a bioswale, which contribute to pedestrian amenities and provide stormwater management functions along the streetscape. Although the area will be situated within the City's right-of-way, its ongoing maintenance will be the responsibility of the future residential homeowners' association (HOA), ensuring its upkeep and integration with the community. This area will be open to the general public, providing a welcoming space for all community members to enjoy, not just residents of the development. As part of the Master Plan process, the project must comply with specific Master Plan findings.

Pursuant to the RIOD provisions, Section 13-83.63(e), deviations from the RIOD development standards may be approved through the Master Plan process provided that the following findings can be made:

1. Strict interpretation and application of the overlay district's development standards would result in practical difficulty inconsistent with the purpose and intent of the General Plan, while the deviation to the regulation allows for a development that better achieves the purposes and intent of the General Plan;
2. The granting of a deviation results in a development which exhibits excellence in design, site planning, integration of uses and structures and compatibility standards for residential development; and
3. The granting of a deviation will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Site Design

The condominium development is proposed on a 1.77-acre site, which meets the minimum lot size requirement of 0.5 acres as established in the RIOD standards. The project provides a minimum 10-foot building separation, meeting the required standard for building-to-building separation. The site also includes a 20-foot landscape setback along Victoria Place, in compliance with both the RIOD and RCID standards for front yard setbacks. These components demonstrate the project's compliance with applicable site design requirements related to minimum lot size, building separation, and front yard landscaping.

Deviation for Reduced Side and Rear Setbacks

The RIOD development standards require a minimum side setback of 20 feet. The project proposes a side setback of 7 feet, 6 inches, which does not meet the RIOD standard. However, the project complies with the RCID standard, which permits a minimum side setback of five feet. Since the project qualifies as a RCID and proposes to apply the RIOD designation to the site, it is subject to both sets of standards. As such, the applicant is requesting a deviation from the RIOD side setback requirement to allow a reduced side setback of 7 feet, 6 inches.

The RCID rear setback standard does not apply to this project, as the proposed development consists of three-story residential units and is not located within the R2-MD, R2-HD, or R-3 zoning districts. Therefore, no minimum rear setback is required under the RCID standards. However, the RIOD development standards require a minimum rear setback of 20 feet. The project proposes a rear setback of 11 feet, 3 inches, which does not meet the RIOD requirement. As such, the applicant is requesting a deviation from the RIOD rear setback standard to allow a reduced setback of 11 feet, 3 inches.

The intent of side and rear yard setbacks is to provide adequate separation between buildings for light, air circulation, and privacy between adjacent uses. The proposed side setback reduction from 20 feet to 11 feet, 3 inches would continue to meet this intent based on the surrounding context. To the west, the adjacent property is an automobile service center with a building located approximately 30 feet from the shared property line; to the east, the adjacent office building is set back approximately 50 feet. To the north, the nearest residential units within the adjacent multi-family development are approximately 20 feet from the shared property line. Given these existing conditions and the continued physical separation between buildings, staff supports the proposed deviation as it maintains the functional intent of the setback requirements.

Density

The project site is currently zoned C2 – General Business District. However, the applicant proposes to apply the RIOD to the site to allow for residential development and to be subject to the RIOD's development standards. The RIOD is unique in that it establishes a maximum residential density of 30 dwelling units per acre, which is the highest residential density permitted by the City's development standards. Additionally, because the project is a RCID, it is also subject to the RCID development standards.

The project proposes a density of 22.6 dwelling units per acre. This proposed density is in compliance with the RIOD, which allows a maximum density of up to 30 dwelling units per acre. As such, the project meets the applicable density standards established under the RIOD.

Pursuant to Costa Mesa Municipal Code Section (CMMC) 13-41, Table 13-41(b) (Residential Common Interest Development Standards), the maximum density is tied to the underlying zoning district. Since the C2 – General Business District does not prescribe a maximum residential density, the closest applicable standard is the maximum Floor Area Ratio (FAR). Based on the site's General Plan land use designation of General Commercial and the allowable vehicle trip generation thresholds, a maximum FAR of 0.75 applies.

Deviation for Floor Area Ratio

The proposed project includes a Floor Area Ratio of 1.43 and a residential density of 22.6 dwelling units per acre. Although the FAR exceeds the maximum 0.75 FAR standard, the proposed residential density is well within the 30 dwelling units per acre permitted by the RIOD. Additionally, the applicant has provided a trip generation memorandum demonstrating that the existing traffic infrastructure is adequate to support the proposed project without causing adverse impacts.

Unlike commercial development where FAR controls intensity and traffic impacts, residential projects are better evaluated through density standards (dwelling units per acre), especially under an overlay district such as the RIOD that is intended to facilitate residential opportunities. The proposed development's density aligns with the existing residential character along Victoria Street, where similar densities are observed. Furthermore, the project includes a defined site layout with integrated community amenities, and contributes to the City's goals of expanding homeownership opportunities. The project intensity is compatible with the purpose and intent of the RIOD and it would not exceed the capacity of existing public infrastructure. Therefore, staff finds that applying the density standard, rather than the commercial FAR standard, is appropriate and supports approval of the deviation.

Open Space, Common Open Space and Private Open Space

The project proposes a total of 32,437 square feet of open space, which represents approximately 42% of the total site area. This amount exceeds the minimum open space requirement of 40% as established by both the RIOD and the RCID standards. The project also complies with the common open space requirement, which requires that common open space areas be designed and located within the development to allow maximum use by all residents. The proposed site plan includes a centrally located barbecue and play area, along with a flexible-use space, all of which are accessible to residents and designed to support active and passive recreational use. In addition, the project meets the minimum private open space standards by providing private decks or patios for each unit. These private spaces exceed the required minimum of 100 square feet with no dimension less than 10 feet, as the proposed roof decks are approximately 230 square feet each, and each unit also includes private open space at the ground level.

Deviation to Common Use Open Space

In addition to the overall open space requirement, the RIOD standards require that at least 50% of the required open space (or 15,420 square feet) be designated as *common use open space* and include recreational amenities for children. The project proposes 9,817 square feet (32%) of common use open space, which falls short of the RIOD's minimum standard.

However, the project does incorporate key recreational amenities, including a centrally located children's play area, a barbecue area, and a flexible-use open space, consistent with the intent of both the RIOD and RCID standards for community-oriented spaces. Furthermore, while an off-site passive recreation area is not a required development standard, the applicant is voluntarily proposing one along Victoria Place. The area will feature landscaping, shade trees, seating areas, and a bioswale—a landscaped draining feature that helps manage stormwater by filtering runoff and allowing it to absorb into the ground. While the passive recreation area cannot be formally counted toward the common use open space calculation because it is located outside the development boundary, if considered, the total area dedicated to open space would be significantly closer to meeting minimum RIOD requirement. Since the project qualifies as a RCID and proposes to apply the RIOD designation, it must comply with both sets of standards. Therefore, the applicant is requesting a deviation to allow for 9,817 square feet of common use open space.

Exhibit 9 Off-Site Passive Recreation Area



Staff supports the deviation request given that the project advances the goals of providing functional and accessible recreational amenities for residents, both within the development and in the surrounding neighborhood. The project features a connected network of open space areas throughout the site, including private open space, common open space, and areas that are publicly accessible.

Building Height and Architecture

The maximum building height allowed within the RIOD is three stories, with rooftop terraces permitted and not counted as an additional story. The project proposes three-story residential units with rooftop terraces, resulting in a total height of approximately 39 feet, six inches. The design includes a contemporary architectural style featuring varied rooflines, building setbacks, and articulation along the facades, which collectively help to break up the visual scale and massing of the buildings. As proposed, the project complies with the RIOD height standard.

Deviation to Building Height

While the RIOD permits a maximum height of three stories, the RCID standards limit building height to two stories. As such, the applicant is requesting a deviation from the RCID height limitation to allow for three-story buildings.

Staff supports the deviation request as the proposed building height is compatible with the existing three-story buildings along Victoria Street. Additionally, the stepped roof design and architectural articulation minimize the visual impact and ensure that the development blends well with the existing neighborhood character.

Landscaping

The project proposes approximately 16,368 square feet of on-site landscaping. Per the City's Landscaping Standards (CMMC Chapter VII), landscape areas must consist of drought-tolerant plant materials and meet minimum diversity requirements based on total landscape square footage. The site plan demonstrates that private yards will be landscaped, with trees and shrubs planted throughout the community, including along roadways for shade, screening, and aesthetic enhancement.

The project features a diverse plant palette, including Hopseed Bush, Afghan Pine, Bloodgood London Plane, Compact Carolina Cherry Laurel, and Brisbane Box trees. Drought-tolerant shrubs such as Blue Flame Agave, Emerald Blanket Natal Plum, Flax Lily, and Aprilgrun Fescue, along with native and drought-tolerant ground covers, are proposed to ensure a sustainable and visually appealing landscape. Exhibit 10 provides the full plant count, and the landscape palette is included on Plan Sheet L1.02. As part of the building permit plan check, final landscape plans will be reviewed and certified by a licensed California landscape architect to confirm compliance with CMMC and the City's Water Efficiency Landscape Guidelines.

Exhibit 10 Landscaping Count

	Requirement	Proposed
Tree Count	82 (one 15-gallon tree or larger per 200 square feet of landscape area)	87 (24 are proposed at 36- inch box)
Shrub Count	656 (one shrub for every 25 square feet of landscape area)	695

As part of the building permit plan check review, final landscape plans shall be prepared and certified by a California licensed landscape architect confirming that they comply with the Costa Mesa Municipal Code (CMMC) and water efficiency landscape guidelines.

Deviation for Landscape Parkway

The RCID and RIOD development standards require a combined 10-foot-wide landscape parkway (minimum three feet on one side) along common driveways or

interior private streets. In this case, to preserve the proposed residential unit count and maintain functional and efficient drive aisles, the project does not include the landscaped parkways along the private driveways. Therefore, the applicant is requesting a deviation from the RCID and RIOD parkway requirement.

The intent of landscape parkways within a condominium development is to enhance the visual character of the neighborhood, provide a buffer between pedestrian and vehicular areas, and contribute to the overall livability of the site. In this case, the applicant is requesting to omit traditional landscape parkways; however, the project incorporates landscaping between garages, private side yards, tree wells, common open spaces, and walkways entering the site that are surrounded by landscaping and trees. Staff supports the request, as the alternative landscape features provide comparable benefits in terms of visual quality and pedestrian experience and site aesthetics. The project's landscape design, combined with the site layout and amenities, ensures the development is both attractive and supportive of the City's long-term housing and community vision.

Exhibit 11 Aerial View



Parking

Pursuant to the RIOD, required parking for the proposed residential units is based on the City's Off-Street Parking Standards in the CMMC. The City's Residential Off-Street Parking Standards require that units with three or more bedrooms provide 3.5 parking spaces per unit and 0.5 guest parking spaces. However, if covered parking—such as garages or carports—is provided, the parking requirement can be reduced by 0.25 spaces per unit. In this proposal, all 40 units three-bedroom units include attached two-car garages, qualifying as covered parking. Therefore, the development requires 130 parking spaces and 20 guest parking spaces, totaling 150 spaces.

Deviations to Parking

The applicant proposes 103 parking spaces, with a proposed parking ratio of 2.58 spaces per unit, resulting in a shortfall of 47 parking spaces.

The proposed parking ratio would be consistent with other nearby developments along Victoria Street, such as Victoria Gardens (2.57 spaces per unit) and Ocean Breeze Villas (2.5 spaces per unit). Although a formal parking demand analysis specific to this project was not prepared, the proposed reduction in parking is supported by several contextual and project-specific factors. For example, a similar residential project of comparable size, unit count, and parking configuration was approved by the Planning Commission on February 10, 2025, for a 38-unit live/work condominium development located at 960 West 16th Street. That project included 100 total parking spaces—76 within private garages and 24 as open parking/driveway spaces. As part of the review, a parking study was conducted using empirical data from two existing live/work developments in the City: the Lighthouse Community (89 units) and the Level 1 development on Industrial Way (60 units). The study identified a peak mid-day parking demand of 2.57 spaces per unit.

The proposed project provides a parking ratio of 2.58 spaces per unit, consistent with comparable projects in the City. Additionally, public on-street parking is available along the south side of Victoria Place, which may serve as supplemental parking if needed. The project is also close to bike lanes and transit, providing access to car-free travel. Therefore, staff supports the parking deviation as the proposed parking supply is adequate to meet anticipated demand.

Deviations to Garage Dimensions

The City's Residential Off-Street Parking Standards require that all two-car garages provide a minimum unobstructed interior dimension of 20 feet wide by 20 feet long. The proposed project includes a two-car garage for each residential unit; however, the garages are designed with interior dimensions of 19 feet, six inches wide by 20 feet long, which does not fully meet the City's minimum requirement.

As a result, the applicant is requesting a deviation to allow an interior garage dimension of 19 feet, six inches by 20 feet for each unit. The intent of the 20 feet wide by 20 feet long interior garage standard is to ensure a two-car garage provides sufficient, functional space to park two standard-sized vehicles while allowing safe access in and out of the vehicles. A slight reduction in width (e.g., to 19 feet, 6 inches) would still meet this intent, as two vehicles can be accommodated without obstructing garage door operation, and there is adequate side to open doors and enter/exit the vehicles. Staff supports the request, as the garages remain adequately sized to accommodate two vehicles and the minor reduction in width does not affect functionality.

Deviation to Parking Stalls Located Between Buildings

The City's Parking Design Standards require that parking stalls (open and carports) with vertical obstructions on the sides—such as walls, fences, or landscaping—be increased by one foot beyond the standard width. For residential uses, the standard parking stall size is eight feet, six inches wide by 18 feet long; therefore, where vertical obstructions are present on both sides, the minimum required stall width is 10 feet, six inches. In this case, the project proposes open parking stalls located between residential units, where vertical obstructions are present on both sides. The proposed parking stall widths range from 10 feet to 11 feet, which does not fully meet the minimum width requirement in all instances. As such, the applicant is requesting a deviation to allow a minimum parking stall width of 10 feet. Of the 18 proposed parking stalls adjacent to vertical obstructions, 14 are proposed to be less than the required with of 10 feet, six inches—representing approximately 78% of the affected open stall count.

The intent of the increased stall width requirement is to ensure adequate space for vehicle parking and maneuvering when vertical obstructions are present, thereby minimizing potential damage to vehicles and maintaining safe and functional access for drivers. Despite the proposed reduction in stall width, the project continues to meet this intent by providing stall widths that are close to the minimum standard and still allow for practical use by most standard-sized vehicles. Given the minimal deviation, the proposed stall dimensions are not expected to compromise vehicle maneuverability or vehicle door operation.

Trip Generation

CMMC Section 13-275(e) indicates that any increase in traffic generation by a change of use that is required to obtain a discretionary permit, shall be subject to review by the appropriate reviewing authority, which may impose fees to address increased trip generation. If required, the fee collected is used to fund the City's comprehensive transportation system improvement program. The purpose of the program is to ensure that the City's transportation system has the capacity to accommodate additional trips. The Citywide Traffic Impact Fee related to new and expanding developments is determined using estimated Average Daily Trips (ADT), which is the combined total number of vehicular trips both in and out of a development generated throughout an average weekday. The applicant submitted a trip generation study that has been reviewed by the City's Transportation Division. The trip generation study indicated that the project would result in approximately 298 daily trips and would generate more trips compared to the existing commercial uses. Therefore, a traffic impact fee will be required and is conditioned as part of the project. The fee calculation would be finalized during the building permit plan check process and be paid prior to building permit issuance.

Lastly, CMMC Section 13-275(a), specifies that "a traffic impact study shall be required for all development projects estimated by the Public Works Department to generate one hundred (100) or more vehicle trip ends during a peak hour." The highest peak hour trips in either the AM or PM are used to estimate the number of vehicular trips generated both in and out of a new or expanded development, known as vehicle trip-

ends during a peak hour. The City's Transportation Services staff determined that the proposed project would result in approximately 21 AM and 35 PM peak hour trips, and thus a traffic study was not required.

Fire and Emergency Access

Based on the Fire and Rescue Department's review of the project, there does not appear to be any significant issues that would preclude the project from moving forward. The Department has evaluated the proposed development for compliance with fire safety standards, including access for emergency vehicles, water supply for firefighting, and the design of fire protection systems. All identified requirements will be incorporated during the building permit phase to ensure the project meets all applicable requirements of the California Fire Code.

Airport Land Use Commission

The project site is entirely within the Airport Planning Area for John Wayne Airport, as defined by the Airport Land Use Commission (ALUC) of Orange County. Consequently, any proposed amendments to the General Plan, such as the one associated with the proposed three-story residential project, must be referred to the ALUC for a consistency determination prior to adoption by the City Council. If Planning Commission recommends approval, ALUC consistency must be confirmed before City Council action. This requirement aligns with Section 21676(b) of the California Public Utilities Code, which mandates that local agencies submit such proposals to the ALUC to ensure compatibility with the Airport Environs Land Use Plan (AELUP).

GENERAL PLAN CONFORMANCE

The proposed residential development fulfills the goals, objectives, and policies of the general plan by providing new housing opportunities and will create new temporary construction employment opportunities within the City. The following analysis further evaluates the proposed project's consistency with applicable policies and objectives of the 2015-2035 General Plan.

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

   Consistency: The project will contribute to a balanced mix of uses in the area that includes providing additional housing opportunities, set among a variety of office, retail and service uses in the immediate area.

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

Consistency: The project is a RCID that complies with the allowable density for the RIOD. Adequate infrastructure exists to serve the proposed project including water, electricity, gas, and sewer services. Therefore, the project is consistent with the General Plan objective.

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

   Consistency: The project consists of demolishing an existing commercial property and constructing 40 new ownership units. The inclusion of 40 additional ownership units will improve the balance of rental and ownership housing in the City.

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

   Consistency: The redevelopment of underutilized commercial properties into a 40-unit residential community is designed to enhance the surrounding area. The project features contemporary architectural designs, articulated building forms, and extensive landscaping improvements that will elevate the site's visual character. Privacy for both existing and future residents is maintained through the construction of block walls between the units. Additionally, the project integrates a passive recreation area adjacent to Victoria Place, providing seating areas, shade trees, enhanced landscaping, a bioswale, and other amenities. The internal orientation of all residential units toward the new private streets enhances pedestrian activity and promotes visibility. Collectively, these design elements strengthen the identity of the area, contribute positively to the community, and ensure consistency with this objective.

5. **Policy HOU-3.2:** Encourage the development of well-planned and designed residential or mixed-use projects which, through vertical or horizontal integration, provide for the development of compatible residential, commercial, industrial, institutional, or public uses within a single project, neighborhood, or geographic area within the City.

   Consistency: The project is a well-planned and designed residential project. The project is compatible with surrounding uses including industrial, commercial and residential uses as the project improves the neighborhood by providing a carefully designed streetscape along Victoria Place, featuring, street-facing windows that promote visibility and neighborhood interaction, as well as enhanced landscaping that softens the built environment.

ZONING AND RESIDENTIAL INCENTIVE OVERLAY DISTRICT CONFORMANCE

The project site is currently zoned C2 – General Business District, which aligns with the General Commercial land use designation in the City's General Plan. This zoning permits a broad range of commercial uses.The applicant proposes a Zoning Code Amendment to rezone the site from C2 to the RIOD. This change aims to implement the General Plan's Residential Incentive Overlay designation and facilitate a residential development through a Master Plan.

Upon approval of the Master Plan, the RIOD standards will supersede those of the underlying C2 zoning, as stipulated in the Costa Mesa Municipal Code (CMMC) Article 12. Consequently, the project will be subject to the development standards outlined in CMMC Article 12 for the RIOD and Article 2 for RCID.

FINDINGS

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets specified findings as follows.

General Plan Amendment (PGPA-24-0001)

According to Costa Mesa Municipal Code Section 13-29(g), there are no specific findings required for a General Plan Amendment. Such amendments are considered legislative actions and are subject to the discretion of the City Council. In this case, the proposed General Plan Amendment seeks to modify the Land Use Element's maps, figures, text, and tables to apply the RIOD designation to the subject property. The underlying land use designation of General Commercial would remain unchanged.

Below is staff's justification in support of the proposed general plan amendment:

- ***The proposed project would contribute to the City meeting its City's 6th cycle RHNA allocations***

  The City of Costa Mesa's 6th Cycle (2021–2029) Housing Element identifies specific sites to meet the State-mandated Regional Housing Needs Allocation (RHNA) of 11,760 units. The proposed project site is not among these designated housing opportunity sites. Consequently, any residential units approved on this site would contribute additional market-rate housing beyond the City's assigned RHNA, as long as building permits are issued by the end of the planning period in December 2029, thereby supporting the City's broader housing objectives.

  The project proposes 40 new ownership housing units, which would enhance the balance between rental and ownership housing in the City. This aligns with General Plan Policy LU-1.3, which encourages the development of owner-occupied housing,

such as single-family residences, condominiums, and townhouses, to improve the rental-to-ownership ratio. By facilitating this development through the RIOD, the City can promote homeownership opportunities without altering the existing General Commercial land use designation.

- ***The proposed density at 22.6 du/acre is appropriate given the property's location, site size, and design of the project.***

  Residential Common Interest Developments offer several community benefits, including reduced traffic congestion and enhanced walkability. By concentrating housing units within a compact area, such developments can decrease reliance on automobiles, leading to fewer vehicle trips compared to traditional low-density neighborhoods. The project includes pedestrian pathways that provide access to nearby amenities and services, consistent with General Plan policies that encourage walkability and connectivity.

  The proposed project's density aligns with the existing residential character along Victoria Street, where similar densities are present. Moreover, the development incorporates design features that provide community-oriented amenities such as a barbecue area, children's play area, flex-use space, and proximity to an adjacent off-site passive recreation area. These features contribute to the City's objective of expanding homeownership opportunities. The project's intensity is consistent with the purpose and intent of the RIOD and is designed to operate within the capacity of existing public infrastructure.

Rezone

Pursuant to Title 13, Section 13-29(g)(11), Findings, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required **Rezone findings**:

- ***The proposed rezone is consistent with the Zoning Code and the general plan and any applicable specific plan.***

  The proposed rezone is consistent with the Zoning Code, the General Plan, and applicable planning documents. Specifically, the applicant is requesting to rezone the project site by applying the RIOD zoning overlay over the existing C2 – General Business District zoning. This overlay would implement the General Plan's Residential Incentive Overlay designation and allow for the development of a RCID pursuant to the provisions of Article 12 (Residential Incentive Overlay District) of the Costa Mesa Municipal Code (CMMC).

  To facilitate this rezoning, a General Plan Amendment is also proposed to formally apply the RIOD to the project site. This amendment would modify the Land Use

Element maps, figures, text, and tables to reflect the new overlay designation while maintaining the underlying General Commercial land use designation. Per *Table LU-19: General Plan and Zoning Consistency* of the General Plan Land Use Element, the RIOD is considered consistent with the General Commercial land use designation. Therefore, the proposed rezone and General Plan Amendment align with the City's land use framework and are necessary to support the proposed residential development.

Tentative Tract Map No. 19351

Pursuant to Title 13, Section 13-29(g)(13), Findings, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required **Tentative Tract Map findings**:

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

  The creation of the subdivision aligns with the General Plan by promoting residential development that meets the community's housing needs. Additionally, the subdivision complies with the local Zoning Code and State laws by conforming to established development regulations. Overall, this project supports the City's vision for balanced development and ownership housing.

- ***The proposed use of the subdivision is compatible with the general plan.***
  The proposed development aligns with the General Plan by addressing the critical need for housing options within the community. Located near transportation routes and commercial and residential corridors, this development promotes the City's goals of increasing residential density while enhancing accessibility to essential services and transportation. Furthermore, the project supports the General Plan's emphasis on creating inclusive neighborhoods, thereby fostering a supportive environment for a mix of populations and contributing to the overall well-being of the community.

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

  The proposed development will be situated in an urbanized area. The site meets the minimum lot size requirement and is a typical shaped lot that can accommodate the buildings and necessary utilities. Grading activities could potentially disturb limited areas of shallow soils impacted by past boat storage and repair operations;

however, contamination levels are below regulatory thresholds for the site's current use. With implementation of Mitigation Measure HAZ-1, requiring a Soil Management Plan during grading, the project would not result in substantial environmental damage related to hazardous materials. There are no wildlife habitat or bodies of water on the site or nearby, further ensuring that the development will not result in substantial environmental damage. This strategic location allows for the efficient use of already developed land, minimizing the need for additional site disturbance and preserving green spaces elsewhere in the community. By repurposing this underutilized area, the project will provide much-needed ownership housing.

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

  The design of the proposed development considers the orientation of the lot, aligning in a manner that maximizes solar exposure, ensuring natural passive heating during colder months. Additionally, the layout incorporates an outdoor barbeque and children play area at the center of the development and green spaces to promote natural airflow and cooling, minimizing the need for artificial heating or air condition. This approach reflects the principals outlined in State Government Code section 66473.1.

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

  The proposed development has been designed to ensure that all existing public entity and utility rights-of-way and easements within the subdivision remain accessible and unobstructed. Coordination with utility providers and the City will be maintained throughout the development process to avoid any disruptions and ensure that essential services can continue to operate efficiently.

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

  The applicant has submitted a Preliminary Water Quality Management Plan (PQWMB), which demonstrates that the project will implement best management practices to effectively manage wastewater and prevent any violations of water quality standards.

Master Plan

Pursuant to Title 13, Section 13-29(g)(5), Findings, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required **Master Plan findings**:

- ***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.***

  The proposed development is consistent with the broader goals of the General Plan by promoting housing opportunities, as specified in General Plan Land Use Objective LU1-A, Land Use Policy LU-1.3, Land Use Objective LU-2A, and Housing Element Policy HOU-3.2. Additionally, the project design reflects architectural standards and site planning that maintains the character and integrity of the surrounding residential and commercial areas. By prioritizing amenity connectivity and experience, the development fosters a sense of place while contributing to the overall livability of a highly urbanized environment.

- ***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.***

  The proposed development a residential development and not located within a mixed-use overlay district. Therefore, these master plan findings do not apply.

- ***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.***

  The proposed development includes 40 residential ownership units that are proposed to be sold at market rate. The project complies with the maximum density standards allowed pursuant to the proposed RIOD. No affordability covenants are proposed because the project is not required to provide affordable housing in line with the City's inclusionary ordinance nor is the project proposing affordable housing.

Master Plan for Residential Incentive Overlay District

Pursuant to Title 13, Section 13-83.63(c), Findings, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required **Master Plan for Residential Incentive Overlay District findings**:

- ***The project is consistent with the General Plan and meets the purpose and intent of the residential incentive overlay district.***

  The proposed development is consistent with the broader goals of the General Plan by promoting housing opportunities, as specified in General Plan Land Use Objective LU1-A, Land Use Policy LU-1.3, Land Use Objective LU-2A, and Housing Element Policy HOU-3.2. Additionally, the project meets the purpose and intent of the RIOD as the project provides new housing opportunities and the design reflects architectural standards and site planning that maintains the character and integrity of the surrounding residential and commercial areas. By prioritizing amenity connectivity and experience, the development fosters a sense of place while contributing to the overall livability of a highly urbanized environment.

- ***The project includes adequate resident-serving amenities in the common open space areas and/or private open space areas in areas including, but not limited to, patios, balconies, roof terraces, walkways, and landscaped areas.***

  The project provides a mix of private and shared open space amenities that support both individual and community needs. Each unit includes a private rear yard, a covered second-floor balcony directly accessible from the living room, and an approximately 230-square-foot roof deck, providing multiple outdoor living opportunities. These features are complemented by common amenities such as a barbecue area, children's play area, and flex-use space, which encourage community interaction and recreation. In addition, the project's proximity to a proposed adjacent off-site passive recreation area further enhances the quality of life for residents and reflects strong site planning consistent with this finding.

- ***The project is consistent with the compatibility standards for residential development in that it provides adequate protection for residents from excessive noise, odors, vibration, light and glare, toxic emanations, and air pollution.***

  The project is consistent with residential development standards and has been designed and conditioned to protect future residents from potential environmental impacts such as noise, vibration, light, glare, and air quality. The Mitigated Negative Declaration concludes that noise impacts will be less than significant, as the project's trip generation is minimal and would not noticeably affect existing traffic noise levels. Construction and operational vibration impacts are also expected to

be less than significant, and the project has been conditioned to include a lighting plan and photometric study to ensure light and glare are appropriately managed. Furthermore, the project's operations are not anticipated to pose any health risks to nearby sensitive receptors, confirming that it meets all applicable health standards for residential use.

- ***The proposed residences have adequate separation and screening from adjacent commercial uses through site planning considerations, structural features, landscaping, and perimeter walls.***

  The proposed development ensures appropriate separation and screening from neighboring residential and commercial properties. Adjacent land uses include office spaces, automotive services, and multi-family residential units. To the west, Herb's Garage, an auto service center, is situated behind block walls, providing a physical barrier. To the east, an underutilized parking lot associated with an existing office building is also screened by block walls. Landscaping is incorporated along all property setbacks, enhancing the visual buffer and contributing to the aesthetic integration with surrounding uses.

Deviations from Residential Incentive Overlay District Development Standards
Pursuant to Title 13, Section 13-83.63(e), Findings, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required **Deviation from Residential Incentive Overlay District Development Standards findings**:

- ***Strict interpretation and application of the overlay district's development standards would result in practical difficulty inconsistent with the purpose and intent of the General Plan, while the deviation to the regulation allows for a development that better achieves the purposes and intent of the General Plan.***

  The proposed project meets the intent of the RIOD by providing well-designed residential development that aligns with the goals of the General Plan. While the project includes deviations for floor area ratio (1.43 FAR), building height, common use open space, landscape parkways, garage dimensions, parking, and setbacks, these adjustments allow for efficient site planning and enhanced residential amenities. The development includes roof decks, private rear yards, and covered balconies for each unit, supporting livability and quality of life. Although the project proposes 9,817 square feet of common use open space—less than the RIOD's minimum requirement—it includes amenities like a barbecue area, children's play space, flex-use space, and proximity to a proposed adjacent passive recreation area, fulfilling the intent of the standard.

  The parking deviation still results in a reasonable parking ratio of 2.58 spaces per unit, with garages and conveniently located open stalls. Reduced side and rear setbacks allow for a more compact and efficient layout that maintains compatibility with surrounding land uses. Though the garage dimensions and stall widths are

slightly below standard, the design distributes parking accessibly throughout the site. Overall, the requested deviations facilitate the development of a residential project on an underutilized infill site within an urbanized area, consistent with Land Use Objectives LU1-A and LU-2A and Housing Element Policy HOU-3.2, by offering high-quality, accessible housing within an urban corridor.

- ***The granting of a deviation results in a development which exhibits excellence in design, site planning, integration of uses and structures and compatibility standards for residential development.***

  The proposed development includes a cohesive architectural style, the use of high-quality materials, and a well-organized internal circulation that supports both aesthetics and site functionality. The project includes landscaping, rooftop decks, private rear yards, and second-floor balconies for each unit, which provide outdoor space and amenities commonly associated with residential development. The development also includes community-oriented amenities such as a barbecue area, children's play zone, and a flex-use space, promoting a vibrant and engaging environment. Despite requesting deviations for building height, FAR, setbacks, open space, and parking, the project remains compatible with surrounding land uses and maintains an appropriate scale and massing consistent with nearby developments. The proposed site layout efficiently uses the available land while preserving a strong sense of community and contributing positively to neighborhood character.

- ***The granting of a deviation will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.***
  The requested deviations will not be detrimental to public health, safety, or welfare, nor will they negatively impact surrounding properties or improvements. The project has undergone thorough environmental review through a Mitigated Negative Declaration, which determined that potential impacts related to noise, air quality, traffic, and hazardous materials would be less than significant with a few mitigation measures. The development includes appropriate setbacks, enhanced landscaping, and on-site amenities that promote a livable environment while maintaining compatibility with neighboring uses. Additionally, a trip generation memo confirms that the existing street infrastructure can accommodate the project without causing adverse traffic impacts. The overall design supports safe and efficient circulation for vehicles and pedestrians and aligns with City standards to ensure a well-integrated residential neighborhood.

ENVIRONMENTAL DETERMINATION

A Draft Mitigated Negative Declaration (MND) has been prepared in accordance with the California Environmental Quality Act (CEQA). The MND examines the potential environmental impacts of the proposed project and focuses on the changes to the existing environment that would result from the proposed project. The MND examines

all stages of the project, including construction and operation.

The MND evaluated the proposed project's potential environmental impacts on various topics (e.g. air quality, aesthetics, hydrology and water quality, land use, etc.) and identified specific mitigation measures to lessen environmental impacts whenever feasible. In accordance with CEQA Guidelines Section 15072 the Draft MND was made available for a public comment period beginning on April 1, 2025, and ending at 5:00 p.m. on April 30, 2025. Copies of the Initial Study, the proposed MND, and supporting materials were available for public review at City Hall and other public facilities including online.

MND Including Response to Comments

A total of two comments were received from public agencies, one from the California Department of Transportation and the other from Department of Toxic Substances Control. Copies of all comments received and responses to the comments are provided as an attachment to this staff report. The Final MND consists of the response to comments, errata and Mitigation Monitoring and Reporting Program (MMRP). The response to comments is responses to the public comments received during the public review period of the Draft MND. The errata makes minor changes to the Draft MND that do not affect the overall conclusions of the environmental document. The MMRP is a comprehensive list of all mitigation measures identified in the Draft MND.

Summary of Significant Environmental Impacts and Mitigation Measures

The MMRP lists the mitigation based on each environmental topic with mitigation measures required in order to reduce the project's potentially significant impacts. The MMRP also specifies which City department is responsible for monitoring and ensuring compliance with the mitigations. The MMRP also includes timing of when the mitigation measure applies e.g. prior to issuance of building permits, during ground disturbance activities, etc. The MMRP includes mitigation measures for environmental impacts that were found to be less than significant with mitigation incorporated for the following environmental factors identified in the Draft MND:

- Geology and Soils
- Cultural Resources
- Transportation
- Hazards and Hazardous Materials
- Tribal Cultural Resources

ALTERNATIVES

Planning Commission alternative recommendations to the City Council include the following:

1. *Recommend approval of the project with modifications*. In consideration of any required findings or project use operations, the Planning Commission may suggest specific project changes. If any of the additional requested changes are substantial, the hearing could be continued to a future meeting to allow a redesign or additional analysis. Should significant modifications occur, staff would return with a revised resolution and/or ordinance incorporating new findings and/or conditions for consideration by the City Council.

2. *Recommend denial of the project*. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission should recommend denial of the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for City Council denial. If the project is denied, the applicant could not submit substantially the same type of application for six months from the City Council's decision for denial.

LEGAL REVIEW

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

PUBLIC NOTICE

Pursuant to Title 13, Section 13-29(d) of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 20 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site on Wednesday, May 14, 2025. The required notice radius is measured from the external boundaries of the property.
2. **On-site posting.** A public notice was posted on each street frontage of the project site on Friday, May 16, 2025.
3. **Newspaper publication.** A public notice was published once at least 10 days before the Planning Commission meeting in the Daily Pilot newspaper on Friday, May 16, 2025.

As of the date this report was circulated, no written public comments have been received. Any public comments received prior to the June 9, 2025, Planning Commission meeting will be provided separately.

CONCLUSION

Approval of the project would facilitate the development of 40 new for-sale condominium units, expanding homeownership opportunities and contributing to the City's market-rate housing supply in alignment with the goals of the General Plan and Housing Element. The applicant has incorporated City Council feedback provided during the screening process, and the proposed development is consistent with the

General Plan, Zoning Code, State Law, and all necessary findings can be made. The site is adequately served by existing infrastructure and falls within a Measure K corridor, which encourages new housing in commercial and industrial zones while preserving the character of existing residential neighborhoods. The residential use is compatible with surrounding land uses and is not anticipated to conflict with existing or future development. Therefore, staff recommends that the Planning Commission recommend City Council approval of the proposed project.

ATTACHMENTS

1. Draft Resolution
    - Resolution Exhibit D1 – Public Works Conditions
2. Draft Resolution – MND
    - Exhibit A – Draft IS/MND
    - Exhibit B – Final IS/MND
3. Draft Ordinance – Rezone
4. Applicant Letter
5. Vicinity Map
6. Zoning Map
7. Land Use Map
8. Public Comments
9. Plans
10. Trip Generation Memo

ATTACHMENT 10

PH-1

PARTIDA, ANNA

From: Jan Harmon <janharmon2008@gmail.com>
Sent: Monday, June 9, 2025 10:48 AM
To: PC Public Comments
Subject: RE: Development of 40 Residential Condominium Units Located at 220, 222, 234, and 236 Victoria Street.

I have been a Costa Mesa resident since 1974. I have been driving the streets of Costa Mesa watching them become more and more busy with traffic, especially in the last 10 years. The Costa Mesa Planning Commission is now looking at a proposal for the Development of 40 Residential Condominium Units Located at 220, 222, 234, and 236 Victoria Street. This project is unreasonable and will further impact the traffic at the intersection of Victoria Street and Newport Blvd.

I also object to the project based on the following deviations from The Master Plan:

- The allowable height is two stories, but the condos are three stories, plus the roof top deck.
- Because this is a residential common interest development, it needs a floor area ratio (FAR) calculation. The units are 1.43 FAR, nearly twice the .75 that is allowed.
- The common use open space will only be 9,817 sq ft versus the 15,420 that is required.
- The setbacks will be reduced; the side setback will be 7 ft 6 instead of the required 20 feet, and the rear setback will be 11 ft 3 inches instead of 20 feet.
- Parking spaces will be 103 instead of the 150 required .
- The garages will be smaller and the parking stalls between the buildings will be narrower.
- 10-foot landscaped parkways are required, but this project has **none**.

Please do not allow this proposal to go forward.

Sincerely,

Jan Harmon

Costa Mesa Resident since 1974

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.

RESOLUTION NO. PC-2025-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA RECOMMENDING CITY COUNCIL DENIAL OF A GENERAL PLAN AMENDMENT (PGPA-24-0001), REZONE, MASTER PLAN (PMAP-24-0002), AND TENTATIVE TRACT MAP NO. 19351 FOR THE DEVELOPMENT OF 40 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 220, 222, 234, and 236 VICTORIA STREET ("VICTORIA PLACE")

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, a General Plan Amendment, Rezone, Tentative Tract Map, and Master Plan, was filed by Bundy-Finkel Architects, on behalf of WMC, LLC, requesting approval of the following: General Plan Amendment, Rezone, Master Plan, and Tentative Tract Map to facilitate the development of a 40-unit residential common interest development project located at 220, 222, 234, and 236 Victoria Street;

WHEREAS, pursuant to Costa Mesa Municipal Code (CMMC) Section 13-83.63(a) and City Council Policy 500-2, a project screening is required for all residential development proposals within the RIOD, as well as for any privately-initiated General Plan Amendment;

WHEREAS, a screening provides awareness of the application to the community and gives the City Council an opportunity to offer comments on the merits and appropriateness of the proposed development before the applicant submits the formal planning application(s);

WHEREAS, a screening for General Plan Amendment (PSCR-24-0001) and RIOD was conducted by the City Council August 6, 2024, pursuant to the requirements of the CMMC Section 13-83.63(a) and City Council Policy 500-2;

WHEREAS, a General Plan Amendment is required to modify the Land Use Element's maps, figures, text and tables to apply a RIOD zoning designation to the subject property, as the site currently has a land use designation of General Commercial, which does not allow residential development;

WHEREAS, General Plan Amendment (PGPA-24-0001) requested the following revisions to the Land Use Element;

1. Figure LU-3 – apply the RIOD designation to the project site, without changing the underlying General Commercial land use designation
2. Figure LU-9 – amend text apply the RIOD designation to the project site
3. Table LU-16 – update the Newport Boulevard RIOD Density Column to 117 units and total combined units to 478 units and remove the Floor Area Ratio section as FAR no longer applies to the RIOD
4. Figure LU-11: *Residential Incentive Overlay: Newport Boulevard* by revising exhibits to show the RIOD designation to the project site and revising allowable maximum residential units to 117 units and removing commercial square footage

WHEREAS, based on the proposed General Plan Amendment, a Rezone is requested to establish consistency between the General Plan and Zoning Code and apply the RIOD zoning designation to the subject project site, currently zoned C2 – General Business District, to facilitate the residential development while maintaining the underlying commercial zoning;

WHEREAS, the Master Plan (PMAP-24-0002) proposes a 40-unit residential development and is consistent with and meets the objectives of the General Plan as market-rate housing is encouraged and is compatible with the existing commercial and residential uses nearby;

WHEREAS, the applicant proposed to deviate from the following development standards: increased floor area ratio; reduced common use open space; increased building height; reduce side setback; reduced rear setback; omit landscape parkways; reduced parking; reduced garage space; and reduced parking space next to buildings;

WHEREAS, Tentative Tract Map No. 19351 is a request to subdivide the property for future individual ownerships through the condominium subdivisions process;

WHEREAS, the Planning Commission is the recommending body and the City Council is the final decision-maker for the Mitigated Negative Declaration and Mitigation

Monitoring and Reporting Program, General Plan Amendment, Rezone, Master Plan, and Tentative Tract Map;

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, on June 9, 2025, the Planning Commission recommended denial of the proposed project, citing concerns with discussed traffic impacts, public safety, and the appropriateness of applying the Residential Incentive Overlay District zone given the project's various deviations from the Municipal Code.

NOW, THEREFORE, based on the evidence in the record, the Planning Commission hereby **RECOMMENDS** City Council take the following actions:

1. **Deny** General Plan Amendment PGPA-24-0001 to modify the Land Use Element's maps, figures, text and tables to apply a RIOD zoning designation to the subject property, as the site currently has a land use designation of General Commercial, which does not allow residential development; and
2. **Deny request** to rezone the project site by applying the RIOD zoning designation to the subject project site, currently zoned C2 – General Business District, to facilitate the residential development while maintaining the underlying commercial zoning; and
3. **Deny** Master Plan PMAP-24-0002 for a 40-unit residential common interest development; and
4. **Deny** Tentative Tract Map No. 19351 to subdivide the properties for condominium purposes.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 9th day of June, 2025.

Jeffrey Harlan, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Carrie Tai, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2025-09 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on June 9, 2025, by the following votes:

AYES: Harlan, Zich, Martinez, Klepack, Rojas

NOES: Dickson, Andrade

ABSENT: None

ABSTAIN: None

Carrie Tai, Secretary
Costa Mesa Planning Commission

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, APPROVING A GENERAL PLAN AMENDMENT (PGPA-24-0001), MASTER PLAN (PMAP-24-0002), AND TENTATIVE TRACT MAP NO. 19351 FOR THE DEVELOPMENT OF 40 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 220, 222, 234, and 236 VICTORIA STREET ("VICTORIA PLACE")

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, a General Plan Amendment, Rezone, Tentative Tract Map, and Master Plan, was filed by Bundy-Finkel Architects, on behalf of WMC, LLC, requesting approval of the following: General Plan Amendment, Rezone, Master Plan, and Tentative Tract Map to facilitate the development of a 40-unit residential common interest development project located at 220, 222, 234, and 236 Victoria Street;

WHEREAS, pursuant to Costa Mesa Municipal Code (CMMC) Section 13-83.63(a) and City Council Policy 500-2, a project screening is required for all residential development proposals within the RIOD, as well as for any privately-initiated General Plan Amendment;

WHEREAS, a screening provides awareness of the application to the community and gives the City Council an opportunity to offer comments on the merits and appropriateness of the proposed development before the applicant submits the formal planning application(s);

WHEREAS, a screening for General Plan Amendment (PSCR-24-0001) and RIOD was conducted by the City Council August 6, 2024, pursuant to the requirements of the CMMC Section 13-83.63(a) and City Council Policy 500-2;

WHEREAS, a General Plan Amendment is required to modify the Land Use Element's maps, figures, text and tables to apply a RIOD zoning designation to the subject property, as the site currently has a land use designation of General Commercial, which does not allow residential development;

WHEREAS, General Plan Amendment (PGPA-24-0001), includes the following revisions to the Land Use Element, and as depicted in further details in Exhibit A attached hereto:;

1. Figure LU-3 – apply the RIOD designation to the project site, without changing the underlying General Commercial land use designation
2. Figure LU-9 – amend text apply the RIOD designation to the project site
3. Table LU-16 – update the Newport Boulevard RIOD Density Column to 117 units and total combined units to 478 units and remove the Floor Area Ratio section as FAR no longer applies to the RIOD
4. Figure LU-11: *Residential Incentive Overlay: Newport Boulevard* by revising exhibits to show the RIOD designation to the project site and revising allowable maximum residential units to 117 units and removing commercial square footage

WHEREAS, based on the proposed General Plan Amendment, adoption of Ordinance No. 25-__ for the Rezone is necessary to establish consistency between the General Plan and Zoning Code;

WHEREAS, consistent with the General Plan Amendment, the Rezone will apply the RIOD zoning designation to the subject project site, currently zoned C2 – General Business District, to facilitate the residential development while maintaining the underlying commercial zoning;

WHEREAS, the Master Plan (PMAP-24-0002) proposes a 40-unit residential development and is consistent with and meets the objectives of the General Plan as market-rate housing is encouraged and is compatible with the existing commercial and residential uses nearby;

WHEREAS, the applicant proposes to deviate from the following development standards: increased floor area ratio; reduced common use open space; increased building height; reduce side setback; reduced rear setback; omit landscape parkways; reduced parking; reduced garage space; and reduced parking space next to buildings;

WHEREAS, Tentative Tract Map No. 19351 is a request to subdivide the property for future individual ownerships through the condominium subdivisions process;

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, pursuant to the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS/MND) including the Mitigation Monitoring and

Reporting Program was prepared in compliance with CEQA and the local environmental review guidelines;

WHEREAS, on June 9, 2025, the Planning Commission recommended denial of the proposed project with a 5-2 vote (Commissioner Dickson and Commissioner Andrade voting no).

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit B, and subject to the conditions of approval contained within Exhibit C and Exhibit D1, and all the mitigation measures included in the Mitigation Monitoring and Reporting Program contained within Exhibit D, the City Council hereby **RESOLVES** as follows:

1. **Approve** General Plan Amendment PGPA-24-0001 to modify the Land Use Element's maps, figures, text and tables to apply a RIOD zoning designation to the subject property, as the site currently has a land use designation of General Commercial, which does not allow residential development; and
2. **Approve** Master Plan PMAP-24-0002 for a 40-unit residential common interest development; and
3. **Approve** Tentative Tract Map No. 19351 to subdivide the properties for condominium purposes.

BE IT FURTHER RESOLVED that the City Council does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment, Master Plan and Tentative Tract Map and upon applicant's compliance with each and all of the conditions in Exhibit C, and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 15th day of July, 2025.

_____
John Stephens, Mayor

ATTEST: APPROVED AS TO FORM:

_____ _____
Brenda Green, City Clerk Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2025-xx and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 15th day of July, 2025, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 15th day of July, 2025.

_____
Brenda Green, City Clerk

EXHIBIT A

GENERAL PLAN AMENDMENT PGPA-24-0001

Amendment to Land Use Map (Figure LU-3)

Update Land Use Map by applying the Residential Incentive Overlay District designation to the project site, without changing the underlying General Commercial land use designation:



Residential Incentive Overlay (30 du/ac)

Amendment to Overlays and Urban Plans (Figure LU-9)

Update Figure LU-9: *Overlays and Urban Plans* by applying the Residential Incentive Overlay District designation to the project site, without changing the underlying zone:



Residential Incentive Overlay (30 du/ac)

Amendment to Residential Incentive Overlay (Table LU-16)

Update Table LU-16: *Residential Incentive Overlay* by updating the Newport Boulevard Residential Incentive Overlay Density Column to 117 units and total combined units to 478 units and remove the Floor-Area Ratio (FAR) calculation as FAR no longer applies to the RIOD:

Categories		Baseline (2015)	Residential Incentive Overlay
Density (DU/AC)		N/A	30
Units	Harbor Boulevard	84	361
	Newport Boulevard	237	~~64~~ 117
	Total Units	321	~~425~~ 478
~~Floor-Area Ratio (FAR)~~			
~~Building Square Feet~~	~~Harbor Boulevard~~	~~162,500~~	~~149,976~~
	~~Newport Boulevard~~	~~582,200~~	~~43,208~~
	~~**Total Building Square Feet**~~	~~744,700~~	~~193,184~~

Amendment to Residential Incentive Overlay: Newport Boulevard (Figure LU-11)

Update Figure LU-11: *Residential Incentive Overlay: Newport Boulevard* by revising exhibits to show the Residential Incentive Overlay designation to the project site and revising allowable maximum residential units to 117 units and removing commercial square footage.

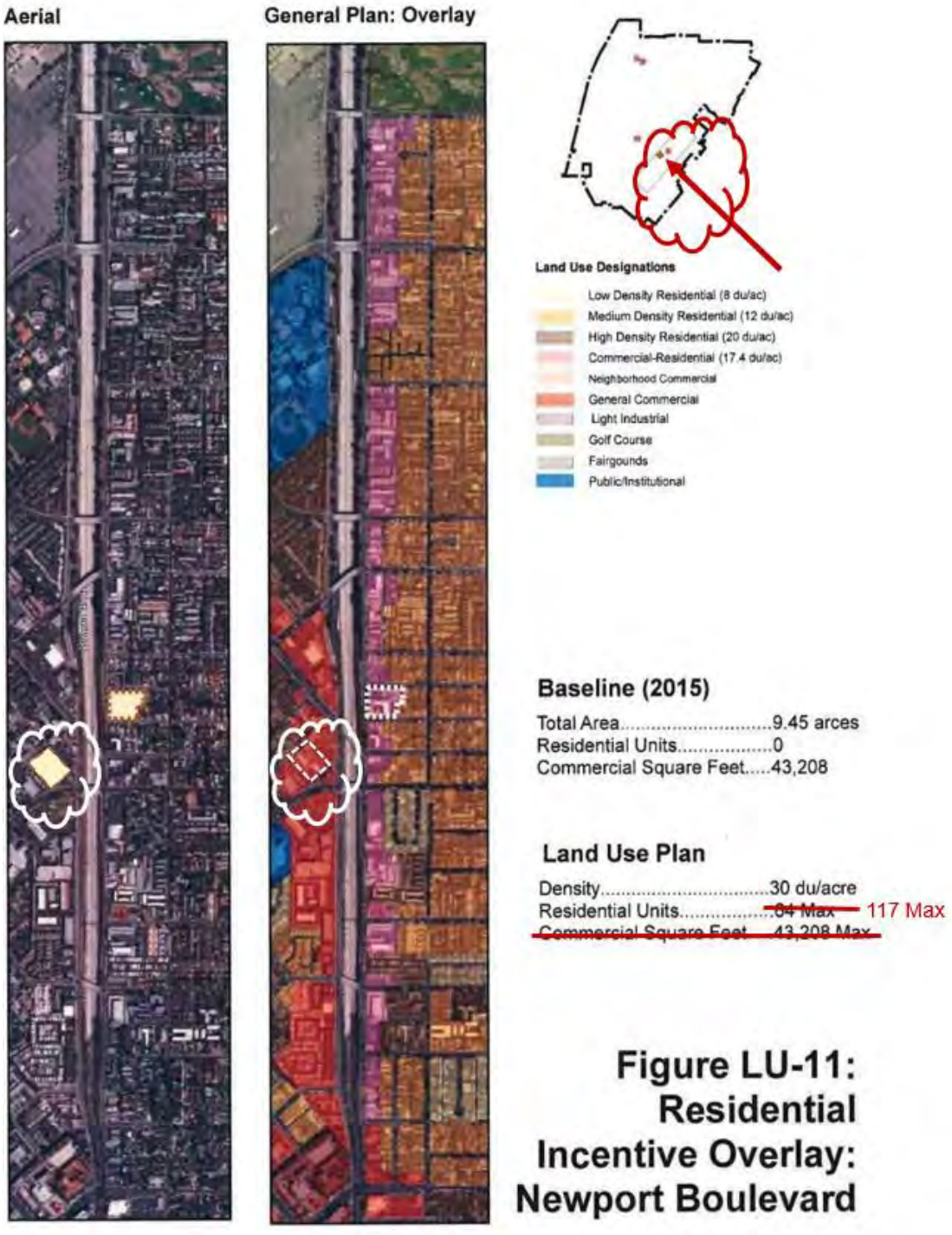


EXHIBIT B

FINDINGS

A. ***General Plan Amendment (PGPA-24-0001)***

According to Costa Mesa Municipal Code Section 13-29(g), there are no specific findings required for a General Plan Amendment. Such amendments are considered legislative actions and are subject to the discretion of the City Council. In this case, the proposed General Plan Amendment seeks to modify the Land Use Element's maps, figures, text, and tables to apply the Residential Incentive Overlay District (RIOD) designation to the subject property. The underlying land use designation of General Commercial would remain unchanged.

Below is staff's justification in support of the proposed general plan amendment:

The proposed project would contribute to the City meeting its City's 6th cycle RHNA allocations.

Facts in Support: The City of Costa Mesa's 6th Cycle (2021–2029) Housing Element identifies specific sites to meet the State-mandated Regional Housing Needs Allocation (RHNA) of 11,760 units. The proposed project site is not among these designated housing opportunity sites. Consequently, any residential units approved on this site would contribute additional market-rate housing beyond the City's assigned RHNA, as long as building permits are issued by the end of the planning period in December 2029, thereby supporting the City's broader housing objectives.

The project proposes 40 new ownership housing units, which would enhance the balance between rental and ownership housing in the City. This aligns with General Plan Policy LU-1.3, which encourages the development of owner-occupied housing, such as single-family residences, condominiums, and townhouses, to improve the rental-to-ownership ratio. By facilitating this development through the RIOD, the City can promote homeownership opportunities without altering the existing General Commercial land use designation.

The proposed density at 22.6 du/acre is appropriate given the property's location, site size, and design of the project.

Facts in Support: Residential Common Interest Developments offer several community benefits, including reduced traffic congestion and enhanced walkability. By concentrating housing units within a compact area, such developments can decrease reliance on automobiles, leading to fewer vehicle trips compared to traditional low-density neighborhoods. The project includes pedestrian pathways that provide access to nearby amenities and services,

consistent with General Plan policies that encourage walkability and connectivity.

The proposed project's density aligns with the existing residential character along Victoria Street, where similar densities are present. Moreover, the development incorporates design features that provide community-oriented amenities such as a barbecue area, children's play area, flex-use space, and proximity to an adjacent passive recreation area. These features contribute to the City's objective of expanding homeownership opportunities and enhancing community well-being. The project's intensity is consistent with the purpose and intent of the RIOD and is designed to operate within the capacity of existing public infrastructure.

B. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(11) "**Rezone Findings**" because:

Finding: The proposed rezone is consistent with the Zoning Code and the general plan and any applicable specific plan.

Facts in Support of Finding: The proposed rezone is consistent with the Zoning Code, the General Plan, and applicable planning documents. Specifically, the applicant is requesting to rezone the project site by applying the RIOD zoning overlay over the existing C2 – General Business District zoning. This overlay would implement the General Plan's Residential Incentive Overlay designation and allow for the development of a residential common interest project pursuant to the provisions of Article 12 (Residential Incentive Overlay District) of the Costa Mesa Municipal Code (CMMC).

To facilitate this rezoning, a General Plan Amendment is also proposed to formally apply the RIOD to the project site. This amendment would modify the Land Use Element maps, figures, text, and tables to reflect the new overlay designation while maintaining the underlying General Commercial land use designation. Per *Table LU-19: General Plan and Zoning Consistency* of the General Plan Land Use Element, the RIOD is considered consistent with the General Commercial land use designation. Therefore, the proposed rezone and General Plan Amendment align with the City's land use framework and are necessary to support the proposed residential development.

C. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(13) – "**Tentative Tract Map Findings**" because:

***Finding: The creation of the subdivision and related improvements is consistent with the general plan, any applicable specific plan, and this Zone Code. proposed rezone is consistent with this Zoning* Code.**

Facts in Support of Finding: The creation of the subdivision aligns with the General Plan by promoting residential development that meets the community's housing needs. Additionally, the subdivision complies with the local Zoning Code and State laws by conforming to established development regulations. Overall, this project supports the City's vision for balanced development and ownership housing.

Finding: The proposed use of the subdivision is compatible with the general plan.

Facts in Support of Finding: The proposed development aligns with the General Plan by addressing the critical need for housing options within the community. Located near transportation routes and commercial and residential corridors, this development promotes the City's goals of increasing residential density while enhancing accessibility to essential services and transportation. Furthermore, the project supports the General Plan's emphasis on creating inclusive neighborhoods, thereby fostering a supportive environment for a mix of populations and contributing to the overall well-being of the community.

Finding: 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.

Facts in Support of Finding: The proposed development will be situated in an urbanized area. The site meets the minimum lot size requirement and is a typical shaped lot that can accommodate the buildings and necessary utilities. Grading activities could potentially disturb limited areas of shallow soils impacted by past boat storage and repair operations; however, contamination levels are below regulatory thresholds for the site's current use. With implementation of Mitigation Measure HAZ-1, requiring a Soil Management Plan during grading, the project would not result in substantial environmental damage related to hazardous materials. There are no wildlife habitat or bodies of water on the site or nearby, further ensuring that the development will not result in substantial environmental damage. This strategic location allows for the efficient use of already developed land, minimizing the need for additional site disturbance and preserving green spaces elsewhere in the community. By repurposing this underutilized area, the project will provide much-needed ownership housing.

Finding: 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

Facts in Support of Finding: The design of the proposed development considers the orientation of the lot, aligning in a manner that maximizes solar

exposure, ensuring natural passive heating during colder months. Additionally, the layout incorporates an outdoor barbeque and children play area at the center of the development and green spaces to promote natural airflow and cooling, minimizing the need for artificial heating or air condition. This approach reflects the principals outlined in State Government Code section 66473.1.

Finding: 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.

Facts in Support of Finding: The proposed development has been designed to ensure that all existing public entity and utility rights-of-way and easements within the subdivision remain accessible and unobstructed. Coordination with utility providers and the City will be maintained throughout the development process to avoid any disruptions and ensure that essential services can continue to operate efficiently.

Finding: 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).

Facts in Support of Finding: The applicant has submitted a Preliminary Water Quality Management Plan (PQWMB), which demonstrates that the project will implement best management practices to effectively manage wastewater and prevent any violations of water quality standards.

D. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(5) – "**Master Plan Findings**" because:

Finding: 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.

Facts in Support of Finding: The proposed development is consistent with the broader goals of the General Plan by promoting housing opportunities, as specified in General Plan Land Use Objective LU1-A, Land Use Policy LU-1.3, Land Use Objective LU-2A, and Housing Element Policy HOU-3.2. Additionally, the project design reflects architectural standards and site planning that maintains the character and integrity of the surrounding residential and commercial areas. By prioritizing amenity connectivity and experience, the development fosters a sense of place while contributing to the overall livability of a highly urbanized environment.

Finding: 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.

Facts in Support of Finding: The proposed development a residential development and not located within a mixed-use overlay district. Therefore, these master plan findings do not apply.

Finding: 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.

Facts in Support of Finding: The proposed development includes 40 residential ownership units that are proposed to be sold at market rate. The project complies with the maximum density standards allowed pursuant to the proposed RIOD. No affordability covenants are proposed because the project is not required to provide affordable housing in line with the City's inclusionary ordinance nor is the project proposing affordable housing.

E. The proposed project complies with Title 13, Section 13-83.63(c) of the Costa Mesa Municipal Code "**Master Plan for Residential Incentive Overlay District Findings**" because:

Finding: The project is consistent with the General Plan and meets the purpose and intent of the residential incentive overlay district.

Facts in Support of Finding: The proposed development is consistent with the broader goals of the General Plan by promoting housing opportunities, as specified in General Plan Land Use Objective LU1-A, Land Use Policy LU-1.3, Land Use Objective LU-2A, and Housing Element Policy HOU-3.2. Additionally, the project meets the purpose and intent of the RIOD as the project provides new housing opportunities and the design reflects architectural standards and site planning that maintains the character and integrity of the surrounding residential and commercial areas. By prioritizing amenity connectivity and experience, the development fosters a sense of place while contributing to the overall livability of a highly urbanized environment.

Finding: The project includes adequate resident-serving amenities in the common open space areas and/or private open space areas in areas including, but not limited to, patios, balconies, roof terraces, walkways, and landscaped areas.

Facts in Support of Finding: The project provides a mix of private and shared open space amenities that support both individual and community needs. Each

unit includes a private rear yard, a covered second-floor balcony directly accessible from the living room, and an approximately 230-square-foot roof deck, providing multiple outdoor living opportunities. These features are complemented by common amenities such as a barbecue area, children's play area, and flex-use space, which encourage community interaction and recreation. In addition, the project's proximity to a proposed adjacent passive recreation area further enhances the quality of life for residents and reflects strong site planning consistent with this finding.

Finding: The project is consistent with the compatibility standards for residential development in that it provides adequate protection for residents from excessive noise, odors, vibration, light and glare, toxic emanations, and air pollution.

Facts in Support of Finding: The project is consistent with residential development standards and has been designed and conditioned to protect future residents from potential environmental impacts such as noise, vibration, light, glare, and air quality. The Mitigated Negative Declaration concludes that noise impacts will be less than significant, as the project's trip generation is minimal and would not noticeably affect existing traffic noise levels. Construction and operational vibration impacts are also expected to be less than significant, and the project has been conditioned to include a lighting plan and photometric study to ensure light and glare are appropriately managed. Furthermore, the project's operations are not anticipated to pose any health risks to nearby sensitive receptors, confirming that it meets all applicable health standards for residential use.

Finding: The proposed residences have adequate separation and screening from adjacent commercial uses through site planning considerations, structural features, landscaping, and perimeter walls.

Facts in Support of Finding: The proposed development ensures appropriate separation and screening from neighboring residential and commercial properties. Adjacent land uses include office spaces, automotive services, and multi-family residential units. To the west, Herb's Garage, an auto service center, is situated behind block walls, providing a physical barrier. To the east, an underutilized parking lot associated with an existing office building is also screened by block walls. Landscaping is incorporated along all property setbacks, enhancing the visual buffer and contributing to the aesthetic integration with surrounding uses.

E. The proposed project complies with Title 13, Section 13-83.63(e) of the Costa Mesa Municipal Code **"Deviation from Residential Incentive Overlay District Standards Findings"** because:

Finding: Strict interpretation and application of the overlay district's development standards would result in practical difficulty inconsistent with

the purpose and intent of the General Plan, while the deviation to the regulation allows for a development that better achieves the purposes and intent of the General Plan.

Facts in Support of Finding: The proposed project meets the intent of the RIOD by providing well-designed residential development that aligns with the goals of the General Plan. While the project includes deviations for floor area ratio (1.43 FAR), building height, common use open space, landscape parkways, garage dimensions, parking, and setbacks, these adjustments allow for efficient site planning and enhanced residential amenities. The development includes roof decks, private rear yards, and covered balconies for each unit, supporting livability and quality of life. Although the project proposes 9,817 square feet of common use open space—less than the RIOD's minimum requirement—it includes amenities like a barbecue area, children's play space, flex-use space, and proximity to a proposed adjacent passive recreation area, fulfilling the intent of the standard.

The parking deviation still results in a reasonable parking ratio of 2.58 spaces per unit, with garages and conveniently located open stalls. Reduced side and rear setbacks allow for a more compact and efficient layout that maintains compatibility with surrounding land uses. Though the garage dimensions and stall widths are slightly below standard, the design distributes parking accessibly throughout the site. Overall, the requested deviations facilitate the development of a residential project on an underutilized infill site within an urbanized area, consistent with Land Use Objectives LU1-A and LU-2A and Housing Element Policy HOU-3.2, by offering high-quality, accessible housing within an urban corridor.

Finding: The granting of a deviation results in a development which exhibits excellence in design, site planning, integration of uses and structures and compatibility standards for residential development.

Facts in Support of Finding: The proposed development includes a cohesive architectural style, the use of high-quality materials, and a well-organized internal circulation that supports both aesthetics and site functionality. The project includes landscaping, rooftop decks, private rear yards, and second-floor balconies for each unit, which provide outdoor space and amenities commonly associated with residential development. The development also includes community-oriented amenities such as a barbecue area, children's play zone, and a flex-use space, promoting a vibrant and engaging environment. Despite requesting deviations for building height, FAR, setbacks, open space, and parking, the project remains compatible with surrounding land uses and maintains an appropriate scale and massing consistent with nearby developments. The proposed site layout efficiently uses the available land while preserving a strong sense of community and contributing positively to neighborhood character.

Finding: The granting of a deviation will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Facts in Support of Finding: The requested deviations will not be detrimental to public health, safety, or welfare, nor will they negatively impact surrounding properties or improvements. The project has undergone thorough environmental review through a Mitigated Negative Declaration, which determined that potential impacts related to noise, air quality, traffic, and hazardous materials would be less than significant with a few mitigation measures. The development includes appropriate setbacks, enhanced landscaping, and on-site amenities that promote a livable environment while maintaining compatibility with neighboring uses. Additionally, a trip generation memo confirms that the existing street infrastructure can accommodate the project without causing adverse traffic impacts. The overall design supports safe and efficient circulation for vehicles and pedestrians and aligns with City standards to ensure a well-integrated residential neighborhood.

F. California Environmental Quality Act

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. AN IS/MND was prepared for the proposed project, pursuant to CEQA. Although the proposed project could have a significant impact on the environment, mitigation measures have been included as conditions of approval that reduce impacts to less than significant levels.

Mitigation measures from the IS/MND including Mitigation Monitoring and Reporting Program have been included as Exhibit D. If any of these mitigation measures are removed or substantially modified, the Planning Commission must make a recommendation to City Council for their consideration of the removed or modified mitigation measures. The City Council must then make a finding that the removed or modified mitigation measures will not result in significant environmental impacts.

G. Transportation

The project site is subject to a traffic impact fee, pursuant to Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT C

RECOMMENDED CONDITIONS OF APPROVAL

Plng.

1. Approval of the General Plan Amendment PGPA-24-0001, Rezone, Master Plan, and Tentative Tract Map No. 19351 is valid for two (2) years from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and a valid building permit has been maintained by making satisfactory progress as determined by the Building Official; 2) a certificate of occupancy has been issued. A time extension can be requested no less than thirty (30) days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29(k)(6). 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.
2. Master Plan PMAP-24-0002, and Tentative Tract Map No. 19351 shall comply with the conditions of approval, code requirements, special district requirements, and mitigation measures of the IS/MND for this project. Mitigation Measures from the IS/MND for this project have been included as Exhibit D. If any of these conditions are removed or substantially modified, the City Council must make a finding that the project will not result in significant environmental impacts.
3. The conditions of approval, including Mitigation Measures incorporated as Exhibit D, code requirements, and special district requirements of Master Plan PMAP-24-0002, and Tentative Tract Map No. 19351 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
4. The developer shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy. This inspection is to confirm that the Planning Division conditions of approval including Mitigation Measures and code requirements have been satisfied.
5. If any section, division, sentence, clause, phrase or portion of this resolution is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.
6. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
7. The project is subject to compliance with all applicable Federal, State, and local laws. A copy of the applicable Costa Mesa Municipal Code

requirements has been forwarded to the Applicant and, where applicable, the Authorized Agent, for reference.

9. Street addresses shall be visible from the public street and may be displayed either on the front door, on the fascia adjacent to the main entrance, or on another prominent location. When the property has alley access, address numerals shall be displayed in a prominent location visible from the alley. Numerals shall be a minimum six (6) inches in height with not less than one-half-inch stroke and shall contrast sharply with the background.
10. No modification(s) of the approved building elevations including, but not limited to, change of architectural type, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process or a variance, or in the requirement to modify the construction to reflect the approved plans.
11. The project shall be limited to the type of buildings as described in this staff report and in the attached plans. Any change in the use, size, or design shall require review by the Planning Division and may require an amendment to the Master Plan.
12. The Master Plan herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more and may be referred to the Planning Commission and/or City Council for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or it, in the opinion of the Economic and Development Services Director or designee, any of the findings upon which the approval was based are no longer applicable.
13. The applicant and future homeowners shall contract with a waste disposal company that will provide full on-site trash, recyclable, and organics collection. Access for disposal collection shall be provided along the private street or as otherwise authorized. There shall be no storage of trash bins or cans on public streets with the exception of temporary use of the right-of-way for rolling containers or loading to large trash trucks. *(SCA U-1)*
14. A “Notice to Buyers” shall disclose that the project is located within an area designated as general commercial in the City of Costa Mesa General Plan and is subject to existing and potential annoyances or inconveniences associated with industrial land uses. The Notice shall disclose the existing surrounding industrial land uses, including but not limited to, operational characteristics such as hours of operation, delivery schedules, outdoor activities, and noise and odor generation. In addition, the Notice shall state that the existing land use characteristics are subject to change in the event that new businesses move or existing businesses change ownership.

15. The open, unassigned parking spaces shall be clearly marked as guest parking spaces. Signage will be posted to indicate that these spaces are available to all visitors.
16. All fencing onsite must be block walls. The applicant shall submit a detailed block wall plan for review. The location and heights of block walls shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress. The private, interior fences between the homes shall be a minimum of six feet in height. *(SCA AE-7) (SCA TRA-2)*
17. The subject property's ultimate finished grade level may not be filled/raised in excess of 30 inches above the finished grade of any abutting property. If additional dirt is needed to provide acceptable on-site storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public storm water facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
18. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant's project, or any approval granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.
19. Prior to issuance of building permits, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office.

    A. The CC&Rs shall contain provisions requiring that the maintenance or HOA homeowner's association (HOA) effectively manage parking and contract with a towing service to enforce the parking regulations and shall

contain restrictions prohibiting parking in the driveway and in front of garage doors.

B. The CC&Rs shall also contain provisions related to use, preservation and maintenance of the common drive aisle and open space areas in perpetuity by the maintenance or homeowner's association.

C. The CC&Rs shall contain restrictions requiring residents to park vehicles in the garage spaces provided for each unit. Storage of other items may occur only to the extent that vehicles may still be parked within the required garage spaces.

D. The CC&Rs shall contain a notice that all open parking spaces shall be unassigned and available for visitors.

E. The CC&Rs shall be limited to the ground rules related to: architectural control over future building modifications or additions, architectural design and guidelines for the property, and engagement in alternative dispute resolution before filing a lawsuit to resolve conflicts.

F. The CC&Rs shall contain provisions requiring that:

a. The two-car garages in the residential community are being used for vehicle parking by the resident(s).

b. Each two-car garage shall maintain a minimum internal clear dimension of 19 feet, six inches in width and 20 feet in depth, free of obstructions such as storage items, utility equipment, appliances, or other items that would prevent the accommodation of two vehicles.

c. The HOA shall have the authority to address repeated misuse of garage space through established enforcement procedures, including voluntary inspections when warranted.

Any subsequent revisions to the CC&Rs related to these provisions must be reviewed and approved by the City Attorney's office and the Development Services Director before they become effective.

20. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities prior to selling any of the units as condominiums.
21. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
22. All utilities servicing irrigation, project lighting and other commonly serving improvements, shall be provided by (a) common meter(s) that is the shared responsibility for all property owners in the development project. The CC&Rs or other organizational documents shall include verbiage requiring the common meters for the life of the development project.
23. The precise grading plan shall clearly show the lowest and highest point of the development. The lowest point of the finished surface elevation of either the ground, paving or sidewalk within the area between the building and the

property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

Bldg. 24. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. on Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. *(SCA NOI-1) (SCA AE-8)*

25. Prior to issuance of a building permit, the City's Building and Fire Departments shall review the proposed development plans to determine compliance with all building and safety and fire codes, and to ensure safety, suitable occupancy and the necessary occupant ingress and egress.

26. Comply with the requirements of the adopted California Residential Code, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa at the time of plan submittal or permit issuance. Requirements for accessibility to sites, facilities, buildings, and elements by individuals with disability shall comply with Chapter 11A and 11B of the California Building Code.

27. If soil contamination exists, then remediation plans shall be submitted to both the Building Division and the County of Orange for review, approval and issuing a permit. Building permit(s) shall not be issued until the soil is certified as clean and usable by a Soil's Engineer. *(MM HAZ-1)*

28. Maximum allowable area of new and additions shall be determined in accordance with the applicable provisions of California Building Code.

29. Maximum area of exterior wall openings shall be determined in accordance with the applicable provisions of California Building Code.

30. Construction/ improvements that encroach within Public Utility Easements shall require written approvals from the utility companies associated with that easement.

31. The ground adjacent immediately to the foundation shall be sloped away from the building at a slope of not less than 5% for a minimum distance of 10 feet measured perpendicular to the face of the wall CBC sec. 1804.3. See also exception. ii- On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus 2 percent California Building Code sec. 1808.7.4

32. All single family residential structures shall be future ready for electric water heater, electric range, electric clothes washer, electric heat pump, energy storage system (ESS), solar ready, and EV charger ready.

Eng. 33. Comply with the requirements contained in the letter prepared by the City Engineer (Exhibit D1)

PRIOR TO ISSUANCE OF A DEMOLITION OR GRADING PERMIT

Plng. 1. Demolition permits for existing structure(s) shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.

2. SCAQMD Rule 403 shall be adhered to and ensure the cleanup of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile, or disturbed surface area beyond the property line of the emission sources. Particulate matter deposits on public roadways are also prohibited.

3. All construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) regulations, including Rule 403, Fugitive Dust. All grading (regardless of acreage) shall apply best available control measures for fugitive dust in accordance with Rule 403. To ensure that the project is in full compliance with applicable SCAQMD dust regulations and that there is no nuisance impact off the site, the contractor would implement each of the following:
    - Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from exceeding 100 feet in any direction.
    - Apply chemical stabilizers to disturbed surface areas (completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface.
    - Water excavated soil piles hourly or covered with temporary coverings.
    - Water exposed surfaces at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.
    - Wash mud-covered tired and under-carriages of trucks leaving construction sites.
    - Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
    - Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.
    - Cease grading during period when winds exceed 25 miles per hour. *(SCA HYD-1)*

4. Adequate watering techniques shall be employed to partially mitigate the impact of construction–generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that

a crust will be formed on the ground surface and then watered again at the end of the day. *(SCA HYD-2)*

5. Grading operations shall be suspended during first and second stage ozone episodes or when winds exceed 25 mph. *(SCA HYD-3)*
6. Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring uses to the fullest extent that is reasonable and practicable. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption during construction. The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Development Services Director or Transportation Services Manager. *(SCA TRA-1)*
7. Prior to Project commencement of construction, the Applicant or designee shall submit a Construction Traffic Management Plan (TMP) for review and approval by the City Traffic Engineer. The TMP shall include signage, lane closures, flag persons, etc., and shall specify that one lane of travel in each direction shall be maintained along City rights-of-way. Bicycle lanes, pedestrian sidewalks, and bus stops shall remain open and accessible, to the greatest extent feasible, during construction or shall be re-routed to ensure continued connectivity while maintaining Americans with Disabilities Act (ADA) accessibility. The TMP shall be incorporated into project specifications for verification prior to final plan approval. *(MM TRA-1)*
8. Prior to issuance of a grading permit, the contractor shall retain a qualified environmental professional with Phase II/Site Characterization experience, to be approved by the City's Department of Public Works City Engineer, to prepare a Soil Management Plan (SMP). The SMP shall be made available to the contractor, construction workers, and the City Engineer for use during grading/excavation activities. The SMP shall include guidelines for safety measures and soil management in the event that soils are to be disturbed, and for handling soil during any planned earthwork activities. The SMP shall also include a decision framework and specific risk management measures for managing soil, including any soil import/export activities, in a manner protective of human health and consistent with applicable regulatory requirements. During the grading phase, the qualified professional shall conduct soil sampling and monitor soil conditions. In the event where contaminated soil is discovered, the qualified professional shall take a sample and coordinate laboratory testing to determine contamination levels before the import, export, or re-use of the soil for residential purposes. Should any soil samples identify contamination levels in exceedance of existing Federal, State, and/or local human health screening levels for residential uses, the soil shall be disposed off site by a licensed hazardous waste hauler in accordance with applicable Federal, State, and local regulations. *(MM HAZ-1)*

9. Prior to issuance of a grading permit and any ground-disturbing activities, the project applicant shall consult with a geologist or paleontologist to confirm whether anticipated grading would occur at depths that could encounter highly sensitive sediments for paleontological resources. If confirmed that underlying sediments may have high sensitivity, construction activity shall be monitored by a qualified paleontologist retained by the project applicant and a written Project Monitoring Plan (PMP) shall be submitted to the City of Costa Mesa's Director of Economic and Development Services for review and approval. The monitoring plan shall include monitor contact information, specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds. The paleontologist shall have the authority to halt construction during construction activity. Because the project area is immediately underlain by Holocene sediments (low sensitivity) and the depth of these sediments is unknown, spot-check monitoring shall be conducted to identify potential fossils and the lithological transition to Pleistocene sediments. If Pleistoceneaged sediments are discovered at depth, monitoring shall transition to full-time as ground-disturbing activities occur at or below this identified depth because these Pleistocene units have been identified as having high sensitivity for paleontological resources. *(MM GEO-1)*
10. In the event of any fossil discovery, regardless of depth or geologic formation, construction work shall halt within a 50-foot radius of the find until a qualified paleontologist retained by the project applicant can determine its significance. Significant fossils shall be recovered, prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility in accordance with the standards of the Society of Vertebrate Paleontology (2010). The most likely repository is the Natural History Museum of Los Angeles County (NHMLAC). The repository shall be identified, and a curatorial arrangement shall be signed prior to the collection of the fossils. *(MM GEO-2)*
11. Prior to issuance of grading permits, the City of Costa Mesa shall ensure a qualified archaeologist who meets the Secretary of the Interior's Standards for professional archaeology has been retained for the project and shall be on-call during all demolition and grading/excavation. The qualified archaeologist shall ensure the following measures are followed for the project:

    - Prior to any ground disturbance, the qualified archaeologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should resources of a potentially cultural nature be discovered during construction. Workers shall be provided

contact information and protocols to follow in the event that inadvertent discoveries are made. The training can be in the form of a video or PowerPoint presentation. Printed literature (handouts) can accompany the training and can also be given to new workers and contractors to avoid the necessity of continuous training over the course of the project.

- Prior to any ground disturbance, the applicant shall submit a written Project Monitoring Plan (PMP) to the City of Costa Mesa's Director of Economic and Development Services for review and approval. The monitoring plan shall include monitor contact information (including the qualified archeologist and the Native American Monitor per Mitigation Measure TCR-1), specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds.

- In the event resources of a potentially Native American nature are discovered during any stage of project construction, all construction work within 50 feet (15 meters) of the discovered tribal cultural resource ("TCR") shall cease and the Kizh Monitor shall assess the discovery. Construction activities outside the buffer zone may continue during the Kizh Monitor's assessment.

    - o Non-Native American (Non-TCR) Discoveries: If warranted based on the qualified archaeologist's evaluation of the archaeological (but non-TCR) discovery, the archaeologist shall collect the resource and prepare a test-level report describing the results of the investigation. The test-level report shall evaluate the site including discussing the significance (depth, nature, condition, and extent of the resource), identifying final Cultural Mitigation Measures, if any, that the City of Costa Mesa's Director of Economic and Development Services shall verify are incorporated into future construction plans, and providing cost estimates.

    - o Conjoined Archaeological and Native American (TCR) Discoveries: If, following consultation with the Kizh Monitor, it is determined that a historic or prehistoric discovery includes Native American materials or resources, then the Kizh Monitor shall determine the appropriate treatment of the discovered TCR(s) consistent with Mitigation Measure TCR-1. The Kizh Monitor shall prepare a TCR discovery report, which may include descriptions and evaluations of the area and conditions at the site of the discovery (i.e., depth, nature, condition, and extent of the resources), as well as a discussion of the significance to the Kizh Nation.

- The requirements of Section 15064.5 of the CEQA Guidelines shall be followed. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Kizh Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Kizh Nation, and (2) completed the appropriate treatment of the resource consistent with Mitigation Measure TCR-1. *(MM CUL-1)*

12. Prior to issuance of any grading permits, the Applicant shall formally retain a Native American monitor from the Native American tribe that is culturally and ancestrally affiliated with the Project location: the Gabrieleño Band of Mission Indians – Kizh Nation. The Applicant shall allow 45 days from initial contact with the first preference tribe (Kizh Nation) to enter into a contract for monitoring services. If the Applicant can demonstrate they were unable to secure an agreement with the first preference tribe, or if the contracted tribe fails to fulfill its obligation under the contract terms, then the Applicant may retain an alternative qualified tribal monitor approved by the City. The City approved Monitor (the "Monitor"), shall monitor all "ground-disturbing" Project activities, (I.e., both on-site and any off -site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work), which includes but is not limited to: demolition, grubbing/clearing, rough grading, precise grading, mass grading, trenching, excavation, boring, auguring, and weed abatement on previously disturbed and undisturbed ground (collectively "ground disturbing activities"). A copy of the executed contract shall be submitted to the Costa Mesa Economic and Development Services Department prior to the issuance of any permit necessary to commence ground disturbing activities.

    The Monitor shall prepare daily monitoring logs that include descriptions of the relevant ground disturbing activities, locations of such activities, observed soil types, and the presence or absence of tribal cultural related materials. Should tribal cultural-related resources be discovered, monitor logs shall identify and describe such resources, including but not limited to, Native American cultural and historical artifacts, as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the City of Costa Mesa and maintained as confidential. In the event resources are discovered during any phase of ground disturbing activities, and it is determined by the Monitor, in consultation with the City, to be Native American in origin, then all construction activity within fifty (50) feet (15 meters) of the find shall cease until the Monitor can assess the find. Work shall be allowed to continue outside of the buffer zone. The Monitor shall determine the appropriate treatment of the discovered resource that is consistent with the tribe's cultural practices, including reinternment on site in an appropriate area

determined by the tribe in consultation with the City and the applicant, or retention of the discovered resource for educational purposes. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Kizh Nation, and (2) completed the appropriate treatment of the resource.

Monitoring for tribal cultural resources ("TCR") shall conclude upon the City's receipt of written confirmation from the Monitor that ground disturbing activities with potential impacts to discovered and/or undiscovered TCRs are complete. *(MM TCR-1)*

13. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading as well as the appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Building official prior to issuance of grading permits. *(SCA GEO-1)*

Bldg. 14. Prior to the Building Division (AQMD) issuing a demolition permit contact South Coast Air Quality Management District located at: 21865 Copley Dr. Diamond Bar, CA 91765-4178 Tel: 909- 396-2000 Or Visit their web site http://www.costamesaca.gov/modules/showdocument.aspx?documentid= 23381 The Building Div. will not issue a demolition permit until an Identification no. is provided by AQMD.

15. Prior to the issuance of grading permits, submit a precise grading plan, an erosion control plan and a hydrology study. A precise grading plan shall not be required if any of the following are met: (1) An excavation which does not exceed 50 CY on any one site and which is less than 2 ft in vertical depth, or which does not create a cut slope greater than 1 ½:1 (excluding foundation area); (2) A fill less than 1 foot in depth placed on natural grade with a slope flatter than 5:1, which does not exceed 50 CY on any one lot and does not obstruct a drainage course; and (3) A fill less than 3 ft in depth, not intended to support structures, which does not exceed 50 CY on any one lot and does not obstruct a drainage course. Prior to issuing the Building permit, the rough grading certificate shall be submitted to the Building Division.

16. Prior to the issuance of grading permits, submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans.

CODE REQUIREMENTS

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

Plng. 1. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.

Bldg. 2. Comply with the requirements of the adopted California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa at the time of plan submittal or permit issuance. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the California Building Code. A change of occupancy shall require compliance with the Disabled access requirements of chapter 11B of the California Building Code.

3. Plans shall be prepared under the supervision of a registered California Architect or Engineer. Plan shall be stamped and signed by the registered California Architect or Engineer.

Fire 4. Comply with the requirements of the 2022 California Fire Code, including the reference standards, as adopted and amended by Costa Mesa Fire & Rescue.

Bus. Lic. 5. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

Plng. 1. Prior to issuance of building permits, the applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.

2. The conditions of approval and ordinance or code provisions of the Master Plan shall be blueprinted on the face of the site plan as part of the plan check submittal package.

Plng. 3. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.

4. Two (2) sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.

5. Subject to exceptions to allow for ADA paths of travel or other specific purposes identified by the applicant's landscape architect, all landscaped areas shall be separated from paved vehicular areas by 6" high continuous Portland Cement Concrete curbing.

6. The landscaping of this project shall comply with the City's landscaping requirements and any applicable guidelines (i.e. Water Efficient Landscape Guidelines). The final landscape plan shall meet tree count, tree selection, shrub count, groundcover and turf requirements per the City's Zoning Code. *(SCA AE-2)*

7. Prior to issuance of building permits, a final landscape plan indicating the landscape palette and the design/material of paved areas shall be submitted for review and approval by the Planning Division. The driveway entrances shall also be enhanced with pervious pavers, colored concrete, or other treatment to the satisfaction of the Development Services Director. (*SCA AE-3)*
8. Enhanced landscaping is required within the front setback under the direction of Planning Staff. (*SCA AE-4)*
9. Prior to the issuance of a building permit, the applicant shall install permanent physical barriers such as bollards, guardrails, fences, or raised curbs and concrete wheel stops at the front edge of all parking spaces adjacent to sidewalks and common use open space. Concrete wheel stops shall be installed 2'-0" from the front edge of open parking spaces, or where applicable, landscape planters shall be increased 2'-0" to allow curbing to serve as a wheel stop. These barriers shall be designed and placed to prevent vehicle overhang from encroaching into the project walkways, public sidewalk areas, and common use open areas, and shall comply with all accessibility standards. The design, materials, and placement shall be subject to review of the City Engineer and Planning Division to ensure compatibility with the residential development and surrounding streetscape.
10. The material for the driveways along Victoria Place shall be permeable decorative interlocking pavers.
11. The applicant shall provide for a bicycle rack on the property, based on locational approval from Planning and Transportation Services, to allow for parking credit of one standard parking space. A greater amount of bicycle racks and bicycle lockers can be provided upon approval of the Planning Division.
12. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted. This condition relates to visually prominent features of scuppers or downspouts that not only detract from the architecture but may be spilling water from overhead without an integrated gutter system which would typically channel the rainwater from the scupper/downspout to the ground. An integrated downspout/gutter system which is painted to match the building would comply with the condition. This condition shall be completed under the direction of the Planning Division. (*SCA AE-5)*
13. Prior to the issuance of Building Permits, the Applicant shall submit a Lighting Plan and Photometric Study for the approval of the City's Economic and Development Services Department. The Lighting Plan shall demonstrate compliance with the following: (a) Lighting design and layout shall limit spill light to no more than 0.5-foot candle at the property line of the surrounding neighbors, consistent with the level of lighting that is deemed necessary for safety and security purposes on site. (b) Glare shields may be required for select light standards. *(SCA AE-9)*

14. The applicant shall work with any utility agencies' right-of-way areas and/or easements related to any overhead power lines, and receive clearance prior to issuance of building permits.
15. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas either within the garages or within the side year areas (behind fences).
16. All on-site utility services shall be installed underground or on the roof (e.g., satellite dishes), in which case such utility services shall be obscured from view.
17. On-site lighting shall be provided in all parking areas, vehicular access ways, and along major walkways. The lighting shall be directed onto driveways and walkways within the project and away from dwelling units and adjacent properties to minimize light and glare impacts and shall be of a type approved by the Development Services Director. *(SCA AE-10)*
18. The parking area and pedestrian paths shall be equipped with lighting of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons on or about the site.
19. Transformers, backflow preventers, and any other approved above- ground utility improvement shall be located outside of the required street setback area. If that is not possible due to requirements imposed by the utility companies and/or space limitations, the above-ground utilities shall be screened from view with landscape materials subject to review by Planning staff and the utility company standards.
20. Installation of all new utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
21. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
22. Prior to building permit issuance, the applicant shall submit a comprehensive utilities plan that shows utility design, undergrounding and required dedications/easements. The plan will be reviewed by both the City's Building Division and Public Works Department.
23. Prior to issuance of building permits, the Developer shall pay a park impact fee or dedicate parkland to meet the demands of the proposed development.
24. All new and existing construction shall be architecturally compatible with regard to building materials, style, colors, etc. with the existing structure(s). Plans submitted for plan check shall indicate how this will be accomplished. *(SCA A-1)*

Play Areas

25. Stationary play equipment shall be located on turf, sand, or other treated surface to the satisfaction of the Director of Economic & Development.

26. Prior to building permit issuance, the applicant shall submit a final playground plan for review and approval, which includes detailed playground specifications of manufactured play equipment. The playground plan shall depict safety fall zones, safety surfacing materials and construction specifications, manufacturer and model numbers of equipment and equipment deck heights. On a project-specific basis, the Director of Economic & Development or designee shall require that the playground plan adequately serve the anticipated number of users and their activities.

Fire 27. Prior to issuance of a building permit, the applicant shall submit and have approved by the Fire Department an Emergency Access Plan, which identifies and locates all Knox Boxes, Knox key switches, and Click2Enter radio access control receivers. Said plan shall be incorporated into the plan set for building permits.

Trans 28. The applicant shall submit a Traffic Impact Fee to the Transportation Division prior to issuance of building permits to fulfill mitigation of off-site traffic impacts. The fee is required in an amount determined by the Transportation Division pursuant to the prevailing schedule of charges adopted by the City Council. The fee is calculated based on the average daily trip generation rate of 86 trip ends for the proposed project and includes a credit for any previously existing use. At the current rate, the estimated Traffic Impact Fee is $20,315.75. NOTE: The fee will be recalculated at the time of issuance of building permits and based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

Bldg 29. Comply with the requirements of the latest edition of the California Building Code, California Residential Code, California Electrical Code, California Mechanical Code , California Plumbing Code , California Green Building Standards Code and California Energy Code (or the applicable adopted California Building Code, California Residential Code California Electrical Code, California Mechanical Code California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.

PRIOR TO FINAL INSPECTION/OCCUPANCY

Plng. 1. The applicant shall contact the Planning Division to arrange Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

2. Prior to final inspection or Certificate of Occupancy (C of O) the applicant shall provide a scaled and dimensioned digital site plan(s) for the project site, on either a CD or thumb drive, to the Planning Division. All site plans shall include an accurate and precise drawing of all building footprints and property line locations for the entire project site. All buildings shall be annotated with its corresponding address and suites if applicable.

3. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance. Only canopy trees shall be planted within the development and public right-of-way; palm trees shall not be used.
4. Prior to final building inspection, a bicycle rack shall be installed in a location such that it is functional, accessible and visible to the user. The placement must ensure that parked bicycle do not interfere with vehicle circulation or encroach upon an ADA-compliant walkway or sidewalk, maintaining clear and unobstructed pedestrian access.
5. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy, and utility releases will not be granted until all such licenses have been obtained.

Play Areas
6. Prior to occupancy, the applicant shall submit a letter stating that the play equipment installation has been inspected by a person authorized by the manufacturer, that the equipment has been installed per manufacturer's specifications, and that it complies with the minimum playground safety regulations adopted by the State of California.

Trans
7. Prior to final inspection or Certificate of Occupancy (C of O) the applicant shall submit a detailed plan to the Transportation Division for review and approval to design and construct a buffered class II bike lane with green bicycle markings. The bike lane shall be a minimum of five feet from the north curb face, and a two-foot buffer is to be placed between the bike lane and the westbound travel lane.
8. All parking spaces shall conform with the City of Costa Mesa Parking Design Standards unless otherwise approved.

TENTATIVE TRACT MAP

Plng.
1. The Final Tract Map shall be recorded with the County of Orange prior to the issuance of any precise grading or building permits for the proposed development. However, demolition and rough grading permits may be issued prior to recordation of the Final Tract Map.

Eng.
2. Comply with the conditions of approval in the letter prepared by the City Engineer (Exhibit D1).

SPECIAL DISTRICT REQUIREMENTS

AQMD
1. Prior to the Building Division (AQMD) issuing a demolition permit, contact South Coast Air Quality Management District located at:
21865 Copley Dr
Diamond Bar, CA 91765-4178
Tel: 909-396-2000
OR
Visit their web site:
http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381

		The Building Division will not issue a demolition permit until an identification number is provided by AQMD.
Sani.	2.	It is recommended that the developer contact the Costa Mesa Sanitary District at (949) 645-8400 for current district requirements.
Water	3.	Applicant is reminded that additional conditions of development may be imposed by Mesa Consolidated Water District (949) 631-1200 and/or other serving utilities. Subject to approval by the board of directors, Mesa Consolidated Water District may require payment of a developer impact fee prior to installation of water service or construction of required master plan facilities. Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District.
School	4.	Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits.
CDFA	5.	Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at 1-888-4FIREANT for information.

EXHIBIT D

MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This requirement ensures that environmental impacts found to be potentially significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Victoria Place Project (Project); refer to Table 1, *Mitigation Monitoring and Reporting Checklist*. This MMRP is intended to provide verification that the implementation of all mitigation measures identified in the Draft IS/MND are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of all such records in the project file.

This MMRP delineates responsibilities for monitoring the project. Pursuant to CEQA Guidelines Section 15097(a), however, the City of Costa Mesa ultimately remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the mitigation program. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The City distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Draft IS/MND, which provides general background information on the reasons for the adopted mitigation measures.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- Responsible parties provide the City of Costa Mesa with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.
- The City of Costa Mesa prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.

- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals, as indicated.

Minor changes to the MMRP, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the City of Costa Mesa. Such changes could include reassignment of monitoring and reporting responsibilities, plan redesign to make any appropriate improvements, and/or modification, substitution, or deletion of mitigation measures subject to conditions described in CEQA Guidelines Section 15162.

Table 1
Mitigation Monitoring and Reporting Checklist

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
4.5 CULTURAL RESOURCES								
CUL-1	Prior to issuance of grading permits, the City of Costa Mesa shall ensure a qualified archaeologist who meets the Secretary of the Interior's Standards for professional archaeology has been retained for the project and shall be on-call during all demolition and grading/excavation. The qualified archaeologist shall ensure the following measures are followed for the project: • Prior to any ground disturbance, the qualified archaeologist, or their designee, shall provide worker environmental	Project Applicant; Construction Contractor; Qualified Archaeologist; Native American Monitor	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities	City of Costa Mesa Development Services Director	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should resources of a potentially cultural nature be discovered during construction. Workers shall be provided contact information and protocols to follow in the event that inadvertent discoveries are made. The training can be in the form of a video or							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	PowerPoint presentation. Printed literature (handouts) can accompany the training and can also be given to new workers and contractors to avoid the necessity of continuous training over the course of the project. • Prior to any ground disturbance, the applicant shall submit a written Project Monitoring Plan (PMP) to the City of Costa Mesa's Director of Economic and Development Services for review and approval. The monitoring plan shall include monitor contact information							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	(including the qualified archeologist and the Native American Monitor per Mitigation Measure TCR-1), specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds. • In the event resources of a potentially Native American nature are discovered during any stage of project construction, all construction work within 50 feet (15 meters) of the discovered tribal cultural resource ("TCR") shall cease and the Kizh Monitor shall assess the							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	discovery. Construction activities outside the buffer zone may continue during the Kizh Monitor's assessment. o <u>Non-Native American (Non-TCR) Discoveries</u>: If warranted based on the qualified archaeologist's evaluation of the archaeological (but non-TCR) discovery, the archaeologist shall collect the resource and prepare a test-level report describing the results of the investigation. The test-level report shall evaluate the site including							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	discussing the significance (depth, nature, condition, and extent of the resource), identifying final Cultural Mitigation Measures, if any, that the City of Costa Mesa's Director of Economic and Development Services shall verify are incorporated into future construction plans, and providing cost estimates. o <u>Conjoined Archaeological and Native American (TCR) Discoveries</u>: If, following consultation with							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	the Kizh Monitor, it is determined that a historic or prehistoric discovery includes Native American materials or resources, then the Kizh Monitor shall determine the appropriate treatment of the discovered TCR(s) consistent with Mitigation Measure TCR-1. The Kizh Monitor shall prepare a TCR discovery report, which may include descriptions and evaluations of the area and conditions at the site of the discovery (i.e., depth, nature,							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	condition, and extent of the resources), as well as a discussion of the significance to the Kizh Nation. o The requirements of Section 15064.5 of the CEQA Guidelines shall be followed. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Kizh Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Kizh Nation, and							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	(2) completed the appropriate treatment of the resource consistent with Mitigation Measure TCR-1.							
4.7 GEOLOGY AND SOILS								
GEO-1	Prior to issuance of a grading permit and any ground-disturbing activities, the project applicant shall consult with a geologist or paleontologist to confirm whether anticipated grading would occur at depths that could encounter highly sensitive sediments for paleontological resources. If confirmed that underlying sediments may have high sensitivity, construction activity shall be monitored by a qualified paleontologist retained by the project applicant and a written Project Monitoring Plan (PMP) shall be submitted to the City of Costa Mesa's Director of Economic and Development Services for review and	Project Applicant; Construction Contractor; Qualified Geologist; Qualified Paleontological Monitor	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities	City of Costa Mesa Development Services Director	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	approval. The monitoring plan shall include monitor contact information, specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds. The paleontologist shall have the authority to halt construction during construction activity. Because the project area is immediately underlain by Holocene sediments (low sensitivity) and the depth of these sediments is unknown, spot-check monitoring shall be conducted to identify potential fossils and the lithological transition to Pleistocene sediments. If Pleistocene-aged sediments are discovered at depth, monitoring shall transition to full-time as ground-disturbing activities occur at or below this identified depth because these Pleistocene units have been identified as having high							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	sensitivity for paleontological resources.							
GEO-2	In the event of any fossil discovery, regardless of depth or geologic formation, construction work shall halt within a 50-foot radius of the find until a qualified paleontologist retained by the project applicant can determine its significance. Significant fossils shall be recovered, prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility in accordance with the standards of the Society of Vertebrate Paleontology (2010). The most likely repository is the Natural History Museum of Los Angeles County (NHMLAC). The repository shall be identified, and a curatorial arrangement shall be signed prior to the collection of the fossils.	Construction Contractor; Qualified Paleontological Monitor	During Ground Disturbing Activities	City of Costa Mesa Development Services Director	During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
4.9 HAZARDS AND HAZARDOUS MATERIALS								
HAZ-1	Prior to issuance of a grading permit, the contractor shall retain a qualified environmental professional with Phase II/Site Characterization experience, to be approved by the City's Department of Public Works City Engineer, to prepare a Soil Management Plan (SMP). The SMP shall be made available to the contractor, construction workers, and the City Engineer for use during grading/excavation activities. The SMP shall include guidelines for safety measures and soil management in the event that soils are to be disturbed, and for handling soil during any planned earthwork activities. The SMP shall also include a decision framework and specific risk management measures for managing soil, including any soil	Project Applicant; Construction Contractor; Qualified Environmental Professional with Phase II/Site Characterization Experience	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities	Qualified Environmental Professional; City of Costa Mesa Public Services Director	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	import/export activities, in a manner protective of human health and consistent with applicable regulatory requirements. If required by regulatory requirements, the preparation and implementation of a cleanup plan such as the RAW shall be deemed necessary. During the grading phase, the qualified professional shall conduct soil sampling and monitor soil conditions. In the event where contaminated soil is discovered, the qualified professional shall take a sample and coordinate laboratory testing to determine contamination levels before the import, export, or re-use of the soil for residential purposes. Should any soil samples identify contamination levels in exceedance of existing Federal, State, and/or local human health screening levels for residential uses, the soil							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	shall be disposed off-site by a licensed hazardous waste hauler in accordance with applicable Federal, State, and local regulations.							
4.17 TRANSPORTATION								
TRA-1	Prior to Project commencement of construction, the Applicant or designee shall submit a Construction Traffic Management Plan (TMP) for review and approval by the City Traffic Engineer. The TMP shall include signage, lane closures, flag persons, etc., and shall specify that one lane of travel in each direction shall be maintained along City rights-of-way. Bicycle lanes, pedestrian sidewalks, and bus stops shall remain open and accessible, to the greatest extent feasible, during construction or shall be re-routed to ensure continued connectivity while maintaining Americans with Disabilities Act (ADA) accessibility. The TMP shall be incorporated into	Project Applicant; City Traffic Engineer	Prior to and During Ground Disturbing Activities	City of Costa Mesa Public Services Director; City Traffic Engineer	Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	project specifications for verification prior to final plan approval.							
4.18 TRIBAL CULTURAL RESOURCES								
TCR-1	Prior to issuance of any grading permits, the Applicant shall formally retain a Native American monitor from the Native American tribe that is culturally and ancestrally affiliated with the Project location: the Gabrieleño Band of Mission Indians – Kizh Nation. The Applicant shall allow 45 days from initial contact with the first preference tribe (Kizh Nation) to enter into a contract for monitoring services. If the Applicant can demonstrate they were unable to secure an agreement with the first preference tribe, or if the contracted tribe fails to fulfill its obligation under the contract terms, then the Applicant may retain an	Native American Monitor	Prior to Issuance of Grading Permit; During Ground Disturbing Activities	Costa Mesa Development Services Director	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	alternative qualified tribal monitor approved by the City. The City approved Monitor (the "Monitor"), shall monitor all "ground-disturbing" Project activities, (I.e., both on-site and any off -site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work), which includes but is not limited to: demolition, grubbing/clearing, rough grading, precise grading, mass grading, trenching, excavation, boring, auguring, and weed abatement on previously disturbed and undisturbed ground (collectively "ground disturbing activities"). A copy of the executed contract shall be submitted to the Costa Mesa Economic and Development Services							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	Department prior to the issuance of any permit necessary to commence ground-disturbing activities. The Monitor shall prepare daily monitoring logs that include descriptions of the relevant ground disturbing activities, locations of such activities, observed soil types, and the presence or absence of tribal cultural-related materials. Should tribal cultural-related resources be discovered, monitor logs shall identify and describe such resources, including but not limited to, Native American cultural and historical artifacts, as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the City of Costa Mesa and							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	maintained as confidential. In the event resources are discovered during any phase of ground disturbing activities, and it is determined by the Monitor, in consultation with the City, to be Native American in origin, then all construction activity within fifty (50) feet (15 meters) of the find shall cease until the Monitor can assess the find. Work shall be allowed to continue outside of the buffer zone. The Monitor shall determine the appropriate treatment of the discovered resource that is consistent with the tribe's cultural practices, including reinternment on site in an appropriate area determined by the tribe in consultation with the City and the applicant, or retention of the discovered resource for							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
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	educational purposes. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Kizh Nation, and (2) completed the appropriate treatment of the resource. Monitoring for tribal cultural resources ("TCR") shall conclude upon the City's receipt of written confirmation from the Monitor that ground disturbing activities with potential impacts to discovered and/or undiscovered TCRs are complete.							

EXHIBIT D1

Public Works Conditions

Provided Under Separate Cover with June 9, 2025 Planning Commission Packet

CITY OF COSTA MESA
CALIFORNIA 92628-1200 P.O. BOX 1200

PUBLIC WORKS DEPARTMENT – ENGINEERING DIVISION

April 22, 2025

Costa Mesa Planning Commission
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

SUBJECT: Tentative Tract No. 19351
LOCATION: 220 Victoria Street

Dear Commissioners:

Tentative Tract Map No. 19351 as furnished by the Planning Division for review by the Public Works Department consists of subdividing two lots into one numbered lot for condominium purposes. Tentative Tract Map No. 19351 meets with the approval of the Public Works Department, subject to the following conditions:

1. The Tract shall be developed in full compliance with the State of California Subdivision Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Section 13-208 through 13-261 inclusive, of the Municipal Code.

2. The Subdivider shall conduct soil investigations and provide the results to the City of Costa Mesa Engineering and Building Divisions pursuant to Ordinance 97-11.

3. Copy of the Final Tract Map shall be submitted to the Engineering Division for checking. Map check fee shall be paid per C.C.M.M.C. Section 13-231.

4. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.

5. Dedicate an ingress/egress easement to the City for emergency and public security vehicles purposes only. Maintenance of easement shall be the sole responsibility of a Homeowners Association formed to conform to Section 13-41 (e) of the C.C.M.M.C.

6. Vehicular and pedestrian access rights to Victoria Street shall be released and relinquished to the City of Costa Mesa except at approved access locations.

7. Dedicate easements as needed for public utilities.

8. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.

9. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital-graphics file of said map in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.

10. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.

11. The elevations shown on all plans shall be based on the County of Orange Benchmark Datum.

12. Prior to recordation of a Final Tract Map, submit required cash deposit or surety bond to guarantee monumentation. The deposit amount shall be determined by the City Engineer.

13. Submit required cash deposit or surety bond to guarantee construction of off-site street improvements at time of permit per Section 15-32, C.C.M.M.C. and as approved by City Engineer. Amount to be based on construction cost estimate prepared by Engineer and approved by City Engineer. The Subdivider and City shall enter into an agreement for the installation of the offsite improvements as provided in Section 66462 of the California Subdivision Map Act.

14. Prior to occupancy on the Tract, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File, reproducible mylar of the recorded Tract Map, an approved Offsite Plan and nine copies of the recorded Tract Map.

15. Submit for approval to the City of Costa Mesa preliminary plans that shows the undergrounding of utility poles along the project's frontage, including any poles across the street which are only servicing the existing property and that will not be utilized to the extent practical or feasible.

16. Submit for approval to the City of Costa Mesa final design plans approved for construction that shows all proposed above and/or underground utilities within the public right-of-way required for the construction of this project. Any proposed facilities within the public right-of-way shall be approved by the City Engineer including but not limited to water, power, gas or telecommunication services.

17. Construct a common area for passive recreation purposes in front of the project as shown on the preliminary landscape plan. The maintenance of this area shall be responsibility of the homeowner association. All improvements in the public right-of-way associated with the passive recreation area shall be subject to the approval of the City Engineer.

18. Obtain an Encroachment Permit from the City of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk.

19. Obtain an Encroachment Permit from the City of Costa Mesa, Engineering Division, at the time of development and then reconstruct P.C.C. sidewalk per City of Costa Mesa Standards as shown on the Offsite Plan, including four (4) feet clear around obstructions in the sidewalk.

20. Obtain an Encroachment Permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approaches per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager.

21. Submit for approval to the City of Costa Mesa, Engineering Division, Street Improvement and Storm Drain Plans, that show Sewer and Water Improvements, prepared by a Civil Engineer registered in the State of California.

22. Construct a catch basin within the public right-of-way and connect to the City storm drain system.

23. Prior to the issuance of the certificate of occupancy, the two existing 8" diameter storm drains downstream of the project site on Victoria Place shall be replaced with 18" diameter reinforced concrete pipes. This improvement shall be completed to the satisfaction of the City Engineer and prior to slurry sealing the roadway.

24. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of Final Tract Map

25. The Subdivider's engineers shall furnish the Engineering Division a hydrology/hydraulics study to the City of Costa Mesa showing existing and proposed facilities and the method of draining this area and tributary areas without exceeding the capacity of any street or drainage facility on-site or off-site. This study to be furnished with the first submittal of the Final Tract Map. Cross lot drainage shall not occur.

26. In order to comply with the latest Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan (WQMP) conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer, which shall be submitted to the City of Costa Mesa Engineering Divisions for review and approval.
    - A WQMP (Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.
    - Location of BMPs shall not be within the public right-of-way.

27. Ownership and maintenance of the private on-site drainage facilities, BMPs, parkway culverts and other common areas shall be transferred by the owner to the Homeowner Association to be formed pursuant to the C.C.M.M.C. Section 13-41 (e) and said association shall indemnify and hold harmless the City of Costa Mesa for any liability arising out of or in any way associated with the connection of the private drainage system with the City's drainage system and shall execute and deliver to the City of Costa Mesa the standard (indemnity) Hold Harmless Agreement required for such conditions prior to issuance of permits.

28. All sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.

29. All water system improvements shall meet the approval of Mesa Water District; call (949) 631-1200 for information.

30. Obtain approval for the planting and species of trees in the public right-of-way from the City Arborist.

31. Restore the roadway surface by slurry sealing along the project's frontage to the satisfaction of the City Engineer.

Sincerely,

Seung Yang

Seung Yang, P. E.
City Engineer

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, RELATIVE TO GENERAL PLAN AMENDMENT (PGPA-24-0001), REZONE, MASTER PLAN (PMAP-24-0002), AND TENTATIVE TRACT MAP NO. 19351 FOR THE DEVELOPMENT OF 40 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 220, 222, 234, and 236 VICTORIA STREET ("VICTORIA PLACE")

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, a General Plan Amendment, Rezone, Tentative Tract Map, and Master Plan, was filed by Bundy-Finkel Architects, on behalf of WMC, LLC, requesting approval of the following: Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment, Rezone, Master Plan, and Tentative Tract Map to facilitate the development of a 40-unit residential common interest development project located at 220, 222, 234, and 236 Victoria Street;

WHEREAS, the Planning Commission is the recommending body and the City Council is the final decision-maker for the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment, Rezone, Master Plan, and Tentative Tract Map;

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, pursuant to the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS/MND) including the Mitigation Monitoring and Reporting Program was prepared in compliance with CEQA and the local environmental review guidelines;

WHEREAS, the Draft IS/MND was circulated for the required 30-day public review period beginning on April 1, 2025, and ending on April 30, 2025;

WHEREAS, the final adoption of the IS/MND shall be considered by the City Council as the final approval authority, after evaluation of the environmental document and all comments on the Draft IS/MND received during the public review period;

WHEREAS, written comments received from the general public, government entities, and other interested parties were responded to, where appropriate, in the manner prescribed in California Code of Regulations Section 15073;

WHEREAS, no significant new information has been added to the IS/MND since its circulation for public comment and no changes to the proposed project have occurred which would require recirculation of the IS/MND under CEQA Guidelines Section 15073.5;

WHEREAS, on June 9, 2025, the Planning Commission recommended denial of the proposed project with a 5-2 vote (Commissioner Dickson and Commissioner Andrade voting No);

WHEREAS, based on the above recommendation of project denial, the Planning Commission did not make a finding that the IS/MND adequately evaluates the environmental impacts of the proposed project, and the IS/MND is complete, adequate, and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines;

WHEREAS, the City Council nevertheless finds that the IS/MND adequately evaluates the environmental impacts of the proposed project, and the IS/MND is complete, adequate, and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines;

WHEREAS, the IS/MND reflects the independent judgment and analysis of the City Council of the City of Costa Mesa. NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA RESOLVES AS FOLLOWS:

Section 1. Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. The City Council hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program attached hereto as Exhibit A and Exhibit B and incorporated herein by this reference. The City finds that the Mitigation Monitoring and Reporting Program is designed to ensure that, during the implementation of the Project, the City and any other responsible parties implement the components of the Project and comply with the mitigation measures identified in the Mitigation Monitoring and Reporting Program. To the extent there is any conflict between the Mitigation Monitoring and Reporting Program, and the Draft IS/MND, the terms and provisions of the Mitigation Monitoring and Reporting Program shall control.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 15th day of July, 2025.

_____
John Stephens, Mayor

ATTEST:

_____
Brenda Green, City Clerk

APPROVED AS TO FORM:

_____
Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2025-xx and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 15th day of July, 2025, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 15th day of July, 2025.

_____
Brenda Green, City Clerk

EXHIBIT A

MITIGATED NEGATIVE DECLARATION

The Mitigated Negative Declaration for the Project and Appendices are available online at:

https://www.costamesaca.gov/government/departments-and-divisions/economic-and-development-services/planning/environmental-notices-and-reports

EXHIBIT B

FINAL MITIGATED NEGATIVE DECLARATION

The Final Mitigated Negative Declaration for the Project is available online at:

https://www.costamesaca.gov/government/departments-and-divisions/economic-and-development-services/planning/environmental-notices-and-reports

MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This requirement ensures that environmental impacts found to be potentially significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Victoria Place Project (Project); refer to Table 1, *Mitigation Monitoring and Reporting Checklist*. This MMRP is intended to provide verification that the implementation of all mitigation measures identified in the Draft IS/MND are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of all such records in the project file.

This MMRP delineates responsibilities for monitoring the project. Pursuant to CEQA Guidelines Section 15097(a), however, the City of Costa Mesa ultimately remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the mitigation program. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The City distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Draft IS/MND, which provides general background information on the reasons for the adopted mitigation measures.

- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.

- Responsible parties provide the City of Costa Mesa with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.

- The City of Costa Mesa prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.

- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals, as indicated.

Minor changes to the MMRP, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the City of Costa Mesa. Such changes could include reassignment of monitoring and reporting responsibilities, plan redesign to make any appropriate improvements, and/or modification, substitution, or deletion of mitigation measures subject to conditions described in CEQA Guidelines Section 15162.

Table 1
Mitigation Monitoring and Reporting Checklist

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
4.5 CULTURAL RESOURCES								
CUL-1	Prior to issuance of grading permits, the City of Costa Mesa shall ensure a qualified archaeologist who meets the Secretary of the Interior's Standards for professional archaeology has been retained for the project and shall be on-call during all demolition and grading/excavation. The qualified archaeologist shall ensure the following measures are followed for the project: • Prior to any ground disturbance, the qualified archaeologist, or their designee, shall provide worker environmental	Project Applicant; Construction Contractor; Qualified Archaeologist; Native American Monitor	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities	City of Costa Mesa Development Services Director	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should resources of a potentially cultural nature be discovered during construction. Workers shall be provided contact information and protocols to follow in the event that inadvertent discoveries are made. The training can be in the form of a video or							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	PowerPoint presentation. Printed literature (handouts) can accompany the training and can also be given to new workers and contractors to avoid the necessity of continuous training over the course of the project. • Prior to any ground disturbance, the applicant shall submit a written Project Monitoring Plan (PMP) to the City of Costa Mesa's Director of Economic and Development Services for review and approval. The monitoring plan shall include monitor contact information							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	(including the qualified archeologist and the Native American Monitor per Mitigation Measure TCR-1), specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds. • In the event resources of a potentially Native American nature are discovered during any stage of project construction, all construction work within 50 feet (15 meters) of the discovered tribal cultural resource ("TCR") shall cease and the Kizh Monitor shall assess the							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	discovery. Construction activities outside the buffer zone may continue during the Kizh Monitor's assessment. o <u>Non-Native American (Non-TCR) Discoveries</u>: If warranted based on the qualified archaeologist's evaluation of the archaeological (but non-TCR) discovery, the archaeologist shall collect the resource and prepare a test-level report describing the results of the investigation. The test-level report shall evaluate the site including							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	discussing the significance (depth, nature, condition, and extent of the resource), identifying final Cultural Mitigation Measures, if any, that the City of Costa Mesa's Director of Economic and Development Services shall verify are incorporated into future construction plans, and providing cost estimates. o <u>Conjoined Archaeological and Native American (TCR) Discoveries</u>: If, following consultation with							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	the Kizh Monitor, it is determined that a historic or prehistoric discovery includes Native American materials or resources, then the Kizh Monitor shall determine the appropriate treatment of the discovered TCR(s) consistent with Mitigation Measure TCR-1. The Kizh Monitor shall prepare a TCR discovery report, which may include descriptions and evaluations of the area and conditions at the site of the discovery (i.e., depth, nature,							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	condition, and extent of the resources), as well as a discussion of the significance to the Kizh Nation. o The requirements of Section 15064.5 of the CEQA Guidelines shall be followed. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Kizh Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Kizh Nation, and							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	(2) completed the appropriate treatment of the resource consistent with Mitigation Measure TCR-1.							
4.7 GEOLOGY AND SOILS								
GEO-1	Prior to issuance of a grading permit and any ground-disturbing activities, the project applicant shall consult with a geologist or paleontologist to confirm whether anticipated grading would occur at depths that could encounter highly sensitive sediments for paleontological resources. If confirmed that underlying sediments may have high sensitivity, construction activity shall be monitored by a qualified paleontologist retained by the project applicant and a written Project Monitoring Plan (PMP) shall be submitted to the City of Costa Mesa's Director of Economic and Development Services for review and	Project Applicant; Construction Contractor; Qualified Geologist; Qualified Paleontological Monitor	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities	City of Costa Mesa Development Services Director	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	approval. The monitoring plan shall include monitor contact information, specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds. The paleontologist shall have the authority to halt construction during construction activity. Because the project area is immediately underlain by Holocene sediments (low sensitivity) and the depth of these sediments is unknown, spot-check monitoring shall be conducted to identify potential fossils and the lithological transition to Pleistocene sediments. If Pleistocene-aged sediments are discovered at depth, monitoring shall transition to full-time as ground-disturbing activities occur at or below this identified depth because these Pleistocene units have been identified as having high							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	sensitivity for paleontological resources.							
GEO-2	In the event of any fossil discovery, regardless of depth or geologic formation, construction work shall halt within a 50-foot radius of the find until a qualified paleontologist retained by the project applicant can determine its significance. Significant fossils shall be recovered, prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility in accordance with the standards of the Society of Vertebrate Paleontology (2010). The most likely repository is the Natural History Museum of Los Angeles County (NHMLAC). The repository shall be identified, and a curatorial arrangement shall be signed prior to the collection of the fossils.	Construction Contractor; Qualified Paleontological Monitor	During Ground Disturbing Activities	City of Costa Mesa Development Services Director	During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
4.9 HAZARDS AND HAZARDOUS MATERIALS								
HAZ-1	Prior to issuance of a grading permit, the contractor shall retain a qualified environmental professional with Phase II/Site Characterization experience, to be approved by the City's Department of Public Works City Engineer, to prepare a Soil Management Plan (SMP). The SMP shall be made available to the contractor, construction workers, and the City Engineer for use during grading/excavation activities. The SMP shall include guidelines for safety measures and soil management in the event that soils are to be disturbed, and for handling soil during any planned earthwork activities. The SMP shall also include a decision framework and specific risk management measures for managing soil, including any soil	Project Applicant; Construction Contractor; Qualified Environmental Professional with Phase II/Site Characterization Experience	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities	Qualified Environmental Professional; City of Costa Mesa Public Services Director	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	import/export activities, in a manner protective of human health and consistent with applicable regulatory requirements. If required by regulatory requirements, the preparation and implementation of a cleanup plan such as the RAW shall be deemed necessary. During the grading phase, the qualified professional shall conduct soil sampling and monitor soil conditions. In the event where contaminated soil is discovered, the qualified professional shall take a sample and coordinate laboratory testing to determine contamination levels before the import, export, or re-use of the soil for residential purposes. Should any soil samples identify contamination levels in exceedance of existing Federal, State, and/or local human health screening levels for residential uses, the soil							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	shall be disposed off-site by a licensed hazardous waste hauler in accordance with applicable Federal, State, and local regulations.							
4.17 TRANSPORTATION								
TRA-1	Prior to Project commencement of construction, the Applicant or designee shall submit a Construction Traffic Management Plan (TMP) for review and approval by the City Traffic Engineer. The TMP shall include signage, lane closures, flag persons, etc., and shall specify that one lane of travel in each direction shall be maintained along City rights-of-way. Bicycle lanes, pedestrian sidewalks, and bus stops shall remain open and accessible, to the greatest extent feasible, during construction or shall be re-routed to ensure continued connectivity while maintaining Americans with Disabilities Act (ADA) accessibility. The TMP shall be incorporated into	Project Applicant; City Traffic Engineer	Prior to and During Ground Disturbing Activities	City of Costa Mesa Public Services Director; City Traffic Engineer	Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	project specifications for verification prior to final plan approval.							
4.18 TRIBAL CULTURAL RESOURCES								
TCR-1	Prior to issuance of any grading permits, the Applicant shall formally retain a Native American monitor from the Native American tribe that is culturally and ancestrally affiliated with the Project location: the Gabrieleño Band of Mission Indians – Kizh Nation. The Applicant shall allow 45 days from initial contact with the first preference tribe (Kizh Nation) to enter into a contract for monitoring services. If the Applicant can demonstrate they were unable to secure an agreement with the first preference tribe, or if the contracted tribe fails to fulfill its obligation under the contract terms, then the Applicant may retain an	Native American Monitor	Prior to Issuance of Grading Permit; During Ground Disturbing Activities	Costa Mesa Development Services Director	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	alternative qualified tribal monitor approved by the City. The City approved Monitor (the "Monitor"), shall monitor all "ground-disturbing" Project activities, (I.e., both on-site and any off -site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work), which includes but is not limited to: demolition, grubbing/clearing, rough grading, precise grading, mass grading, trenching, excavation, boring, auguring, and weed abatement on previously disturbed and undisturbed ground (collectively "ground disturbing activities"). A copy of the executed contract shall be submitted to the Costa Mesa Economic and Development Services							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	Department prior to the issuance of any permit necessary to commence ground-disturbing activities. The Monitor shall prepare daily monitoring logs that include descriptions of the relevant ground disturbing activities, locations of such activities, observed soil types, and the presence or absence of tribal cultural-related materials. Should tribal cultural-related resources be discovered, monitor logs shall identify and describe such resources, including but not limited to, Native American cultural and historical artifacts, as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the City of Costa Mesa and							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	maintained as confidential. In the event resources are discovered during any phase of ground disturbing activities, and it is determined by the Monitor, in consultation with the City, to be Native American in origin, then all construction activity within fifty (50) feet (15 meters) of the find shall cease until the Monitor can assess the find. Work shall be allowed to continue outside of the buffer zone. The Monitor shall determine the appropriate treatment of the discovered resource that is consistent with the tribe's cultural practices, including reinternment on site in an appropriate area determined by the tribe in consultation with the City and the applicant, or retention of the discovered resource for							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	educational purposes. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Kizh Nation, and (2) completed the appropriate treatment of the resource. Monitoring for tribal cultural resources ("TCR") shall conclude upon the City's receipt of written confirmation from the Monitor that ground disturbing activities with potential impacts to discovered and/or undiscovered TCRs are complete.							

ATTACHMENT 2
EXHIBIT A

APRIL 2025



PUBLIC REVIEW DRAFT
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

VICTORIA PLACE PROJECT





PREPARED FOR

PREPARED BY

Michael Baker
INTERNATIONAL

This document is designed for double-sided printing to conserve natural resources.

PUBLIC REVIEW DRAFT
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Victoria Place Project

Lead Agency:

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April 2025

JN 204361

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AVAILABILITY OF THE DRAFT IS/MND AND APPENDICES

The Notice of Intent to Adopt (NOI), Draft IS/MND, and Appendices are available for download at the City's official website.

https://www.costamesaca.gov/government/departments-and-divisions/economic-and-development-services/planning/environmental-notices-and-reports

In addition to the City's official website, these documents are also available for review at the Office of Planning and Research's (OPR) CEQAnet online database:

https://ceqanet.opr.ca.gov/

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1.0 INTRODUCTION

The Victoria Place Project (herein referenced as the "project") involves development of a residential common interest development community comprising of 18 duplexes (36 dwelling units) and four detached units for a total of 40 dwelling units; refer to Section 2.0, *Project Description*. Following a preliminary review of the proposed project, the City of Costa Mesa (City) has determined that it is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). This Initial Study addresses the direct, indirect, and cumulative environmental effects of the project, as proposed.

1.1 STATUTORY AUTHORITY AND REQUIREMENTS

In accordance with CEQA (Public Resources Code Section 21000-21177) and pursuant to California Code of Regulations Section 15063, the City of Costa Mesa, acting in the capacity of Lead Agency under CEQA, is required to undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. If, as a result of the Initial Study, the Lead Agency finds that there is evidence that any aspect of the project may cause a significant environmental effect, the Lead Agency shall further find that an Environmental Impact Report (EIR) is warranted to analyze project-related and cumulative environmental impacts. Alternatively, if the Lead Agency finds that there is no evidence that the project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the Lead Agency shall find that the proposed project would not have a significant effect on the environment and shall prepare a Negative Declaration for that project. Such determination can be made only if "there is no substantial evidence in light of the whole record before the Lead Agency" that such impacts may occur (Public Resources Code Section 21080(c)).

The environmental documentation, which is ultimately selected by the City in accordance with CEQA, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions upon the project. The resulting documentation is not; however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and/or other discretionary approvals would be required.

The environmental documentation is subject to a public review period. During this review, agency and public comments on the document relative to environmental issues should be addressed to the City. Following review of any comments received, the City will consider these comments as a part of the project's environmental review and include them with the Initial Study documentation for consideration by the City.

1.2 PURPOSE

CEQA Guidelines Section 15063 identifies specific disclosure requirements for inclusion in an Initial Study. Pursuant to those requirements, an Initial Study shall include:

- A description of the project, including the location of the project;
- Identification of the environmental setting;
- Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries;
- Discussion of ways to mitigate significant effects identified, if any;
- Examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls; and
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study.

1.3 CONSULTATION

As soon as a Lead Agency (in this case, the City of Costa Mesa) has determined that an Initial Study would be required for the project, the Lead Agency is directed to consult informally with all Responsible Agencies and Trustee Agencies that are responsible for resources affected by the project, to obtain the recommendations of those agencies as to whether an EIR or Negative Declaration should be prepared for the project. Following receipt of any written comments from those agencies, the Lead Agency considers any recommendations of those agencies in the formulation of the preliminary findings. Following completion of this Initial Study, the Lead Agency initiates formal consultation with these and other governmental agencies as required under CEQA and its implementing guidelines.

1.4 INCORPORATION BY REFERENCE

The following documents were utilized during preparation of this Initial Study and are incorporated into this document by reference. The documents are available for review at the City of Costa Mesa, Economic and Development Services Department, Planning Division, 77 Fair Drive, Costa Mesa, California 92626.

- *City of Costa Mesa 2015-2035 General Plan* (as amended through May 7, 2024). The *City of Costa Mesa 2015-2035 General Plan* (General Plan) provides a source of information and a policy framework for managing future growth and development and for establishing a system of land use administration tailored to the needs of the City. The General Plan sets forth the Vision for Costa Mesa for the next two decades and focuses on protecting and enhancing diverse residential neighborhoods, accommodating business that service local needs and attract regional/international spending, and providing cultural educational, social, and recreational amenities to the communities. The General Plan ensures that developments to public and private infrastructure are consistent with the City's goals, objectives, and policies. The General Plan includes the following elements: Land Use, Circulation, Growth Management, Housing, Conservation, Noise, Safety, Community Design, Open Space and Recreation, and Historical and Cultural Resources. Each element provides regulatory background, environmental setting, and goals, policies, and actions.

- *Final Environmental Impact Report for the 2015–2035 General Plan*, State Clearinghouse No. 2015111053, prepared by MIG, Inc., June 26, 2016 (herein referenced as the "General Plan EIR"). The *Final Environmental Impact Report for the 2015–2035 General Plan* was prepared to assess the long-range and cumulative environmental consequences that could result from the adaptation and implementation of the proposed General Plan Amendments. However, the General Plan Amendments would not authorize any specific development project, other form of land use approval, or any specific public facilities or capital facilities expenditures or improvements.

- *Costa Mesa Municipal Code* (current through Ordinance No. 2024-02, adopted August 6, 2024). The *Costa Mesa Municipal Code* (Municipal Code) provides regulations for government administrative operations, construction, development, infrastructure, public safety, and business operations within the City. The City's Zoning Code (Municipal Code Title 13, *Planning, Zoning, and Development*) is intended to promote public health, safety, and general welfare within the City. The Zoning Code implements the General Plan; classifies different land uses and structures in appropriate places and regulates such land uses to serve the needs of the City; establishes conditions which allow the various land use types to exist in harmony and to promote the stability of existing land uses by protecting them; and prevents undue intensity of land use or development to maintain a suitable balance between developed land and open space, among others.

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The City of Costa Mesa (City) encompasses approximately 16 square miles and is located in the western portion of Orange County; refer to Exhibit 2-1, *Regional Vicinity*. Surrounding jurisdictions include Santa Ana to the north, Irvine and Newport Beach to the east, Newport Beach to the south, and Huntington Beach and Fountain Valley to the west.

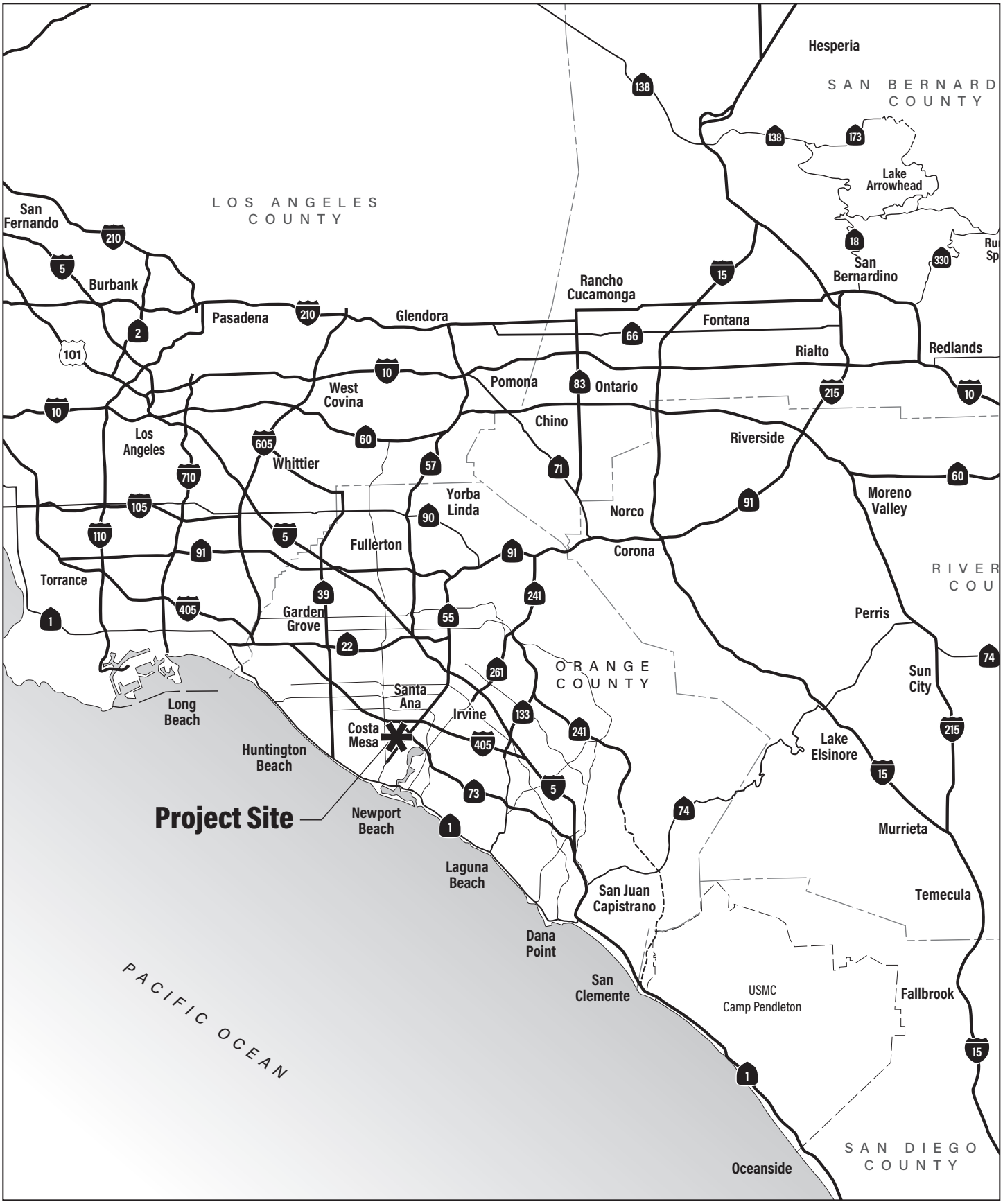
The proposed Victoria Place Project (project) site is approximately 1.77 acres and is located at 220, 222, 234, and 236 Victoria Street (Assessor's Parcel Numbers [APNs] 419-111-19 through -21) in the southern portion of the City; refer to Exhibit 2-2, *Site Vicinity*. Specifically, the project site is located along Victoria Place, north of the intersection of Victoria Street and Newport Boulevard, and to the west of the Costa Mesa Freeway (State Route 55 [SR-55]). Regional access to the project site is available via Interstate 405 (I-405) and SR-55. Local access to the project site is provided via Victoria Street and Newport Boulevard.

2.2 ENVIRONMENTAL SETTING

The project site is located within a highly developed and urbanized area of Costa Mesa. The project site is currently developed with existing commercial retail buildings, a residential unit repurposed as a commercial use, and storage yards. Specifically, approximately 18,567 square feet commercial retail use and storage are located on-site; refer to Table 2-1, *Existing Structures* and *Exhibit 2-2b*, Existing Buildings. Additionally, the site contains a one-story residential structure built in 1954. However, rent rolls indicate that for the past 58 years, the structure has been used as a commercial or storage facility for a plumbing business rather than as a residential unit. Currently vacant and in a state of disrepair, the structure has not been occupied for the past five years. Access to the project site is currently provided by Victoria Place, which connects Victoria Street and Newport Boulevard. A total of 17 street parking stalls (16 standard parking stalls and one Americans with Disabilities (ADA) stall) are located along Victoria Place. The site is relatively flat with an elevation of approximately 85 feet above mean sea level. The existing structures on-site were constructed prior to the 1990s and is in its current configuration since.

Table 2-1
Existing Structures

Tenant/Business	Use	Square Footage/Units
220 Victoria Street		
Suite A	Storage	500 square feet
Suite B	Boat Storage and Commercial Retail (Harvey's Boat Storage)	1,400 square feet
222 Victoria Street		
Suite A	Commercial Retail (Allied Lighting)	6,834 square feet
234 Victoria Street		
Suite A	Originally constructed as residential use, but has been utilized for commercial purposes for the past 58 years (Currently Vacant)	1 Unit Approximately 2,000 square feet
Suite B	Commercial (Suburban Plumbing)	2,333 square feet
236 Victoria Street		
--	Commercial Retail (Battery Mart)	5,500 square feet
	Total Commercial Square Footage	18,567 square feet



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VICTORIA PLACE PROJECT

Regional Vicinity



Source: Google Earth Pro, December 2024

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Site Vicinity

Exhibit 2-1



Source: Google Earth Pro, December 2024

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Existing Buildings

Exhibit 2-2l

GENERAL PLAN LAND USE DESIGNATION AND ZONING

The General Plan Land Use Map designates the project site as General Commercial. According to the City's General Plan Land Use Element, the General Commercial land use designation permits a wide range of commercial uses. Uses permitted on this land use designation includes hotels, service establishments, retail stores, restaurants, and theaters.

Residential and other noncommercial uses may be allowed through the Planned Development process. According to the City's Zoning Map, the project site is zoned General Business District (C2).

SURROUNDING LAND USES

Surrounding land uses include a mixture of commercial and residential uses. Specifically, land uses surrounding the project site include the following:

- *North:* Multi-family residences are located to the north of the project site. These areas are designated High Density Residential (20 dwelling units per acre [du/ac]), and zoned Multiple Family Residential (R3).

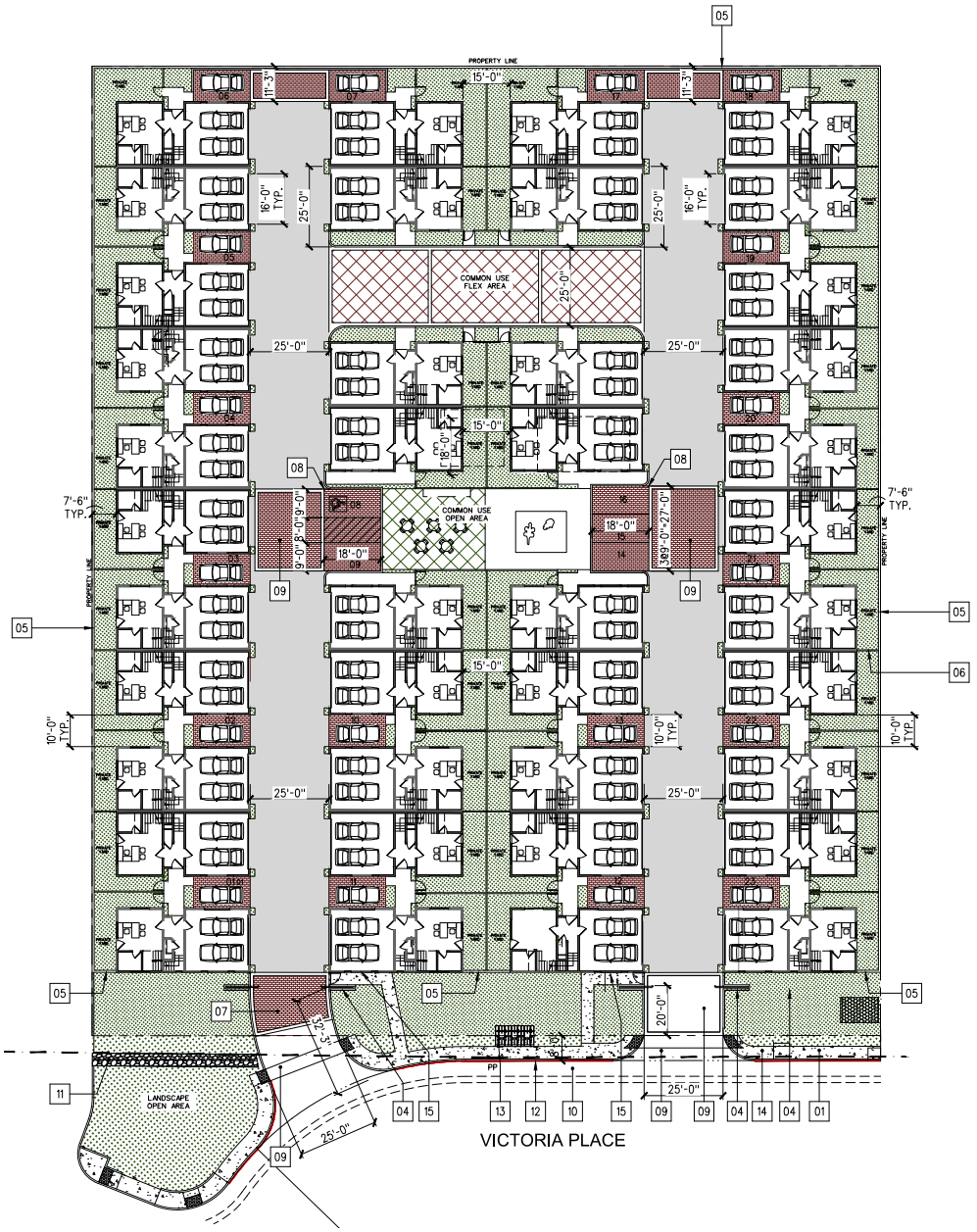
- *East:* A surface parking lot bounds the project site to the east. Located further east are multi-family residential building and commercial use (Advanced Marine Services). These areas are designated General Commercial and zoned General Business District (C2);

- *South:* The frontage street, Victoria Place, bounds the project site to the south. A commercial building (Jiffy Lube) and Victoria Street is located further south of the project site. Armstrong Garden Centers is situated further south. These areas are designated General Commercial and zoned Local Business (C1) (Jiffy Lube) and C2 (Armstrong Garden Centers);

- *West:* Commercial uses (Herb's Garage Auto Service Center, Paper Cliché, Costa Mesa Kendo Dojo, and Marshall's Taekwondo) are located to the west of the project site. These land uses are designated General Commercial and zoned C2. Residential uses (Victoria Garden Villas) are located further west. These land uses are designated High Density Residential and zoned Multiple Family Residential (R3).

2.3 PROJECT CHARACTERISTICS

The project proposes to develop a 40-unit residential common interest development community comprising of 18 duplexes and four detached units fronting Victoria Place; refer to Exhibit 2-3, *Conceptual Site Plan*. Specifically, the 76,923-square foot lot area (or approximately 1.77 acres) would be developed with 18 duplexes, or 36 units, with a square footage of 2,751 square feet per unit (which includes 425-square feet of space available for a home office on the ground floor); refer to Exhibit 2-4a, *Duplex Floor Plan*. The project would also construct four detached units; refer to Exhibit 2-4b, *Detached Unit Floor Plan*. The four detached, situated along Victoria Place, would have a square footage of 2,751-square feet per unit (which includes 427 square feet of space available for a home office on the ground floor).



KEYNOTES:

NO.	DESCRIPTION
1.	NEW SIDEWALK PER CITY STDS. - SEE GRADING PLAN
2.	ACCESSIBLE STALLS AND LOADING ZONE
3.	CURB-CUT RAMP WITH TRUNCATED DOMES
4.	MOTOR-OPERATED DOUBLE-SLIDING GATES WITH CARD READER
5.	NEW +7' HIGH CONCRETE BLOCK WALL - SPLIT-FACED BLOCK
6.	+6'-0" HIGH WOOD FENCES BETWEEN RESIDENCES
7.	DECORATIVE PAVING - TOPCAST OR EQ. WITH SCORED PATTERN
8.	CARPORT ABOVE
9.	NEW DRIVEWAY APPROACH
10.	NEW CLASS II BIKE LANE PER CITY STDS.
11.	PARKWAY DRAIN - SEE CIVIL
12.	RED "NO PARKING" PAINT FOR CURB ALONG STREET FRONTAGE
13.	(2) INVERTED "U" BIKE RACKS
14.	CURB RAMP WITH TRUNCATED DOMES
15.	KNOX BOXES PER CITY STDS.
16.	SEGMENTED GARAGE DOOR WITH GLASS PANELS - 16'-0" WIDE - TYP.

Source: Bundy-Finkel Architects 2025

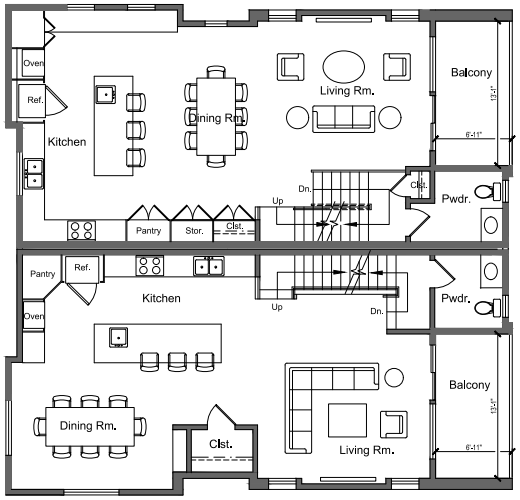
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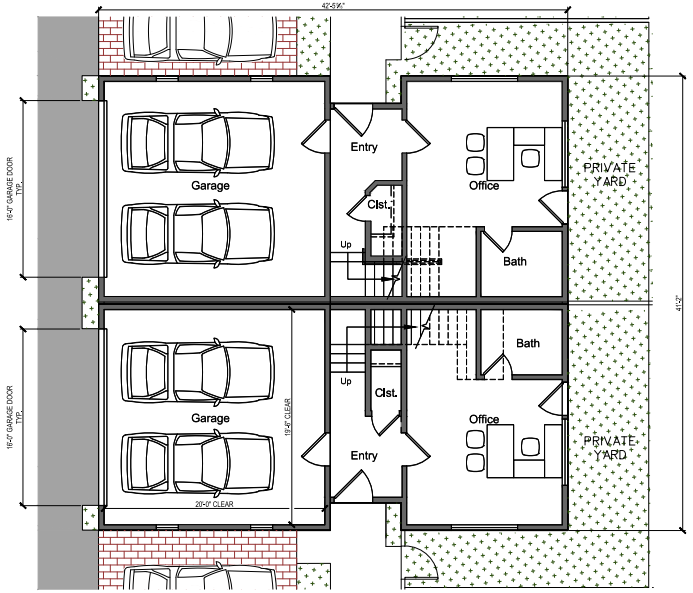
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VICTORIA PLACE PROJECT

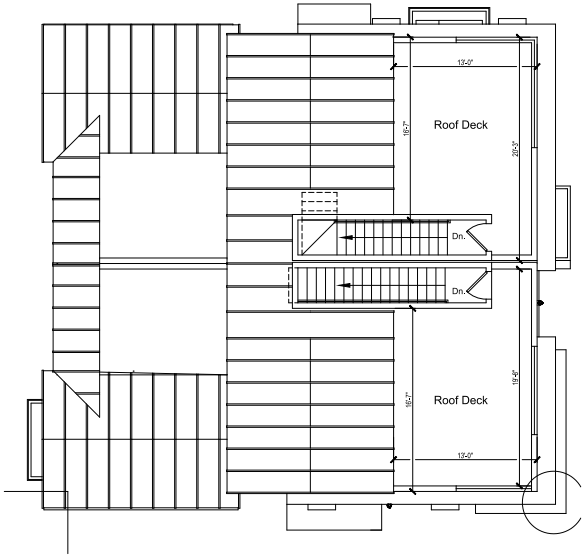
Conceptual Site Plan



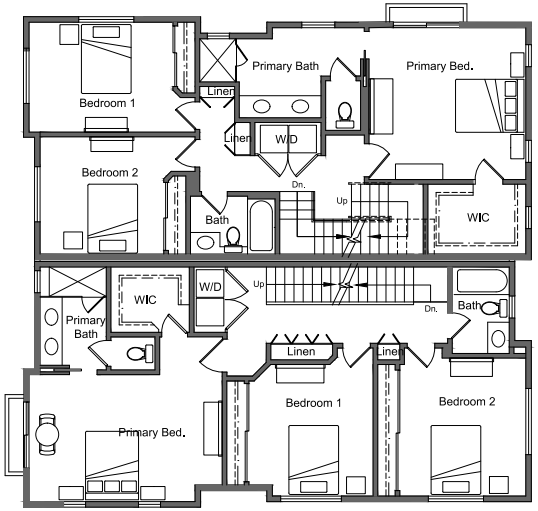
SECOND FLOOR PLAN - DUPLEX UNIT



FIRST FLOOR PLAN - DUPLEX UNIT



SCHEME 1 - ROOF PLAN DUPLEX UNIT



THIRD FLOOR PLAN - DUPLEX UNIT

Source: Bundy-Finkel Architects 2025

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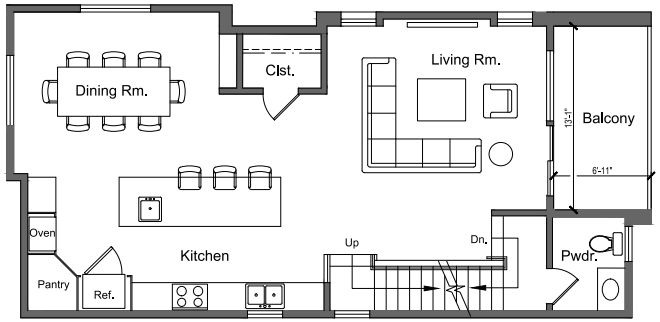
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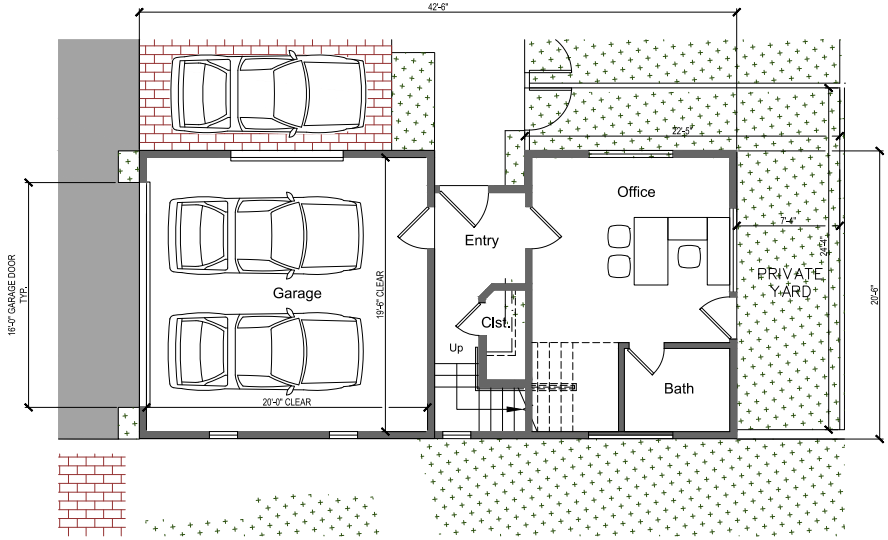
VICTORIA PLACE PROJECT

Duplex Floor Plan

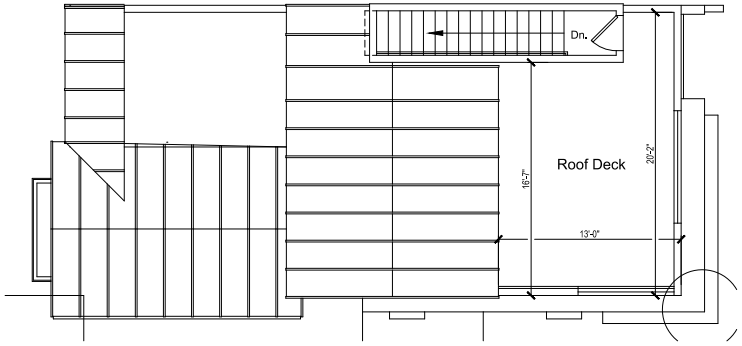
Exhibit 2-4



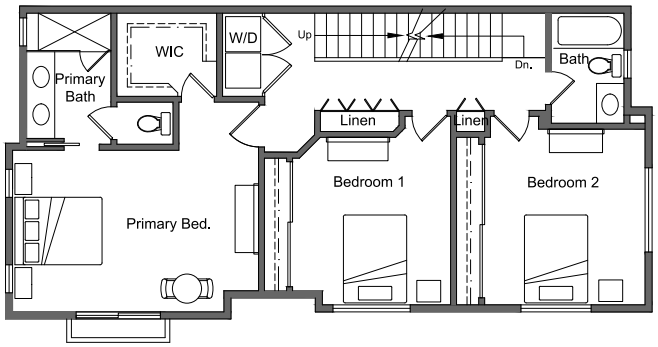
SECOND FLOOR PLAN - DETACHED UNIT
1/4"=1'-0"



FIRST FLOOR PLAN - DETACHED UNIT
1/4"=1'-0"



ROOF PLAN - DETACHED UNIT
1/4"=1'-0"



THIRD FLOOR PLAN - DETACHED UNIT
1/4"=1'-0"

Source: Bundy-Finkel Architects 2025

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VICTORIA PLACE PROJECT

Detached Unit Floor Plan

The project includes the following planning applications for approval:

- GENERAL PLAN AMENDMENT

  The applicant is requesting a General Plan Amendment to apply the Residential Incentive Overlay designation to the project site. The General Plan Residential Incentive Overlay designation is strategically applied to specific commercial properties located along Harbor Boulevard and Newport Boulevard to expand development opportunities on properties that are not developed to their full potential or supporting outdated buildings and underperforming uses. Applying the overlay to the project site will modify the site's underlying General Plan General Commercial designation to allow residential development to occur at a maximum density of 30 units per acre. The General Plan Amendment will modify the Land Use Element maps, figures, text and tables to update the Land Use Element to apply the Residential Incentive Overlay designation on the project site.

- ZONE CODE AMENDMENT

  The project applicant is requesting a Zoning Code Amendment to re-zone the project site from C2 – General Business District to Residential Incentive Overlay District to implement the General Plan Residential Incentive Overlay designation. The Zone Code Amendment will apply a specific set of zoning provisions outlined in Costa Mesa Municipal Code (CMMC) Article 12, *Residential Incentive Overlay District,* to the proposed residential common interest development.

  The City's Municipal Code allows major land use changes within designated industrial and commercial corridors to proceed through the discretionary review and approval process without requiring voter approval. While this particular project involves a General Plan Amendment and a Zoning Code Amendment—both of which require final approval by the City Council—it qualifies for an exemption from voter approval under Costa Mesa Municipal Code (CMMC) Title 13, Chapter IX, Article 22: *An Ordinance to Give the People of Costa Mesa Control of Their Future.* According to CMMC Section 13-200.106(g)(1), as referenced in Figure 13-200.106, projects that support the revitalization of designated commercial and industrial corridors by providing housing and/or mixed-use development are exempt from the voter approval requirement. This project is located within one of the qualifying corridors described in the ordinance, Section 13-200.106 (g)(1): *Newport Boulevard/Old Newport Boulevard from Mesa Drive to the city limit, and Superior Avenue from Newport Boulevard to the city limit*. As a result, voter approval is not required for this project to proceed.

- TENTATIVE TRACT MAP

  A tentative tract map subdivision is necessary to merge the existing properties on-site and divide the property for future individual ownerships through the condominium subdivision process pursuant to the Costa Mesa Municipal Code and Subdivision Map Act.

- MASTER PLAN

  A Master Plan approval is required for all new development within the Residential Incentive Overlay District. The Master Plan process establishes the project's design framework including consideration of deviations from standards in exchange for high-quality projects. As part of the Master Plan process, the project must comply with specific Master Plan findings.

ARCHITECTURAL ELEMENTS

Building elevations are shown on Exhibits 2-5a, *Project Site Building Elevations*, through 2-5e, *Building Elevations – Renderings*. As detailed, the three-story duplexes and three-story single-family detached units would have a maximum building height of 39 feet and six inches measured from above natural/finished grade. The exterior building colors would include a variety of neutral earth tones, white, and black while the exterior building features would include tempered glass railing, wood plank siding, sheet metal awnings, simulated stone wood tiles, and slate wood tile, among others; refer to Exhibits 2-5a through 2-5e. Additionally, all units would include a balcony on the second floor and roof decks.

SITE ACCESS AND PARKING

Vehicular site access would be provided via two unsignalized driveways at the southern end of the project along Victoria Place; refer to Exhibit 2-3. Both driveways connect to internal drive aisles that form an "H"-shaped roadway pattern on-site. The 25-foot-wide internal drive aisles would also serve as fire access lanes pursuant to the City's Municipal Code requirements. New sidewalks would be constructed along the project frontage at Victoria Place which would allow pedestrian access to the residential community. The project also proposes locking residential pedestrian gates for pedestrian access for all on-site residents only.

Based on Municipal Code Section 13-85, *Parking required*, units with three or more bedrooms are required to provide 3.25 tenant parking spaces per unit (with covered parking proposed) and 0.5 guest parking spaces. Based on the proposed 40 dwelling units (18 duplexes [36 dwelling units] and four detached units), the proposed project would require a total of 150 parking stalls. Each duplex unit and detached unit would include an attached two-car garage, totaling to 80 parking garage spaces. Additionally, 18 open surface parking spaces between each duplex, and five covered carports for guests; refer to Exhibit 2-3. Thus, the project would provide 103 parking spaces in total. As the project would only construct 103 parking spaces, the project Applicant is seeking a deviation to the required parking pursuant to Municipal Code Section 13-83.63(e).

OPEN SPACE AND LANDSCAPING

Pursuant of Municipal Code Section 13-83.64, *Residential incentive overlay district development standards*, the proposed project would be required provide 40 percent of the total site area as open space. Additionally, 50 percent of the required open space area are required to be common use open space. Recreational facilities for children are required for residential projects with 12 or more units.

The project site is approximately 77,101 square feet and as such, a total of 30,840 square feet of open space is required pursuant of Municipal Code Section 13-83.64. Of the 30,840 square feet of open space, approximately 15,420 square feet is required to be dedicated to common use open space. The proposed project would provide a total of 32,437 square feet of open space, of which 9,817 square feet would be dedicated to common use open space and 2,620 square feet would be provided as private use open space (backyards). Of the proposed common use open space area proposed, 6,317 square feet would be for the on-site children play area and 3,500 square feet would be for a dedicated flex space area. The project also proposes 22,620 square feet of private open space (i.e., balconies and roof decks). The flex space would be designed as a large communal area for a variety of gatherings including barbecues, mixers, holiday events, and other community activities. It should be noted that the flex space would be paved in order to allow for vehicular traffic when not in use, including emergency vehicles (e.g., a fire engine). As the project would only construct 9,817 square feet of common use open space, the project Applicant is seeking a deviation to the required common use open space pursuant to Municipal Code Section 13-83.63(e).



SOUTH (VICTORIA PLACE)
3/32"=1'-0"



EAST
3/32"=1'-0"



NORTH
3/32"=1'-0"



WEST
3/32"=1'-0"

Source: Bundy-Finkel Architects 2025

VICTORIA PLACE PROJECT

Project Site Building Elevations

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BUILDING 1 - STREET ELEVATION
1/4"=1'-0"



BUILDING 2 - STREET ELEVATION
1/4"=1'-0"



BUILDING 3 - STREET ELEVATION
1/4"=1'-0"



BUILDING 4 - STREET ELEVATION
1/4"=1'-0"

Source: Bundy-Finkel Architects, December 2024

VICTORIA PLACE PROJECT

Michael Baker INTERNATIONAL

NOT TO SCALE

Victoria Place Street Elevations - Detached Units

12/2024 • JN 204361



WEST ELEVATION
1/4"=1'-0"



SOUTH (STREET) ELEVATION
1/4"=1'-0"



EAST ELEVATION
1/4"=1'-0"



NORTH ELEVATION
1/4"=1'-0"

Source: Bundy-Finkel Architects 2025

VICTORIA PLACE PROJECT

Michael Baker INTERNATIONAL

NOT TO SCALE

Detached Units Building Elevations

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SIDE / ENTRY ELEVATION
1/4"=1'-0"



SIDE / ENTRY ELEVATION
1/4"=1'-0"



FRONT / GARAGE ELEVATION
1/4"=1'-0"



REAR ELEVATION
1/4"=1'-0"

Source: Bundy-Finkel Architects 2025

VICTORIA PLACE PROJECT

Duplex Building Elevations

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TYPICAL ROOF DECK



COMMON USE PLAY / BBQ AREA



VIEW FROM VICTORIA STREET



VIEW FROM VICTORIA STREET



POCKET PARK / STREET FRONTAGE



VIEW FROM VICTORIA PLACE



VIEW FROM VICTORIA PLACE



COMMON USE PLAY / BBQ AREA



AERIAL VIEW FROM SOUTHEAST

Source: Bundy-Finkel Architects, December 2024

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VICTORIA PLACE PROJECT

Renderings

Landscaping would be installed at Victoria Parkway as well as within the new community; refer to Exhibit 2-6, *Conceptual Landscape Plan*. The landscaping area in front of the detached units along Victoria Place would consist of fauna and flora gardens with pedestrian walkways into the residential community. Additionally, the Victoria Parkway has been designed to include seating areas, shade trees, lush landscaping, bioswale, and other amenities. Other ornamental landscaping would be installed throughout the project site, including along the project frontage, drive aisles, building perimeters, and entryways; refer to Exhibit 2-6. Planting materials would include a variety of trees (i.e., Bloodgood London Plane, Afghan Pine, Brisbane Box, Hopseed Bush, etc.), shrubs (i.e., Atlas Fescue, Spanish Lavender, Blue Flame Agave, etc.), and groundcover.

WALLS AND FENCING

A seven-foot-tall concrete block wall is proposed along the site perimeter except along Victoria Place. The block wall would be designed in accordance with Municipal Code Section 13-75, *Fences and walls*. Wood fencing (six feet in height) would be provided between the private backyards of each duplex unit. A motor-operated double-sliding gates would be present at the entrance of the two driveways along Victoria Place. The motor-operated double-sliding gates would only permit the entry of residents, guests, and public services (i.e., police, fire protection services, trash collection services, etc.).

UTILITIES AND SERVICES

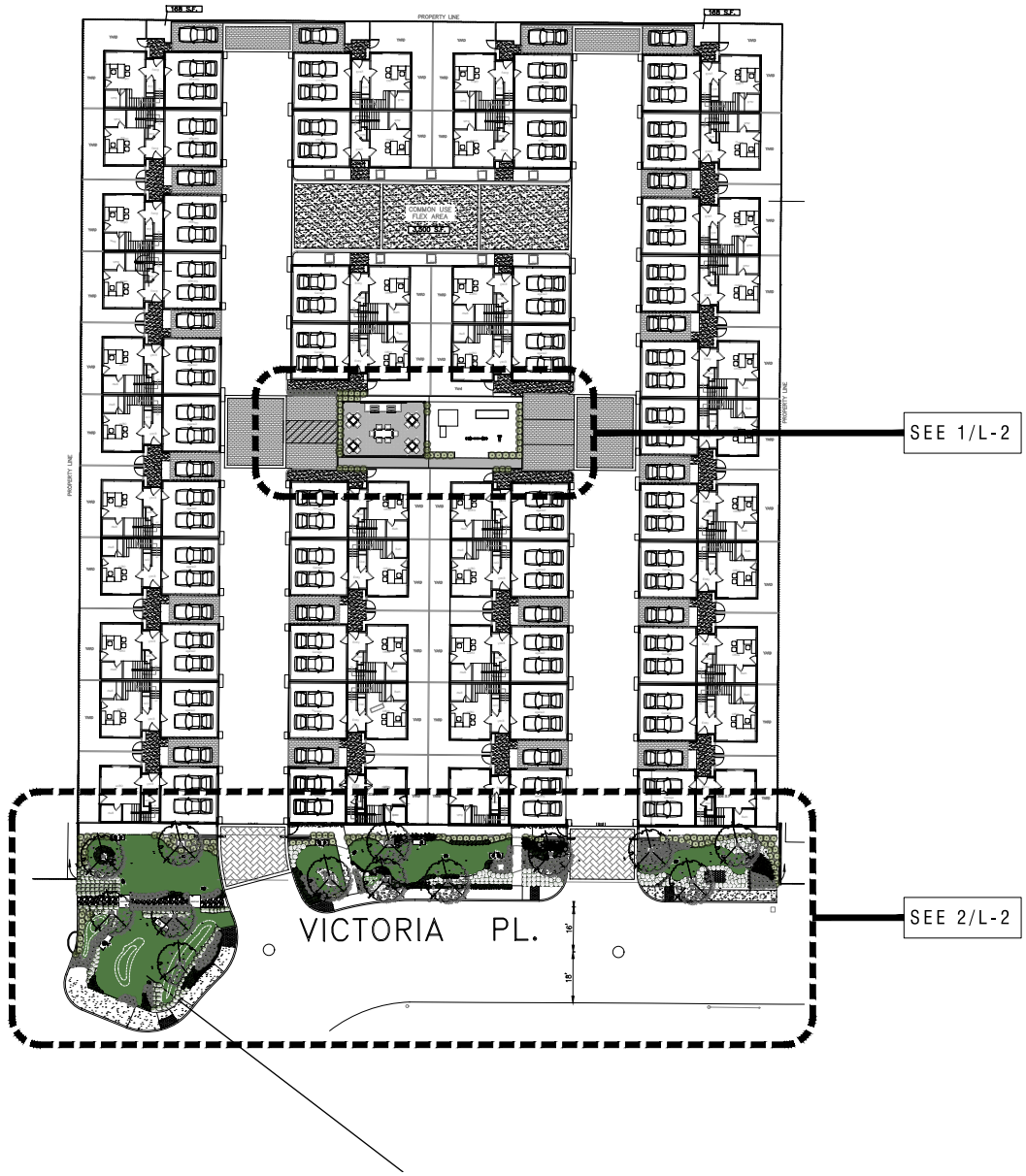
The project proposes connections to the existing utilities located in public rights-of-way; refer to Exhibit 2-7, *Conceptual Utility Plan*. The following is a description of proposed utilities to serve the project:

- *Water*. The project site would be served by the Mesa Water District (MWD). The project proposes private one-inch service water laterals that connect to the existing 12-inch water main in Victoria Place. The western portion of the project would connect to a proposed 6-inch water main in the western portion of the Victoria Parkway. The new 6-inch water main would then connect to an existing 12-inch water main in Victoria Place. The eastern portion of the project site would connect to the existing 12-inch water main in Victoria Place near the central portion of the project frontage.

- *Sewer*. Costa Mesa Sanitary District (CMSD) would provide sanitary sewer services to the project site. The project proposes to construct private four-inch lateral with six-inch main sewer lines throughout the site to connect to the existing 21-inch sewer line in Victoria Place via two connection points.

- *Drainage*. The project proposes to construct an on-site storm drain system with a modular wetland system. The project proposes to construct private four- to eight-inch storm drains throughout the site. The new storm drains would convey storm water flows to the modular wetland system unit at the southeast corner in Victoria Parkway to be treated before being conveyed to the existing 24-inch storm drain in Victoria Place at one point of connection. Should the storm event exceed the capacity of the modular wetland system unit, the water would bypass the system to flow into the existing storm drain. Additionally, an 18-inch outlet pipe would be installed to connect to the proposed curb opening catch basin near the Newport Boulevard and Victoria Place intersection; refer to Exhibit 2-7. The new outlet pipe would be installed via trenching.

- *Dry Utilities*. Southern California Edison and Southern California Gas Company would provide electricity and natural gas services to the site, respectively. The project would install appropriate connections on-site to the existing system present in Victoria Place. The project also proposes to underground existing power lines along the project frontage at Victoria Place.



Source: Studio Berzunza 2025

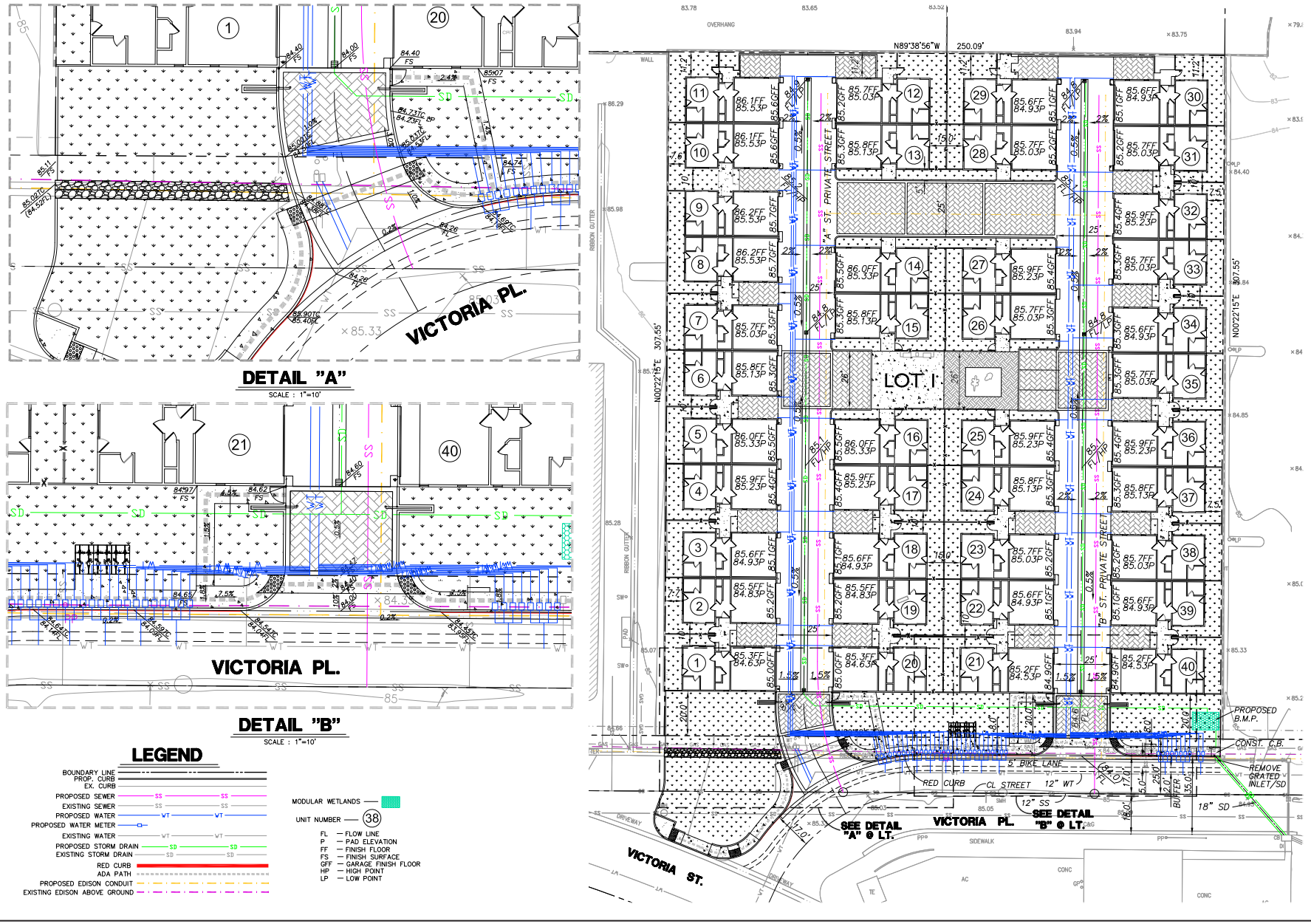
Michael Baker INTERNATIONAL

NOT TO SCALE

03/2025 • JN 204361

VICTORIA PLACE PROJECT

Conceptual Landscape Plan



Source: CA Engineering, Inc. 2025

Michael Baker INTERNATIONAL

NOT TO SCALE

03/2025 • JN 204361

VICTORIA PLACE PROJECT

Conceptual Utility Plan

2.4 PHASING/CONSTRUCTION

Construction activities are anticipated to occur in one phase for approximately 12 to 15 months, commencing in 2025, and to be completed in 2027. Operation of the proposed project would begin in 2027. Demolition, grading, and paving activities would occur for the first two month with building construction occurring for the remaining time. The proposed project would require the demolition of approximately 20,623 square feet of existing structures. Project earthwork would require 8,570 cubic yards of cut/fill; the site grading would be balanced and no import/export of soils would be necessary.

2.5 AGREEMENTS, PERMITS, AND APPROVALS

The proposed project would require agreements, permits, and approvals from the City of Costa Mesa prior to construction. These discretionary actions are listed below and may change as the project entitlement process proceeds.

- General Plan Amendment (PGPA-24-0001): to modify the Land Use Element maps, figures, text, and tables to identify the site with a Residential Incentive Overlay designation;
- Zoning Code Amendment: to update the City's Zoning Map with the Residential Incentive Overlay District for the site and to allow for residential development;
- Tentative Tract Map (TTM No. 19351): to merge the existing properties and divide the site for individual ownership through the condominium subdivision process; and
- Master Plan Approval: approval of a Master Plan for developments within the Residential Incentive Overlay District. The Master Plan process establishes the project's design framework including consideration of deviations from standards (i.e., parking requirements) in exchange for high quality projects.

Further, discretionary approvals from the following responsible agencies may be required:

- Orange County Airport Land Use Commission – Determination of Consistency with Airport Environs Land Use Plan for John Wayne Airport.

- Santa Ana Regional Water Quality Control Board – Issuance of a National Pollution Discharge Elimination System (NPDES) Permit.

- Costa Mesa Sanitation District – Approval of proposed sewer improvements.

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3.0 INITIAL STUDY CHECKLIST

3.1 BACKGROUND

1. Project Title:
   Victoria Place Project
2. Lead Agency Name and Address:
   City of Costa Mesa
   Economic and Development Department
   77 Fair Drive
   Costa Mesa, California 92626
3. Contact Person and Phone Number:
   Victor Mendez, Senior Planner
   714.754.5276
4. Project Location:
   The proposed project is located at 220, 222, 234, and 236 Victoria Street (Assessor's Parcel Numbers [APNs] 419-111-19 through -21) in the southern portion of the City.
5. Project Sponsor's Name and Address:
   WMC LLC
   Tony Weeda
   1024 Bayside Drive Suite 109
   Newport Beach, California 92629
6. General Plan Designation:
   General Commercial
7. Zoning:
   General Business District (C2)
8. Description of Project:
   The project involves demolition of existing on-site uses and the development of a new residential common interest development community comprising of 18 duplexes (36 dwelling units) and four detached units for a total of 40 dwelling units; refer to Section 2.4, *Project Characteristics*. The proposed project also consists of a General Plan Amendment, Zone Code Amendment, Tentative Tract Map, and a Master Plan to establish the residential development.
9. Surrounding Land Uses and Setting:
   Surrounding land uses include a mixture of commercial and residential uses. Specifically, land uses surrounding the project site include:

   - *North:* Multi-family residences (Lido Apartment Homes) are located to the north of the project site. These areas are designated High Density Residential (20 dwelling units per acre [du/ac]), and zoned Multiple Family Residential District (R3).

   - *East:* A surface parking lot bounds the project site to the east. Located further east are multi-family residential building and commercial use (Advanced Marine Services). These areas are designated General Commercial and zoned General Business District (C2);

- *South:* The frontage street, Victoria Place, bounds the project site to the south. A commercial building (Jiffy Lube) and Victoria Street is located further south of the project site. Armstrong Garden Centers is situated further south. These areas are designated General Commercial and zoned Local Business District (C1) (Jiffy Lube) and C2 (Armstrong Garden Centers);

- *West:* Commercial uses (Herb's Garage Auto Service Center, Paper Cliché, Costa Mesa Kendo Dojo, and Marshall's Taekwondo) are located to the west of the project site. These land uses are designated General Commercial and zoned C2.Residential uses (Victoria Garden Villas) are located further west. These land uses are designated High Density Residential and zoned R3.

10. Other public agencies whose approval is required:
    Santa Ana Regional Water Quality Control Board and the Orange County Airport Land Use Commission (ALUC).

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?
    In accordance with Senate Bill 18 and Assembly Bill 52, the City reached out to the California Native American Heritage Commission (NAHC) due to the project's requirement for a General Plan Amendment and subject to environmental review pursuant to CEQA, requesting a list of tribes that are traditional and culturally affiliated with the project area. The NAHC provided a list of tribes, and the City subsequently distributed letters to Native American tribes to notify them of the proposed project and offer the opportunity for consultation. Refer to Section 4.18, *Tribal Cultural Resources*.

3.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less Than Significant Impact with Mitigation Incorporated."

☐	Aesthetics	☐	Agriculture and Forestry	☐	Air Quality
☐	Biological Resources	☒	Cultural Resources	☐	Energy
☒	Geology and Soils	☐	Greenhouse Gas Emissions	☒	Hazards and Hazardous Materials
☐	Hydrology and Water Quality	☐	Land Use and Planning	☐	Mineral Resources
☐	Noise	☐	Population and Housing	☐	Public Services
☐	Recreation	☒	Transportation	☒	Tribal Cultural Resources
☐	Utilities and Service Systems	☐	Wildfire	☒	Mandatory Findings of Significance

3.3 EVALUATION OF ENVIRONMENTAL IMPACTS

This section analyzes the potential environmental impacts associated with the proposed project. The issue areas evaluated in this Initial Study include:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation

- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire
- Mandatory Findings of Significance

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by the CEQA Guidelines Appendix G and used by the City of Costa Mesa in its environmental review process. For the preliminary environmental assessment undertaken as part of this Initial Study's preparation, a determination that there is a potential for significant effects indicates the need to more fully analyze the development's impacts and to identify mitigation.

For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and an answer is provided according to the analysis undertaken as part of the Initial Study. The analysis considers the long-term, direct, indirect, and cumulative impacts of the development. To each question, there are four possible responses:

- *No Impact*. The project would not have any measurable environmental impact on the environment.

- *Less Than Significant Impact*. The project would have the potential for impacting the environment, although this impact would be below established thresholds that are considered to be significant.

- *Less Than Significant Impact With Mitigation Incorporated*. The project would have the potential to generate impacts which may be considered as a potentially significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.

- *Potentially Significant Impact*. The project would have impacts which are considered potentially significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

Where potential impacts are anticipated to be potentially significant, mitigation measures will be required, so that impacts may be avoided or reduced to less than significant levels.

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4.0 ENVIRONMENTAL ANALYSIS

4.1 AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?				✓
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			✓	
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			✓	

a) Have a substantial adverse effect on a scenic vista?

No Impact. A scenic vista is generally defined as a view of undisturbed natural lands exhibiting a unique or unusual feature that comprises an important or dominant portion of the viewshed.[1] Scenic vistas may also be represented by a particular distant view that provides visual relief from less attractive views of nearby features. Other designated federal and State lands, as well as local open space or recreational areas, may also offer scenic vistas if they represent a valued aesthetic view within the surrounding landscape of nearby features.

According to the City's General Plan EIR, Costa Mesa sits atop a plateau approximately one mile from the Pacific Ocean. The Pacific Ocean can be seen along the City's western boundary, where the coastline creates a distinctive visual background. The eastern edge of the City affords some views of Upper Newport Bay. Views to the north and east include the San Gabriel Mountains (distant) and Santa Ana Mountains (nearby), respectively. Natural features in the City include the channelized Santa Ana River, which runs along the City's entire western border, and open space lands in Fairview Park and Talbert Regional Park. The Santa Ana River has a sandy bottom and irregular pockets of vegetation. Scenic vistas within the City are limited to large areas of undeveloped land that offer views of scenic resources such as Upper Newport Bay, the Santa Ana River, and the Santa Ana Mountains.

The project site and surrounding area are situated in an urbanized area of the City. The closest areas with visual resources include Newport Back Bay, approximately 0.97 mile to the east, and Costa Mesa Country Club, approximately 0.64 mile to the northwest. Existing public views of the project site, as well as visual resources in the area (including the Santa Ana Mountains), are not afforded due to the relatively flat topography, existing structures, and mature trees. As such, no impacts to existing scenic views or vistas would result.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[1] A viewshed is the geographical area which is visible from a particular location.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

No Impact. According to the California Department of Transportation, there are no officially designated, or eligible, State scenic highways in the project vicinity.[2] The nearest scenic highway is Pacific Coast Highway (PCH or Highway 1) (designated as eligible for listing), which is located approximately 2.45 miles south of the project site. Views of the project site are not readily afforded from PCH due to topographic conditions and intervening vegetation and structures. Thus, the project would not substantially damage scenic resources within a State scenic highway. No impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant Impact. The project site is located within a highly developed and urbanized area of Costa Mesa. The project site is currently developed with existing commercial retail buildings, a residential unit repurposed as a commercial use, and storage yards. Surrounding land uses include a mixture of commercial and residential uses. Residential uses include multi-family residences to the north and multi-family residential (Victoria Garden Villas) further west of the project site. Based on the project's urbanized setting, the following analysis evaluates the project's potential to conflict with applicable zoning and other regulations governing scenic quality.

CONSTRUCTION

As discussed in Section 2.5, *Phasing/Construction*, construction activities are anticipated to occur over a duration of approximately 12 to 15 months. During this time, short-term construction activities, construction equipment, and truck traffic would be visible to local roadway travelers along Victoria Place and Victoria Street. Existing relatively flat topography and intervening perimeter block walls would screen residential and commercial uses to the west, north, and east from the majority of the project's proposed construction activities. While public views of construction activities would be visible from Victoria Place and Victoria Street, these construction-related visual impacts are considered to be temporary and would cease upon construction completion. Overall, the project's construction-related impacts to visual character/quality of the project site and its surrounding areas are less than significant.

OPERATIONS

The project proposes to develop a 40-unit residential common interest development community comprising of 18 duplexes and four detached units fronting Victoria Place; refer to Exhibit 2-3, *Conceptual Site Plan*. Exhibit 2-5a, *Building Elevations*, through Exhibit 2-5e, *Renderings*, illustrate the proposed building elevations by unit type, as well as perspectives from different vantage points, including public views along Victoria Place. Development of the proposed residential common interest development community at the project site would require a General Plan Amendment and Zoning Code Amendment to allow residential land uses on-site.

The General Plan Land Use Map designates the project site as General Commercial. The General Commercial land use designation permits a wide range of commercial uses (such as hotels, service establishments, retail stores,

[2] California Department of Transportation, *California State Scenic Highway System Map*, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways, accessed December 9, 2024.

restaurants, and theaters). The proposed Land Use Element update would result in a fifth property location being designated with this Overlay and enable residential development on the property up to 30 dwelling units per acre. Table 4.1-1, *General Plan Consistency Analysis Governing Scenic Quality*, includes a consistency analysis of the project with General Plan goals and policies governing scenic quality.

Table 4.1-1
General Plan Consistency Analysis Governing Scenic Quality

Relevant Section	Consistency Analysis
Goal CD-1 Strengthen the image of the City as experienced from sidewalks and roadways.	*Consistent.* New public sidewalks would be constructed along the project frontage at Victoria Place which would allow pedestrian access to the residential community Landscaping would be installed at Victoria Parkway as well as within the new community; refer to Exhibit 2-6, *Conceptual Landscape Plan*. The landscaping area in front of the detached units along Victoria Place would consist of fauna and flora gardens with pedestrian walkways into the residential community. The project also proposes locking residential pedestrian gates for pedestrian access into the project site for resident access only.
Objective CD-1A Contribute to City beautification by enhancing the visual environment of Costa Mesa's vehicular and pedestrian paths and corridors.	*Consistent.* Refer to Response to Goal CD-1 above. The project would not result in any changes to right-of-way improvements in the City's designated vehicular and pedestrian paths and corridors.
Policy CD-1.3 Promote treatments for walls and fences and utility cabinets along public rights-of-way that contribute to an attractive street and sidewalk environment. Require that new walls and fences complement the style and character of the local district and adjacent buildings. Newly constructed or reconstructed walls and fences adjacent to sidewalks and roadways should incorporate architectural treatments such as pilasters, masonry, or wrought iron, and should integrate tiered plantings to soften their appearance.	*Consistent.* A seven-foot-tall concrete block wall is proposed along the site perimeter except along Victoria Place. The block wall would be designed in accordance with Municipal Code Section 13-75, *Fences and walls*. Wood fencing (six feet in height) would be provided between the private backyards of each duplex unit. Motor-operated double-sliding gates would be present at the entrance of the two driveways along Victoria Place. Ornamental landscaping would be installed throughout the project site, including along the project frontage, drive aisles, building perimeters, and entryways.
Policy CD-1.4 Promote a consistent landscape character along City streets to reinforce the unique qualities of each corridor and district, including the development of landscaped medians. Support implementation of the recommended street tree palette for each City street, as identified in the City of Costa Mesa Streetscape and Median Development Guidelines.	*Consistent.* Refer to Responses to Goal CD-1 and Objective CD-1A above.
Policy CD-1.5 Encourage electric and communication lines to be placed underground and electrical substations and telephone facilities to be screened to minimize visual impacts from sidewalks, streets, and adjacent properties. Support utility undergrounding through conditions of project approval, preparation of undergrounding plans, and the formation of assessment districts.	*Consistent.* All proposed on-site utilities would be located underground. The project would also underground existing overhead powerlines along the project's frontage along Victoria Place.

Relevant Section	Consistency Analysis
Goal CD-2 Enhance the existing character and strengthen the identity of Costa Mesa's districts.	*Consistent.* The project site is situated in the Downtown/Triangle District (Triangle) and bounds the College Park District to the south. The Triangle is an activity hub intended to draw both local and regional visitors. It sits in the heart of Costa Mesa's downtown, which runs along Newport Boulevard and 19th Street. This area includes a variety of pedestrian scale retail spaces, fine restaurants, a movie theatre, and nightclubs. Given that the project site bounds the College Park District to the south, it is acknowledged that the homes within the College Park District are a mix of residential densities and architectural types. The majority of the units are higher residential density complexes located along Newport Boulevard, Wilson Street, and Victoria Street. This district also includes College Park, an older single-family residential tract. As such, the proposed 40-unit residential common interest development community with public right-of-way improvements along Victoria Place would complement these districts identified in the General Plan.
Objective CD-2A Encourage future development and redevelopment to reinforce district scale, identity, and urban form.	*Consistent.* Refer to Response to Goals CD-2 above.
Policy CD-2.2 Support and seek land uses and development that correspond or enrich our existing districts.	*Consistent.* Refer to Response to Goals CD-2 above.
Goal CD-6 Enhance opportunities for new development and redevelopment to contribute to a positive visual image for the City of Costa Mesa that is consistent with the district image.	*Consistent.* Refer to Response to Goals CD-2 above.
Policy CD-7.1 Ensure that new and remodeled structures are designed in architectural styles that reflect the City's eclectic quality, yet are compatible in scale and character with existing buildings and the natural surroundings within residential neighborhoods. Continue to update and maintain the Costa Mesa Residential Guidelines.	*Consistent.* Building elevations are shown on Exhibits 2-5a, through 2-5e. As detailed, the three-story duplexes and three-story single-family detached units would have a maximum building height of 39 feet and six inches measured from above natural/finished grade. The exterior building colors would include a variety of neutral earth tones, white, and black while the exterior building features would include tempered glass railing, wood plank siding, sheet metal awnings, simulated stone wood tiles, and slate wood tile, among others. Additionally, all units would include a balcony on the second floor and roof decks for visual articulation. As a result, the proposed architecture promotes design excellence and is consistent with Costa Mesa's Residential Design Guidelines.

Relevant Section	Consistency Analysis
Policy CD-7.2 Preserve the character and scale of Costa Mesa's established residential neighborhoods where possible; when new residential development is proposed, encourage that the new structures are consistent with the prevailing character of existing development in the immediate vicinity, and that new development does not have a substantial adverse impact on adjacent areas.	***Consistent.*** Refer to Response to Policy CD-7.1 above.
Sources: City of Costa Mesa, 2015-2035 General Plan, 2016.	

Residential Incentive Overlay District

According to the City's Zoning Map, the project site is zoned General Business District (C2). The project includes a request for a Zoning Code Amendment to re-zone the project site from C2 to Residential Incentive Overlay District to implement the General Plan Residential Incentive Overlay designation. The Zone Code Amendment would apply a specific set of zoning provisions outlined in Municipal Code Article 12, *Residential Incentive Overlay District,* to the proposed residential common interest development.

The Residential Incentive Overlay District currently applies to four sites along Harbor and Newport Boulevards on properties with underlying General Plan land use designations of Commercial Residential, General Commercial or Medium Density Residential. Pursuant to Municipal Code Section 13-83.60, the purpose and intent of the Residential Incentive Overlay District is to create new housing opportunities for residential development at strategic locations along Harbor Boulevard and Newport Boulevard that exhibit excellence in design, site planning, integration of uses and structures, and protect the integrity of neighboring development.

All development proposed in the Residential Incentive Overlay District requires approval of a master plan pursuant to Municipal Code Chapter III, *Planning Applications*. The Master Plan process establishes the project's design framework including consideration of deviations from standards in exchange for high-quality projects. As part of the Master Plan process, the project must comply with specific Master Plan findings for the Residential Incentive Overlay District. For those findings pertaining to regulations governing scenic quality; refer to Table 4.1-2, *Municipal Code Consistency Analysis Governing Scenic Quality*. Refer to Section 4.11, *Land Use and Planning*, Table 4.11-2, *Residential Incentive Overlay District Development Standards Consistency Analysis*, for a discussion concerning the project's consistency with other applicable zoning requirements.

Table 4.1-2
Municipal Code Consistency Analysis Governing Scenic Quality

Relevant Section	Consistency Analysis
Section 13-83.63(c) *Master plan findings for residential incentive overlay district.* The approval of the master plan for a residential development project in the residential incentive overlay district shall be subject to the following findings:	

Relevant Section	Consistency Analysis
(2) The project includes adequate resident-serving amenities in the common open space areas and/or private open space areas in areas including, but not limited to, patios, balconies, roof terraces, walkways, and landscaped areas.	*Consistent.* The project site is approximately 77,101 square feet and as such, a total of 30,840 square feet of open space is required pursuant of Municipal Code Chapter 13-83.64. Of the 30,840 square feet of open space, approximately 15,420 square feet is required to be dedicated to common use open space. The proposed project would provide a total of 32,437 square feet of open space, of which 9,817 square feet would be dedicated to common use open space and 22,620 square feet would be provided as private use open space (backyards).. Of the 9,817 square feet of common use open space area proposed, 6,317 square feet would be for the on-site children play area and 3,500 square feet would be for a dedicated flex space area The flex space would be designed as a large communal area for a variety of gatherings including barbecues, mixers, holiday events, and other community activities. It should be noted that the proposed project would not meet the required common use open space and as such, the project Applicant is seeking a deviation to the required common use open space pursuant to Municipal Code Section 13-83.63(e)
(3) The project is consistent with the compatibility standards for residential development in that it provides adequate protection for residents from excessive noise, odors, vibration, light and glare, toxic emanations, and air pollution.	*Consistent.* Refer to Response 4.1(d) below pertaining to the projects less than significant light and glare impacts.
(4) The proposed residences have adequate separation and screening from adjacent commercial uses through site planning considerations, structural features, landscaping, and perimeter walls.	*Consistent.* The proposed project would install appropriate seven-foot-high perimeter concrete block walls to the west, north, and east consistent with Municipal Code 13-75, *Fences and walls*. Proposed landscaping would Landscaping would be installed at Victoria Parkway as well as within the new community; refer to Exhibit 2-6. The landscaping area in front of the detached units along Victoria Place would consist of fauna and flora gardens with pedestrian walkways into the residential community. Additionally, the Victoria Parkway has been designed to include seating areas, shade trees, lush landscaping, bioswale, and other amenities. Other ornamental landscaping would be installed throughout the project site, including along the project frontage, drive aisles, building perimeters, and entryways; refer to Exhibit 2-6. Planting materials would include a variety of trees (i.e., Bloodgood London Plane, Afghan Pine, Brisbane Box, Hopseed Bush, etc.), shrubs (i.e., Atlas Fescue, Spanish Lavender, Blue Flame Agave, etc.), and groundcover.
Section 13-83.63(d) *Application of Development Standards:*	*Consistent.* Refer to Response to Section 13-83.63(4) above.

Relevant Section	Consistency Analysis
(1) *Height.* Maximum building height is three stories (rooftop terraces are permitted and not considered a story), provided privacy concerns of adjacent established residential neighborhoods are adequately addressed through the setback of upper stories or other design approaches.	***Consistent.*** The project proposes three stories, with roof deck space. Building heights would be up to 39 feet and six inches measured from above natural/finished grade. Refer to Section 4.11, *Land Use and Planning*, Table 4.11-2, for a discussion of the project's proposed setbacks.
(2) *Density.* Housing within the residential incentive overlay district is limited to a maximum density of 30 units per acre.	***Consistent.*** The project proposes 40 units on the 1.77-acre site, for a total density of 22.6 units per acre.
Sources: City of Costa Mesa, City of Costa Mesa Municipal Code Ordinance No. 23-03, adopted February 22, 2023.	

As indicated in Table 4.1-2, the proposed project would be consistent with applicable Municipal Code requirements that govern scenic quality. Further, the project would be subject to design review as required by the City's Site Development Permit process. This regulatory procedure would enforce the City's regulations governing scenic quality for the project site and surrounding area to ensure the proposed development complies with all applicable Residential Incentive Overlay District standards, including, but not limited to permitted uses, development standards and all supplemental regulations. Additionally, development of the proposed project would also be subject to several Standard Conditions of Approval in place to minimize aesthetic impacts. As a result, implementation of the proposed project would not conflict with applicable zoning and other regulations governing scenic quality. Impacts would be less than significant.

Standard Conditions of Approval:

SCA AE-1 All new and existing construction shall be architecturally compatible with regard to building materials, style, colors, etc. with the existing structure(s). Plans submitted for plan check shall indicate how this will be accomplished.

SCA AE-2 The landscaping of this project shall comply with the City's landscaping requirements and any applicable guidelines (i.e. Water Efficient Landscape Guidelines). The final landscape plan shall meet tree count, tree selection, shrub count, groundcover and turf requirements per the City's Zoning Code.

SCA AE-3 Prior to issuance of building permits, a final landscape plan indicating the landscape palette and the design/material of paved areas shall be submitted for review and approval by the Planning Division. The private street shall also be enhanced with pervious pavers, colored concrete, or other treatment to the satisfaction of the Director of Economic and Development Services.

SCA AE-4 Enhanced landscaping is required within the front setback under the direction of Planning Staff. Landscaping should not exceed 3 feet in height in front of the patio wall.

SCA AE-5 No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted. This condition relates to visually prominent features of scuppers or downspouts that not only detract from the architecture but may be spilling water from overhead without an integrated gutter system which would typically channel the rainwater from the scupper/downspout to the ground. An integrated downspout/gutter system which is painted to match the building would comply with the condition. This condition shall be completed under the direction of the Planning Division.

SCA AE-6 Second floor windows shall be designed and placed to minimize direct lines-of-sight into windows on adjacent neighboring properties, and to minimize visibility into abutting residential side and rear

yards. Every effort shall be made to maintain the privacy of abutting property owners. Prior to issuance of a building permit, applicant shall provide a window placement study demonstrating compliance with this condition.

SCA AE-7 All fencing onsite must be block walls. The applicant shall submit a detailed block wall plan for review. The location and heights of block walls shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress. The private, interior walls between the homes shall be a minimum of six feet in height.

Mitigation Measures: No mitigation measures are required.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. There are two primary sources of light: light emanating from building interiors that pass through windows and light from exterior sources (i.e., street lighting, parking lot lighting, building illumination, security lighting, and landscape lighting). Light introduction can be a nuisance to adjacent uses and diminish the view of the clear night sky. There are nominal nighttime lighting and glare sources within the project boundaries (i.e., security lighting and lighting from interior building sources). However, other sources of lighting and glare are present in the project vicinity, including vehicular lighting along arterial streets, streetlights along Newport Boulevard and Victoria Street, nearby traffic signals, security lighting and interior building illumination, and landscape lighting associated with surrounding commercial uses. Daytime glare is present in association with reflection of typical building materials, such as glass, stucco, wood, and galvanized steel.

A significant impact may occur if lighting, as part of the proposed project, exceeds adopted thresholds for light and glare, including exterior lighting or light spillover, or if the proposed project creates a substantial new source of light or glare. Residential uses to the north of the project site represent the closest light-sensitive uses to the project.

CONSTRUCTION

Project construction activities could involve temporary glare impacts as a result of construction equipment and materials. However, pursuant to Municipal Code Section 13-279, *Exceptions for Construction*, construction hours are limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. through 6:00 p.m. Saturdays unless a temporary nighttime construction waiver is approved by the City's Director of Economic and Development Services (refer to SCA AE-8). No nighttime construction activities are proposed. Further, construction is not allowed on Sundays and specified Federal holidays. As SCA AE-8 would prohibit construction during the evening hours, and nighttime construction is not proposed, construction of the proposed project is not anticipated to result in new sources of light or glare. Impacts would be less than significant in this regard.

OPERATIONS

New sources of light would emanate from residential building interiors and exterior sources, including building illumination, parking and security lighting, and landscape lighting. Lighting for vehicular driveways would be similar to the existing condition along Victoria Place. Additionally, the project proposes a seven-foot-high concrete block wall along the project perimeter, including the northern perimeter along residential uses to the north. SCA AE-9 would require preparation of a Lighting Plan and Photometric Study for review and approval by the City's Director of Economic and Development Services. The Lighting Plan and Photometric Study would include performance standards to minimize the project's potential to result in lighting impacts. Such standards include the following:

- Lighting design and layout shall limit spill light to no more than 0.5 foot candle at the property line of the surrounding neighbors, consistent with the level of lighting that is deemed necessary for the safety and security purposes on-site; and

- Glare shields may be required for select light standards.

SCA AE-10 would also require that all on-site lighting be provided in all parking areas, vehicular access ways, and along major walkways. The lighting must be directed onto driveways and walkways within the project and away from dwelling units and adjacent properties to minimize light and glare impacts, and shall be of a type approved by the Director of Economic and Development Services.

With implementation of SCA AE-9 and SCA AE-10, operational nighttime lighting and glare from the proposed project would be minimized to reduce light spillover to adjacent properties and impacts in this regard would be less than significant.

Last, it is acknowledged that the project would result in construction of new buildings on-site. New buildings would be of similar reflectivity of other buildings present in the surrounding area, as new materials would also consist of glass, wood, and stucco building materials similar to the existing on-site and surrounding area. Daytime glare conditions would be less than significant.

Standard Conditions of Approval:

SCA AE-8 All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day

SCA AE-9 Prior to the issuance of Building Permits, the Applicant shall submit a Lighting Plan and Photometric Study for the approval of the City's Economic and Development Services Department. The Lighting Plan shall demonstrate compliance with the following: (a) Lighting design and layout shall limit spill light to no more than 0.5 foot candle at the property line of the surrounding neighbors, consistent with the level of lighting that is deemed necessary for safety and security purposes on site. (b) Glare shields may be required for select light standards.

SCA AES-10 On-site lighting shall be provided in all parking areas, vehicular access ways, and along major walkways. The lighting shall be directed onto driveways and walkways within the project and away from dwelling units and adjacent properties to minimize light and glare impacts, and shall be of a type approved by the Director of Economic and Development Services.

Mitigation Measures: No mitigation measures are required.

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4.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. According to the California Department of Conservation, the project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.[1] No farmland exists within the site vicinity. Thus, no impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[1] California Department of Conservation, *California Important Farmland Finder*, https://maps.conservation.ca.gov/DLRP/CIFF/, accessed November 15, 2024.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The project site is currently zoned General Business District (C2). This zoning is not associated with agricultural uses. A Williamson Act contract are voluntary contracts formed between a county/city and a landowner for the purpose of restricting specific parcels of land to agricultural or related open space use. According to the *California Williamson Act Enrollment Finder* online interactive map, Orange County is a non-reporting participant of the Williamson Act.[2] Orange County, which the project site is located in, is a non-reporting participant of the Williamson Act. Due to the existing nature of the site (commercial and industrial uses), the project site is not associated with agricultural or open space use. As such, the project site is not covered under an existing Williamson Act contract. Thus, project implementation would not conflict with existing zoning for agricultural use, or a Williamson Act contract. No impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. As discussed, the project site is currently zoned C2 which permits a wide range of local commercial uses (i.e., commercial retail, hotels, restaurants, etc.). The existing zoning of the site is not associated with forest land, timberland, or timberland production. Further, project implementation would not result in the rezoning of forest land, timberland, or timberland zoned timberland production. No impacts would occur.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. Refer to Response 4.2(c). No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. Refer to Responses 4.2(a) through 4.2(d). No impacts would occur.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[2] California Department of Conservation, California Williamson Act Enrollment Finder, https://maps.conservation.ca.gov/dlrp/WilliamsonAct/App/index.html, accessed December 3, 2024.

4.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			✓	
c. Expose sensitive receptors to substantial pollutant concentrations?			✓	
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The project site is located within the South Coast Air Basin (Basin), which is governed by South Coast Air Quality Management District (SCAQMD). To reduce emissions, the SCAQMD adopted the *2022 Air Quality Management Plan* (2022 AQMP), which establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving State and Federal air quality standards. The AQMP is a regional and multi-agency effort, including the SCAQMD, California Air Resources Board (CARB), the Southern California Association of Governments (SCAG), and the U.S. Environmental Protection Agency (EPA).

The 2022 AQMP pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including the *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* (2020-2045 RTP/SCS). SCAG updates the RTP/SCS every four years, and the most recent plan, the 2024-2050 RTP/SCS (Connect SoCal 2024), was adopted on April 4, 2024. Connect SoCal 2024 is a vision for the future of Southern California that includes policies, strategies, and projects to advance the region's mobility, economy, and sustainability through 2050. However, SCAQMD has not adopted an updated AQMP to incorporate the Connect SoCal 2024. While SCAG recently adopted the Connect SoCal 2024, the SCAQMD has not released an updated AQMP. As such, this consistency analysis is based on the 2022 AQMP and the RTP/SCS that was adopted at the time, the 2020-2045 RTP/SCS. According to the SCAQMD's CEQA Air Quality Handbook, projects must be analyzed for consistency with two main criteria, as discussed below.

Criteria for determining consistency with the AQMP are defined by the following indicators:

Criterion 1:

With respect to the first criterion, SCAQMD methodologies require that an air quality analysis for a project include forecasts of project emissions in relation to contributing to air quality violations and delay of attainment.

a) Would the project result in an increase in the frequency or severity of existing air quality violations?

Since the consistency criteria pertains to pollutant concentrations, rather than to total regional emissions, an analysis of the project's pollutant emissions relative to localized pollutant concentrations is used as the basis for evaluating project consistency. As discussed in Response 4.3(c), localized concentrations of carbon monoxide (CO), nitrogen oxides (NO_X), particulate matter less than 10 microns in diameter (PM_{10}), and particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) would be less than significant during project

construction and operations. Therefore, the proposed project would not result in an increase in the frequency or severity of existing air quality violations.[1]

b) *Would the project cause or contribute to new air quality violations?*

As discussed in Response 4.3(b), the proposed project would result in emissions that are below the SCAQMD thresholds. Therefore, the project would not have the potential to cause or affect a violation of the ambient air quality standards.

c) *Would the project delay timely attainment of air quality standards or the interim emissions reductions specified in the AQMP?*

The proposed project would result in less than significant impacts regarding localized concentrations during project construction and operations; refer to Responses 4.3(b) and 4.3(c). As such, the project would not delay the timely attainment of air quality standards or 2022 AQMP emissions reductions.

Criterion 2:

With respect to the second criterion for determining consistency with SCAQMD and SCAG air quality policies, it is important to recognize that air quality planning within the Basin focuses on attainment of ambient air quality standards at the earliest feasible date. Projections for achieving air quality goals are based on assumptions regarding population, housing, and growth trends. Thus, the SCAQMD's second criterion for determining project consistency focuses on whether the proposed project exceeds the assumptions utilized in preparing the forecasts presented in the 2022 AQMP. Determining whether a project exceeds the assumptions reflected in the 2022 AQMP involves the evaluation of the three criteria outlined below. The following discussion provides an analysis of each of these criteria.

a) *Would the project be consistent with the population, housing, and employment growth projections utilized in the preparation of the AQMP?*

Growth projections included in the 2022 AQMP form the basis for the projections of air pollutant emissions and are based on general plan land use designations and SCAG's 2020-2045 RTP/SCS demographics forecasts. The population, housing, and employment forecasts within the 2020-2045 RTP/SCS are based on local general plans as well as input from local governments, such as the City. The SCAQMD has incorporated these same demographic growth forecasts for various socioeconomic categories (e.g., population, housing, employment) into the 2022 AQMP.

The General Plan Land Use Map designates the project site as General Commercial. According to the City's General Plan Land Use Element, the General Commercial land use designation permits a wide range of commercial uses. Uses permitted on this land use designation includes hotels, service establishments, retail stores, restaurants, and theaters.

The City's Residential Incentive Overlay District is situated along Harbor and Newport Boulevards on properties with underlying General Plan land use designations of Commercial Residential, General Commercial or Medium Density Residential. The Overlay adds a land use option for residential development of up to 30 dwelling units per acre (du/acre) on these sites compared to the Commercial Residential (maximum of 17.4 du/acre), General Commercial (no residential permitted except in mixed-use developments), and the Medium Density Residential (maximum of 12 du/acre) land use designations. The added overlay and higher densities were intended to incentivize redevelopment of these parcels. The proposed General Plan Amendment would apply the Residential Incentive Overlay District to the project site by updating the Land Use Element maps, figures, text, and tables. The underlying land use designation of General Commercial

[1] Because reactive organic gases (ROGs) are not a criteria pollutant, there is no ambient standard or localized threshold for ROGs. Due to the role ROG plays in ozone formation, it is classified as a precursor pollutant and only a regional emissions threshold has been established.

does not need to be changed. The Zone Code Amendment would apply the Residential Incentive Overlay District to implement the provisions of the General Plan overlay, which would require future development to implement applicable development standards, and undergo the City's review process on a project-by-project basis. The Residential Incentive Overlay designation provides opportunities to increase residential development density, incentivizing the redevelopment of sites that may otherwise remain underdeveloped. This overlay allows for a higher maximum residential density, which encourages more efficient use of land and supports the city's housing goals. Thus, the project would be consistent with the types, intensity, and patterns of land use envisioned for the site vicinity with approval of the General Plan Amendment.

According to the Section 4.14, *Population and Housing*, based on the City's average household size of 2.52, the 40 units would introduce up to 101 additional residents within the City and current population is 109,423 persons as of January 1, 2024.[2] The forecast population for the City in 2045 is 123,700 persons.[3] The project's anticipated population increase (101 persons) would represent approximately 0.7 percent of the City's anticipated population growth between 2024 and 2045, or less than 0.01 percent of the City's projected population by the year 2045. Therefore, the project's potential growth-inducing impacts would be considered less than significant since the 101 additional residential would represents less than 0.01 percent increase from the City's current population and well within the projected growth by 2045. As the SCAQMD has incorporated these same projections into the 2022 AQMP, it can be concluded that the project would be consistent with the projections. A less than significant impact would occur in this regard.

b) Would the project implement all feasible air quality mitigation measures?

The proposed project would result in less than significant air quality impacts. Compliance with all feasible emission reduction rules and measures identified by the SCAQMD would be required as identified in Responses 4.3(b) and 4.3(c). As such, the proposed project meets this 2022 AQMP consistency criterion.

c) Would the project be consistent with the land use planning strategies set forth in the AQMP?

Land use planning strategies set forth in the 2022 AQMP are primarily based on the 2020-2045 RTP/SCS. The project proposes residential community with 40 dwelling units. The project site is near the existing bus stops located along Newport Boulevard and Fairview Road served by the Orange County Transportation Authority (OCTA). Furthermore, the project would provide bicycle parking spaces, electric vehicle charging stations, and vanpool/carpool parking spaces, which would promote alternative mode of transportation. As such, the proposed project would be consistent with the land use planning strategies set forth in the 2022 AQMP and would meet this AQMP consistency criterion.

In summary, the proposed project would not result in substantial population growth, and project emissions would not substantially contribute to the Basin's nonattainment designations and would not interfere with SCAQMD's implementation of the 2022 AQMP. Furthermore, the project would be consistent with the General Plan Objective CON-4.A that pursues the prevention of the significant deterioration of local and regional air quality as the emissions associated with project would not exceed operational and construction thresholds established by the SCAQMD. Due to these factors the proposed project would be consistent with the 2022 AQMP.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

[2] State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2021-2024 with 2020 Census Benchmark, May 2024*, https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/, accessed November 25, 2024.

[3] Southern California Association of Governments, *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy Demographics & Growth Forecast*, September 3, 2020.

Mitigation Measures: No mitigation measures are required.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact.

Criteria Pollutants

The following discusses the specific criteria pollutants of concern considered as part of this analysis.

Carbon Monoxide (CO). CO is an odorless, colorless toxic gas that is emitted by mobile and stationary sources as a result of incomplete combustion of hydrocarbons or other carbon-based fuels. In cities, automobile exhaust can cause as much as 95 percent of all CO emissions. CO replaces oxygen in the body's red blood cells. Individuals with a deficient blood supply to the heart, patients with diseases involving heart and blood vessels, fetuses (unborn babies), and patients with chronic hypoxemia (oxygen deficiency) as seen in high altitudes are most susceptible to the adverse effects of CO exposure. People with heart disease are also more susceptible to developing chest pains when exposed to low levels of carbon monoxide.

Ozone (O_3). O_3 occurs in two layers of the atmosphere. The layer surrounding the earth's surface is the troposphere. The troposphere extends approximately 10 miles above ground level, where it meets the second layer, the stratosphere. The stratospheric (the "good" O_3 layer) extends upward from about 10 to 30 miles and protects life on Earth from the sun's harmful ultraviolet rays. "Bad" O_3 is a photochemical pollutant, and needs volatile organic compounds (VOCs), NO_X, and sunlight to form; therefore, VOCs and NO_X are O_3 precursors. To reduce O_3 concentrations, it is necessary to control the emissions of these O_3 precursors. Significant O_3 formation generally requires an adequate amount of precursors in the atmosphere and a period of several hours in a stable atmosphere with strong sunlight. High O_3 concentrations can form over large regions when emissions from motor vehicles and stationary sources are carried hundreds of miles from their origins.

While O_3 in the upper atmosphere (stratosphere) protects the Earth from harmful ultraviolet radiation, high concentrations of ground-level O_3 (in the troposphere) can adversely affect the human respiratory system and other tissues. O_3 is a strong irritant that can constrict the airways, forcing the respiratory system to work hard to deliver oxygen. Individuals exercising outdoors, children, and people with pre-existing lung disease such as asthma and chronic pulmonary lung disease are considered to be the most susceptible to the health effects of O_3. Short-term exposure (lasting for a few hours) to O_3 at elevated levels can result in aggravated respiratory diseases such as emphysema, bronchitis and asthma, shortness of breath, increased susceptibility to infections, inflammation of the lung tissue, increased fatigue, as well as chest pain, dry throat, headache, and nausea.

Nitrogen Dioxide (NO_2). NO_X are a family of highly reactive gases that are a primary precursor to the formation of ground-level O_3 and react in the atmosphere to form acid rain. NO_2 (often used interchangeably with NO_X) is a reddish-brown gas that can cause breathing difficulties at elevated levels. Peak readings of NO_2 occur in areas that have a high concentration of combustion sources (e.g., motor vehicle engines, power plants, refineries, and other industrial operations). NO_2 can irritate and damage the lungs and lower resistance to respiratory infections such as influenza. The health effects of short-term exposure are still unclear. However, continued or frequent exposure to NO_2 concentrations that are typically much higher than those normally found in the ambient air may increase acute respiratory illnesses in children and increase the incidence of chronic bronchitis and lung irritation. Chronic exposure to NO_2 may aggravate eyes and mucus membranes and cause pulmonary dysfunction.

Coarse Particulate Matter (PM_{10}). PM_{10} refers to suspended particulate matter, which is smaller than 10 microns or ten one-millionths of a meter. PM_{10} arises from sources such as road dust, diesel soot, combustion products, construction operations, and dust storms. PM_{10} scatters light and significantly reduces visibility. In addition, these particulates penetrate into lungs and can potentially damage the respiratory tract. On June 19, 2003, the California Air Resources

Board (CARB) adopted amendments to the Statewide 24-hour particulate matter standards based upon requirements set forth in the Children's Environmental Health Protection Act (Senate Bill 25).

Fine Particulate Matter ($PM_{2.5}$). Due to recent increased concerns over health impacts related to $PM_{2.5}$, both State and federal $PM_{2.5}$ standards have been created. Particulate matter impacts primarily affect infants, children, the elderly, and those with pre-existing cardiopulmonary disease. In February 2024, the EPA lowered the federal primary $PM_{2.5}$ annual standard to 9.0 microgram per cubic meter (ug/m^3) from the 12.0 ug/m^3 standard set in 2012. The secondary annual standard remains at 15.0 ug/m^3. States and Tribal Authorities will submit initial recommendations of areas that do not attain this standard (i.e., nonattainment areas) to EPA by February 2025, and EPA will finalize area designations by February 2026.

Sulfur Dioxide (SO_2). SO_2 is a colorless, irritating gas with a rotten egg smell; it is formed primarily by the combustion of sulfur-containing fossil fuels. Sulfur dioxide is often used interchangeably with SO_X. Exposure of a few minutes to low levels of SO_2 can result in airway constriction in some asthmatics.

Volatile Organic Compounds (VOC). VOCs are hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. VOCs contribute to the formation of smog through atmospheric photochemical reactions and/or may be toxic. Compounds of carbon (also known as organic compounds) have different levels of reactivity; that is, they do not react at the same speed or do not form O_3 to the same extent when exposed to photochemical processes. VOCs often have an odor, and some examples include gasoline, alcohol, and the solvents used in paints. Exceptions to the VOC designation include CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate. VOCs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant. The SCAQMD uses the terms VOC and ROG (see below) interchangeably.

Reactive Organic Gases (ROG). Similar to VOC, ROG are also precursors in forming O_3 and consist of compounds containing methane, ethane, propane, butane, and longer chain hydrocarbons, which are typically the result of some type of combustion/decomposition process. Smog is formed when ROG and NO_X react in the presence of sunlight. ROGs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant. The SCAQMD uses the terms ROG and VOC interchangeably.

Short-Term Construction Emissions

The project involves construction activities associated with demolition, grading, building construction, paving, and architectural coating applications. The project would export approximately 500 tons of building materials during demolition and would also export approximately 8,570 cubic yards of earthwork materials during grading.

The California Emissions Estimator Model (CalEEMod) version 2022.1 was utilized to calculate the project's construction-related and operational air pollutants emissions. CalEEMod relies upon trip generation rates and project specific land use data to calculate emissions. Exhaust emission factors for typical diesel-powered heavy equipment are based on CalEEMod program defaults. Variables factored into estimating the total construction emissions include the level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on- or off-site. Refer to Appendix A, *Air Quality/Greenhouse Gas Emissions/Energy Data*, for the CalEEMod outputs and results. Table 4.3-1, *Project-Generated Construction Emissions*, presents the anticipated daily short-term construction emissions.

Table 4.3-1
Construction Related Emissions

Emissions Source	Maximum Daily Emissions (pounds/day)[1]					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Construction Related Emissions[2]						
Year 1	3.15	31.50	32.70	0.06	5.43	2.78
Year 2	41.00	8.76	10.80	0.02	0.52	0.32
Maximum Daily Emissions	41.00	31.50	32.70	0.06	5.43	2.78
SCAQMD Thresholds	*75*	*100*	*550*	*150*	*150*	*55*
Threshold Exceeded?	*No*	*No*	*No*	*No*	*No*	*No*

Notes:
1. The higher emissions between summer and winter are presented. Emissions were calculated using CalEEMod version 2022.1, as recommended by the SCAQMD.
2. Modeling assumptions include compliance with SCAQMD Rule 403 which requires the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stockpiles with tarps; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour.

Source: Refer to Appendix A for detailed model input/output data.

Fugitive Dust Emissions

Construction activities are a source of fugitive dust emissions that may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the project area. Fugitive dust emissions are associated with land clearing, ground excavation, cut-and-fill, and truck travel on unpaved roadways (including demolition as well as construction activities). Fugitive dust emissions vary substantially from day to day, depending on the level of activity, specific operations, and weather conditions. Fugitive dust from grading, excavation and construction is expected to be short-term and would cease upon project completion. Most of this material is inert silicates, rather than the complex organic particulates released from combustion sources, which are more harmful to health.

Dust (larger than 10 microns) generated by such activities usually becomes more of a local nuisance than a serious health problem. Of particular health concern is the amount of PM_{10} generated as a part of fugitive dust emissions. PM_{10} poses a serious health hazard alone or in combination with other pollutants. $PM_{2.5}$ is mostly produced by mechanical processes. These include automobile tire wear, industrial processes such as cutting and grinding, and re-suspension of particles from the ground or road surfaces by wind and human activities such as construction or agriculture. $PM_{2.5}$ is mostly derived from combustion sources, such as automobiles, trucks, and other vehicle exhaust, as well as from stationary sources. These particles are either directly emitted or are formed in the atmosphere from the combustion of gases such as NO_X and SO_X combining with ammonia. $PM_{2.5}$ components from material in the Earth's crust, such as dust, are also present, with the amount varying in different locations.

Construction activities would comply with SCAQMD Rule 403, which requires that excessive fugitive dust emissions be controlled by regular watering or other dust prevention measures. Adherence to Rule 403 greatly reduces PM_{10} and $PM_{2.5}$ concentrations. It should be noted that these reductions were applied in CalEEMod. As depicted in Table 4.3-1, total PM_{10} and $PM_{2.5}$ emissions would not exceed the SCAQMD thresholds during construction. Therefore, construction-related air quality impacts from fugitive dust emissions would be less than significant.

Construction Equipment and Worker Vehicle Exhaust

Exhaust emissions from construction activities include emissions associated with the transport of machinery and supplies to and from the project site, employee commutes to the project site, emissions produced on-site as the equipment is used, and emissions from trucks transporting materials to/from the site. As presented in Table 4.3-1,

construction equipment and worker vehicle exhaust emissions would not exceed the established SCAQMD thresholds for all criteria pollutants. Therefore, impacts in this regard would be less than significant.

ROG Emissions

In addition to gaseous and particulate emissions, the application of asphalt and surface coatings creates ROG emissions, which are O_3 precursors. In accordance with the methodology prescribed by the SCAQMD, the ROG emissions associated with paving and architectural coating have been quantified with the CalEEMod model. The project would be required to comply with SCAQMD Rule 1113 – *Architectural Coating,* which provides specifications on painting practices as well as regulation on the ROG content of paint used during all architectural coating activities for the proposed structures. ROG emissions associated with the proposed project would be less than significant; refer to Table 4.3-1.

Total Daily Construction Emissions

As indicated in Table 4.3-1, criteria pollutant emissions during construction of the proposed project would not exceed the SCAQMD significance thresholds. Thus, total construction-related air emissions would be less than significant.

Naturally Occurring Asbestos

Asbestos is a term used for several types of naturally occurring fibrous minerals that are a human health hazard when airborne. The most common type of asbestos is chrysotile, but other types such as tremolite and actinolite are also found in California. Asbestos is classified as a known human carcinogen by State, federal, and international agencies and was identified as a toxic air contaminant by the CARB in 1986.

Asbestos can be released from serpentinite and ultramafic rocks when the rock is broken or crushed. At the point of release, the asbestos fibers may become airborne, causing air quality and human health hazards. These rocks have been commonly used for unpaved gravel roads, landscaping, fill projects, and other improvement projects in some localities. Asbestos may be released to the atmosphere due to vehicular traffic on unpaved roads, during grading for development projects, and at quarry operations. All of these activities may have the effect of releasing potentially harmful asbestos into the air. Natural weathering and erosion processes can act on asbestos bearing rock and make it easier for asbestos fibers to become airborne if such rock is disturbed. According to the Department of Conservation Division of Mines and Geology, *A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos Report*, serpentinite and ultramafic rocks are not known to occur within the project area.[4] Thus, there would be no impact in this regard.

Long-Term Operational Emissions

Long-term air quality impacts would consist of mobile source emissions generated from project-related traffic and emissions from stationary area and energy sources. Emissions associated with each of these sources were calculated and are discussed below. As a conservative analysis, emissions from existing uses on-site were not modeled or deducted from project-generated emissions. Table 4.3-2, *Long-Term Air Emissions*, presents the project's anticipated operational emissions.

[4] Department of Conservation Division of Mines and Geology, *A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos Report*, August 2000, https://ww3.arb.ca.gov/toxics/asbestos/ofr_2000-019.pdf, accessed November 25, 2024.

Table 4.3-2
Long-Term Air Emissions

Emissions Source	Maximum Daily Emissions (lbs/day)[1, 2]					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Project Summer Emissions						
Mobile Source	0.92	0.65	7.39	0.02	1.79	0.46
Area Source	2.01	0.02	2.27	<0.01	<0.01	<0.01
Energy Source	0.02	0.39	0.16	<0.01	0.03	0.03
Total Emissions	2.95	1.06	9.82	0.02	1.82	0.49
SCAQMD Regional Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Threshold Exceeded?	No	No	No	No	No	No
Project Winter Emissions						
Mobile Source	0.91	0.70	6.90	0.02	1.79	0.46
Area Source	1.80	0.00	0.00	0.00	0.00	0.00
Energy Source	0.02	0.39	0.16	<0.01	0.03	0.03
Total Emissions	2.74	1.09	7.07	0.02	1.82	0.49
SCAQMD Regional Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Threshold Exceeded?	No	No	No	No	No	No

Notes:
1. Emissions were calculated using CalEEMod, version 2022.1.
2. The numbers may be slightly off due to rounding.

Source: Refer to Appendix A, for detailed model input/output data.

Mobile Source

Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_X, SO_X, PM_{10}, and $PM_{2.5}$ are all pollutants of regional concern (NO_X and ROG react with sunlight to form O_3 [photochemical smog], and wind currents readily transport SO_X, PM_{10}, and $PM_{2.5}$). However, CO tends to be a localized pollutant, dispersing rapidly at the source.

The vehicle emission factors were CalEEMod default values for Orange County in the project's buildout year. Project-generated trips are based on the *Victoria Place Project, City of Costa Mesa, VMT Screening Analysis* (VMT Screening Analysis), prepared by Michael Baker International, and dated December 20, 2024. Based on the VMT Screening Analysis, the project would generate approximately 298 trips, without taking trip credits from the existing uses. As shown in Table 4.3-2, maximum daily emissions generated by vehicle traffic associated with project operation would not exceed established SCAQMD thresholds. As such, impacts in this regard would be less than significant.

Area Source Emissions

Area source emissions include those generated by architectural coatings, consumer products, and landscape maintenance equipment associated with the development of the proposed project. It is important to note that the project would use all-electric landscaping equipment. However, as a conservative analysis, this project design feature was not modeled in the CalEEMod. As shown in Table 4.3-2, area source emissions during both summer and winter would not exceed established SCAQMD thresholds. Impacts would be less than significant.

Energy Source Emissions

Energy source emissions would be generated because of electricity usage associated with the proposed project. According to the project applicant, the project would not consume natural gas on-site. The primary use of electricity by the project would be for space heating and cooling, water heating, ventilation, lighting, appliances, landscaping equipment, and electronics. Criteria air pollutant emissions from electricity use were not quantified since criteria pollutants emissions occur at the site of the power plant, which is off-site. Furthermore, the project would install solar-ready roofs. Additionally, the project would also install high efficiency lighting, energy efficient appliances, and exceed Title 24 Standards. However, as a conservative analysis, these project design features (no natural gas usage, high efficiency lighting, energy efficient appliances, and exceeding Title 24 Standards) were not accounted for in the modeling. The project's criteria pollutant emissions from energy sources would be minimal and not exceed established SCAQMD thresholds; refer to Table 4.3-2. Impacts in this regard would be less than significant.

Total Operational Emissions

As shown in Table 4.3-2 the total operational emissions for both summer and winter would not exceed established SCAQMD thresholds. Therefore, impacts in this regard would be less than significant.

Air Quality Health Impacts

Adverse health effects induced by criteria pollutant emissions are highly dependent on a multitude of interconnected variables (e.g., cumulative concentrations, local meteorology and atmospheric conditions, and the number and character of exposed individual [e.g., age, gender]). In particular, O_3 precursors, VOCs and NO_x, affect air quality on a regional scale. Health effects related to O_3 are therefore the product of emissions generated by numerous sources throughout a region. Existing models have limited sensitivity to small changes in criteria pollutant concentrations, and, as such, translating project-generated criteria pollutants to specific health effects or additional days of nonattainment would produce meaningless results. In other words, the project's less than significant increases in regional air pollution from criteria air pollutants would have nominal or negligible impacts on human health.

Further, as noted in the Brief of Amicus Curiae by the SCAQMD[5], the SCAQMD acknowledged it would be extremely difficult, if not impossible to quantify health impacts of criteria pollutants for various reasons including modeling limitations as well as where in the atmosphere air pollutants interact and form. Furthermore, as noted in the Brief of Amicus Curiae by the San Joaquin Valley Air Pollution Control District (SJVAPCD)[6], SJVAPCD has acknowledged that currently available modeling tools are not equipped to provide a meaningful analysis of the correlation between an individual development project's air emissions and specific human health impacts.

The SCAQMD acknowledges that health effects quantification from O_3, as an example is correlated with the increases in ambient level of O_3 in the air (concentration) that an individual person breathes. SCAQMD's Brief of Amicus Curiae states that it would take a large amount of additional emissions to cause a modeled increase in ambient O_3 levels over the entire region. The SCAQMD states that based on their own modeling in the SCAQMD's *2012 Air Quality Management Plan*, a reduction of 432 tons (864,000 pounds) per day of NO_x and a reduction of 187 tons (374,000 pounds) per day of VOCs would reduce O_3 levels at highest monitored site by only nine parts per billion. As such, the SCAQMD concludes that it is not currently possible to accurately quantify O_3 -related health impacts caused by NO_x or VOC emissions from relatively small projects (defined as projects with regional scope) due to photochemistry and

[5] South Coast Air Quality Management District, *Application of the South Coast Air Quality Management District for Leave to File Brief of Amicus Curiae in Support of Neither Party and Brief of Amicus Curiae. In the Supreme Court of California. Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno*, 2014.

[6] San Joaquin Valley Air Pollution Control District, *Application for Leave to File Brief of Amicus Curiae Brief of San Joaquin Valley Unified Air Pollution Control District in Support of Defendant and Respondent, County of Fresno and Real Party In Interest and Respondent, Friant Ranch, L.P. In the Supreme Court of California. Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno*, 2014.

regional model limitations. Thus, as the project would not exceed SCAQMD thresholds for construction and operational air emissions, the project would have a less than significant impact for air quality health impacts.

Cumulative Construction Impacts

With respect to the proposed project's construction-period air quality emissions and cumulative Basin-wide conditions, the SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the 2022 AQMP pursuant to Clean Air Act mandates. The project would be required to comply with SCAQMD Rule 403 requirements and implement all feasible SCAQMD rules to reduce construction air emissions to the extent feasible. Rule 403 requires that fugitive dust be controlled with the best available control measures in order to reduce dust so that it does not remain visible in the atmosphere beyond the property line of the proposed project. In addition, the proposed project would comply with adopted 2022 AQMP emissions control measures. Pursuant to SCAQMD rules and mandates, as well as the CEQA requirement that significant impacts be mitigated to the extent feasible, these same requirements (i.e., Rule 403 compliance and compliance with adopted AQMP emissions control measures) would also be imposed on construction projects throughout the Basin, which would include related projects.

As discussed above, the project's short-term construction emissions would be below the SCAQMD thresholds and would result in a less than significant impact. Thus, it can be reasonably inferred that the project's construction emissions would not contribute to a cumulatively considerable air quality impact for nonattainment criteria pollutants in the Basin. Thus, a less than significant impact would occur in this regard.

Cumulative Operational Impacts

The SCAQMD has set forth both a methodological framework as well as significance thresholds for the assessment of a project's cumulative operational air quality impacts. The SCAQMD's approach for assessing cumulative impacts is based on the SCAQMD's 2022 AQMP forecasts of attainment of NAAQS in accordance with the requirements of the Federal and State CAAs. This forecast also considers SCAG's forecasted future regional growth. As such, the analysis of cumulative impacts focuses on determining whether the project is consistent with the growth assumptions upon which the SCAQMD's 2022 AQMP is based. If the project is consistent with the growth assumptions, then the future development would not impede the attainment of NAAQS, and a significant cumulative air quality impact would not occur.

As discussed above, the project would not result in long-term air quality impacts, as the project's operational emissions would not exceed the SCAQMD adopted operational thresholds. Emission reduction technology, strategies, and plans are constantly being developed. As a result, the project would not contribute a cumulatively considerable net increase of any non-attainment criteria pollutant or expose sensitive receptors to potentially significant health risk impacts. Therefore, cumulative operational impacts associated with the implementation of the project would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact.

Localized Significance Thresholds

Localized Significance Thresholds (LSTs) were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the *Final Localized Significance Threshold Methodology* (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized air

quality impacts. The SCAQMD provides the LST lookup tables for one-, two-, and five-acre projects emitting CO, NO_X, $PM_{2.5}$, and/or PM_{10}. The LST methodology and associated mass rates are not designed to evaluate localized impacts from mobile sources traveling over the roadways. The SCAQMD recommends that any project over five acres should perform air quality dispersion modeling to assess impacts to nearby sensitive receptors. The project site is located within Source Receptor Area (SRA) 17, Central Orange County LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. In order to identify impacts to sensitive receptors, the SCAQMD recommends addressing LSTs for construction and operational impacts (stationary sources only).

Sensitive Receptors

Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. The CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The closest sensitive receptors are the multi-family residential uses adjoining to the north of the project site.

Construction LST

Localized Significance Thresholds (LSTs) were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the Final Localized Significance Threshold Methodology (dated June 2003 [revised October 2009]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with project-specific level projects. The SCAQMD provides the LST look-up tables for one-, two-, and five-acre projects emitting CO, NO_X, $PM_{2.5}$, or PM_{10}. The LST methodology and associated mass rates are not designed to evaluate localized impacts from mobile sources traveling over the roadways. The project site is located within Source Receptor Area (SRA) 17 (Central Orange County).

The SCAQMD guidance on applying CalEEMod to LSTs specifies the number of acres a particular piece of equipment would likely disturb per day.[7] SCAQMD provides LST screening thresholds for one-, two-, and five-acre site disturbance areas; SCAQMD does not provide LST screening thresholds for projects over five acres. The proposed project would only actively disturb approximately one acre per day during all construction phases. Therefore, the LST screening thresholds for one acre were utilized for the LST analysis, which are the most stringent screening thresholds. Further, the nearest sensitive receptors are located immediately to the north of the project site. LST screening thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, the lowest LST values for 25 meters were used, per SCAQMD guidance.

Table 4.3-3, *Construction Localized Significance Modeling Results,* shows the localized construction-related emissions. The localized emissions presented in this table are less than those in Table 4.3-3 because localized emissions include only on-site emissions (i.e., from construction equipment and fugitive dust) and do not include off-site emissions (i.e., from the worker, vendor, and hauling trips). As shown in Table 4.3-3, the proposed project's construction emissions would not exceed the LST screening thresholds for SRA 17. Therefore, construction LST impacts would be less than significant.

[7] The number of acres represent the total acres traversed by grading equipment. To properly grade a piece of land, multiple passes with equipment may be required. The disturbance acreage is based on the equipment list and days of the grading phase according to the anticipated maximum number of acres a given piece of equipment can pass over in an 8-hour workday.

Table 4.3-3
Construction Localized Significance Modeling Results

Maximum Emissions	Maximum Daily Emissions (pounds/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Year 1 [1,3]	14.10	15.10	3.42	1.93
Year 2 [2,3]	8.57	9.96	0.29	0.27
Maximum Daily Emissions	14.10	14.50	3.42	1.93
Localized Significance Threshold Mass Rate Screening Criteria[4]	91	696	4	3
Thresholds Exceeded?	*No*	*No*	*No*	*No*

Note:
1. Maximum on-site daily emissions occur during grading phase for NOx, PM_{10}, and $PM_{2.5}$, and during demolition phase for CO in Year 1 (2025).
2. Maximum on-site daily emissions occur during building construction phase for NOx, CO, PM_{10}, and PM_2 in Year 2 (2026).
3. Modeling assumptions include compliance with SCAQMD Rule 403 which requires the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stockpiles with tarps; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour.
4. The Localized Significance Threshold Mass Rate Screening Criteria was determined using Appendix C of the SCAQMD *Final Localized Significant Threshold Methodology* guidance document for pollutants NO_X, CO, PM_{10}, and $PM_{2.5}$. The Localized Significance Threshold was based on the anticipated daily acreage disturbance for construction (approximately one acre; therefore, the one-acre threshold was used) and Source Receptor Area 17.

Operational LST

According to SCAQMD LST methodology, LSTs would apply to the operational phase of a proposed project if the project includes stationary sources or attracts mobile sources that may spend extended periods queuing and idling at the site (e.g., warehouse or transfer facilities). The proposed project does not include includes stationary sources or propose uses that attract mobile sources. Thus, no long-term LST analysis is needed. Operational LST impacts would be less than significant in this regard.

Carbon Monoxide Hotspots

CO emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (e.g., adversely affecting residents, school children, hospital patients, and the elderly).

The Basin is designated as an attainment/maintenance area for the federal CO standards and an attainment area under State standards. There has been a decline in CO emissions even though vehicle miles traveled (VMT) on U.S. urban and rural roads have increased; estimated anthropogenic CO emissions have decreased 68 percent between 1990 and 2014. In 2014, mobile sources accounted for 82 percent of the nation's total anthropogenic CO emissions.[8] Three major control programs have contributed to the reduced per-vehicle CO emissions, including exhaust standards, cleaner burning fuels, and motor vehicle inspection/maintenance programs.

According to the SCAQMD *CEQA Air Quality Handbook*, a potential CO hotspot may occur at any location where the background CO concentration already exceeds 9.0 parts per million (ppm), which is the 8-hour California ambient air quality standard. As previously discussed, the site is located in SRA 17. Communities within SRAs are expected to have similar climatology and ambient air pollutant concentrations. The highest hourly recorded CO value at the Anaheim-812 W Vermont Street Monitoring Station between 2021 and 2023 was 2.594 ppm, which is well below the

8 U.S. Environmental Protection Agency, *Carbon Monoxide Emissions*, https://cfpub.epa.gov/roe/indicator_pdf.cfm?i=10, accessed November 27, 2024.

9.0-ppm standard. Given that the background CO concentration does not currently exceed 9.0 ppm, a CO hotspot would not occur at the project site. Therefore, CO hotspot impacts would be less than significant in this regard.

Air Quality Health Impacts

The proposed project would involve the development of a residential community that would result in very limited operational activities, including landscaping maintenance operations, that would generate diesel particulate matter (DPM) or other toxic air contaminants (TAC) emissions. As shown in Table 4.3-2, the project would generate nominal particulate matter emissions during operation. Therefore, operation of the proposed project is not anticipated to result in an elevated cancer or other health risk to nearby sensitive receptors, and, as such, the health impact during operation of the proposed project would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. According to the SCAQMD *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project does not include any uses identified by the SCAQMD as being associated with odors.

Construction activities associated with the project may generate detectable odors from heavy-duty equipment exhaust and architectural coatings. However, construction-related odors would be short-term in nature and cease upon project completion. In addition, the project would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by requiring equipment to be shut off when not in use or limiting idling time to no more than five minutes. Compliance with these existing regulations would further reduce the detectable odors from heavy-duty equipment exhaust. The project would also be required to comply with the SCAQMD Rule 1113 – *Architectural Coating*, which would minimize odor impacts from ROG emissions during architectural coating. Any odor impacts to existing adjacent land uses would be short-term and negligible. As such, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Impacts would be less than significant in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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4.4 BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

No Impact. The project site is located within a built out, urbanized area of the City and is currently developed with commercial retail and storage uses. The project site is mostly paved hardscape, with nominal non-native (ornamental) landscaping (i.e., turf and ornamental plantings at the building frontage). Based on the project site's disturbed hardscape condition and lack of native vegetation, project development would not adversely impact candidate, sensitive, or special status species. Further, no habitat that could support such species are present on-site. No impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

No Impact. Riparian habitats are those occurring along the banks of rivers and streams. Sensitive natural communities are natural communities that are considered rare in the region by regulatory agencies, know to provide habitat for sensitive animal or plant species, or known to be important wildlife corridors.

The project site is currently developed with existing commercial/retail buildings, a residential unit repurposed as a commercial use, storage yard, and a partially paved lot in an urbanized area of the City. As discussed in the General Plan EIR, the City has identified two sensitive natural communities: the Southern Cottonwood Willo Riparian Forest within the Santa Ana River and Southern Coastal Salt Marsh found in the Talbert Regional Park. Additionally, the General Plan EIR identified that vernal pools are present in Fairview Park. The project site is located approximately 2.5 miles from the Santa Ana River, two miles from Talbert Regional Park, and 1.5 miles from Fairview Park. As such, no riparian habitat or other sensitive natural communities are present on-site or in the project vicinity. Thus, the project would not create a substantial adverse effect on any riparian habitat or other sensitive natural communities. No impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. No State or federally protected wetlands are located within the project site.[1] As discussed in Response 4.4(a), the project site is currently developed and does not include areas of native vegetation. Further, no existing water features are situated on-site. As such, the project would not involve direct removal, filing, hydrological interruption, or other direct or indirect impact to wetlands. No impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

No Impact . As stated, the project site is predominantly developed and surrounded on all side by existing urban uses. There are no areas within the project vicinity which could function as a wildlife corridor or nursery site for native and migratory wildlife. Further, the project site consists of mostly impervious surfaces and minimal ornamental landscaping. No trees are located on site that would provide suitable nesting habitat for migratory birds. As such, the project would no result in impacts pertaining to the interference of the movement of native resident or migratory fish or wildlife species or with any established native resident or migratory wildlife corridors, nor would the project impede the use of native wildlife nursery sites.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

[1] U.S. Fish and Wildlife Service, *National Wetlands Inventory*, https://www.fws.gov/wetlands/data/Mapper.html, accessed November 24, 2024.

Mitigation Measures: No mitigation measures are required.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The City has adopted various provisions regarding the planting and removal of trees along public right-of-way in Municipal Code Title 15, Chapter V, *Parkway Trees*. However, as discussed above, the project site is developed and does not include any trees on-site. As such, the project would not involve removal of public trees in street right-of-way. As such, the proposed project would not conflict with any local policies or ordinances protecting biological resources.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. According to the California Department of Fish and Wildlife's *California Natural Community Conservation Map*, the City is located within the boundaries of the *Orange County Natural Community Conservation Plan and Habitat Conservation Plan for the Central and Coastal Subregion* (NCCP/HCP).[2] The NCCP/HCP is intended to protect and manage habitats supporting a broad range of plant and animal populations found within the Central and Coastal Subregion. Additionally, the NCCP/HCP establishes a habitat Reserve System which allows participating members to proceed with projects containing impacts to sensitive plant or animal populations located outside of the Reserve System. According to the General Plan EIR, the City is not a participant or permittee to the NCCP/HCP. The County's Talbert Nature Preserve and Talbert Regional Park (within the City boundary), however, is included as an area that could support future NCCP/HCP reserves. The project site is located approximately two miles to the east of the County's Talbert Nature Preserve and Talbert Regional Park. No other approved local, regional, or State habitat conversation plans apply to the site.[3] Thus, the proposed project would not conflict with any provisions related to such plans, and no impacts would occur.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[2] California Department of Fish and Wildlife, *California Regional Conservation Plans*, August 2023, https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline, accessed November 24, 2024.

[3] County of Orange, *Natural Communities Conservation Plan and Habitat Conservation Plan and EIR and EIS, Map Section*, https://occonservation.org/wp-content/uploads/2015/04/NCCP-EIR-Map-Section.pdf, accessed December 3, 2024.

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4.5 CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?				✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		✓		
c. Disturb any human remains, including those interred outside of dedicated cemeteries?			✓	

This section is primarily based upon the *Victoria Place Project Cultural Resources Assessment, City of Costa Mesa, Orange County, California*, (Cultural Report) prepared by Michael Baker International, December 2024; refer to Appendix B, *Cultural Resources Assessment*.

a) Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?

No Impact. As part of the Cultural Report, a South Central Coastal Information Center (SCCIC) records search, literature review and historical map review, historical society consultation, field survey, Native American Heritage Commission Sacred Lands File request, and archaeological sensitivity analysis were conducted to determine whether the project could result in a significant adverse change to cultural resources in accordance with CEQA. The field survey was conducted on November 21, 2024. The records search of the California Historical Resources Inventory System (CHRIS) was conducted at the SCCIC to identify previously recorded cultural resources and previously conducted cultural resource studies within a 0.5-mile of the project site. The CHRIS search results were provided on December 5, 2024 and included a review of the National Register of Historic Places, Archaeological Resources Directory for Orange County, Built Environment Resources Directory for Orange County, and California Historic Resources. The Cultural Report also included a review of available historic United States Geologic Survey 7.5-minute topographic quadrangle maps and consultation request with the Native American Coordination. According to the record search of the Native American Heritage Commission (NAHC) Sacred Land File, the results for the project site was positive. The NAHC recommends contacting Native American Tribes who may have knowledge of cultural resources on the site; refer to Appendix B.

Record Search Results

The records search identified seven previous cultural resource studies conducted within a 0.5-mile radius of the project site. No cultural resources study was previously conducted within the project site. Additionally, no buildings or archeological artifacts, features, materials, or residues were identified within the project site during the field survey.

Historical Evaluation For On-Site Buildings

To be eligible for listing in the California Register of Historical Resources (CRHR), a property must be at least 50 years of age and possess significance at the local, State, or national level, under one or more of the following criteria:

- Criterion 1. It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Criterion 2. It is associated with the lives of persons important in our past;

- Criterion 3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic value;

- Criterion 4. It has yielded, or may yield, information important in history or prehistory.

According to Cultural Report, the existing structures on-site are not eligible for listing under the CRHR. The evaluation of the project's eligibility is discussed below:

- Criterion 1. The majority of existing structures on-site were constructed prior to 1953 which was many decades after the period of early development in the area. However, one of the street-facing former residences on-site was constructed in 1938 which makes it one of the earlier buildings in the immediate area. Nevertheless, none of the structures on-site are known to have made a significant contribution to broad patterns of local, regional, state, or national culture and history. As such, the project does not meet the threshold for historical significance under California Register Criterion 1.

- Criterion 2. The Cultural Report states that no past owners or occupants at the 220, 222, and 234 Victoria Street did not turn up any evidence of people who made demonstrably significant contributions to the history of the nation, state, or region. However, the most significant owner or resident of the subject property is James C. Klingensmith (1871-1938), since he is the first recorded resident of the house that was in place on the subject property by 1938 (earliest structure on-site).T Nevertheless, there is no mention of Klingensmith in local newspapers aside from his obituary, and no indication that he or any other residents made demonstrably significant contributions to the history of the nation, state, or region. Therefore, the subject properties do not meet the threshold for historical significance under California Register Criterion 2.

- Criterion 3. The commercial buildings on the project site are common examples of utilitarian commercial and industrial architecture. The residential structure is a common and radically altered example of a vernacular-style residence with elements of the Spanish Revival style evident in the stucco cladding and red tile roof. None of the structures (commercial and residential) possess high artistic value or distinctive character-defining features. Specifically, none of the buildings embody the distinctive characteristics of a type, period, or method of construction, nor are they known to be the work of a master architect or craftsman. Therefore, the buildings on the subject parcels do not meet the threshold for historical significance under California Register Criteria 3.

- Criterion 4. The structures were constructed using common techniques and materials. Additionally, the site was graded during construction of the buildings. Therefore, the site is not expected to yield important information pertaining to prehistory or history. The subject properties do not meet the threshold for historical significance under California Register Criteria 4.

Additionally, the City maintains a list of locally designated cultural resources known as the Register of Historic Places. Pursuant to Municipal Code Section 13-200.9, *Historical preservation procedures,* the following criteria were established to determine the designation and approval requirements for a building, structure, site, object, district, improvement, or natural feature that is over 50 years of age, or in special circumstances under 50 years, as a local landmark.

- Exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; or
- Is identified with persons or events significant in local, state, or national history; or
- Embodies distinctive characteristics of a style, type, period, or method of construction; or

- Is a valuable example of the use of indigenous materials or craftsmanship; or
- Represents the work of a notable builder, designer, or architect; or
- Contributes to the significance of an historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development; or
- Has a unique location or singular physical characteristics or is a view or vista representing an established and familiar visual feature of a neighborhood, community or of the city; or
- Embodies elements of architectural design, detail, materials, or craftsmanship that represent a significant structural or architectural achievement or innovation; or
- Is similar to other distinctive properties, sites, areas, or objects based on a historic, cultural, or architectural motif; or
- Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning; or
- Is a type of building or is associated with a business or use which was once common but is now rare; or
- Yields, or may yield, information important in prehistory or history; and retains the integrity of those characteristics necessary to convey its significance.

According to Cultural Report, the existing structures on-site are not eligible for listing under the City's Register of Historic Places. The evaluation of the project's eligibility is discussed below:

- City of Costa Mesa Criterion A - The subject property does not exemplify or reflect special elements of the city's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history. Therefore, it does not meet the significance threshold under this criterion.
- City of Costa Mesa Criterion B - The subject property is not identified with persons or events significant in local, state, or national history. Therefore, it does not meet the significance threshold under this criterion.
- City of Costa Mesa Criterion C - The subject property does not embody distinctive characteristics of a style, type, period, or method of construction. Therefore, it does not meet the significance threshold under this criterion.
- City of Costa Mesa Criterion D - The subject property is not a valuable example of the use of indigenous materials or craftsmanship. Therefore, it does not meet the significance threshold under this criterion.
- City of Costa Mesa Criterion E - The subject property does not represent the work of a notable builder, designer, or architect. Therefore, it does not meet the significance threshold under this criterion.
- City of Costa Mesa Criterion F - The subject property does not contribute to the significance of a historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development. Therefore, it does not meet the significance threshold under this criterion.
- City of Costa Mesa Criterion G - The subject property does not have a unique location or singular physical characteristics, nor does it comprise a view or vista representing an established and familiar visual feature of a neighborhood, community, or of the city. Therefore, it does not meet the significance threshold under this criterion.
- City of Costa Mesa Criterion H - The subject property does not embody the characteristics of design, detail, materials, or craftsmanship that represent a significant structural or architectural achievement or innovation. Therefore, it does not meet the significance threshold under this criterion.
- City of Costa Mesa Criterion I - The subject property is not similar to other distinctive properties, sites, areas, or objects based on a historic, cultural, or architectural motif. Therefore, it does not meet the significance threshold under this criterion.

- City of Costa Mesa Criterion J - The subject property does not reflect significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning. Therefore, it does not meet the significance threshold under this criterion.
- City of Costa Mesa Criterion K - The subject property is not a type of building and is not associated with a business or use which was once common but is now rare. Therefore, it does not meet the significance threshold under this criterion.
- City of Costa Mesa Criterion L - The subject property is not likely to yield information important in prehistory or history, nor does it retain integrity of those characteristics necessary to convey its significance. Therefore, it does not meet the significance threshold under this criterion.

The project site does not meet the criteria for listing in the CRHR and the City's Register of Historic Places, as the properties lack historic significance. As such, the existing structures on-site are not identified as a historical resource as defined by CEQA Guidelines Section 15064.5(a). The proposed project would not cause a substantial adverse change in the significance of a historical resource. No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less Than Significant Impact With Mitigation Incorporated. As discussed in Response 4.5(a) and detailed in the Cultural Report, no previously recorded cultural resources were identified within the project site during the records search or field survey, and the project site has a low sensitivity for prehistoric and historic archaeological sites. Factors that support the sensitivity analysis include the local environmental conditions, record search information, and local land use history. Local environmental conditions that indicate low sensitivity include the long distance from viable water sources and the topography. Availability of close water would have been necessary, such as on a river terrace, especially for sizeable prehistoric occupation. Additionally, the project area has been intensely developed since the 1950s and has previously been disturbed by prior development. Nonetheless, Project-related construction could uncover undiscovered archaeological resources during earth-moving activities.

As anticipated earth-moving activities include excavation for new fill and installation of underground utilities, construction activities have the potential to impact undiscovered archaeological resources. Thus, Mitigation Measure CUL-1 requires the project Applicant retain a qualified professional archaeologist who meets the Secretary of the Interior's Standards for professional archaeology that would be on-call during any demolition, grading, and excavation activities. The qualified archaeologist would inform workers about regulatory requirements for the protection of cultural resources. A The qualified archaeologist would ensure the applicant submits a written Project Monitoring Plan to the City's Director of Economic and Development Services for review and approval. Additionally, in the event resources of a potentially cultural nature are encountered during any stage of project construction, all construction work within 50 feet (15 meters) of the find must cease and the qualified archaeologist must assess the find for importance. Construction activities may continue in other areas. Work must be allowed to continue outside of the buffer area. If the discovery is determined to not be culturally significant by the qualified archaeologist, work would be permitted to continue in the buffer area. With implementation of Mitigation Measures CUL-1, the project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines, and impacts would be reduced to less than significant levels.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures:

CUL-1 Prior to issuance of grading permits, the City of Costa Mesa shall ensure a qualified archaeologist who meets the Secretary of the Interior's Standards for professional archaeology has been retained for the project and shall be on-call during all demolition and grading/excavation. The qualified archaeologist shall ensure the following measures are followed for the project:

- Prior to any ground disturbance, the qualified archaeologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should resources of a potentially cultural nature be discovered during construction. Workers shall be provided contact information and protocols to follow in the event that inadvertent discoveries are made. The training can be in the form of a video or PowerPoint presentation. Printed literature (handouts) can accompany the training and can also be given to new workers and contractors to avoid the necessity of continuous training over the course of the project.
- Prior to any ground disturbance, the applicant shall submit a written Project Monitoring Plan (PMP) to the City of Costa Mesa's Director of Economic and Development Services for review and approval. The monitoring plan shall include monitor contact information (including the qualified archeologist and the Native American Monitor per Mitigation Measure TCR-1), specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds.
- In the event resources of a potentially Native American nature are discovered during any stage of project construction, all construction work within 50 feet (15 meters) of the discovered tribal cultural resource ("TCR") shall cease and the Kizh Monitor shall assess the discovery. Construction activities outside the buffer zone may continue during the Kizh Monitor's assessment.
  - Non-Native American (Non-TCR) Discoveries: If warranted based on the qualified archaeologist's evaluation of the archaeological (but non-TCR) discovery, the archaeologist shall collect the resource and prepare a test-level report describing the results of the investigation. The test-level report shall evaluate the site including discussing the significance (depth, nature, condition, and extent of the resource), identifying final Cultural Mitigation Measures, if any, that the City of Costa Mesa's Director of Economic and Development Services shall verify are incorporated into future construction plans, and providing cost estimates.
  - Conjoined Archaeological and Native American (TCR) Discoveries: If, following consultation with the Kizh Monitor, it is determined that a historic or prehistoric discovery includes Native American materials or resources, then the Kizh Monitor shall determine the appropriate treatment of the discovered TCR(s) consistent with Mitigation Measure TCR-1. The Kizh Monitor shall prepare a TCR discovery report, which may include descriptions and evaluations of the area and conditions at the site of the discovery (i.e., depth, nature, condition, and extent of the resources), as well as a discussion of the significance to the Kizh Nation.
  - The requirements of Section 15064.5 of the CEQA Guidelines shall be followed. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Kizh Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Kizh Nation, and (2) completed the appropriate treatment of the resource consistent with Mitigation Measure TCR-1.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact. Due to the level of disturbance in the site vicinity, it is not anticipated that human remains, including those interred outside of formal cemeteries, would be encountered during earth removal or ground-disturbing activities. Nonetheless, if human remains are found, those remains would require proper treatment in accordance with applicable laws. State of California Public Resources Health and Safety Code Section 7050.5 through 7055 describe the general provisions for human remains. Specifically, State Health and Safety Code Section 7050.5 requires if any human remains are accidentally discovered during excavation of a site, the County Coroner shall be notified of the find immediately, and no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. As required by State law, if the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). Following compliance with the aforementioned regulations, impacts related to the disturbance of human remains are less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4.6 ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓	

Regulatory Framework

California Building Energy Efficiency Standards

The 2022 California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2023. In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2022 Title 24 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, strengthen ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Title 24 standards.

California Green Building Standards

The 2022 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as CALGreen, went into effect on January 1, 2023. The California Green Building Standards (CALGreen) is the first-in-the-nation mandatory green buildings standards code. The California Building Standards Commission developed the green building standards to meet the goals of California's landmark initiative Assembly Bill (AB) 32, which established a comprehensive program of cost-effective reductions of greenhouse gases (GHGs) to 1990 levels by 2020. CALGreen was developed to (1) reduce GHGs from buildings; (2) promote environmentally responsible, cost-effective, healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to the environmental directives of the administration. CALGreen requires that new buildings employ water efficiency and conservation, increase building system efficiencies (e.g., lighting, heating/ventilation and air conditioning [HVAC], and plumbing fixtures), divert construction waste from landfills, and incorporate electric vehicles charging infrastructure. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive, and that there is a significant cost-savings potential in green building practices and materials.[1]

Senate Bill 100

Senate Bill (SB) 100 (Chapter 312, Statutes of 2018) requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt-hours (kWh) of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024; 52 percent by December 31, 2027; 60 percent by December 31, 2030; and 100 percent by December 31, 2045. The bill requires the California Public Utilities Commission (CPUC), California Energy Commission (CEC), State

[1] U.S. Green Building Council, *Green Building Costs and Savings*, https://www.usgbc.org/articles/green-building-costs-and-savings, accessed November 28, 2024.

board or the California Air Resources Board's (CARB), and all other State agencies to incorporate the policy into all relevant planning. In addition, SB 100 requires the CPUC, CEC, and CARB to utilize programs authorized under existing statutes to achieve that policy and, as part of a public process, issue a joint report to the Legislature by January 1, 2021, and every four years thereafter, that includes specified information relating to the implementation of SB 100.

Thresholds of Significance

Appendix F of the CEQA Guidelines is an advisory document that assists environmental document preparers in determining whether a project will result in the inefficient, wasteful, and unnecessary consumption of energy. The analysis in Response 4.6(a) relies upon Appendix F of the CEQA Guidelines, which includes the following criteria to determine whether this threshold of significance is met:

- Criterion 1: The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
- Criterion 2: The effects of the project on local and regional energy supplies and on requirements for additional capacity.
- Criterion 3: The effects of the project on peak and base period demands for electricity and other forms of energy.
- Criterion 4: The degree to which the project complies with existing energy standards.
- Criterion 5: The effects of the project on energy resources.
- Criterion 6: The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Quantification of the project's energy usage is presented and addresses Criterion 1. The discussion on construction-related energy use focuses on Criteria 2, 4, and 5. The discussion on operational energy use is divided into transportation energy demand and building energy demand. The transportation energy demand analysis discusses Criteria 2, 4, and 6, and the building energy demand analysis discusses Criteria 2, 3, 4, and 5.

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact.

Project-Related Sources of Energy Consumption

This analysis focuses on three sources of energy that are relevant to the proposed project: electricity, natural gas, and transportation fuel for vehicle trips associated with new development and for project construction. However, it is acknowledged that the proposed project would possibly be all electric, since as of July 2024, Southern California Edison (SCE) is requesting "only electric" on-site to participate in new future service. However, in order to provide a conservative analysis of the project's energy consumption, the following evaluation assumes that the project would utilize both electricity and natural gas during its operation.

The analysis of operational electricity/natural gas usage is based on the California Emissions Estimator Model version 2022.1 (CalEEMod) modeling results for the project, which quantifies energy use for occupancy. The project's estimated electricity/natural gas consumption is based primarily on CalEEMod's default settings for Orange County, and consumption factors provided by Southern California Edison (the electricity provider for the City of Costa Mesa and the project site). The results of the CalEEMod modeling are included in Appendix A, *Air Quality/GHG/Energy Data*. The amount of operational fuel consumption was estimated using the California Air Resources Board's Emissions

Factor 2021 (EMFAC2021) computer program which provides projections for typical annual fuel usage in Orange County, and the project's annual vehicle miles traveled (VMT) outputs from CalEEMod. The estimated construction fuel consumption is based on the project's construction equipment list timing/phasing, and hours of duration for construction equipment. As a conservative analysis, energy consumption from existing uses on-site were not modeled or deducted from project-related energy consumption.

The project's estimated energy consumption is summarized in Table 4.6-1, *Energy Consumption*. As shown in Table 4.6-1, the project's electricity usage would constitute an approximate 0.0014 percent increase over Orange County's typical annual electricity consumption. Based on the project Applicant, the project would not consume natural gas. However, the project's natural gas usage has been calculated using CalEEMod as a conservative analysis and is shown for informational purpose only. The project's off-road construction equipment off-road construction fuel consumption, on-road construction fuel consumption, and operational vehicle fuel consumption would increase Orange County's consumption by 0.1344 percent, 0.0008 percent, and 0.0051 percent, respectively.

Table 4.6-1
Energy Consumption

Energy Type	Project Annual Energy Consumption[1]	Orange County Annual Energy Consumption[2]	Percentage Increase Countywide
Electricity Consumption[3]	282 MWh	20,243,722 MWh	0.0014%
Natural Gas Consumption[3]	15,334 Therms	572,454,744 Therms	0.0027%
Fuel Consumption			
Construction Off-Road Fuel Consumption	17,766 gallons	13,217,148 gallons	0.1344%
Construction On-Road Fuel Consumption	9,691 gallons	1,250,175,098 gallons	0.0008%
Operational Automotive Fuel Consumption	62,229 gallons	1,255,133,663 gallons	0.0051%

Notes:
1. Project electricity consumptions as modeled in California Emissions Estimator Model Version 2022.1 (CalEEMod) computer model. Project fuel consumption calculated based on CalEEMod results. Countywide operational fuel consumption, off-road construction equipment diesel fuel consumption, and on-road fuel consumption are from CARB EMFAC2021.
2. The project's increase in electricity consumption is compared to the total consumption in Orange County in 2022 (latest year with data available). The project increases in construction off-road and on-road fuel consumption are compared with the projected Orange Countywide off-road fuel consumption and Orange Countywide on-road fuel consumption in 2025 (first year of construction), respectively. The project increases in operational automotive fuel consumption is compared with the projected Countywide on-road fuel consumption in 2026 (first year of operation).
3. Orange County electricity consumption data source: California Energy Commission, *Electricity Consumption by County*, http://www.ecdms.energy.ca.gov/elecbycounty.aspx, accessed November 28, 2024.
   Orange County natural gas consumption data source: California Energy Commission, *Natural Gas Consumption by County*, http://www.ecdms.energy.ca.gov/elecbycounty.aspx, accessed November 28, 2024.

Source: Refer to Appendix A, *Air Quality/Greenhouse Gas Emissions/Energy Data* for CalEEMod outputs and assumptions used in this analysis.

Construction-Related Energy Consumption

During construction, the project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Fossil fuels for construction vehicles and other energy-consuming equipment would be used during demolition, grading, building construction, paving, and architectural coating. As indicated in Table 4.6-1, the project's off-road fuel consumption and on-road fuel consumption during construction would be approximately 17,766 gallons and 9,691 gallons, respectively. Consequently, the project's off-road construction equipment diesel fuel consumption and on-road construction fuel consumption would increase Orange County's consumption by 0.1344 percent and 0.0008 percent,

respectively. As such, construction of project would have a minimal effect on the local and regional energy supplies and would not require additional capacity (Criterion 2).

Some incidental energy conservation would occur during construction through compliance with State requirements that equipment not in use for more than five minutes be turned off (i.e., Title 13, California Code of Regulations Section 2485). Project construction equipment would also be required to comply with the latest U.S. Environmental Protection Agency (EPA) and CARB engine emissions standards. These emissions standards require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption. In addition, because the cost of fuel and transportation is a significant aspect of construction budgets, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction (Criterion 4).

Substantial reductions in energy inputs for construction materials can be achieved by selecting building materials composed of recycled materials that require substantially less energy to produce than nonrecycled materials.[2] The integration of green building materials can help reduce environmental impacts associated with the extraction, transport, processing, fabrication, installation, reuse, recycling, and disposal of these building industry source material. The project-related incremental increase in the use of energy bound in construction materials such as asphalt, steel, concrete, pipes and manufactured or processed materials (e.g., lumber and gas) would not substantially increase demand for energy compared to overall local and regional demand for construction materials. Further, it is noted that construction fuel use is temporary and would cease upon completion of construction activities. There are no unusual project characteristics that would necessitate the use of construction equipment, or building materials, or methods that would be less energy efficient than at comparable construction sites in the region or State. Therefore, fuel energy and construction materials consumed during construction would not represent a significant demand on energy resources (Criterion 5) and a less than significant impact would occur in this regard.

Operational Energy Consumption

Transportation Energy Demand

Pursuant to the Federal Energy Policy and Conservation Act of 1975, the National Highway Traffic and Safety Administration is responsible for establishing additional vehicle standards and for revising existing standards. Compliance with federal fuel economy standards is not determined for each individual vehicle model. Rather, compliance is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States. According to the *Victoria Place Project, City of Costa Mesa, VMT Screening Analysis* (VMT Screening Analysis), prepared by Michael Baker International, and dated December 20, 2024. Based on the VMT Screening Analysis, the project would generate approximately 298 trips, without taking trip credits form the existing uses. The operational analysis utilizes the total daily trips, which does not account for pass-by trips, to provide a worst-case scenario. As indicated in Table 4, operational fuel consumption is estimated to be approximately 62,229 gallons per year, which would increase Countywide automotive fuel consumption by 0.0051 percent. As such, the project does not propose any unusual features that would result in excessive long-term operational fuel consumption (Criterion 1 and 2).

The key drivers of transportation-related fuel consumption for the project are passenger vehicle and light- and medium-duty trucks trips also account for a portion of the transportation-related fuel consumption. The proposed project would provide electric vehicle (EV) charging facility as per the most current and applicable version of the Title 24 standards pertaining to EV capable spaces and parking stalls with EV chargers. The project would also include features such as bicycle parking and vanpool/carpool parking, which would promote near-zero and zero-emissions technologies and encourage alternative modes of transportation. Additionally, the project site is surrounded by bus stops that are serviced by Orange County Transportation Agency (OCTA). Thus, the project would encourage and support the use

[2] California Department of Resources Recycling and Recovery, *Construction and Demolition Debris Recycling*, https://calrecycle.ca.gov/condemo/, accessed November 28, 2024.

of EVs and alternative modes of transportation, thus reducing petroleum fuel consumption (Criterion 4 and Criterion 6).

Therefore, fuel consumption associated with vehicle trips generated by the project would not be considered inefficient, wasteful, or unnecessary compared to other similar developments in the region. A less than significant impact would occur in this regard.

Building Energy Demand

The CEC developed 2024 to 2040 forecasts for energy consumption and peak demand in support of the 2023 IEPR for each of the major electricity and natural gas planning areas and the State based on the economic and demographic growth projections. CEC forecasted baseline electricity consumption grows at a rate of about 1.7 percent annually through 2040.[3] The natural gas consumption grows at a rate of about 0.2 percent annually through 2035.[4] As shown in Table 4.6-1, the project's operational energy consumption would result in an annual electricity consumption of 282 MWh. As previously stated, the project would not consume natural gas during operation. However, the project's natural gas usage has been calculated using CalEEMod as a conservative analysis and is shown for informational purpose only. Table 5.5-3 also shows the operational energy consumption would result in approximately 0.0014 percent increase in electricity consumption and approximately 0.0027 percent increase in natural gas consumption over the current Countywide usage. As such, energy consumption would be significantly below CEC's forecasts and the current Countywide usage. Therefore, the project would be consistent with the CEC's energy consumption forecasts and would not require additional energy capacity or supplies (Criterion 1 and Criterion 2). The project would also consume energy during the same time periods as other surrounding residential and commercial developments. As a result, the project would not result in unique or more intensive peak or base period electricity demand (Criterion 3).

The project would be required to comply with the most current and applicable version of the Title 24 Building Energy Efficiency Standards (commonly known as Title 24), which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. The project would also comply with the CALGreen Code pertaining to the installation of EV charging stations. Compliance with the most current and applicable Title 24 standards significantly reduces energy usage (Criterion 4).

Furthermore, the electricity provider, SCE, is subject to California's RPS. The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 60 percent of total procurement by 2030 and 100 percent of total procurement by 2045. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat. The increase in reliance of such energy resources further ensures that new development projects will not result in the waste of the finite energy resources. In compliance with Title 24, including the CALGreen Code, the project would install high efficiency lighting and energy efficient appliances. The project would also include solar ready roofs. As a result, the project would ensure energy consumption to be kept to a minimum through these components (Criterion 5).

Based on the analysis above, the project would not cause wasteful, inefficient, and unnecessary consumption of building energy during project operation, or preempt future energy development or future energy conservation. As such, impacts resulting from the proposed project would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

[3] California Energy Commission, *2023 Integrated Energy Policy Report, page 130*, July 14, 2024.

[4] Based on *2023 Integrated Energy Policy Report*, the gas forecast is updated every two years, in odd years. As such, the natural gas consumption shown here is based on the California Energy Commission, *Final 2022 Integrated Energy Policy Report Update, page 140*, May 10, 2023.

Mitigation Measures: No mitigation measures are required.

b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

Less than Significant Impact. The City does not have an adopted renewable energy or energy efficiency plan. State and regional plans for renewable energy and energy efficiency include the California Energy Commission's Integrated Energy Policy Report (IEPR), Title 24 standards, and CALGreen standards. The project would be required to comply with Title 24 and CALGreen standards and incorporates all applicable energy efficiency measures. Energy efficiency measures typical for residential projects include installation of energy efficient windows, insulation, lighting, ventilation systems, and water efficient fixtures, conservation of roof areas for future installation of solar panels, as well as provision of electric vehicles charging infrastructure, among others. Compliance with Title 24 and CALGreen standards would also be consistent with the CPUC Strategic Plan strategies and the IEPR building energy efficiency recommendations, which would ensure project conformance with the State's energy reduction goals. As such, the proposed project would result in less than significant impacts associated with renewable energy or energy efficiency plans.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4.7 GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
2) Strong seismic ground shaking?			✓	
3) Seismic-related ground failure, including liquefaction?				✓
4) Landslides?				✓
b. Result in substantial soil erosion or the loss of topsoil?			✓	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✓	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			✓	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		

This section is primarily based upon the following technical studies.

- *Soil and Foundation Evaluation Report, Proposed Multi-Tenant Building Complex, 220, 222, and 234 Victoria Street, Costa Mesa, California* (Geotechnical Evaluation), prepared by Soil Pacific, Inc., September 19, 2024; refer to Appendix C, *Geotechnical Evaluation;*

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. Southern California is located within a seismically active margin between the North American and Pacific tectonic plates. Nonetheless, based on the Geotechnical Evaluation prepared for the project, the project site is not located within an Alquist-Priolo earthquake fault zone. As such, no impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

2) Strong seismic ground shaking?

Less Than Significant Impact. The Geotechnical Evaluation concluded that the project site would likely experience strong seismic ground shaking during the project's lifetime as expected for the southern California region. Based on the Geotechnical Evaluation, soils at the site consist of fill soils to a depth of approximately one to two feet below grade underlain by stiff to very stiff silts and clays underlain by medium and very dense sand and silty sands. As such, the project would require over excavation of the fill soils and recompacted to support the proposed foundations, slabs on grade, and pavement. The Geotechnical Evaluation prepared for the project includes recommendations for clearing, site preparation, excavations, foundations, utility trench backfill placement, retaining wall design, concrete, slabs, and hardscape design, pavement section design, drainage, balancing earthwork, and adherence to existing seismic design requirements of the California Building Code (CBC). As required by Municipal Code Section 5-1, *Construction Codes Adopted*, the project is required to comply with the recommendations outlined in project-specific Geotechnical Evaluation and comply with the most recent edition of the CBC (SCA GEO-1). Upon compliance with Geotechnical Evaluation recommendations, existing seismic design requirements of the California Building Code, and any subsequent seismic design requirements imposed by the City (as implemented through SCA GEO-1), the project would not directly or indirectly cause potential substantial adverse effects with respect to strong seismic ground shaking. Impacts would be reduced to less than significant levels.

Standard Conditions of Approval:

SCA GEO-1 Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading as well as the appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Building official prior to issuance of grading permits.

Mitigation Measures: No mitigation measures are required.

3) Seismic-related ground failure, including liquefaction?

No Impact. Liquefaction and seismically-induced settlement or ground failure is generally related to strong seismic shaking events where the groundwater occurs at shallow depth (generally within 50 feet of the ground surface) or where lands are underlain by loose, cohesionless deposits. Liquefaction typically results in the loss of shear strength of a soil, which occurs due to the increase of pore water pressure caused by the rearrangement of soil particles induced by shaking or vibration. During liquefaction, soil strata behave similarly to a heavy liquid.

According to the Geotechnical Evaluation prepared for the project, the project site is not located in a zone of potential seismically-induced liquefaction. Further, it is noted that groundwater was not encountered during subsurface exploration conducted as part of the Geotechnical Evaluation. Based on the Phase II ESA prepared for the project site[1], groundwater is expected to be greater than 50 feet below ground surface. No impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[1] ENCON Technologies, Inc., *Phase II ESA Report, Subsurface Soil and Soil Gas Investigation, Multi-Tenant Commercial and Light Industrial Property 220, 222, and 234 Victoria Street, Costa Mesa, California 92627*, dated July 31, 2023; refer to Appendix D, *Hazardous Materials Documentation*.

4) Landslides?

No Impact. The project site and surrounding area is generally flat and, according to the Geotechnical Evaluation, the project site is not located within a State of California Seismic Hazard Zone for earthquake-induced landslides. Thus, no impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact.

Construction

As discussed in Section 4.10, *Hydrology and Water Quality*, the project site is greater than one acre in size, and would be required to obtain a General Construction Permit under the National Pollutant Discharge Elimination System (NPDES) program. The General Construction Permit requires the project Applicant to prepare and implement a stormwater pollution prevention plan (SWPPP), which would specify best management practices (BMPs) to be implemented during construction of the project to prevent erosion, minimize siltation impacts, and protect water quality. Pursuant to Municipal Code Section 8.32, *Control of urban runoff*, would require all new development and significant reconstruction within the City be undertaken in accordance with the Orange County Drainage Area Management Plan (DAMP). The DAMP outlines requirements that would ensure water quality and satisfy the NPDES permit regulations. Additionally, the proposed project has prepared a water quality management plan (WQMP) which would ensure the health of local bodies of waters through the management of stormwater runoff pollution prevention during construction and operations. Additionally, the proposed project would be subject to compliance with SCA HYD-1 through SCA HYD-3, which would ensure construction BMPs are implemented to minimize potential impacts to water quality. Construction activities would be required to comply with water quality best management practices (BMPs) as outlined in the WQMP. Compliance with applicable BMPs in the SWPPP and WQMP would ensure construction impacts on soil erosion and loss of topsoil are less than significant.

Operations

The proposed project would implement the DAMP and WQMP which overall site design, low impact development (LID), and hydromodification BMPs capable of minimizing stormwater pollutants of concern during project operations. Specifically, the WQMP would require the project to install six on-site storm drains that direct stormwater runoff flows into a modular wetland system unit to be treated. The treated water would than flow into the existing storm drain along Victoria Place. In the event of storm flows in excess of the design storm flows, runoff would bypass the MWS unit and be conveyed directly to the existing storm drain along Victoria Place. Other BMPs identified in the WQMP that helps prevent the loss of topsoil include common area landscape management, use of efficient irrigation systems/landscape design, smart controllers, source control to minimize runoff, and other non-structural and structural BMPs; refer to Appendix E, *Hydrology Report and WQMP*. Upon compliance with the NPDES, DAMP, as well as BMP identified for the project, impacts concerning substantial soil erosion and loss of topsoil would be less than significant.

Standard Conditions of Approval: Refer to Section 4.10, *Hydrology and Water Quality* for a discussion of SCA HYD-1 through SCA HYD-3.

Mitigation Measures: No mitigation measures are required.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact. Refer to Responses 4.7(a)(3), 4.7(a)(4), and 4.7(d) for a discussion concerning liquefaction, landslides and slope stability, and expansive soils.

Lateral Spreading

Lateral spreading is limited displacement ground failure, often associated with liquefaction. Lateral spreading is typically exemplified by the formation of vertical cracks on the surface of liquefied soils, and usually takes place on gently sloping ground or level ground with nearby free surface such as a drainage or stream channel. Given the project site is not located within a liquefaction zone, the probability of lateral spreading occurring during a seismic event is also considered to be unlikely. No impacts would occur in this regard.

Subsidence/Collapse

Subsidence can occur in various ways during an earthquake. Large areas of land can subside drastically during an earthquake because of offset along fault lines; land subsidence can also occur as a result of settling and compacting of unconsolidated sediment (i.e., settlement) from seismic shaking. Collapsible soils generally have loose soil structures that can greatly decrease in volume upon wetting, additional loading, or both. Soil collapse typically occurs due to the addition of water.

According to the Geotechnical Evaluation, it is anticipated that existing surficial soils may shrink approximately five to 10 percent when removed and replaced as compacted fill and subsidence is anticipated to be negligible. The Geotechnical Evaluation prepared for the project includes recommendations for adequate reinforcement of concrete flatwork, slabs, and hardscape to further reduce potential impacts associated with soil shrinkage. As required by Municipal Code Section 5-1, *Construction Codes Adopted*, the project is required to comply with the recommendations outlined in project-specific Geotechnical Evaluation (SCA GEO-1). Accordingly, upon compliance with Geotechnical Evaluation recommendations (SCA GEO-1), impacts would be less than significant.

Standard Conditions of Approval: Refer to SCA GEO-1.

Mitigation Measures: No mitigation measures are required.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. Expansive soils are those that undergo volume changes as moisture content fluctuates, swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking foundations, causing settlement, and distorting structural elements.

According to the Geotechnical Evaluation, on-site soils are anticipated to have a low expansion potential. Nonetheless, the Geotechnical Evaluation prepared for the project includes recommendations for adequate reinforcement of concrete flatwork, slabs, and hardscape to further reduce potential impacts associated with soil expansion potential. As required by Municipal Code Section 5-1, *Construction Codes Adopted*, the project is required to comply with the recommendations outlined in project-specific Geotechnical Evaluation (SCA GEO-1). As such, site-specific design recommendations identified in the Geotechnical Evaluation would be integrated in the project design plans (SCA GEO-1) and impacts would be less than significant in this regard.

Standard Conditions of Approval: Refer to SCA GEO-1.

Mitigation Measures: No mitigation measures are required.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. No septic tanks or alternative wastewater systems would be constructed as part of the project. No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact With Mitigation Incorporated. According to the Cultural Resources Assessment, the project site is located on Myford sandy loam that comprise of old Quaternary deposits dating to the late Pleistocene. Additionally, Holocene soils overlie these Pleistocene deposits. The Holocene-age deposits in the project site have low sensitivity. However, potential fossil-bearing units may be present in Pleistocene-age deposits. As such, ground-disturbing activities have the potential to destroy or otherwise adversely impact significant paleontological resources below young Holocene-age soils at unknown depths within the project site.

Based on the Geotechnical Evaluation, construction of the proposed project would require excavation of the fill below the existing grade surface. Thus, excavation during development of the project has the potential to extend into deposits with high paleontological sensitivity and has the potential to encounter undocumented scientifically significant paleontological resources. As such, the proposed project would implement Mitigation Measure GEO-1 and Mitigation Measure GEO-2. Mitigation Measure GEO-1 requires paleontological monitoring to be present if project construction occurs at depths that could encounter highly sensitive sediments for paleontological resources. Mitigation Measure GEO-2 provides procedures for construction workers to follow in the event of any fossil discovery to ensure grading is halted to assess the find for significance and any paleontological finds are properly excavated and preserved. With implementation of these mitigation measures, impacts in this regard would be reduced to less than significant levels.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures:

GEO-1 Prior to issuance of a grading permit and any ground-disturbing activities, the project applicant shall consult with a geologist or paleontologist to confirm whether anticipated grading would occur at depths that could encounter highly sensitive sediments for paleontological resources. If confirmed that underlying sediments may have high sensitivity, construction activity shall be monitored by a qualified paleontologist retained by the project applicant and a written Project Monitoring Plan (PMP) shall be submitted to the City of Costa Mesa's Director of Economic and Development Services for review and approval. The monitoring plan shall include monitor contact information, specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds. The paleontologist shall have the authority to halt construction during construction activity. Because the project area is immediately underlain by Holocene sediments (low sensitivity) and the depth of these sediments is unknown, spot-check monitoring shall be conducted to identify potential fossils and the lithological transition to Pleistocene sediments. If Pleistocene-aged sediments are discovered at depth, monitoring shall transition to full-time as ground-disturbing activities occur at or below this identified depth because these Pleistocene units have been identified as having high sensitivity for paleontological resources.

GEO-2 In the event of any fossil discovery, regardless of depth or geologic formation, construction work shall halt within a 50-foot radius of the find until a qualified paleontologist retained by the project applicant can determine its significance. Significant fossils shall be recovered, prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility in accordance with the standards of the Society of Vertebrate Paleontology (2010). The most likely repository is the Natural History Museum of Los Angeles County (NHMLAC). The repository shall be identified, and a curatorial arrangement shall be signed prior to the collection of the fossils.

4.8 GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

Global Climate Change

California is a substantial contributor of global greenhouse gases (GHGs), emitting approximately 371.1 million metric tons of carbon dioxide equivalent ($MMTCO_2e$) per year.[1] Methane (CH_4) is also an important GHG that potentially contributes to global climate change. GHGs are global in their effect, which is to increase the earth's ability to absorb heat in the atmosphere. As primary GHGs have a long lifetime in the atmosphere, accumulate over time, and are generally well-mixed, their impact on the atmosphere is mostly independent of the point of emission. Every nation emits GHGs and as a result makes an incremental cumulative contribution to global climate change; therefore, global cooperation will be required to reduce the rate of GHG emissions enough to slow or stop the human-caused increase in average global temperatures and associated changes in climatic conditions.

The impact of human activities on global climate change is apparent in the observational record. Air trapped by ice has been extracted from core samples taken from polar ice sheets to determine the global atmospheric variation of CO_2, CH_4, and nitrous oxide (N_2O) from before the start of industrialization (approximately 1750), to over 650,000 years ago. For that period, it was found that CO_2 concentrations ranged from 180 to 300 parts per million (ppm). For the period from approximately 1750 to the present, global CO_2 concentrations increased from a pre-industrialization period concentration of 280 to 379 ppm in 2005, with the 2005 value far exceeding the upper end of the pre-industrial period range. As of December 2024, the highest monthly average concentration of CO_2 in the atmosphere was recorded at 424.98 ppm.[2]

The Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. It concluded that a stabilization of GHGs at 400 to 450 ppm carbon dioxide equivalent (CO_2e)[3] concentration is required to keep global mean warming below 2 degrees Celsius (^oC), which in turn is assumed to be necessary to avoid dangerous climate change.

Regulatory Framework

Various Statewide and local initiatives to reduce the State's contribution to GHG emissions have raised awareness that, even though the various contributors to and consequences of global climate change are not yet fully understood, global climate change is under way, and there is a real potential for severe adverse environmental, social, and

1 California Air Resources Board, *California Greenhouse Gas Emissions for 2000 to 2022,* September 20, 2024, https://ww2.arb.ca.gov/sites/default/files/2024-09/nc-2000_2022_ghg_inventory_trends.pdf, accessed November 24, 2024.

2 Scripps Institution of Oceanography, *The Keeling Curve, Carbon Dioxide Concentration at Mauna Loa Observatory*, https://scripps.ucsd.edu/programs/keelingcurve/, accessed December 12, 2024.

3 Carbon Dioxide Equivalent (CO_2e) – A metric measure used to compare the emissions from various greenhouse gases based upon their global warming potential.

economic effects in the long term. Every nation emits GHGs and as a result makes an incremental cumulative contribution to global climate change; therefore, global cooperation is necessary to reduce the rate of GHG emissions enough to slow or stop the human-caused increase in average global temperatures and associated changes in climatic conditions.

State

Assembly Bill 32 (California Global Warming Solutions Act of 2006). California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32; California Health and Safety Code Division 25.5, Sections 38500 - 38599). AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and establishes a cap on Statewide GHG emissions. AB 32 requires that Statewide GHG emissions be reduced to 1990 levels by 2020. AB 32 specifies that regulations adopted in response to AB 1493 should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then CARB should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

Executive Order S-3-05. Executive Order S-3-05 set forth a series of target dates by which Statewide emissions of GHGs would be progressively reduced, as follows:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

Senate Bill 32. Signed into law on September 2016, Senate Bill (SB) 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030.

California Building Energy Efficiency Standards (Title 24). The *2022 Building Energy Efficiency Standards for Residential and Nonresidential Buildings* (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2023. In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2022 Title 24 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, strengthen ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Title 24.

CARB Scoping Plan. On December 11, 2008, CARB adopted its *Climate Change Scoping Plan* (Scoping Plan), which functions as a roadmap to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. CARB's Scoping Plan contains the main strategies California will implement to reduce CO_2e emissions by 174 million metric tons (MT), or approximately 30 percent, from the State's projected 2020 emissions level of 596 million $MTCO_2e$ under a business-as-usual (BAU)[4] scenario. This is a reduction of 42 million $MTCO_2e$, or almost ten percent, from 2002 to 2004 average emissions, but requires the reductions in the face of population and economic growth through 2020.

On December 15, 2022, CARB released the *2022 Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan), which identifies the strategies achieving carbon neutrality by 2045 or earlier. The 2022 Scoping Plan contains the GHG reductions, technology, and clean energy mandated by statutes. The 2022 Scoping Plan was developed to achieve

[4] Based on the Scoping Plan, "Business-as-Usual" (BAU) scenario refers to GHG emissions that would be expected to occur in the absence of existing reductions policies. Note that there is significant controversy as to what BAU means. In determining the GHG 2020 limit, CARB used the above as the "definition." It is broad enough to allow for design features to be counted as reductions.

carbon neutrality by 2045 through a substantial reduction in fossil fuel dependence, while at the same time increasing deployment of efficient non-combustion technologies and distribution of clean energy. The plan would also reduce emissions of short-lived climate pollutants (SLCPs) and would include mechanical CO_2 capture and sequestration actions, as well as emissions and sequestration from natural and working lands and nature-based strategies. Under 2022 Scoping Plan, by 2045, California aims to cut GHG emissions by 85 percent below 1990 levels, reduce smog-forming air pollution by 71 percent, reduce the demand for liquid petroleum by 94 percent compared to current usage, improve health and welfare, and create millions of new jobs. This plan also builds upon current and previous environmental justice efforts to integrate environmental justice directly into the plan, to ensure that all communities can reap the benefits of this transformational plan.

Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy. On September 3, 2020, the Regional Council of Southern California Association of Governments (SCAG) formally adopted the *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments – Connect SoCal* (2020-2045 RTP/SCS). The SCS portion of the 2020-2045 RTP/SCS highlights strategies for the region to reach the regional target of reducing GHGs from autos and light-duty trucks by 8 percent per capita by 2020, and 19 percent by 2035 (compared to 2005 levels). Specially, these strategies are:

- Focus growth near destinations and mobility options;
- Promote diverse housing choices;
- Leverage technology innovations;
- Support implementation of sustainability policies; and
- Promote a green region.

Furthermore, the 2020-2045 RTP/SCS discusses a variety of land use tools to help achieve the state-mandated reductions in GHG emissions through reduced per capita vehicle miles traveled (VMT). Some of these tools include center focused placemaking, focusing on priority growth areas, job centers, transit priority areas, as well as high quality transit areas and green regions.

The most recent RTP/SCS (Connect SoCal 2024) was approved by SCAG's Regional Council in April 2024. Connect SoCal 2024 outlines a vision for a more resilient and equitable future, with investment, policies, and strategies for achieving the region's shared goals through 2050. Connect SoCal 2024 sets forth a forecasted regional development pattern which, when integrated with the transportation network, measures, and policies, will reduce GHG emissions from automobiles and light-duty trucks and achieve the GHG emissions reduction target for the region set by the CARB. In addition, Connect SoCal 2024 is supported by a combination of transportation and land use strategies that outline how the region can achieve California's GHG-emission-reduction goals and federal Clean Air Act requirements. These are articulated in a set of Regional Strategic Investments, Regional Planning Policies, and Implementation Strategies. The Regional Planning Policies are a resource for County Transportation Commissions (CTCs) and local jurisdictions, who can refer to specific policies to demonstrate alignment with the RTP/SCS when seeking resources from State or federal programs. The Implementation Strategies articulate priorities for SCAG efforts in fulfilling or going beyond the Regional Planning Policies.

Thresholds of Significance

Global CO_2 emissions from all sectors have significantly increased since 1850. Much of this increase has resulted from increased fossil fuel consumption and industrial emissions. Agriculture, deforestation, and other land-use changes have been the second-largest contributors.[5] As a result, the study area for climate change and the analysis of GHG emissions is broad. However, the study area is also limited by CEQA Guidelines Section 15064.4(b), which directs

[5] U.S. Environmental Protection Agency, Global *Greenhouse Gas Emissions Overview*, https://www.epa.gov/ghgemissions/global-greenhouse-gas-emissions-data, accessed November 24, 2024.

lead agencies to consider an "indirect physical change" only if that change is a reasonably foreseeable impact, which may be caused by the project.

CEQA Guidelines Section 15064.4 recommends that lead agencies quantify GHG emissions of projects and consider several other factors that may be used in the determination of significance of GHG emissions from a project, including the extent to which the project may increase or reduce GHG emissions; whether a project exceeds an applicable significance threshold; and the extent to which the project complies with regulations or requirements adopted to implement a plan for the reduction or mitigation of GHG emissions.

However, CEQA Guidelines Section 15064.4 does not establish a threshold of significance. CEQA Guidelines Section 15064.6 provides lead agencies the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies or suggested by other experts, if any threshold chosen is supported by substantial evidence. The City of Costa Mesa has not adopted a numerical significance threshold or climate action plan (CAP). Similarly, the South Coast Air Quality Management District (SCAQMD), the Governor's Office of Planning and Research (OPR), CARB, California Air Pollution Control Officers Association (CAPCOA), or any other State or applicable regional agency has yet to adopt a numerical significance threshold for assessing GHG emissions that is applicable to the project. The SCAQMD formed a GHG CEQA Significance Threshold Working Group (Working Group) to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents, and was proposing to adopt a tiered approach for evaluating GHG emissions for development projects where SCAQMD is the lead agency as of the last Working Group meeting (Meeting No.15) held in September 2010.[6] However, the proposed threshold was based on the State's GHG emissions reduction goal identified in AB 32 for the year 2020, which has been outdated, and SCAQMD never adopted the threshold.

Impacts of climate change are experienced on a global scale regardless of the location of GHG emission sources, and therefore, numerical significance threshold for individual development projects is speculative. Throughout the State, air districts are moving from numerical significance threshold to qualitative significance threshold that focuses on project features to reduce GHG emissions or consistency with GHG reduction plans. For example, in the Bay Area Air Quality Management District (BAAQMD) 2022 CEQA Guidelines, the GHG thresholds of significance are either whether land use projects include certain project design elements related to buildings and transportation or whether the project is consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b). This is a major update to BAAQMD's 2017 CEQA Guidelines, where a numerical significance threshold was required. To reduce GHG emissions impact, it is more effective for development projects to include project features that directly or indirectly reduce GHG emissions, than relying on a numerical significance threshold, which highly depends on the type and size of the development.

Therefore, the significance of the project's potential impacts regarding GHG emissions and climate change will be assessed solely on its consistency with plans and policies adopted for the purposes of reducing GHG emissions and mitigating the effects of climate change and the project's ability to incorporate sustainable features and strategies in its design to reduce GHG emissions. The analysis has also quantified the project's GHG emissions for informational purposes.

[6] South Coast Air Quality Management District, *Board Letter – Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans*, December 5, 2008.

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact.

Project-Related Sources of Greenhouse Gases

Project-related GHG emissions include emissions from direct and indirect sources. The proposed project would result in direct and indirect emissions of CO_2, N_2O, and CH_4, and would not result in other GHGs that would facilitate a meaningful analysis. Therefore, this analysis focuses on these three forms of GHG emissions. Direct project-related GHG emissions include emissions from construction activities, area sources, mobile sources, and refrigerants, while indirect sources include emissions from energy consumption, water demand, and solid waste generation. The amount of GHG emissions that would be attributable to the project is calculated using the California Emissions Estimator Model (CalEEMod) version 2021.1.

CalEEMod relies upon trip generation rates and project specific land use data to calculate emissions. The vehicle emission factors were CalEEMod default values for Orange County in the project's buildout year. Project-generated trips are based on the *Victoria Place Project, City of Costa Mesa, VMT Screening Analysis* (VMT Screening Analysis), prepared by Michael Baker International, and dated December 20, 2024. Based on the VMT Screening Analysis, the project would generate approximately 298 trips, without taking trip credits form the existing uses. As a conservative analysis, emissions from existing uses on-site were not modeled or deducted from project-generated emissions. Table 4.8-1, *Estimated Greenhouse Gas Emissions*, presents the estimated CO_2, N_2O, and CH_4 emissions of the proposed project. The CalEEMod outputs are contained within the Appendix A, *Air Quality/ Greenhouse Gas Emissions /Energy Data*.

Table 4.8-1
Estimated Greenhouse Gas Emissions

Source	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
	Metric Tons/year[1]				
Direct GHG Emissions					
Construction (amortized over 30 years)	10.23	< 0.005	< 0.005	< 0.005	10.33
Mobile Source	309.00	0.02	0.01	0.48	314.00
Area Source	0.69	< 0.005	< 0.005	0.00	0.69
Refrigerant	0.00	0.00	0.00	0.09	0.09
Total Direct Emissions	*319.92*	*0.02*	*0.01*	*0.57*	*325.11*
Indirect GHG Emissions					
Energy	126.00	0.01	< 0.005	0.00	126.00
Water	8.27	0.05	< 0.005	0.00	9.88
Solid Waste	2.82	0.28	0.00	0.00	9.86
Total Indirect Emissions	*137.09*	*0.34*	*0.00*	*0.00*	*145.74*
Total Project-Related Emissions[2]	*471.85 $MTCO_2e$/year*				

Notes: CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxides, $MTCO_2e$/yr = metric tons of carbon dioxide equivalent per year
1. Emissions were calculated using CalEEMod version 2022.1, as recommended by the SCAQMD.
2. Totals may be slightly off due to rounding.

Direct Project-Related Sources of Greenhouse Gases

Construction Emissions. Construction GHG emissions are typically summed and amortized over the lifetime of the project (assumed to be 30 years), then added to the operational emissions.[7] As shown in Table 4.8-1, the proposed project would result in 10.33 $MTCO_2e$ when amortized over 30 years (310 $MTCO_2e$ total).

Area Source. Area source emissions were calculated using CalEEMod and project-specific land use data. Project-related area sources include exhaust emissions from landscape maintenance equipment. According to the project Applicant, 100 percent of landscaping equipment would be electric. However, as a conservative analysis, this is not accounted for in the modeling. Nonetheless, the project would directly result in 0.69 $MTCO_2e$ per year from area source emissions; refer to Table 4.8-1.

Mobile Source. As previously discussed, the project is anticipated to generate approximately 298 average daily trips, without taking trips credits from the existing uses. The project would directly result in 314.00 $MTCO_2e$ per year of mobile source-generated GHG emissions; refer to Table 4.8-1.

Refrigerants. Refrigerants are substances used in equipment for air conditioning and refrigeration. Most of the refrigerants used today are hydrofluorocarbons (HFCs) or blends thereof, which can have high global warming potential (GWP) values. All equipment that uses refrigerants has a charge size (i.e., quantity of refrigerant the equipment contains), and an operational refrigerant leak rate, and each refrigerant has a GWP that is specific to that refrigerant. CalEEMod quantifies refrigerant emissions from leaks during regular operation and routine servicing over the equipment lifetime, and then derives average annual emissions from the lifetime estimate. The proposed project would result in 0.09 $MTCO_2e$ per year of GHG emissions from refrigerants; refer to Table 4.8-1.

Indirect Project-Related Sources of Greenhouse Gases

Energy Consumption. Energy consumption emissions were calculated using the CalEEMod model and project specific land use data. On-site electricity would be provided by Southern California Edison (SCE). It is acknowledged that the proposed project would possibly be all electric, since as of July 2024, SCE is requesting "only electric" on-site to participate in new future service. Additionally, the project would also install high efficiency lighting, energy efficient appliances, and exceed Title 24 Standards. However, as a conservative analysis, these project design features (all electric development, high efficiency lighting, energy efficient appliances, and exceeding Title 24 Standards) were not accounted for in the modeling. The project would indirectly result in 126.00 $MTCO_2e$/year GHG emissions due to energy consumption; refer to Table 4.8-1.

Solid Waste. Solid waste emissions associated with operations of the project were calculated using the CalEEMod model and project-specific land use data. Per AB 341, the project would be required to reduce, recycle, or compost at least 50 percent of the solid waste generated. However, as a conservative analysis, this is not accounted for in the modeling. Solid waste associated with operations of the proposed project would result in 9.86 $MTCO_2e$ per year; refer to Table 4.8-1.

Water Demand. The proposed project would include various features that would reduce water consumption which includes low-flow water fixtures, water-efficient irrigation and drought tolerant landscaping. However, as a conservative analysis, these features were not accounted for in the modeling. Emissions from indirect energy impacts due to water supply would result in 9.88 $MTCO_2e$ per year; refer to Table 4.8-1.

[7] The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold,* October 2008).

Total Project-Related Sources of Greenhouse Gases

As shown in Table 4.8-1, the total amount of proposed project-related GHG emissions from direct and indirect sources combined would total 471.85 $MTCO_2e$ per year. As previously stated, the project's GHG impacts are evaluated by assessing the project's consistency with applicable GHG reduction plans and strategies, as discussed below.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. The GHG plan consistency analysis for the project is based on the project's consistency with the SCAG's 2020-2045 RTP/SCS and CARB's 2022 Scoping Plan. The 2020-2045 RTP/SCS incorporates local land use projections and circulation networks in city and county general plans. The 2022 Scoping Plan describes the approach California will take to reduce GHG emissions by 40 percent below 1990 levels by the year 2030.

Consistency with the SCAG 2020-2045 RTP/SCS.

As previously mentioned, the latest 2024-2050 RTP/SCS (Connect SoCal 2024) was adopted on April 4, 2024. However, CARB concluded that the technical methodology SCAG used to quantify the GHG emission reductions for the Connect SoCal 2024 does not operate accurately.[8] SCAG resubmitted the Sustainable Communities Strategy (SCS) Submittal Package for CARB's review in June 2024. Review by CARB is limited to acceptance or rejection of SCAG's determination that its SCS would, if implemented, achieve the region's GHG emission reduction target. If CARB rejects SCAG's determination of meeting the GHG emission target, SCAG would need to revise the SCS or adopt an alternative planning strategy demonstrating the ability to achieve the target. As such, until CARB makes the decision, Connect SoCal 2024 is not a fully adopted document and is potentially subject to further updates, especially from the GHG reduction perspective of the methods and assumptions of the calculation of Auto Operating Costs (AOC)[9], induced travel, electric vehicle incentives, job center parking and parking deregulation, off-model strategy assumptions, and emissions factors. As CARB has not made the decision at the time of preparation of this document, the consistency analysis relies upon the 2020-2045 RTP/SCS. Table 4.8-2, *Project Consistency with 2020-2045 RTP/SCS*, provides a consistency analysis of the project with the five key SCS strategies found within the 2020-2045 RTP/SCS that are intended to help the region meet its regional VMT and GHG reduction goals, as required by the State. As shown therein, the proposed project would be consistent with the GHG emission reduction strategies contained in the 2020-2045 RTP/SCS.

Table 4.8-2
Project Consistency with 2020-2045 RTP/SCS

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
Focus Growth Near Destinations and Mobility Options		
• Emphasize land use patterns that facilitate multimodal access to work, educational and other destinations.	Center Focused Placemaking,	Consistent. The proposed project would construct a residential development near the existing residential and commercial developments. The proposed project would facilitate multimodal

[8] California Air Resources Board, *RE: CARB Review of Southern California Association of Governments' 2024 SCS Senate Bill 375 Greenhouse Gas Emissions Draft Technical Methodology*, March 29, 2024, https://ww2.arb.ca.gov/sites/default/files/2024-04/SCAG%20memo%20final.pdf, accessed December 3, 2024.

[9] AOC is used as key variable across several major model components of the travel demand model, such as vehicle ownership, destination choice, and mode choice. This parameter represents the expenses associated with the usage of vehicles, expressed in cents per mile or dollar per mile. AOC plays a pivotal role as a fundamental parameter within the travel demand model.

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
	Priority Growth Areas (PGA), Job Centers, High Quality Transit Areas (HQTAs), Transit Priority Areas (TPA), Neighborhood Mobility Areas (NMAs), Livable Corridors, Spheres of Influence (SOIs), Green Region, Urban Greening.	access to work through its proximity to existing public transportation and installation of short-term bicycle parking. Specifically, the proposed project would be located within one mile of the existing bus stops located along Newport Boulevard serviced by the Orange County Transportation Authority (OCTA). The proposed project would also include bicycle parking which would encourage alternative mode of transportation. Additionally, it should be noted that the proposed project would increase pedestrian connectivity by install a new public sidewalk along the Victoria Place frontage. As such, the project would be consistent with this strategy.
• Focus on a regional jobs/housing balance to reduce commute times and distances and expand job opportunities near transit and along center-focused main streets.		Consistent. The proposed residential development would be located near the existing commercial uses located along Newport Boulevard. As such, the project would increase residential uses near the existing commercial uses and other developments near the surrounding major streets. Thus, the project is consistent with this strategy.
• Plan for growth near transit investments and support implementation of first/last mile strategies.		Consistent. A TPA is defined as a half mile area around an existing major transit stop or along a high-quality transit corridor (HQTC). Pursuant to Assembly Bill 2553, a major transit stop is defined as a site which has two or more major bus routes with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods. A HQTC is defined as a corridor with a fixed bus route with service intervals of no longer than 15 minutes during peak commute hours. The project site is located within an TPA; refer to Section 4.17, *Transportation*. Additionally, the proposed project is located within proximity to existing bus stops serviced by the OCTA. Therefore, the proposed project would be consistent with the Sustainable Communities Strategy as the proposed development would be near transit. As such, the project is consistent with this strategy.
• Promote the redevelopment of underperforming retail developments and other outmoded nonresidential uses.		Consistent. The project would replace the existing underperforming commercial use with residential use. As such, the development of the proposed project would revitalize underutilized/underperforming retail space with new residential uses. As such, the project is consistent with this strategy.
• Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods.		
• Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations).		Consistent. The proposed project would include bicycle parking spaces which would encourage guests to utilize biking as an alternative mode of transportation. The project would also include vanpool/carpool parking spaces and would be located less than one mile from multiple bus stops serviced by the OCTA. Additionally, the installation of a new public sidewalk along Victoria Place frontage would encourage walking and cycling as alternative modes of transportation. As such, the proposed

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
		project would include features that would reduce solo car trips and would be located near existing destinations (residential and commercial destinations) and is consistent with this strategy.
• Identify ways to "right size" parking requirements and promote alternative parking strategies (e.g. shared parking or smart parking).		Consistent. The proposed project would provide a total of 103 parking stalls which would be less than the required 120 parking stalls pursuant of Municipal Code Section 13-85, *Parking Required*. As such, the proposed project is consistent with this strategy.
Promote Diverse Housing Choices		
• Preserve and rehabilitate affordable housing and prevent displacement.	PGA, Job Centers, HQTAs, NMA, TPAs, Livable Corridors, Green Region, Urban Greening.	Not Applicable. The proposed project would not displace existing affordable housing but replace the existing underperforming retail use with residential uses. As such, this strategy is not applicable.
• Identify funding opportunities for new workforce and affordable housing development.		Not Applicable. This strategy only pertains to governmental agencies and would not be applicable to development projects.
• Create incentives and reduce regulatory barriers for building context sensitive accessory dwelling units to increase housing supply.		Not Applicable. This strategy only pertains to governmental agencies and would not be applicable to development projects.
Leverage Technology Innovations		
• Promote low emission technologies such as neighborhood electric vehicles, shared rides hailing, car sharing, bike sharing and scooters by providing supportive and safe infrastructure such as dedicated lanes, charging and parking/drop-off space.	HQTA, TPAs, NMA, Livable Corridors.	Consistent. As previously discussed, the project would provide bicycle and vanpool/carpool parking spaces. The project would also provide electric charging facilities within the garage spaces consistent with the Title 24 standards. Therefore, the project would encourage guests to use alternate mode of transportation and carpool, thus reducing overall VMT. As such, the proposed project would be consistent with this strategy.
• Improve access to services through technology—such as telework and telemedicine as well as other incentives such as a "mobility wallet," an app-based system for storing transit and other multi-modal payments.		Not Applicable. This strategy focuses on SCAG's support on technology which may reduce VMT or allow for easier access to transportation options.
• Identify ways to incorporate "micro-power grids" in communities, for example solar energy, hydrogen fuel cell power storage and power generation		Not Applicable. This strategy focuses on SCAG's support on promoting "micro-power grids".
Support Implementation of Sustainability Policies		
• Pursue funding opportunities to support local sustainable development implementation projects that reduce greenhouse gas emissions	Center Focused Placemaking, PGA, Job Centers, HQTAs, TPA,	Consistent. While this strategy is focused on local governments, agencies, and organizations' actions to support the implementation of sustainability policies, the project would participate in opportunities provided by these agencies that would support sustainability. As such, the project is consistent with this strategy.

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
• Support statewide legislation that reduces barriers to new construction and that incentivizes development near transit corridors and stations	NMAs, Livable Corridors, SOIs, Green Region, Urban Greening.	Not Applicable. This strategy focuses on SCAG's support on statewide legislation.
• Support local jurisdictions in the establishment of Enhanced Infrastructure Financing Districts (EIFDs), Community Revitalization and Investment Authorities (CRIAs), or other tax increment or value capture tools to finance sustainable infrastructure and development projects, including parks and open space		Not Applicable. This strategy focuses on SCAG's support on statewide legislation.
• Work with local jurisdictions/ communities to identify opportunities and assess barriers to implement sustainability strategies		Consistent. The project would work alongside the City of Costa Mesa and SCE in implementing required sustainability programs and/or optional rebate programs. As such, the project is consistent with this strategy.
• Enhance partnerships with other planning organizations to promote resources and best practices in the SCAG region		Not Applicable. This strategy focuses on SCAG's support with local planning organizations.
• Continue to support long range planning efforts by local jurisdictions		Not Applicable. This strategy focuses on SCAG's support with local planning organizations.
Promote a Green Region		
• Support development of local climate adaptation and hazard mitigation plans, as well as project implementation that improves community resiliency to climate change and natural hazards	Green Region, Urban Greening, Greenbelts and Community Separators.	Not Applicable. This strategy focuses on SCAG's support with local planning organizations.
• Support local policies for renewable energy production, reduction of urban heat islands and carbon sequestration		Consistent. As discussed above, the proposed project would include solar ready roofs. Additionally, the proposed project would include landscaping which would reduce the urban heat island effect. As such, the project is consistent with this strategy.
• Integrate local food production into the regional landscape		Not Applicable. This strategy focuses on incorporation of food production (community gardens).
• Promote more resource efficient development focused on conservation, recycling and reclamation		Consistent. The proposed project would incorporate design features focused on sustainability and conservation such as low flow water fixtures, high efficiency lighting, and energy efficient appliances. The project would also comply with local and regional regulations for recycling and composting. As such, the project is consistent with this strategy.
• Preserve, enhance and restore regional wildlife connectivity		Not Applicable. The project is located within an urbanized and built environment.

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
• Reduce consumption of resource areas, including agricultural land		Not Applicable. The project is located within an urbanized and built environment. Project development would not remove any agricultural land.
• Identify ways to improve access to public park space		Not Applicable. This strategy focuses on SCAG's cooperation with local agencies in supporting accessibility public parks.
Source: Southern California Association of Governments, *2020-2040 Regional Transportation Plan/Sustainable Communities Strategy – Connect SoCal*, September 3, 2020.		

Consistency with the 2022 CARB Scoping Plan

The 2022 Scoping Plan identifies reduction measures necessary to achieve the goal of carbon neutrality by 2045 or earlier. Actions that reduce GHG emissions are identified for each AB 32 inventory sector. Provided in Table 4.8-3, *Consistency with the 2022 Scoping Plan*, is an evaluation of applicable reduction actions/strategies by emissions source category to determine how the project would be consistent with or exceed reduction actions/strategies outlined in the 2022 Scoping Plan.

Table 4.8-3
Consistency with the 2022 Scoping Plan

Actions and Strategies	Project Consistency Analysis
Smart Growth / Vehicles Miles Traveled (VMT)	
Reduce VMT per capita to 25% below 2019 levels by 2030, and 30% below 2019 levels by 2045	Consistent. As discussed above, the project site is located within an TPA, and the proposed project is located within proximity to existing bus stops serviced by the OCTA. In addition, the proposed development would construct residential buildings near existing residential and commercial uses. As such, the project's proximity to existing public transit and destinations and design features (reduced parking and bicycle facilities) would reduce overall VMT.
New Residential and Commercial Buildings	
All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030	Consistent. The project is not expected to consist of natural gas heating and/or cooking on-site.
Construction Equipment	
Achieve 25% of energy demand electrified by 2030 and 75% electrified by 2045	Not Applicable. It should be noted that project construction would be completed prior to 2030. As such, the project would not be required to have 25 percent of construction equipment energy demand electrified. Additionally, the City of Costa Mesa has not adopted an ordinance or program requiring electricity-powered construction equipment which would be consistent with the 2022 Scoping Plan. However, if such programs or ordinance is adopted in the future, the project would be required to comply with the applicable goals or policies requiring the use of electric construction equipment in the future.
Non-combustion Methane Emissions	
Divert 75% of organic waste from landfills by 2025	Consistent. SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste to a 75 percent reduction by 2025. The law establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025. The project would comply with local and regional regulations and recycle or compost 75 percent of waste by 2025 pursuant to SB 1383.
Source: California Air Resources Board, *2022 Scoping Plan*, November 16, 2022.	

In summary, the plan consistency analysis provided above demonstrates that the proposed project complies with or exceeds the plans, policies, regulations and GHG reduction actions/strategies outlined in the SCAG's 2020-2045 RTP/SCS and CARB's 2022 Scoping Plan. Therefore, the project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of GHGs, and project-specific impacts regarding GHG emissions would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4.9 HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		✓		
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			✓	
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		✓		
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓

This section is primarily based upon the following studies; refer to Appendix D, *Hazardous Materials Documentation*:

- *Phase I Environmental Site Assessment, Commercial Property 236 Victoria Place, Costa Mesa, California 92627* (236 Victoria Phase I ESA), prepared by ENCON Technologies, Inc., dated December 20, 2023.
- *Phase I Environmental Site Assessment, Multi-Tenant Commercial, Industrial, and Residential Property 220, 222, and 234 Victoria Street, Costa Mesa, California 92627* (220-234 Victoria Phase I ESA), prepared by ENCON Technologies, Inc., dated June 15, 2023.
- *Phase II ESA Report, Subsurface Soil and Soil Gas Investigation, Multi-Tenant Commercial and Light Industrial Property 220, 222, and 234 Victoria Street, Costa Mesa, California 92627* (220-234 Victoria Phase II ESA), prepared by ENCON Technologies, Inc., dated July 31, 2023.

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact.

CONSTRUCTION

Project construction could expose construction workers and the public to temporary hazards related to the transport, use, and maintenance of construction equipment and/or materials (i.e., oil, diesel fuel, and transmission fluids). However, these activities would be short-term in nature, and the materials used would not be in such quantities, or stored in such a manner, as to pose a significant safety hazard. All project construction activities would be required to demonstrate compliance with the applicable laws and regulations governing the use, storage, and transportation of hazardous materials, ensuring that all potentially hazardous materials are used and handled in an appropriate manner. Therefore, impacts concerning the routine transport, use, or disposal of hazardous materials during project construction would be less than significant.

OPERATIONS

Hazardous materials are not typically associated with residential uses. Anticipated hazardous materials use during project operations may include minor cleaning products and the occasional use of pesticides and herbicides for landscape maintenance. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner, and would minimize the potential for safety impacts to occur. As such, impacts concerning the routine transport, use, or disposal of hazardous materials during project operations would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. One of the means through which human exposure to hazardous substance could occur is through accidental release. Incidents that result in an accidental release of hazardous substance into the environment can cause contamination of soil, surface water, and groundwater, in addition to any toxic fumes that might be generated. Human exposure of contaminated soil, soil vapor, or water can have potential health effects on a variety of factors, including the nature of the contaminant and the degree of exposure.

Construction

Construction Equipment

During project construction, there is a possibility of accidental release of hazardous substances such as petroleum-based fuels or hydraulic fluids used for construction equipment. The level of risk associated with the accidental release of these hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction. The construction contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any construction equipment-related materials released are appropriately contained and remediated as required by local, State, and federal law. However, demolition of existing on-site structures could result in the accidental release of hazardous materials. Further, proposed grading activities could result in accidental conditions associated with existing hazardous substances in on-site soils.

Demolition of Building Materials

The project proposes the demolition of existing on-site structures. Given that the buildings on-site were constructed between 1954 through 1985, there is the potential for asbestos-containing materials (ACMs) and lead-based paint (LBP) in on-site building materials. The demolition of such materials on-site could potentially expose construction personnel and the public to ACMs or LBPs. Demolition activities would be required to be conducted in accordance with existing Federal and State regulations which govern the demolition/renovation of structures where these hazardous building materials are present. Specifically, the National Emission Standards for Hazardous Air Pollutants (NESHAP) establishes that building owners conduct an asbestos survey to determine the presence of ACMs prior to the commencement of any remedial work, including demolition. Additionally, asbestos removal would be required to be performed in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403, and LBP removal and disposal would be required to be performed in accordance with California Code of Regulations (CCR) Title 8, Section 1532.1. Upon compliance with all applicable Federal and State regulations, impacts pertaining to the potential release of ACMs and LBPs during demolition would be reduced to less than significant levels.

Removal of Existing Hazardous Materials/Substances

Project construction would include removal of the existing on-site materials that may involve hazardous substances/materials, given the existing uses present at the project site (e.g. boat servicing/washing and battery storage). All project construction activities would be required to demonstrate compliance with the applicable laws and regulations, including those governing the handling, transport, and disposal of hazardous materials/substances during clearing activities. Compliance with existing laws and regulations would ensure that all potentially hazardous materials are handled, transported, and disposed of in an appropriate manner. Therefore, impacts concerning the removal of existing on-site materials during project site clearing activities would be less than significant.

Grading Activities

Grading activities could result in accidental conditions involving existing hazardous substances in on-site soils. According to the 220-234 Victoria Phase II ESA, the following on-site activities have impacted limited areas of shallow soils at the project site.

- Boat Storage, Boat Wash, and Repair Services. 220 Victoria Place includes boat storage and repair services from 1970 to present time. Boat storage and repair service activities (particularly involving the use of paint and parts cleaning) has resulted in volatile organic compounds (VOCs), chlorinated solvents, and petroleum hydrocarbons waste oil materials in areas of soil at these locations.

- Chemical Drum Storage Area. Approximately eight to ten 55-galllon drums are currently being used for storage purposes on-site in association with on-site boat repairs and maintenance operations at 220 Victoria Place. Storage of these materials has result in limited releases in on-site soils at these locations.

Based on the 220-234 Victoria Phase II ESA, these areas of limited releases to on-site soils were below regulatory screening levels for the existing uses at the project site. However, the proposed project would disturb these materials during site grading activities, which could expose construction workers to these hazardous substances in on-site soils. As such, the project would be required to implement Mitigation Measure HAZ-1, which requires the implementation of a Soil Management Plan (SMP) during grading activities. The SMP would provide guidance on measures for managing soils during site grading activities. Soil management measures would include soil sampling for potential contaminated soils. In the event that contaminated soils are encountered, testing to determine contamination levels before the import, export, or re-use of the soil for residential purposes. For any contaminated soils that exceed existing Federal, State, and/or local human health screening levels, the soil shall be disposed off-site in accordance with applicable Federal, State, and local regulations.

Conclusion

Overall, construction activities would be conducted in accordance with local, State, and federal law standards, and it is not anticipated that construction equipment, historical on-site uses, on-site infrastructure and debris, or off-site listed facilities would result in significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials. With compliance with Mitigation Measure HAZ-1, as well as existing laws and regulations, impacts in this regard would be reduced to less than significant levels.

Operations

Refer to Response 4.9(a) for a description of impacts related to proposed operations at the project site. Upon adherence to existing regulations related to hazards and hazardous materials safety, impacts pertaining to the potential for accidental conditions during project operations would be less than significant.

Soil Vapor Intrusion

The proposed project would change existing on-site land uses from commercial to residential uses. Based on the Phase II ESA, existing releases to soil and soil gas present in limited areas of the project site could result in accidental conditions involving existing on-site soils as well as the release of soil gas into on-site residential structures during project operations. However, the project would be required to comply with Mitigation Measure HAZ-1, which would require the proper characterization of on-site soils during site grading, as well as the proper reuse or disposal at an appropriate landfill facility. Such management of on-site soils during grading activities would remove soils that present a concern with residential uses at the project site. With compliance of Mitigation Measure HAZ-1, proper use of on-site soils for future residential use would be minimized and impacts associated with accidental conditions from existing on-site soil and soil gas would be reduced to less than significant levels.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures:

HAZ-1 Prior to issuance of a grading permit, the contractor shall retain a qualified environmental professional with Phase II/Site Characterization experience, to be approved by the City's Department of Public Works City Engineer, to prepare a Soil Management Plan (SMP). The SMP shall be made available to the contractor, construction workers, and the City Engineer for use during grading/excavation activities. The SMP shall include guidelines for safety measures and soil management in the event that soils are to be disturbed, and for handling soil during any planned earthwork activities. The SMP shall also include a decision framework and specific risk management measures for managing soil, including any soil import/export activities, in a manner protective of human health and consistent with applicable regulatory requirements. During the grading phase, the qualified professional shall conduct soil sampling and monitor soil conditions. In the event where contaminated soil is discovered, the qualified professional shall take a sample and coordinate laboratory testing to determine contamination levels before the import, export, or re-use of the soil for residential purposes. Should any soil samples identify contamination levels in exceedance of existing Federal, State, and/or local human health screening levels for residential uses, the soil shall be disposed off-site by a licensed hazardous waste hauler in accordance with applicable Federal, State, and local regulations.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. The closest school to the project site is the College Park Elementary School located at 2380 Notre Dame Road, approximately 0.50 miles to the north. As the proposed project is not located within a quarter mile from an existing or proposed school, no impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. Government Code Section 65962.5 requires the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB) to compile and update a regulatory sites list (pursuant to the criteria of the Section). The California Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Health and Safety Code Section 116395. Government Code Section 65962.5 requires the local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste.

According to the California Environmental Protection Agency, the project site is not listed pursuant to Government Code Section 65962.5.[1] Thus, no impact would result in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Less Than Significant Impact. The nearest airport to the project site is the John Wayne Airport, located approximately two miles to the northeast. According to the *Airport Environs Land Use Plan for John Wayne Airport* (AELUP), amended as of April 17, 2008, the project site is located outside of the Airport Impact Zones and Airport Safety Zones.[2] However, the project is within the AELUP Notification Area and Federal Aviation Regulation Part 77 Notification Area. The Airport Land Use Commission (ALUC) has adopted FAR Part 77 as the criteria for determining height restrictions in Orange County. Any project that would be more than 200 feet in height above the ground level is required to notify the Federal Aviation Administration (FAA), pursuant to FAR Part 77 Section 77.13. As the proposed project is less than 200 feet in height, the project would not exceed the FAA notification requirements. Nonetheless, as the proposed project is located within the ALUC planning boundaries and anticipated discretionary approvals would include a General Plan Amendment, the proposed project would be required to comply with California Public Utilities Code Section 21676(b). California Public Utilities Code Section 21676(b) requires local agencies to refer the proposed discretionary approval to the ALUC. Following compliance with the aforementioned State regulations, the proposed project would not introduce a safety hazard associated with airport operations. Additionally, the project site is not located within the vicinity of a private airstrip or related facilities. Less than significant impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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1 California Environmental Protection Agency, *Cortese Listing*, https://calepa.ca.gov/sitecleanup/corteselist/, accessed November 25, 2024.

2 Orange County Airport Land Use Commission, *Airport Environs Land Use Plan for John Wayne Airport*, amended April 17, 2008.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact With Mitigation Incorporated. As shown on General Plan Safety Element Figure S-9, *Public Safety Facilities and Emergency Evacuation Routes*, the nearest designated emergency evacuation route is along Harbor Boulevard, approximately 0.50 miles to the west of the project site. Construction activities would not result in any lane closures along Harbor Boulevard. Additionally, construction staging would occur within the boundaries of the project site and would not interfere with emergency access along Victoria Place, Newport Boulevard, or Victoria Street. However, the proposed project would require street improvements (i.e., installation of new sidewalk/curb and driveways, landscaping, and utility connections along the project's frontage) in accordance with City standards. These improvements would occur in the northern portion of Victoria Place right-of-way. As such, construction activities would temporarily impact rights-of-way (e.g., through partial lane closures). As discussed in Response 4.17(a), Standard Condition of Approval (SCA) TRA-1 and Mitigation Measure TRA-1 would require a Construction Management Plan (CMP) and Traffic Management Plan be prepared and implemented to ensure traffic flow and emergency access are maintained during the construction phase. As stated, the CMP and TMP would include information detailing proposed signage, lane closures, flag persons, among others.

The proposed project would not cause any permanent alterations to vehicular circulation routes and/or patterns or obstruct public access or travel. At project completion, the project site would be accessed via two driveways along Victoria Place. Both driveways would connect to internal drive aisles that provide access to the proposed residential community. The driveways and internal drive aisles would provide adequate space for emergency vehicles access. Specifically, the open flex space would provide adequate curb return radii for emergency vehicles (i.e., fire engines); refer to Response 4.17(c).

Overall, with implementation of SCA TRA-1 and Mitigation Measure TRA-1, project development would not result in inadequate emergency access or interfere with any adopted emergency response plan or emergency evacuation plan. Impacts in this regard would be less than significant.

Standard Conditions of Approval: Refer to SCA TRA-1.

Mitigation Measures: Refer to Mitigation Measure TRA-1.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. Refer to Response 4.20(a).

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4.10 HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			✓	
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
1) Result in substantial erosion or siltation on- or off-site?			✓	
2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			✓	
3) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	
4) Impede or redirect flood flows?			✓	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✓
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✓

This section is primarily based upon the following technical studies included in Appendix E, *Hydrology Report and WQMP* and Appendix C, *Geotechnical Evaluation*:

- *Preliminary Hydrology Report for T.T.M. 19351 220-236 Victoria Street City of Costa Mesa, CA* (Hydrology Report), prepared by CA Engineering Inc., revised March 6, 2025;
- *Preliminary Water Quality Management Plan, Victoria Place Townhomes Project (TR 19351), 220, 222, 234, & 236 Victoria Place, Costa Mesa, 92626* (WQMP), prepared by CA Engineering, Inc., revised February 12, 2025; and
- *Soil and Foundation Evaluation Report, Proposed Multi-Tenant Building Complex, 220, 222, and 234 Victoria Street, Costa Masa, California* (Geotechnical Evaluation), prepared by Soil Pacific, Inc., September 19, 2024.

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. As part of Section 402 of the Clean Water Act, the U.S. Environmental Protection Agency (EPA) has established regulations under the National Pollution Discharge Elimination System (NPDES) program to control direct stormwater discharges. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The NPDES program regulates industrial pollutant discharges, which include construction activities. The SWRCB works in

coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The project site is located within the jurisdiction of the Santa Ana RWQCB.

Construction

Project construction could result in short-term impacts to water quality due to the handling, storage, and disposal of construction materials, maintenance and operation of construction equipment, and earthmoving activities. Specifically, grading required for project implementation would result in exposed soils that may be subject to wind and water erosion. Potential pollutants associated with these activities could impact downstream waterbodies. Dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the SWRCB's *General Permit for Discharges of Stormwater Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ* (General Construction Permit). Given that the project site is greater than one acre in size, the project would be required to obtain a General Construction Permit under the NPDES program. To demonstrate compliance with NPDES requirements, a Notice of Intent must be prepared and submitted to the SWRCB, providing notification and intent to comply with the Construction General Permit. The Construction General Permit also requires that non-stormwater discharges from construction sites be eliminated or reduced to the maximum extent practicable, a stormwater pollution prevention program (SWPPP) that governs construction activities for the project be developed, and routine inspections be performed of all stormwater pollution prevention measures and control practices being used at the site, including inspections before and after storm events. Permittees must verify compliance with permit requirements by monitoring their effluent, maintaining records, and filing periodic reports.

The SWPPP would include a site map showing the construction site perimeter, proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns. The SWPPP would identify the best management practices (BMP) that would be used to protect stormwater runoff and the placement of those BMPs. The SWPPP would also identify a visual monitoring program, a chemical monitoring program for "nonvisible" pollutants to be implemented if there is a failure of BMPs. Specifically, the project would be subject to compliance with Standard Condition of Approval (SCA) HYD-1 through SCA HYD-3, which would ensure construction BMPs are implemented to minimize potential impacts to water quality. Upon completion of construction, a Notice of Termination would be submitted to the SWRCB to indicate that construction has been completed.

Additionally, the project would comply with Municipal Code Section 8.32, *Control of urban runoff*. Pursuant to Municipal Code Section 8.32, all new development and significant reconstruction within the City would be undertaken in accordance with the Orange County Drainage Area Management Plan (DAMP), including but not limited to the development project guidance, the local development plan, and/or administrative rules and practice as may be adopted from time to time by the City Manager. The DAMP has the following agreements, structures, and programs that are applicable to the proposed project in ensuring water quality.

- Provide the legal authority for prohibiting unpermitted discharges into the storm drain system and for requiring BMPs in new development and significant redevelopment (DAMP Section 4.0);

- Improve existing municipal pollution prevention and removal best management practices (BMPs) to further reduce the amount of pollutants entering the storm drain system (DAMP Section 5.0);

- Ensure that all new development and significant redevelopment incorporates appropriate Site Design, Source Control and Treatment Control BMPs to address specific water quality issues (DAMP Section 7.0);

The project would be required to comply with the DAMP requirements which would satisfy the NPDES permit regulations. Additionally, pursuant of Municipal Code Section 8.32, the City would review the project plans and may impose additional terms, conditions, and requirements to ensure that the proposed project would further reduce or eliminate pollutants in stormwater runoff. The proposed project has also prepared a water quality management plan

(WQMP) which would ensure the health of local bodies of waters through the management of stormwater runoff pollution prevention; refer to Appendix E. Upon adherence to the General Construction Permit and existing laws and regulations related to water quality, impacts would be reduced to less than significant levels.

Operations

The project would be regulated under the NPDES Phase I Municipal Stormwater Permits issued by the Santa Ana RWQCB for Orange County (Order No. R8-2009-0030 and NPDES Permit No. CAS618030, as amended by Order No. R8-2010-0062).[1] Since 1990, operators of MS4s are required to develop a stormwater management program designed to prevent harmful pollutants from impacting water resources via stormwater runoff. The Orange County Stormwater Program (Stormwater Program) is a collaboration of the County of Orange, Orange County Flood Control District (OCFCD), and all 34 Orange County cities. As the Principal Permittee on the Santa Ana RWQCB NPDES permits, the County guides development and implementation of the Stormwater Program, collaborating regularly with co-permittees to ensure compliance and prevent ocean pollution.

The Stormwater Program's specific water pollutant control elements are documented in the DAMP. The DAMP satisfies the NPDES permit conditions to reduce pollutant discharges to the maximum extent practicable for the protection of water quality at receiving water bodies and the support of designated beneficial uses. The DAMP contains guidance on both structural and nonstructural BMPs for meeting these goals. With implementation of the DAMP requirements, as required by Municipal Code Section 8.32, the project would be consistent with NPDES permit regulations.

As discussed above, the proposed project has prepared a WQMP which includes non-structural and structural BMPs that would reduce the runoff from the project's operations. The following BMPs would be implemented:.

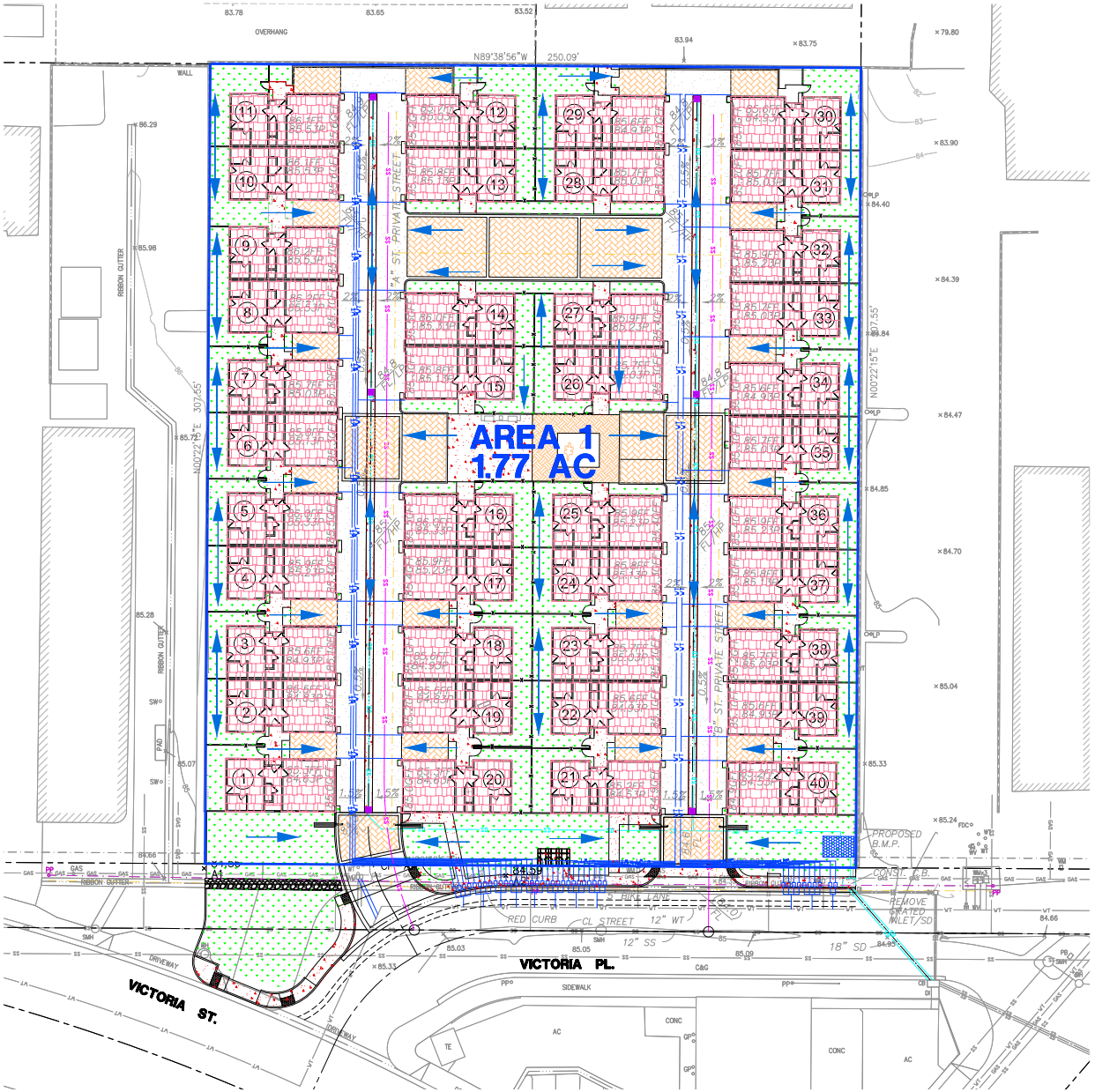
Low-Impact Development BMPs

Low-impact development (LID) is an approach to land development (or redevelopment) that works with nature to manage and treat stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features to minimize effective imperviousness and create functional, appealing site drainage that treats stormwater as a resource rather than a waste product. There are many practices that have been used to adhere to these principles, including bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological functions. The project is required to infiltrate, harvest and use, evapotranspire, or biotreat/biofilter the 85th percentile, 24-hour storm event.

Based on the analysis presented in the Preliminary WQMP, it is infeasible to infiltrate the 85th percentile, 24-hour storm event. Specifically, infiltration is infeasible due to impermeable soils and low and low infiltration rate. As such, the Preliminary WQMP considers either harvest and use, evapotranspire, or biotreat/biofilter options. The Preliminary WQMP identified a biotreatment/biofilter options for the project's proposed BMP.

The proposed project would install a Modular Wetland System (MWS). The MWS would biotreat the entire the 85th percentile, 24-hour storm event. The MWS would be installed on the landscaped area on the southeast portion of the project site; refer to Exhibit 4.10-1a, *Proposed BMPs*. The MWS would biotreat runoff from the project site and would then convey the treated runoff to the existing storm drains along Victoria Place. Storm flows in excess of the design storm flows would bypass the MWS and directly flow into the existing storm drains.

[1] California Regional Water Quality Control Board Santa Ana Region, *Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff Orange County*, May 22, 2009, https://www.waterboards.ca.gov/santaana/board_decisions/adopted_orders/orders/2009/09_030_OC_MS4_as_amended_by_10_062.pdf, accessed November 27, 2024.



Source: CA Engineering, Inc. 2025

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Proposed BMPs

Exhibit 4.10-1

Structural Source Control BMPs

Structural source control BMPs are used in a project's design to both minimize runoff and keep pollutants from entering runoff. The WQMP includes the following structural source controls BMPs:

- Provide Storm Drain System Stenciling and Signage: The owner would be responsible for labeling all of the project's storm drain inlets and catch basins with phrases that would alert the public to the destinations of pollutants discharged into storm water. The signage would be included on the project's plans. The owner would be responsible for maintenance of such signage.
- Use Efficient Irrigation Systems and Landscape Design: The owner would direct the landscape architect to design the timing and application methods of irrigation water to minimize the runoff of excessive irrigation water into the municipal storm drain system. Refer to Appendix E to the various measures that would be incorporated where determined to be applicable and feasible.

Non-Structural Source Control BMPs

Nonstructural source control BMPs are activities and practices that reduce the potential for pollutants to contaminate runoff during the operation of the proposed project. The project's non-structural BMPs includes the following activities and practices to reduce the potential of pollutants impacting runoff:

- Property Owner Education: Educational materials would be provided to the owner and tenants. These materials would inform the readers about the impacts of dumping oil, paints, solvents, or other potentially harmful chemicals into the storm drain; proper use and management of fertilizers, pesticides, and herbicides in landscaping practices; the impact of littering and improper water; and proper maintenance practices.
- Activity Restrictions: The owner would identify surface water quality protection requirements to ensure that surface water quality activities are conducted in conformance with the WQMP. The use restrictions would include, but is not limited to, the following:
    - The owner would periodically provide their employees environmental awareness education materials from local municipalities. These materials would describe the use of chemicals that should be limited to the property with no discharge of specific waters via direct discharge to gutters, catch basins, settling basins, and storm drains.
    - The owner would require the use of fertilizers and pesticides to be in conformance with City and County guidelines.
    - The owner would prohibit the discharge of leaf litter, grass clippings, trash, animal waste, paint, or masonry waste to streets or storm drain systems.
    - The owner would prohibit the hosing down of any paved surface where the flow of non-storm drain water would enter the street or storm drains.
    - The owner would prohibit oil changes or other auto repairs that could discharge pollutants.
- Common Area Landscape Management: Management programs would be designed and implemented by the Owner to maintain all of the landscaped areas within the project site. Maintenance of common area landscape and use of fertilizer and pesticides would be consistent with the City's and County's requirement. Additionally, the program would also discuss the utilization of water-efficient landscaping practices and require maintenance to be consistent with the County Water Conservation Resolution or the City equivalent. This BMP would also detail the proper disposal of landscape waste.

The owner would also implement irrigation and landscaping that would utilize moisture sensors, smart timers, rain shut-off valves, and group of landscaping plants with similar water requirements in order to reduce excess irrigation and runoff. The erosion control devices on the property would be maintained until adequate vegetation coverage has been achieved. Periodic inspection and adjustment to the automatic irrigation system would be conducted in order to prevent overspray or excessive watering.

- BMP Maintenance: The owner would be responsible for the implementation and regular maintenance activities of each applicable non-structural BMPs. Additionally, the owner and their landscape and/or maintenance contractor would be responsible for inspection and maintenance activities in landscape areas. Debris and water pollutants would be controlled, contained, and disposed in a proper manner by the contractor.

- Common Area Litter Control: The owner would be responsible for arranging and providing weekly sweeping and trash pick-up for the project site. The owner may contract with its landscape or other maintenance contractor to perform these duties, as well as to conduct weekly inspections of all trash receptacles to make sure lids are closed and pick-up of any excess trash on the ground has occurred, and to note and investigate any trash disposal violations.

- Employee Training: The owner would establish an education program for all employees and/or contractors to ensure that they are aware of maintenance activities that may result in pollutants reaching storm drains.

- Common Area Catch Basin Inspection: All on-site catch basin inlets would be inspected and maintained by the owner at least once a year, prior to rainy season, no later than October 1st of each year and before and after all major storms.

- Parking Lot Sweeping: The owner, through their employee and/or contractor, would be responsible for sweeping of parking areas and driving aisles within the project site at least once a month, or more if needed. Debris, sediment, and trash collected during sweeping operations would be disposed in trash receptacles.

Following compliance with the requirements of the MS4 permit, the DAMP, and Municipal Code, project implementation would not violate any water quality standards or waste discharge requirements associated with long-term operations. Additionally, it should be noted that the proposed project would install new water quality best management practices, which are currently not in place at the site. As such, impacts would be less than significant in this regard.

Standard Conditions of Approval:

SCA HYD-1 All construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) regulations, including Rule 403, Fugitive Dust. All grading (regardless of acreage) shall apply best available control measures for fugitive dust in accordance with Rule 403. To ensure that the project is in full compliance with applicable SCAQMD dust regulations and that there is no nuisance impact off the site, the contractor would implement each of the following:

- Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from exceeding 100 feet in any direction.
- Apply chemical stabilizers to disturbed surface areas (completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface.
- Water excavated soil piles hourly or covered with temporary coverings.
- Water exposed surfaces at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.
- Wash mud-covered tired and under-carriages of trucks leaving construction sites.

- Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
- Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.
- Cease grading during period when winds exceed 25 miles per hour.

SCA HYD-2 Adequate watering techniques shall be employed to partially mitigate the impact of construction–generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day.

SCA HYD-3 Grading operations shall be suspended during first and second stage ozone episodes or when winds exceed 25 mph.

Mitigation Measures: No mitigation measures are required.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less Than Significant Impact. According to the WQMP, the proposed project would decrease impervious surfaces on-site from 74,666 square feet to 61,091 square feet compared to existing conditions. As such, implementation of the proposed project would reduce impervious areas by approximately 13,575 square feet which would reduce overall runoff and increase infiltration on-site; refer to Appendix E. Additionally, the project site is not currently on a local groundwater recharge area used for groundwater excavation given that it is predominantly developed with commercial uses and paved surfaces. Per the Geotechnical Evaluation, boring was conducted at the site up to 12 feet below the existing grade surface. No groundwater was encountered at these depths. Thus, implementation of the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of a basin.

The proposed project lies within Mesa Water District's (MWD) water service area. Implementation of the proposed project would lead to an increased demand in water, and, therefore, would lead to an increase in groundwater pumping. According to MWD's *2020 Urban Water Management Plan* (UWMP), local groundwater provides approximately 94 percent of the City's total supply. The UWMP indicates the MWD would have sufficient water supplies to meet demands in single dry years and multiple dry years (that is, five consecutive dry years) over the period of 2025-2045. As discussed in Section 4.20, *Utilities and Service Systems*, the MWD would have adequate water supplies to meet the water demands from the proposed project. Therefore, impacts to groundwater supplies would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

1) Result in substantial erosion or siltation on- or off-site?

Less Than Significant Impact.

Construction

Soil disturbance would temporarily occur during Project construction due to earth-moving activities such as excavation and trenching for foundations and utilities, soil compaction and moving, and grading. Disturbed soils would be susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the Project site.

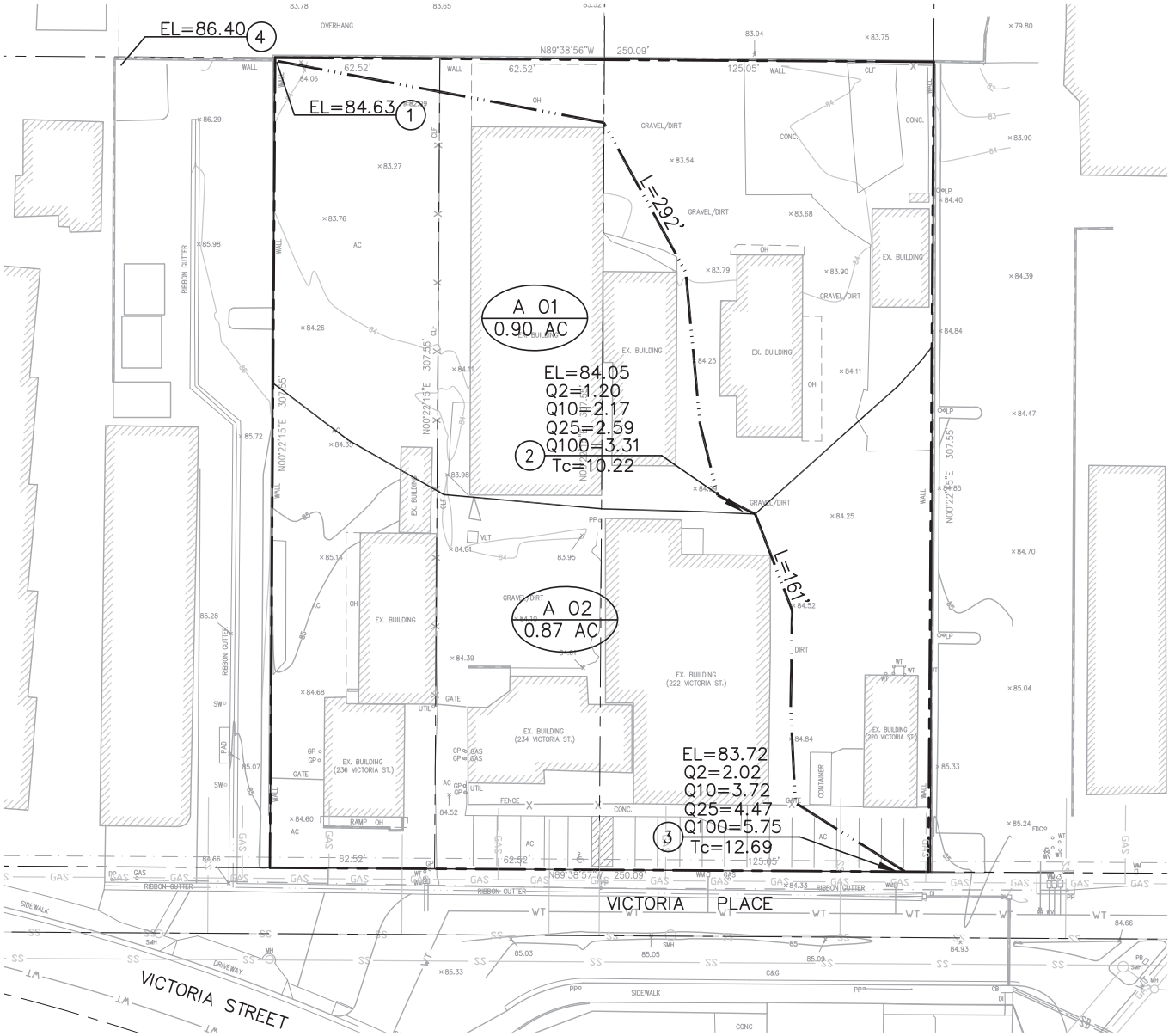
However, as discussed above, the proposed project would be subjected to BMPs outlined in the WQMP and compliance to the Orange County DAMP. Compliance with the DAMP would reduce the overall volume of sediment-laden runoff discharging from the site during construction. Specifically, DAMP Section 7.0 would ensure that all new development and significant redevelopment incorporate appropriate Site Design, Source Control and Treatment Control BMPs to address specific water quality issues. Additionally, DAMP Section 8.0 would ensure that construction sites implement control practices that address control of construction related pollutants discharges including erosion and sediment control and on-site hazardous materials and waste management.[2] Additionally, the proposed project would be subject to compliance with SCA HYD-1 through SCA HYD-3, which would ensure construction BMPs are implemented to minimize potential impacts to water quality. The SWPPP would also incorporate BMPs (such as the installation of silt fences, sediment traps, fiber rolls, and storm drain inlet protectors to filter larger debris and control sediment from entering the City's storm drain infrastructure). Therefore, Project implementation would not result in a substantial increase in erosion or siltation on- or off-site during construction.

Operations

At project completion, the project site would not include large areas of exposed soils that would be subject to runoff. Rather, any unpaved areas would be improved with landscaping to minimize the potential for erosion or siltation on- or off-site; refer to Exhibit 2-6, *Conceptual Landscape Plan*. Existing runoff currently flows from north to south onto the Victoria Place bounding the project site to the south; refer to Exhibit 4.10-1b, *Existing On-Site Hydrology Conditions*, and Exhibit 4.10-1c, *Existing On- and Off-Site Hydrology Conditions*. The proposed project would not substantially alter the existing drainage pattern on-site and as such, all runoff flows would from north to south; refer to Exhibit 4.10-2a, *Proposed Hydrology Conditions*. Runoff flows would flow towards the drainage area on-site which would then be collectively conveyed south to an on-site drainage system. The on-site drainage system would then convey runoff into a Modular Wetland System to be treated before being conveyed to the existing storm drain along Victoria Place; refer to Exhibit 4.10-1a. The Modular Wetland System would contain a bypass for greater storm flows. The Modular Wetland System would connect to the proposed 18-inch outlet pipe that would then flow to the proposed curb opening catch basin near the Newport Boulevard and Victoria Place intersection. The new outlet pipe would be installed via trenching.

As indicated in Table 4.10-1, *Peak Flow Runoff Conditions*, overall post-development peak flow runoff volumes from the site into the City's storm drain system would decrease when compared to existing conditions under two year, 10-year, 25-year, and 100-year storm events. Specifically, the proposed project would result in a 0.14 cubic feet per second (CFS), 0.27 CFS, 0.31 CFS, and 0.41 CFS decrease over the existing flows for the two year, 10-year, 25-year, and 100-year storm events respectively.

[2] Orange County Public Works, *Drainage Area Management Plan*, https://ocerws.ocpublicworks.com/service-areas/oc-environmental-resources/oc-watersheds/documents/drainage-area-management-plan-7, accessed November 27, 2024.



Source: CA Engineering, Inc. 2025

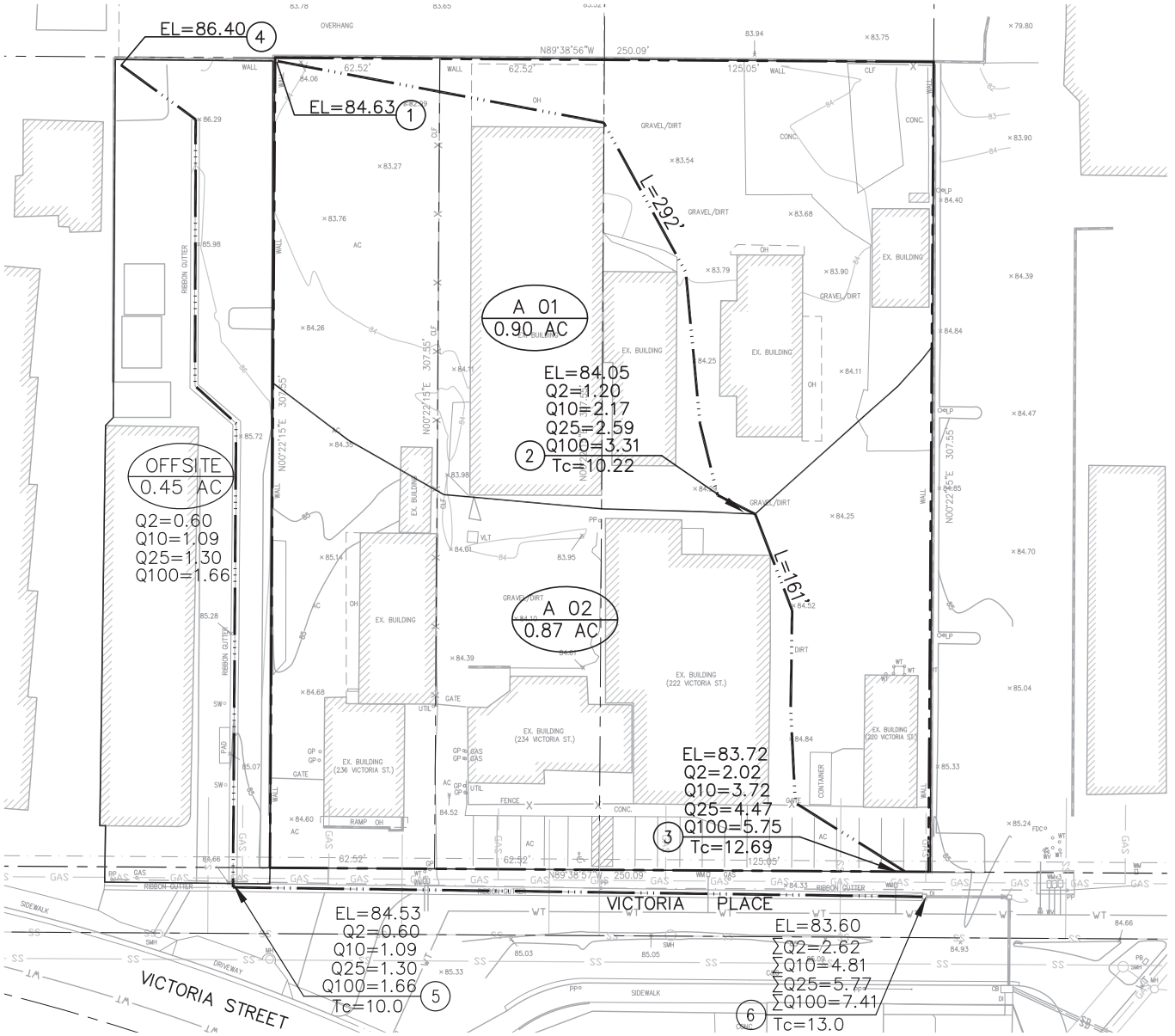
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Source: CA Engineering, Inc. 2025

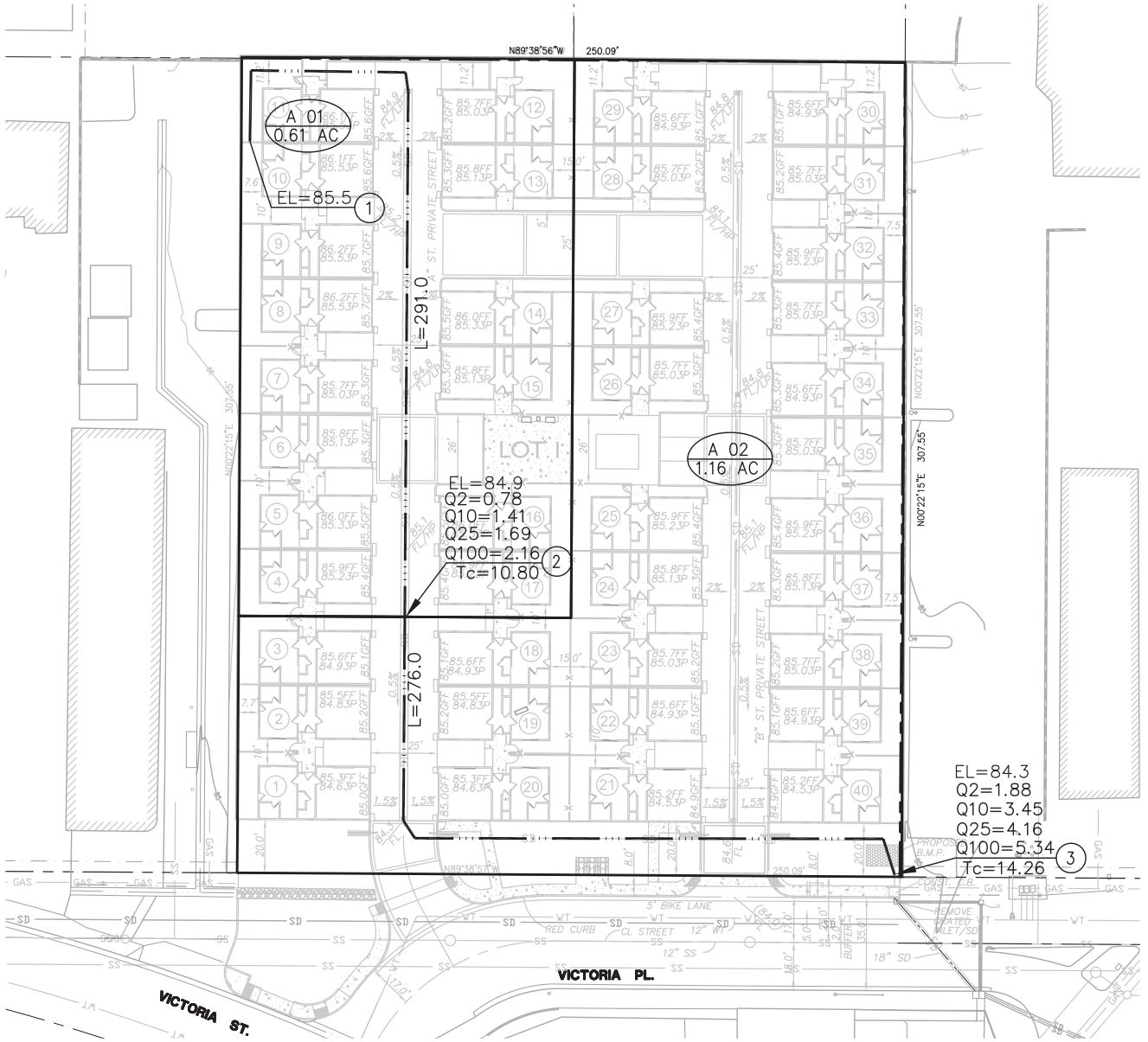
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Proposed Hydrology Conditions

Exhibit 4.10-2a

Table 4.10-1
Peak Flow Runoff Conditions

Storm Event	Existing Condition	Proposed Condition	Net Change
2-Year Storm	2.02 CFS	1.88 CFS	-0.14 CFS
10-Year Storm	3.72 CFS	3.45 CFS	-0.27 CFS
25-Year Storm	4.47 CFS	4.16 CFS	-0.31 CFS
100-Year Storm	5.75 CFS	5.34 CFS	-0.41 CFS

Source: CA Engineering Inc., *Preliminary Hydrology Report for T.T.M. 19351 220-236 Victoria Pl. City of Costa Mesa*, revised March 6, 2025.

As indicated in Table 4.10, implementation of the proposed project would decrease runoff flows during a two year, 10-year, and 100-year storm events. However, it should be noted that during the 100-year storm event, in the event on-site storm drain pipes become clogged, approximately three inches of ponding could occur. The ponding would be contained along the private drive aisles and would be directed away from building pad areas; refer to Exhibit 4.10-2b, *Project Ponding Conditions at Catch Basins*. To prevent clogging of the on-site drainage system, routine maintenance of inlets and storm drains would occur in accordance with the project's WQMP. The potential ponding would not result in significant adverse impacts.

Given the nature of the urbanized location of the project site, operation of the proposed project would not have the potential to result in substantial erosion or siltation off-site. As discussed above, the proposed project would not include large areas of exposed soils that would be subjected to runoff. Additionally, the proposed project would be subject to practices that would reduce erosion or siltation which includes but is not limited to landscape maintenance, efficient irrigation and landscaping design, and BMP maintenance to ensure that stormwater runoff is redirected to minimize erosion. Any unpaved areas would be planted with groundcover, shrubs, and ornamental trees to minimize the potential for erosion/siltation.

As such, while the proposed project would increase runoff flows during a two year, 10-year, and 100-year storm events, the lack of large areas of exposed soils and incorporation of BMPs would ensure impacts associated with erosion would be less than significant in this regard.

Standard Conditions of Approval: Refer to SCA HYD-1 through SCA HYD-3

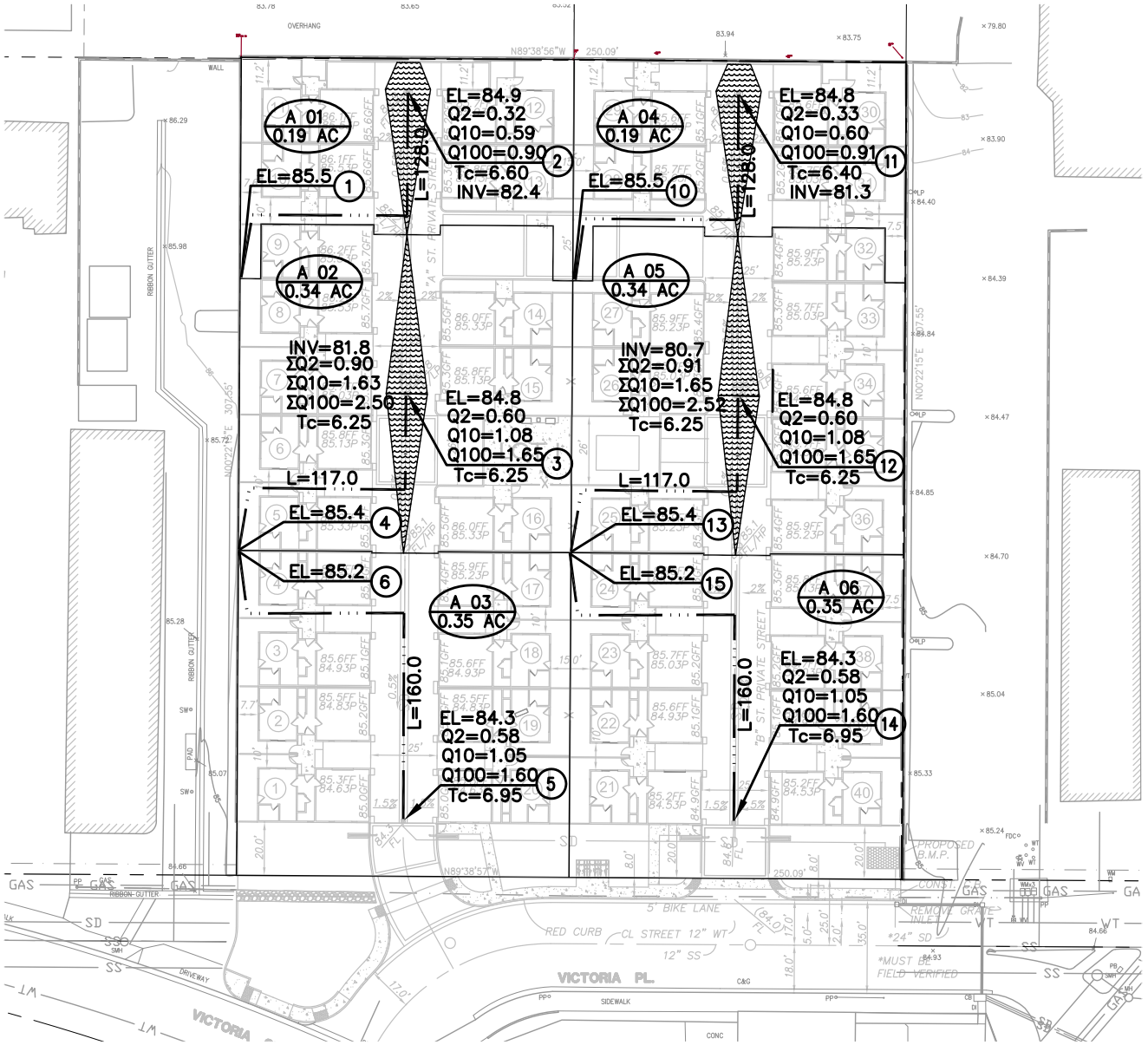
Mitigation Measures: No mitigation measures are required.

2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Less Than Significant Impact. As indicated above, the project would increase on-site runoff volumes compared to existing conditions upon implementation of the proposed on-site storm drain system. The new storm drain system would be sized to capture and treat flows per the County of Orange's *Technical Guidance Document for the Preparation of Conceptual/Preliminary and/or Project Water Quality Management Plans* (TGD). As discussed above, during the event of a 100-year storm event, if on-site pipes become clogged, approximately three inches of ponding could occur. However, it was determined that this ponding would be localized along drive aisles and directed away from the project's building pads; refer to Exhibit 4.10-2b. As such, the ponding would not result in significant flooding conditions on- or off-site. As such, impacts concerning flooding on- and off-site would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.



Source: CA Engineering, Inc. 2025

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Project Ponding Conditions at Catch Basins

Exhibit 4.10-2

3) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact. As stated, the project would increase on-site runoff volumes compared to existing conditions. However, as discussed above, the City has determined that post-development runoff volumes would be adequately accommodated by the existing stormwater infrastructure along Victoria Place. Based on the Hydrology Study and WQMP, the proposed project is not anticipated to exceed the capacity of existing/planned stormwater drainage systems. Further, as indicated in Response 4.10(a), less than significant impacts related to potential polluted runoff from the site would occur. As a result, project implementation is not anticipated to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4) Impede or redirect flood flows?

Less Than Significant Impact. Refer to Responses 4.10(c)(2) and 4.10(c)(3).

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact.

Flood Hazard

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06059C0268J, the project site is located within Zone X which is an area of minimal flood hazards.[3] As such, the project site is outside of the 100-year flood hazard area. Thus, no impacts would occur in this regard.

Tsunami

A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a sea floor associated with large, shallow earthquakes. The project site is located at an elevation of approximately 84 feet above mean sea level and approximately three miles inland from the Pacific Ocean. Additionally, per the California Department of Conservation *Orange County Tsunami Hazards Area Interactive Map*, the project site is not within a zone designated as a tsunami hazard area.[4] Thus, is located at a sufficient elevation and distance to avoid tsunami-related hazards and is not located within a tsunami hazard area. No impacts would occur in this regard.

Seiche

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. The absence of any large bodies of water within Costa Mesa and the location of high bluffs adjacent

[3] Federal Emergency Management Agency, *FEMA Flood Insurance Rate Map 06059C0268J,* effective December 3, 2009.
[4] California Department of Conservation, *Orange County Tsunami Hazard Areas*, https://www.conservation.ca.gov/cgs/tsunami/maps/orange, accessed November 18, 2024.

to Newport Bay preclude the possibility of seiches at the project site. As such, the project site is not located within the vicinity of a reservoir, harbor, or lakes capable of creating a seiche. No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact. The project site is located in the Santa Ana River Watershed. The Basin Plan was last updated in 2019 and gives direction on the beneficial uses of the State waters in Region 8; describes the water quality that must be maintained to support such uses; and provides programs, projects, and other actions necessary to achieve the standards in the Basin Plan. As noted above, the project would not result in significant impacts to water quality following implementation of the SWPPP, WQMP, and DAMP which would ensure compliance with the objectives and standards of the Basin Plan.

The project site is also within the jurisdiction of the Orange County Groundwater Management Plan. As discussed under Impact 5.9-2, the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. Therefore, the proposed project would not conflict or obstruct the groundwater management plan, and impacts would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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4.11 LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?				✓
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓	

a) Physically divide an established community?

No Impact. The key factor regarding physically dividing established communities is whether or not the project would create any physical barriers that change the connectivity between areas of a community to the extent that persons are separated from other areas of the community. Examples of physical divides include, but are not limited to:

- Construction of major highways or roadways;
- Construction of storm channels;
- Closing bridges or roadways; and
- Construction of utility transmission lines.

The project does not propose to construct any major highways or roadways, storm channels, bridges or roadways, or utility transmission lines that would physically divide a community. The project site is located within a highly developed and urbanized area of Costa Mesa. The project site is currently developed with existing commercial retail buildings, , a residential unit repurposed as a commercial use and storage yards, and surrounded by a mixture of commercial and residential uses. As such, the proposed project would not physically divide an established community. Rather, as the project proposes a Residential Incentive Overlay designation, the proposed residential common interest development community would be required to exhibit excellence in design, site planning, and integration of uses and structures, and to protect the integrity of neighboring development. No impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact.

General Plan Consistency

The General Plan Land Use Map designates the project site as General Commercial. According to the City's General Plan Land Use Element, the General Commercial land use designation permits a wide range of commercial uses. Uses permitted on this land use designation includes hotels, service establishments, retail stores, restaurants, and theaters.

The project includes a request for a General Plan Amendment to apply the Residential Incentive Overlay designation to the project site. The City's General Plan Residential Incentive Overlay designation is strategically situated along Harbor and Newport Boulevards on properties with underlying General Plan land use designations of Commercial Residential, General Commercial or High Density Residential. The Overlay adds a land use option for residential

development of up to 30 dwelling units per acre (du/acre) on these sites compared to the Commercial Residential (maximum of 17.4 du/acre), General Commercial (no residential permitted except in mixed-use developments), and the High Density Residential (maximum of 20 du/acre) land use designations. The added overlay and higher densities were intended to incentivize redevelopment of these parcels.

The Residential Incentive Overlay District proposed by the project's Zoning Code Amendment would implement the General Plan Residential Incentive Overlay designation by applying a specific set of zoning provisions to the proposed residential common interest development.. The overlay modifies the existing base land use designation of General Commercial to allow residential development at a maximum density of 30 du/acre. The existing base land use designation does not need to be changed to facilitate the development of the proposed project. The General Plan Amendment would be required to modify the Land Use Element maps, figures, text, and tables to update the Land Use Element to specifically identify the subject property with a Residential Incentive Overlay designation.

The City's Municipal Code allows major land use changes within designated industrial and commercial corridors to proceed through the discretionary review and approval process without requiring voter approval. While this particular project involves a General Plan Amendment and a Zoning Code Amendment (both of which require final approval by the City Council), it qualifies for an exemption from voter approval under Municipal Code Title 13, Chapter IX, Article 22: *An Ordinance to Give the People of Costa Mesa Control of Their Future.* According to Municipal Code Section 13-200.106(g)(1), as referenced in Figure 13-200.106, projects that support the revitalization of designated commercial and industrial corridors by providing housing and/or mixed-use development are exempt from the voter approval requirement. This project is located within one of the qualifying corridors described in the ordinance, Section 13-200.106 (g)(1): *Newport Boulevard/Old Newport Boulevard from Mesa Drive to the city limit, and Superior Avenue from Newport Boulevard to the city limit*. As a result, voter approval is not required for this project to proceed.

The project aligns with the Costa Mesa Residential Design Guidelines, which promote design excellence in new residential development by encouraging high-quality architecture, compatibility with surrounding neighborhoods, and enhanced livability. However, the Residential Incentive Overlay District takes precedence over these guidelines, allowing for flexibility in design and development. As a result, the project complies with the overarching goals of the guidelines, while adhering to the specific provisions of the overlay district.

Table 4.11-1, *General Plan Consistency Analysis*, analyzes the project's consistency with relevant General Plan Land Use Element goals and policies. As indicated in Table 4.11-1, the project is consistent with the General Plan policies that which were adopted for the purpose of avoiding or mitigating an environmental effect.

Table 4.11-1
General Plan Consistency Analysis

Relevant Policies	Project Consistency Analysis
Land Use Goal LU-1: A Balanced Community with a Mix of Land Uses to Meet Resident and Business Needs	
Policy LU-1.3: Strongly encourage the development of residential uses and owner-occupied housing (single-family detached residences, condominiums, townhouses) where feasible to improve the balance between rental and ownership housing opportunities.	Consistent: The project would contribute to a balanced mix of uses in the area that includes providing additional housing opportunities, set among a variety of office, retail, and service uses in the immediate area. The project proposes 40 new for-sale housing units. The inclusion of 40 new units (both duplex and single family detached units) would improve the balance of rental and ownership housing in the City.
Goal LU 2: Preserve and Protect Residential Neighborhoods.	

Relevant Policies	Project Consistency Analysis
Policy LU-2.7: Permit the construction of buildings over two stories or 30 feet only when it can be shown that the construction of such structures will not adversely impact surrounding developments and deprive existing land uses of adequate light, air, privacy, and solar access.	Consistent: The project site is relatively flat and developed with commercial retail buildings, housing, and storage yards; surrounding land uses include a mixture of commercial and residential uses. The proposed three-story duplexes and three-story single-family detached units would have a maximum building height of 39 feet and six inches measured from above natural/finished grade. Building elevations are shown on Exhibits 2-5a, *Project Site Building Elevations*, through 2-5e, *Building Elevations – Renderings*. As detailed, the three-story duplexes and three-story single-family detached units would have a maximum building height of 39 feet and six inches measured from above natural/finished grade. A seven-foot-tall concrete block wall is proposed along the site perimeter except along Victoria Place. The block wall would be designed in accordance with Municipal Code Section 13.75, *Fences and walls*. Wood fencing would be provided between the private backyards of each duplex unit. A motor-operated swinging gate would be present at the entrance of the two driveways along Victoria Place. The motor-operated swinging gate would only permit the entry of residents, guests, and public services (i.e., police, fire protection services, trash collection services, etc.). As such, the project would provide internal privacy to residents while ensuring that adjacent uses are not deprived of privacy. The project site is located in a highly developed, urbanized area with existing sources of light; the project's light impacts are further evaluated in Section 4.1, *Aesthetics*.
Policy LU-2.9: Require appropriate building setbacks, structure orientation, and placement windows to consider the privacy of adjacent residential structures within the same project and on adjacent properties.	Consistent: The proposed Master Plan would include development standards for structural setbacks and distances between project buildings and between adjacent properties; all setbacks would extend to the public right-of-way (i.e., the sidewalk easement). Additionally, all setbacks would be consistent with Municipal Code Article 12, Section 13-83.64, *Residential Incentive Overlay District Development Standards*; refer to Table 4.11-2, *Residential Incentive Overlay District Development Standards Consistency Analysis*, below.
Policy LU-2.11: Ensure adequate noise attenuation in urban design, such as walls for sound attenuation, development of landscaped greenbelts, provision of landscape berms, etc.	Consistent: Refer to Response to Policy LU-2.7 regarding proposed walls and fencing. Additionally, ornamental landscaping would be installed throughout the project site, including along the project frontages, drive aisles, building perimeters, and entryways, and would include a variety of trees, shrubs, and groundcover; refer to Exhibit 2-6, *Conceptual Landscape Plan*.
Land Use Goal LU-3: Development that Maintains Neighborhood Integrity and Character	
Policy LU-3.4: Ensure that residential densities can be supported by the infrastructure and are compatible with existing residential neighborhoods in the surrounding area.	Consistent: The goal of the proposed project is to revitalize the existing commercial corridor by encouraging new housing in commercial and industrial areas while preserving the character of existing, adjacent residential neighborhoods to the north and west.

Relevant Policies	Project Consistency Analysis
Policy LU-3.8: Ensure that new development reflects existing design standards, qualities, and features that are in context with nearby development and surrounding residential neighborhoods. Policy LU-3.9: Locate high-intensity developments or high-traffic-generating uses away from low-density residential in order to buffer the more sensitive land uses from the potentially adverse impacts of the more intense development or uses. Policy LU-3.12: Ensure that new development reflects existing design standards, qualities, and features that are in context with nearby development.	Consistent: The project proposes 40 units. There are 36 duplex units that make up the project interior, and four single family detached units along Victoria Place. In addition to the contemporary interior spaces, all units feature ground-level fenced yards, multiple balconies and roof-top decks for the residents' exclusive use and enjoyment. All units also include attached two-car garages with direct unit access. The project is intended to create a vibrant residential common interest development community within the Residential Incentive Overlay District, where high-density residential redevelopment in place of the existing commercial corridor is encouraged. The project's design is influenced by contemporary modern design. The exterior building colors would include a variety of neutral earth tones, white, and black while the exterior building features would include tempered glass railing, wood plank siding, sheet metal awnings, simulated stone wood tiles, and slate wood tile, among others; refer to Exhibits 2-5a through 2-5e. Additionally, the project would be designed consistent with the proposed Master Plan and Section 13-83.64 of the Municipal Code.
Policy LU-3.13: Prohibit construction of buildings which would present a hazard to air navigation, as determined by the Federal Aviation Administration (FAA).	Consistent: As the proposed project is less than 200 feet in height, the project would not exceed the Federal Aviation Administration (FAA) notification requirements. Nonetheless, as the proposed project is located within the *Airport Environs Land Use Plan for John Wayne Airport* (AELUP) planning boundaries and anticipated discretionary approvals would include a General Plan Amendment. As such, the proposed project would be required to comply with California Public Utilities Code Section 21676(b). California Public Utilities Code Section 21676(b) requires local agencies to refer the proposed discretionary approval to the ALUC. Following compliance with the aforementioned State regulations, the proposed project would not introduce a safety hazard associated with airport operations. Additionally, the project site is not located within the vicinity of a private airstrip or related facilities.
Land Use Goal LU-4: New development that is sensitive to Costa Mesa's Environmental Resources.	
Policy LU-4.1: Ensure that appropriate watershed protection activities are applied to all new development and significant redevelopment projects that are subject to the National Pollutant Discharge Elimination System Stormwater Permit during the planning, project review, and permitting processes.	Consistent: In compliance with the National Pollutant Discharge Elimination System (NPDES) and SCAs HYD-1 through HYD-3, the project is required to comply with the City's municipal storm sewer system (MS4) permit and is required to develop a Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP). The project is also required to implement best management practices (BMPs) for soil erosion and sediment control. Refer to Section 4.10, *Hydrology and Water Quality*, for additional analysis on project impacts to hydrology and water quality.
Policy LU-4.5: Promote integration of stormwater quality protection into construction and post-construction activities, as required by the NPDES Stormwater Permit and the City's Local Implementation Plan.	Consistent: As discussed in Section 4.10, the project is required to comply with the NPDES Stormwater Permit and the City's Local Implementation Plan, which includes low impact development (LID) measures, site design, and structural and non-structural source control BMPs to ensure that post-project water quality impacts would be less than significant.

Relevant Policies	Project Consistency Analysis
Policy LU-4.6: Incorporate the principles of sustainability into land use planning, infrastructure, and development processes to reduce greenhouse gas emissions consistent with State goals.	Consistent: As discussed in Section 4.8, *Greenhouse Gas Emissions*, the project would be required to comply with the most recent available California Building Energy and Efficiency standards and the CALGreen requirements. The proposed project would include various features to reduce energy consumption and GHG emissions such as high efficiency lighting, energy efficient appliances, exceeding Title 24 Standards, and utilizing no natural gas.] Overall, the proposed project would support sustainable development that reduces energy consumption and GHG emissions. Following inclusion of these sustainable features and strategies, project impacts related to GHG would be less than significant.
Land Use Goal LU-5: Adequate Community Services, Transportation System, and Infrastructure to Meet Growth	
Policy LU-5.5: Ensure that new development pays its fair share of impact fees such as park fees and traffic impact fees. This can also include impact fees related to community services (police protection services and fire emergency response services) or library facilities, once adopted and applicable.	Consistent: As part of the plan check process, the City would ensure the project Applicant pays its fair share of development impact fees applicable to the proposed project, including park, traffic, polices, fire, and library fees.
Policy LU-5.7: Encourage new development that is organized around compact, walkable, mixed-use neighborhoods and districts to conserve open space resources, minimize infrastructure costs, and reduce reliance on the automobile.	Consistent: The project proposes a residential development that would incorporate walkable spaces both on-site and along the public street frontage of Victoria Place. New public sidewalks would be constructed along Victoria Place which would allow pedestrian access east/west along the northern right-of-way, as well as into the new residential community. The public landscaping area along Victoria Place would consist of pedestrian walkways, seating areas, and shade trees.
Policy LU-5.11: Development plans shall be required for all phased development and approvals and shall be approved by the Planning and Transportation Services Divisions prior to the issuance of building permits.	Consistent: As detailed in Section 2.5, *Agreement, Permits and Approvals*, the anticipated discretionary approvals therein (in addition to ministerial actions such as demolition permit, grading permit, building permits, encroachment permits, certificates of occupancy, etc.) have been requested by the Applicant for this project and would require City discretionary approval prior to issuance of building permits.
Policy LU-5.12: Development plans shall include an overall buildout plan, which can demonstrate the ability of the circulation system to support the proposed level of development.	Consistent: An analysis of the proposed project's impacts on transportation and circulation in the project vicinity is included in Section 4.17, *Transportation*. The proposed project's internal circulation and improvements to the City's circulation system are not anticipated to cause significant traffic impacts, such as internal queuing/stacking at the project driveways, or create significant vehicle-pedestrian conflict points. Impacts to the circulation system were determined to be less than significant.
Land Use Goal LU-6: Economically Viable and Productive Land Uses that Increase the City's Tax Base	
Policy LU-6.19: Provide flexibility and support for development of residential, office, small retail centers, and similar uses that would serve local residents and would also benefit from the high visibility along major corridors outside of significant commercial or industrial nodes.	Consistent: The project would include residential units within a site that is located adjacent to major arterial and secondary arterial streets (e.g., Fairview Road, Victoria Street, and Newport Boulevard). The new residential units would be located in proximity to existing commercial/retail uses, including those associated with the Triangle to the south.

Additionally, the proposed project would be consistent with the following policies in the General Plan Circulation and Housing Elements:

- Policy C-6.13: Require that every new development project pay its share of costs associated with the mitigation of project generated impacts.
- Policy HOU-3.4 Consider the potential impact of new housing opportunities and their impacts on existing residential neighborhoods when reviewing development applications affecting residential properties.
- Policy HOU- 3.5: Encourage residential and mixed-use development along transportation routes and major commercial/mixed use corridors.

Zoning Code Consistency

According to the City's Zoning Map, the project site is zoned General Business District (C2). Residential developments are not permitted on sites with a land use designation of General Commercial. However, the project also includes a request for Zoning Code Amendment to re-zone the project site from C2 – General Business District to Residential Incentive Overlay District to implement the General Plan Residential Incentive Overlay designation. The Zone Code Amendment would apply a specific set of zoning provisions outlined in the Municipal Code Article 12, *Residential Incentive Overlay District,* to the proposed residential common interest development. The development standards provided in the Municipal Code for Residential Incentive Overlay District (Section 13-83.64) and Residential Common Interest Development (Section 13-41) applies to the proposed project. Table 4.11-2, *Residential Incentive Overlay District (RIOD) and Residential Common Interest Development (RCID): Development Standards Consistency Analysis*, analyzes the project's consistency with applicable Municipal Code development standards.

Table 4.11-2
Residential Incentive Overlay District (RIOD) and Residential Common Interest Development (RCID): Development Standards Consistency Analysis

Zone	Development Standard	Requirement	Proposed Project	Does Project Satisfy Requirement?
RIOD	Minimum Lot Area	0.5 acres	1.77 acres	Yes
RCID	Minimum Lot Area	N/A	N/A	N/A
RIOD	Maximum Density – Dwelling Units Per Acre (du/ac)	30 du/ac = maximum 53 units	22.6 du/ac = 40 units	Yes
RCID	Maximum Floor Area Ratio (FAR)	0.75	1.43	No[1]
RIOD	Minimum Open Space	40 percent of total site area = minimum 30,840 square feet	34,578 square feet	Yes
RCID	Minimum Open Space			
RIOD	Common Use Open Space	50 percent of required open space = 15,420 square feet Recreational facilities for children required for residential projects with 12 or more units.	9,817 square feet, of which 6,317 square feet would be for the on-site children play area	No[1]
RCID	Common Open Space	Common open space areas shall be designed and located within the development to allow maximum use by all residents	Barbeque/Play Area Centrally Located and a Flex Space Provided	Yes
RIOD	Private Open Space (Multi-Story Units)	Private decks or patios - minimum 100 square feet	22,620 square feet of private open	Yes

Zone	Development Standard	Requirement	Proposed Project	Does Project Satisfy Requirement?
		with no dimension less than five feet	space (i.e., balconies and roof decks)	
RCID	Private Open Space	An adjoining patio required with no dimension less than 10 feet		
RIOD	Maximum Building Height	Three stories. Sites abutting R2-MD zones shall incorporate a stepped elevation from two to three stories. Rooftop terraces are permitted and not considered a story.	Three stories (39 feet and six inches measured from above natural/finished grade)	Yes
RCID	Maximum Building Height	2 stories/27 feet		No[1]
RIOD	Landscape Setback Abutting All Public Rights-of-Way, Excluding Alleys	20 feet	20 feet	Yes
RIOD	Landscaped Parkway (Interior Private Streets or Common Driveways)	Combined 10 feet wide, no less than 3 feet on one side	None	No[1]
RCID	Landscaped Parkway (Interior Private Streets or Common Driveways)	Combined 10 feet wide, no less than 3 feet on one side. Parkway on house side of private street or common driveway shall be a minimum of 5 feet wide	None	No[1]
RIOD	Front	20 feet	20 feet	Yes
RCID	Front			
RIOD	Side (Interior and Street)	20 feet (for 3 stories abutting R2-MD zones)	7 feet, 6 inches	Yes
RCID	Side (Interior and Street)	5 feet		No[1]
RIOD	Rear (Interior and Street)	20 feet (for 3 stories abutting R2-MD zones)	11 feet, 3 inches	No[1]
RCID	Rear (Interior and Street)	20 feet for 2-story structures in R2-MD and R2-HD zones; 15 feet for 2-story structures in the R-3 zone. 10 feet for one story structures.		N/A[2]
RIOD	Storage	N/A	None	N/A
RCID	Storage	Each unit shall provide 200 cubic feet of securable storage exterior to the unit or within the garage/carport.	None	No[1]
RIOD	Chimneys	2 feet above maximum building height.	N/A	N/A
RCID	Chimneys	2 feet above maximum building height.	N/A	N/A

Zone	Development Standard	Requirement	Proposed Project	Does Project Satisfy Requirement?
RIOD	Fireplaces	2 feet into required setback or building separation area	N/A	N/A
RCID	Fireplaces	2 feet into required setback or building separation area	N/A	N/A
RIOD	Roof or Eaves Projections	2 feet 6 inches into required side setback or building separation area 5 feet into required front or rear setback	N/A	N/A
RCID	Roof or Eaves Projections	2 feet 6 inches into required side setback or building separation area 5 feet into required front or rear setback	N/A	N/A
RIOD	Building Separation	10-foot minimum between main buildings; 6-foot minimum between main buildings and accessory structures	10 feet	Yes
RCID	Building Separation	10-foot minimum between main buildings; 6-foot minimum between main buildings and accessory structures		
Off-Street Parking		Tenant Covered Parking (Three Bedrooms): 1 space per 40 units = 40 spaces	103 spaces	No[1]
		Tenant Open Parking (Two Bedrooms): 2.25[3] spaces per 40 units = 90 spaces		
		Residential Guest Parking: 0.5 space per 40 units = 20 spaces		
		Total = 150 spaces[3]		

Notes:
1. Development standard deviations allowed through Master Plan approval process.
2. The development is composed of three-story residential units and is not located within the R2-MD, R2-HD, or R-3 zone, and therefore, has no rear setback.
3. Tenant open parking can be reduced by 0.25 space for one bedroom and larger units if the covered parking is provided within either a carport or a parking structure; therefore, calculation includes 0.25 reduction.

In addition to the General Plan Amendment and Zone Code Amendment described above, the following discretionary approvals are required for the proposed project:

Tentative Tract Map. A tentative tract map subdivision is necessary to merge the existing properties on-site and divide the property for future individual ownerships through the condominium subdivision process.

Master Plan. A Master Plan approval is required for all new development within the Residential Incentive Overlay District, including the establishment of a Residential Common Interest Development. The Master Plan process establishes the project's design framework including consideration of deviations from standards in exchange for high-quality projects. As part of the Master Plan process, the project must comply with specific Master Plan findings.

Based on the analysis above and upon approval of the requested entitlements, the proposed project would not conflict with applicable goals and policies in the General Plan or applicable Zoning Code regulations. As such, the project would result in less than significant impacts in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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4.12 MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. The California Geological Survey is responsible for classifying land into Mineral Resource Zones (MRZ) under the Surface Mining Control and Reclamation Act based on the known or inferred mineral resource potential of that land. According to the California Geological Survey lands designated MRZ-1 do not contain significant mineral deposits, lands designated MRZ-2 contain significant mineral deposits, and lands designated MRZ-3 lack available data to determine if significant mineral deposits are present.[1] The project site is mapped as MRZ-3 per the General Plan EIR Figure 4.11-1, *Mineral Resources in Orange County*. While the project is located on MRZ-3, according to the General Plan EIR, there are no active mining operations within the City. Additionally, the project site is located within a built-out urban area that is largely developed with commercial uses and is not associated with a mining use/activity. Thus, no impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. The current project site is designated as General Commercial and zoned General Business District. The General Commercial land use designation is intended to permit a wide range of commercial uses that serves local and regional needs. Uses permitted on this land use designation includes hotels, service establishments, retail stores, restaurants, and theaters. The proposed project includes a General Plan Amendment that will apply the Residential Incentive Overlay onto the site to allow the site to redevelop with residential uses. As such, the site is not and will not be designated or zoned as a land use associated with mineral recovery. No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[1] California Geological Survey Division of Mines and Geology, Update of Mineral Land Classification of Portland Cement Concrete Aggregate in Ventura, Los Angeles, and Orange Counties, California, Part II- Orange County *Special Report 143: Mineral Land Classification of the Greater Los Angeles Area: Part III - Classification of Sand and Gravel Resource Areas, Orange County-Temescal Valley Production-Consumption Region, Mineral Land Classification Map Plate 3.32*, 1981.

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4.13 NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b. Generation of excessive groundborne vibration or groundborne noise levels?			✓	
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓

Sound is mechanical energy transmitted by pressure waves in a compressible medium such as air, and is characterized by both its amplitude and frequency (or pitch). The human ear does not hear all frequencies equally. In particular, the ear de-emphasizes low and very high frequencies. To better approximate the sensitivity of human hearing, the A-weighted decibel scale (dBA) has been developed. On this scale, the human range of hearing extends from approximately three dBA to around 140 dBA.

Noise is generally defined as unwanted or excessive sound, which can vary in intensity by over one million times within the range of human hearing; therefore, a logarithmic scale, known as the decibel scale (dB), is used to quantify sound intensity. Noise can be generated by a number of sources, including mobile sources such as automobiles, trucks, and airplanes, and stationary sources such as construction sites, machinery, and industrial operations. Noise generated by mobile sources typically attenuates (is reduced) at a rate between 3 dBA and 4.5 dBA per doubling of distance. The rate depends on the ground surface and the number or type of objects between the noise source and the receiver. Hard and flat surfaces, such as concrete or asphalt, have an attenuation rate of 3 dBA per doubling of distance. Soft surfaces, such as uneven or vegetated terrain, have an attenuation rate of about 4.5 dBA per doubling of distance. Noise generated by stationary sources typically attenuates at a rate between 6 dBA and about 7.5 dBA per doubling of distance.

There are a number of metrics used to characterize community noise exposure, which fluctuate constantly over time. One such metric, the equivalent sound level (L_{eq}), represents a constant sound that, over the specified period, has the same sound energy as the time-varying sound. Noise exposure over a longer period of time is often evaluated based on the Day-Night Sound Level (L_{dn}). This is a measure of 24-hour noise levels that incorporates a 10-dBA penalty for sounds occurring between 10:00 p.m. and 7:00 a.m. The penalty is intended to reflect the increased human sensitivity to noises occurring during nighttime hours, particularly at times when people are sleeping and there are lower ambient noise conditions. Another commonly used metric, the Community Noise Equivalent Level (CNEL), measures the 24-hour noise level that incorporates a 5-dBA penalty for sounds occurring between 7 p.m. to 10 p.m. and a 10-dBA penalty for sounds occurring between 10 p.m. to 7 a.m. Noise levels described by L_{dn} and CNEL are similar and usually do not differ by more than 1 dB. Typical L_{dn} noise levels for light and medium density residential areas range from 55 dBA to 65 dBA. Daytime L_{eq} levels are generally louder than L_{dn} or CNEL levels. Therefore, if the measured L_{eq} meets noise standards, then L_{dn} or CNEL standards would also be met.

Regulatory Framework

State

California Building Code

California Building Code (CBC), Title 24, Section 1207.11.2, Allowable Interior Noise Levels, requires that interior noise levels attributable to exterior sources not exceed 45 dBA in any habitable room. The noise metric is evaluated as either L_{dn} or CNEL, consistent with the noise element of the local general plan.

California Green Building Standards Code

The California Green Building Standards Code (CALGreen) has requirements for insulation that affect exterior-interior noise transmission for non-residential structures. Pursuant to CALGreen Section 5.507.4.1, Exterior Noise Transmission, an architectural acoustics study may be required when a project site is within a 65 dBA CNEL or L_{dn} noise contour of an airport, freeway or expressway, railroad, industrial source, or fixed-guideway source. Where noise contours are not readily available, if buildings are exposed to a noise level of 65 dBA L_{eq} during any hour of operation, specific wall and ceiling assembly and sound-rated windows may be necessary to reduce interior noise to acceptable levels. A performance method may also be used per CALGreen Section 5.507.4.2 to show compliance with State interior noise requirements.

Local

General Plan

The Chapter 7, Noise Element of the 2035 Costa Mesa General Plan (General Plan) includes the following goals, objectives, and policies to minimize adverse noise conditions within the City:

- Objective N-1A: Control noise levels within the City for the protection of residential areas, park areas, and other sensitive land uses from excessive and unhealthful noise.
    - Policy N-1.1: Enforce the maximum acceptable exterior noise levels for residential areas at 65 CNEL.
    - Policy N-1.4: Ensure that appropriate site design measures are incorporated into residential developments, when required by an acoustical study, to obtain appropriate exterior and interior noise levels.
    - Policy N-1.4: Apply the standards contained in Title 24 of the California Code of Regulations as applicable to the construction of all new dwelling units.
- Objective N-2A: Plan for the reduction in noise impacts on sensitive receptors and land uses.
    - Policy N-2.1: Require the use of sound walls, berms, interior noise insulation, double-paned windows, and other noise mitigation measures, as appropriate, in the design of new residential or other new noise sensitive land uses that are adjacent to arterials, freeways, or adjacent to industrial or commercial uses.
    - Policy N-2.2: Require, as a part of the environmental review process, that full consideration be given to the existing and projected noise environment.
    - Policy N-2.4: Require that all proposed projects are compatible with adopted noise/land use compatibility criteria.
    - Policy N-2.5: Enforce applicable interior and exterior noise standards.

In addition, the Noise Element sets forth land use compatibility guidelines to protect residential neighborhoods and noise-sensitive receptors from potentially harmful noise sources. The noise and land use compatibly standards are detailed in Table 4.13-1, *Noise and Land-Use Compatibility Standards*.

Table 4.13-1
Noise and Land Use Compatibility Standards

Land Use	Community Noise Exposure (CNEL or L_{dn}, dBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential: Low Density	50 - 60	60 - 70	70 - 75	75 or greater
Residential: Multiple Family	50 - 65	65 - 70	70 - 75	75 or greater
Mixed Use	50 - 65	65 - 70	70 - 75	75 or greater
Transient Lodging-Motel, Hotels	60 - 65	65 - 70	70 - 80	80 or greater
School, Libraries, Churches, Hospitals, Nursing Homes	50 - 60	60 - 65	65 - 80	80 or greater
Auditoriums, Concert Halls, Amphitheaters	NA	50 - 70	NA	80 or greater
Sports Arenas, Outdoor Spectator Sports	NA	50 - 75	NA	80 or greater
Playgrounds, Neighborhood Parks	50 - 67.5	NA	67.5 - 75	75 or greater
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50 - 70	NA	70 - 80	80 or greater
Office Buildings, Business Commercial and Professional	50 - 67.5	67.5 - 77.5	77.5 - 85	85 or greater unless appropriately insulated
Industrial, Manufacturing, Utilities, Agriculture	50 - 70	70 - 80	80 - 85	NA

Notes: CNEL = Community Noise Equivalent Level; Ldn = Day Night Level; dBA = A-weighted decibels; NA = not applicable
Source: City of Costa Mesa, *2035 General Plan*, Noise Element.

City of Costa Mesa Municipal Code

City of Costa Mesa Municipal Code (Municipal Code) Sections 13-280, *Exterior Noise Standards*, 13-281, *Interior Noise Standards*, and 13-282, *Noise Near Schools, Hospitals, Churches*, establish permissible noise levels at the property line of nearby sensitive receptors. Sections 13-280 and 13-281 establish interior and exterior noise level standards for residential land uses affected by stationary noise sources. Section 13-282 applies the exterior noise standards from Section 13-280 to any school, hospital, or church while it is in use. Table 4.13-2, *City of Costa Mesa Noise Level Standards, dBA*, summarizes the City's noise level standards based on the land use, measurement location (exterior/interior), and time period.

Table 4.13-2
City of Costa Mesa Noise Level Standards, dBA

Land Use	Exterior/ Interior	Time Period	L_{50}	L_{25}	L_8	L_2	L_{max}
Residential	Exterior	7:00 a.m. to 11:00 p.m.	55	60	65	70	75
		11:00 p.m. to 7:00 a.m.	50	55	60	65	70
	Interior	7:00 a.m. to 11:00 p.m.	—	—	55	60	65
		11:00 p.m. to 7:00 a.m.	—	—	45	50	55
School, Hospital or Church[1]	Exterior	7:00 a.m. to 11:00 p.m.	55	60	65	70	75
		11:00 p.m. to 7:00 a.m.	50	55	60	65	70

Notes: dBA = A-weighted decibels, L_{50}=noise level exceeded 50 percent of the time, L_{25}= noise level exceeded 25 percent of the time. L_8= noise level exceeded 8 percent of the time, L_2= noise level exceeded 2 percent of the time, L_{max} = maximum sound level
1. The exterior noise standards are applicable to schools, hospitals, and churches while they are in use.
Source: City of Costa Mesa, Municipal Code Section 13-280.

In the event ambient noise levels exceed any of the noise limit categories above, the cumulative period applicable to the category shall be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the last noise limit category, the maximum allowable noise level under the category shall be increased to reflect the maximum ambient noise level.

Municipal Code Section 13-279, Exceptions for Construction, establishes allowed times for construction activities and includes special provisions for sensitive land uses. The Municipal Code allows construction to occur between the hours of 7:00 a.m. and 7:00 p.m., Mondays through Fridays, and between 9:00 a.m. and 6:00 p.m. on Saturdays. Construction is not permitted outside of these hours or on Sundays or New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, unless a temporary waiver is granted by the City of Costa Mesa Director of Economic and Development Services or his/her authorized representative or in emergencies, including maintenance work in the City rights-of-way. The limitations on construction activity also apply to vehicles and equipment involved with deliveries, loading or transferring materials, equipment service, or maintenance of any equipment.

Thresholds of Significance

Construction Noise Standards

The City of Costa Mesa does not have a quantitative threshold that applies to noise levels at active construction sites. To evaluate whether the proposed project would generate potentially significant temporary construction noise levels at off-site sensitive receiver locations, a construction-related noise level threshold was utilized from the Occupational Noise Exposure prepared by the National Institute for Occupational Safety and Health (NIOSH). As a division of the U.S. Department of Health and Human Services, NIOSH identifies a noise level threshold based on the duration of exposure to the source. The construction-related noise level threshold starts at 85 dBA for more than eight hours per day, and for every 3-dBA increase, the exposure time is cut in half. For the purposes of this analysis, the lowest, most conservative construction noise level threshold of 85 dBA L_{eq} was used as an acceptable threshold for construction noise at the nearby sensitive receiver locations. Since this construction-related noise level threshold represents the energy average of the noise source over a given time, they are expressed as L_{eq} noise levels. Therefore, the noise level threshold of 85 dBA L_{eq} over a period of eight hours or more is used to evaluate the potential project-related construction noise level impacts at the nearby sensitive receiver locations. Noise levels from construction equipment and activities were modeled using the Federal Highway Administration's Roadway Construction Noise Model (RCNM).

Construction and Operational Vibration Standards

The Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual identifies various vibration damage criteria for different building classes.[1] As the nearest sensitive receptor structures to project site are residential uses, the architectural damage criterion for continuous vibrations at residential structures of 0.2 inch-per-second PPV is applied in the analysis.

Mobile Noise Sources

The primary source of noise associated with the operation of the proposed project would be from vehicular trips. An off-site traffic noise impact typically occurs when there is a discernable increase in traffic and the resulting noise level exceeds an established noise standard. In community noise considerations, changes in noise levels greater than 3 dB are often identified as discernible, while changes less than 1 dB would not be discernible to local residents. A 5 dB change is generally recognized as a clearly discernable difference. Thus, the project would result in a significant noise impact if a permanent increase in ambient traffic noise levels of 3.0 dB occurs upon project implementation and the

[1] Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

resulting noise level at the receiving sensitive receptor exceeds the applicable exterior standard at a noise sensitive use.

Stationary Noise Sources

The Municipal Code Chapter XIII, *Noise Control*, was designed to control excessive noise from sources within and outside Costa Mesa. As such, the City of Costa Mesa's residential exterior noise standards would be applied when analyzing noise impacts for residential uses. A project would result in a significant impact if project-related operational (stationary-source) noise levels exceed the daytime exterior 55 dBA L_{eq} and nighttime exterior 50 dBA L_{eq} noise level standards at nearby sensitive receiver locations (based on the exterior noise level standards in Section 13-280 of the Municipal Code; refer to Table 4.13-2 above).

Existing Conditions

Stationary Sources

Land uses in the project area are mostly residential, commercial, and light industrial uses. The primary sources of stationary noise in the project vicinity are urban-related activities (i.e., mechanical equipment and outdoor activity areas). The noise associated with these sources may represent a single-event noise occurrence, short-term, or long-term/continuous noise.

Mobile Sources

Most of the existing noise near the project area is generated from vehicular sources traveling along Victoria Street, Newport Boulevard, and State Route 55. According to the General Plan, the project site is located within the 65 dBA CNEL and 60 dBA CNEL noise contours.[2]

Noise Measurements

To quantify existing ambient noise levels in the vicinity of the project site, three short-term noise measurements were taken on December 5, 2024; refer to Table 4.13-3, *Noise Measurements*. The short-term noise measurement sites are shown in Exhibit 4.13-1, *Noise Measurement Locations*, and were representative of typical existing noise exposure in the project area. The three ten-minute short-term measurements were taken between 12:00 p.m. and 2:00 p.m. Short-term (L_{eq}) measurements are considered representative of the noise levels throughout the day. The results of the field measurements are included in Appendix F, *Noise Data*.

Table 4.13-3
Noise Measurements

Site No.	Location	L_{eq} (dBA)	L_{max} (dBA)	L_{min} (dBA)	Start Time
1	In the parking lot, at the northeast corner of the project site	55.5	72.3	48.7	12:42 p.m.
2	In the parking lot, at the southeast corner of the Grace Orthodox Presbyterian Church	55.0	71.1	41.3	1:06 p.m.
3	In front of 206 Victoria Street	72.0	90.5	56.5	1:21 p.m.

Notes: dBA = A-weighted decibels, L_{eq} = Equivalent Sound Level; L_{min} = Minimum Sound Level; L_{max} = Maximum Sound Level, Peak = Highest Instantaneous Sound Level

Source: Michael Baker International, December 5, 2024. Refer to Appendix F, *Noise Data*, for detailed noise measurement data.

[2] City of Costa Mesa, *City of Costa Mesa General Plan, Figure N-2: Existing Noise Contours - 2015*.



Source: Google Earth Pro, December 2024

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VICTORIA PLACE PROJECT

Noise Measurement Locations

Meteorological conditions for the short-term noise measurements were clear sky with calm weather, cool to warm temperatures, with light wind (approximately 0 to 7 miles per hour). Noise monitoring equipment used for the ambient noise survey consisted of a Brüel & Kjær Hand-held Analyzer Type 2250 equipped with a Type 4189 pre-polarized microphone. The monitoring equipment complies with applicable requirements of the American National Standards Institute (ANSI) for Type I (precision) sound level meters.

Sensitive Receptors

Human response to noise varies widely depending on the type of noise, time of day, and sensitivity of the receptor. Sensitive populations are more susceptible to the effects of noise than are the general population. Land uses considered sensitive by the State of California include schools, playgrounds, athletic facilities, hospitals, rest homes, rehabilitation centers, long-term care and mental care facilities. Generally, a sensitive receptor is identified as a location where human populations (especially children, senior citizens, and sick persons) are present. Land uses less sensitive to noise are business, commercial, and professional developments. Noise receptors categorized as being least sensitive to noise include industrial, manufacturing, utilities, agriculture, natural open space, undeveloped land, parking lots, warehousing, and transit terminals. These types of land use often generate high noise levels. Moderately sensitive land uses typically include multi-family dwellings, hotels, motels, dormitories, and outpatient clinics. The nearest sensitive receptors are the existing residential uses north of the project site.

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact. It is difficult to specify noise levels that are generally acceptable to everyone; noise that is considered a nuisance to one person may be unnoticed by another. Standards may be based on documented complaints in response to documented noise levels or based on studies of the ability of people to sleep, talk, or work under various noise conditions.

Construction

Typical activities associated with construction are a highly noticeable temporary noise source. Noise from construction activities is generated by two primary sources: (1) the transport of workers and equipment/materials to construction sites and (2) the noise related to active construction equipment. These noise sources can be a nuisance to local residents and businesses or, in some cases, unbearable to sensitive receptors (i.e., residences, hospitals, senior centers, schools, day care facilities, etc.).

Construction noise levels in the project vicinity would fluctuate depending on the type, number, and duration of usage for the varying equipment. The effects of construction noise largely depend on the type of construction activities occurring on any given day, noise levels generated by those activities, distances to noise-sensitive receptors, and the existing ambient noise environment in the receptor's vicinity. Construction generally occurs in several discrete phases, with each phase requiring different equipment with varying noise characteristics. These phases alter the characteristics of the noise environment generated on the proposed project site and in the surrounding community for the duration of the construction process.

Multiple residents are present surrounding the project site, which are considered sensitive receptors with regard to exposure to noise impacts during construction. The nearest sensitive receptors to the project site are the existing residential uses north of the project site, which adjoin the project's northern boundary. The estimated construction noise levels at the nearest noise-sensitive receptors are presented in Table 4.13-4, *Construction Noise Levels at Adjacent Receptors*, which presents a conservative analysis of potential noise impacts, as any receptors situated farther than residents to the north, would have reduced impacts comparatively. To present a conservative impact analysis, the estimated noise levels were calculated for a scenario in which all heavy construction equipment were assumed to operate simultaneously; refer to Appendix F. Results from RCNM also assume a clear line-of-sight and no other machinery or equipment noise that would mask project construction noise. The shielding of buildings and other

barriers that interrupt line-of-sight conditions would help further reduce noise levels than what is shown in Table 4.13-4. The construction equipment list is based on CalEEMod, and the project would include the same type and amount of equipment during all construction phases.

Table 4.13-4
Construction Noise Levels at Adjacent Receptors

Phase	Estimated Exterior Construction Noise Level at 155 feet[1] (Center of Project Site) (dBA L_{eq})
Demolition	75.1
Grading	73.8
Building Construction	71.5
Paving	71.2
Architectural Coating	63.9
Notes: 1. Although the nearest sensitive receptors to the project site are the existing multi-family uses adjacent to the north, the geographic center of the project site is approximately 155 feet from the closest sensitive receptors (residential use) to the north.	
Source: Federal Highway Administration, *Roadway Construction Noise Model (RCNM)*, 2006. Refer to Appendix F, *Noise Data*.	

According to the FTA *Transit Noise and Vibration Impact Assessment Manual*, General Noise Assessment methodology, noise can be considered as concentrated at the center of the site. As such, the estimated noise levels were calculated from the center of the project site. The geographic center of the project site is approximately 155 feet from the closest sensitive receptors (residential use) to the north.

As shown in Table 4.13-4, the nearest receptors to the project site could be exposed to temporary and intermittent construction noise levels ranging from approximately 63.9 to 75.1 dBA L_{eq} at the nearest residential use to the north. As such, construction noise would not have the potential to exceed the NIOSH significance threshold of 85 dBA L_{eq}. In addition, it is acknowledged that the Municipal Code Section 13-279(b), *Exceptions for Construction,* exempts construction activities from the residential exterior noise control standards upon compliance with the permitted construction hours. As such, construction activities would be required to comply with Standard Conditions of Approval (SCA) NOI-1 which references Section 13-279(b) of the Municipal Code. Per SCA NOI-1, construction activities would comply with the permitted hours of construction which restricts construction activities to the daytime hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 pm. on Saturdays; construction activities are also prohibited on Sundays and the following federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. Therefore, construction impacts resulting from the proposed project would be less than significant.

Operations

Mobile Noise

Future development generated by the proposed project would result in additional traffic on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. According to the *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, a doubling of traffic volumes would result in a 3 dBA increase in traffic noise levels, which is barely detectable by the human ear.[3] According to the *Victoria Place Project, City of Costa Mesa, VMT Screening Analysis* (VMT Screening Analysis), prepared by Michael Baker International, and dated December 20, 2024, the project would generate approximately 298 trips, without taking trip credits from the existing uses. According to the Orange County Transportation Authority (OCTA), average daily trips along State Route 55, Newport Boulevard, and Victoria Street are 147,000 trips per day, 5,000 trips per day, and 31,000 trips per day, respectively.[4]

[3] U.S. Department of Transportation, *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, August 2017, https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm, accessed April 8, 2022.

[4] Orange County Transportation Authority, *Traffic Flow Map 2024, Orange County, California*, September 2024, https://www.octa.net/pdf/TrafficFlow-ADT-2024.pdf, accessed November 22, 2024.

As such, the project's minimal trip generation (298 average trips per day without taking trip credits from the existing uses) would not double existing traffic volumes and the increase in traffic noise generated by the project along the roadway would be imperceptible. Therefore, project-related traffic noise would be less than significant.

Stationary Noise

Stationary noise sources associated with the proposed residential project would include those typical of suburban areas (e.g., dogs/pets, landscaping activities, weekly garbage collection, etc.). These noise sources are typically intermittent and short in duration and would be comparable to existing sources of noise experienced at surrounding residential uses. Further, all stationary noise activities would be required to comply with the Municipal Code and the California Building Code requirements pertaining to noise attenuation.

Mechanical Equipment Noise

Typically, mechanical equipment, such as Heating, Ventilation, and Air Conditioning (HVAC) units, generate noise levels of 66 dBA at 3 feet from the source.[5] The nearest sensitive receptors are located adjacent to the project site and approximately 30 feet to the north of the nearest proposed building on-site. HVAC noise levels at 30 feet would be approximately 46 dBA. It should be noted that the on-site HVAC equipment would be shielded with parapet walls to further reduce mechanical noise impacts at the nearest sensitive receptors. Therefore, HVAC noise level would not exceed the City's exterior daytime or nighttime noise standards of 55 dBA L_{eq} and 50 dBA L_{eq}, respectively. As shown in Table 4.13-3, existing ambient noise levels near the residential uses is approximately 55.5 dBA L_{eq}, which is higher than the projected noise levels from HVAC units at this sensitive receptor. Further, HVAC equipment currently exist on the rooftops of existing buildings and would not represent new noise sources. As such, impacts would be less than significant in this regard.

Outdoor Activity Areas

Outdoor activity area noise that is typical of residential land uses includes children playing, pets, amplified music, pool and spa equipment operation. Noise from outdoor activities would primarily occur during the "daytime" activity hours assuming noises decrease during nighttime hours (e.g., people go to sleep and/or close their windows). The potential noise impacts from such outdoor activity areas would be dependent on various factors, including the type, scale, and intensity of use of such facilities, the orientation of projects in relation to the activity area, the proximity of sensitive receptors, and the background ambient noise level. However, like all residential uses, the proposed project would be required to comply with Section 13-280 of the Municipal Code, *Exterior Noise Standards*, which prohibits any source of sound at any location from exceeding the City's exterior daytime and nighttime noise standards when measured on property line. The required compliance with the Municipal Code would ensure that potential noise impacts from the project would be less than significant. Moreover, per Assembly Bill 1307 and Public Resources Code Section 21085, "the effects of noise generated by [residential] project occupants and their guests on human beings is not a significant effect on the environment."

However, conservatively, noise impacts from outdoor activity areas are analyzed at the nearest sensitive receptors located adjacent to the project site and approximately 20 feet to the north of the nearest proposed yard on-site. Noise generated by groups of people (i.e., crowds) is dependent on several factors including vocal effort, impulsiveness, and the random orientation of the crowd members. According to Prediction of Crowd Noise, crowd noise is approximately 62 dBA at one meter (i.e., 3.28 feet) from the source.[6,7] Noise has a decay rate due to distance attenuation, which is calculated based on the Inverse Square Law. Based upon the Inverse Square Law, sound levels decrease by 6 dBA

[5] Elliot H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, July 26, 2015.

[6] Crowd noise is estimated at 60 dBA at one meter (3.28 feet) away for raised normal speaking. This noise level would have a +5 dBA adjustment for the impulsiveness of the noise source, and a -3 dBA adjustment for the random orientation of the crowd members. Therefore, crowd noise would be approximately 62 dBA at one meter from the source.

[7] Hayne, M.J., *Prediction of Crowd Noise*, November 2006.

for each doubling of distance from the source.[8] At the distance of 20 feet, crowd noise would be approximately 46 dBA. Therefore, outdoor activity areas noise levels would not exceed the City's exterior daytime or nighttime noise standards of 55 dBA L_{eq} and 50 dBA L_{eq}, respectively. As shown in Table 4.13-3, existing ambient noise levels near the residential uses is approximately 55.5 dBA L_{eq}, which is higher than the projected noise levels from outdoor activity areas at this sensitive receptor. Therefore, a less than significant impact would occur.

Standard Conditions of Approval:

SCA NOI-1 All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

Mitigation Measures: No mitigation measures are required.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact.

Construction

Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

Construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. The vibration level at which human annoyance is perceived is 0.2 inch/second PPV. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 25 feet from most construction vibration sources. This distance can vary substantially depending on the soil composition and underground geological layer between the vibration source and the receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. Construction activities that may result under the proposed project have the potential to generate ground-borne vibration. This evaluation uses the Federal Transit Administration architectural damage criterion for continuous vibration of 0.2 inch/second PPV for non-engineered timber and masonry buildings because the closest structure to the project site with sensitive receptors are multi-family residential buildings. Typical vibration levels produced by construction equipment are shown in Table 4.13-5, *Typical Vibration Levels for Construction Equipment*.

The ground-borne vibration generated during construction activities would primarily impact existing sensitive uses that are located adjacent to or within the immediate vicinity of the project. As shown in Table 4.13-5, vibration levels could reach up to 0.089 inch/second PPV for typical construction activities within 25 feet of construction. The nearest structures to the project construction activities with sensitive receptors are the existing multi-family residential uses located approximately 20 feet to the north of the project site. As shown in Table 4.13-5, vibration levels during the operation of construction equipment would range from 0.004 inch/second PPV to approximately 0.124 inch/second

[8] Ibid.

PPV at 20 feet. As a result, construction groundborne vibration would not exceed the 0.2 inch/second PPV significance threshold at the nearest sensitive receptor structures. Therefore, vibration impacts would be less than significant.

Table 4.13-5
Typical Vibration Levels for Construction Equipment

Equipment	Approximate peak particle velocity at 25 feet (inch/sec)	Approximate peak particle velocity at 20 feet (inch/sec)[1]
Large bulldozer	0.089	0.124
Loaded trucks	0.076	0.106
Jackhammer	0.035	0.049
Small bulldozer	0.003	0.004

Notes:
1. Calculated using the following formula:
$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$
where: PPV_{equip} = the peak particle velocity in in/sec of the equipment adjusted for the distance
PPV_{ref} = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration *Transit Noise and Vibration Impact Assessment Guidelines*
D = the distance from the equipment to the receiver

Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual, Table 7-4 Vibration Source Levels for Construction Equipment*, September 2018.

Operation

Implementation of the proposed project would not involve land uses that include or require equipment, facilities, or activities that would result in perceptible groundborne vibration. As such, it can be reasonably inferred that operation of the proposed project would not create perceptible vibration levels at the nearest sensitive receptors. Therefore, vibration impacts related to operation of the proposed project would be less than significant.

Mitigation Measures: No mitigation measures are required.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The nearest airport to the project site is the John Wayne Airport in the City of Santa Ana, approximately 2.0 miles to the northeast. According to the *Airport Environs Land Use Plan for John Wayne Airport* (AELUP), the project site is located outside of the Airport Impact Zones, AELUP Notification Area, Federal Aviation Regulation Part 77 Notification Area, and Airport Safety Zones.[9] As such, future sensitive uses proposed under the project would be located outside of the 60 dBA CNEL noise contour of the John Wayne Airport. Additionally, the project site is not located within the vicinity of a private airstrip or related facilities. Therefore, project implementation would not expose people residing or working in the project area to excessive airport noise levels or safety hazards. No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[9] Orange County Airport Land Use Commission, *Airport Environs Land Use Plan for John Wayne Airport*, April 17, 2008.

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4.14 POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less Than Significant Impact. A project could induce population growth in an area either directly, through the development of new residences or businesses, or indirectly, through the extension of roads or other infrastructure. The proposed project would replace the existing commercial uses with a new residential common interest development community (40 units). Therefore, the project would result in direct population growth.

Based on the City's average household size of 2.52, the project would introduce up to 101 new residents.[1] Therefore, the project would induce population growth in the City. Conservatively assuming that all 101 project-generated residents relocate from outside of the City, potential population growth associated with the project would represent approximately 0.01 percent over the City's 2024 population estimate of 109,423 persons.[2] Therefore, the project would not induce substantial unplanned population growth.

Potential population growth impacts are also assessed based on a project's consistency with adopted plans that have addressed growth management from a local and regional standpoint. The Southern California Association of Governments (SCAG) growth forecasts estimate the City's population to reach 123,700 persons by 2045, representing a total increase of 14,277 persons between 2024 and 2045.[3] SCAG's regional growth forecasts are based upon long-range development assumptions (i.e., general plans) of the relevant jurisdiction. The project's anticipated population increase (101 persons) would represent approximately 0.7 percent of the City's anticipated population growth between 2024 and 2045, or less than 0.01 percent of the City's projected population by the year 2045.

The project site has a current land use designation of General Commercial and zoned C2. The project proposes a General Plan Amendment and Zoning Code Amendment in order to apply the Residential Incentive Overlay to the site, which would allow for residential development on-site. The Residential Incentive Overlay permits a residential density of up to 30 du/ac and as such, the proposed 40 residential units would be permitted on the 1.78-acre site. As such, while the project would increase the City's overall population by introducing new residents at the project site, the

1 State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2024*, https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/, accessed December 2, 2024.

2 Ibid.

3 Southern California Association of Governments, *2025-2040 RTP/SCS Technical Report, Demographics and Growth Forecast*, September 3, 2020.

General Plan Amendment and Zone Change would only affect the project site, and would not induce substantial unplanned population growth in the area.

Overall, the project would not induce substantial unplanned population growth, nor substantially exceed the existing local conditions (approximately a 0.01 percent increase over the City's estimated 2024 population) or regional projections (less than 0.01 percent of the City's projected 2045 population). As such, the proposed project would result in less than significant impacts in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. As shown on Exhibit 2-2, ***Site Vicinity***, the project site is currently developed with commercial buildings/storage uses and no permanent housing exists on-site. It is acknowledged that one vacant residence is on-site; however, this structure has been used for commercial and storage purposes for a plumbing business for the last 58 years and is not currently being used for residential purposes. Project implementation would not displace a substantial number of existing housing or people. No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4.15 PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire protection?			✓	
2) Police protection?			✓	
3) Schools?			✓	
4) Parks?			✓	
5) Other public facilities?			✓	

This section is primarily based upon the following technical studies included in Appendix H, *Public Services and Utilities Correspondence:*

- *Request for Will Serve Letter (40) Single-Family, 3-Bedroom Homes 220, 222, 234, 236 Victoria Street* (NMUSD Will Serve Letter), prepared by Newport-Mesa Unified School District, February 20, 2025.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

1) Fire protection?

Less Than Significant Impact. The Costa Mesa Fire Department (CMFD) provides fire protection and emergency medical services to the City and project site. There are six fire stations located within the City of Costa Mesa; the closest fire station to the project site is Fire Station 5, located approximately 0.6 miles to the northeast at 2450 Vanguard Way.[1]

Construction

Construction activities associated with the proposed project could create a temporary increased demand for fire protection services at the project site. Construction activities would be subject to compliance with applicable State and local regulations in place to reduce risk of fire, such as installation of a temporary construction fencing to restrict site access and maintenance of a clean construction site. Specifically, construction would be subject to Municipal Code Title 5, *Buildings and Structures*, and all adopted State construction codes, including the 2022 California Building Code (CBC) and 2022 California Fire Code (CFC). Specifically, Municipal Code Section 7-14, *Adoption of the California Fire Code*, includes site access requirements and fire safety precautions associated with construction activities. As a result, compliance with applicable regulations would ensure project construction would not result in the need for new or

[1] City of Costa Mesa, *Station Locations*, https://www.costamesaca.gov/government/departments-and-divisions/fire-rescue/station-locations, accessed November 24, 2024.

physically altered fire protection facilities and would not adversely impact service ratios, response times, or other CMFD performance standards. A less than significant impact would occur in this regard.

Operations

The proposed project would result in a direct increase in residential population, and would therefore increase demand for fire protection services in the project area. As detailed in Section 4.14, *Population and Housing*, the project would generate approximately 101 new residents. The project area is already served by the CMFD and development of the project would not require expanding CMFD's service area beyond existing conditions. Additionally, the project's impact on CMFD's services and facilities would be offset through the collection of development permit fees. The project would also comply with the CBC and CFC which includes standards and requirements for the installation of fire protection systems (such as smoke detectors and fire hydrants). Compliance with these applicable laws, ordinances, and regulations would further reduce the project's operational impacts.

Additionally, the site plan for the proposed project would be reviewed and approved by the CMFD to ensure adequate emergency access, appropriate fire flow, and compliance with all applicable State and local laws and regulations. In accordance with SCA PW-1, the proposed project would dedicate an ingress/egress easement to the City for emergency and public security vehicles. Thus, the proposed project would have a circulation layout that would provide adequate access for emergency vehicles; refer to Section 4.17, *Transportation*. Additionally, as discussed in Section 4.19, *Utilities and Service Systems,* the proposed project would submit site plans that show the installation of appropriate fire flow infrastructure. As such, with payment of development impact fees and approval of the final site plans by the CMFD, the project's operational impact on CMFD's service and facilities would be less than significant.

Standard Conditions of Approval:

SCA PW-1 Dedicate an ingress/egress easement to the City for emergency and public security vehicles purposes only. Maintenance of easement shall be the sole responsibility of the Homeowners Association formed to conform to Section 13-41(e) of the Municipal Code.

Mitigation Measures: No mitigation measures are required.

2) Police protection?

Less Than Significant Impact. The Costa Mesa Police Department (CMPD) provides police protection services to the City, including the project site. The Costa Mesa Police Department is located at 77 Fair Drive, approximately 0.7 miles to the northeast of the project site.

Construction

Construction activities associated with the proposed project could temporarily increase demand for police protection services at the project site. However, all construction activities would be subject to compliance with Municipal Code Title 5, *Buildings and Structures*, and the 2022 California Building Code. Chapter 33, *Safeguards During Construction*, of the California Building Code includes emergency access requirements which would minimize site safety hazards and potential construction-related impacts to police services. Thus, project construction would not result in the need for new or physically altered sheriff protection facilities, the construction of which could cause significant environmental impacts, and would not adversely impact service ratios, response times, or other CMPD performance standards. A less than significant impact would occur in this regard.

Operations

The proposed project would increase demand for police protection services in the project area. The population increase of 101 persons from the proposed project would be within the population projection for the City; refer to Section 4.14,

Population and Housing. As such, the nominal population increase would not result in the need for new or physically altered police protection facilities. The project area, including the existing residential and commercial uses nearby, is currently within CMPD's service area and thus, the project would not extend CMPD's resources and staffing beyond their existing service area. Further, as stated, the proposed driveways along Victoria Place would require City plan check review. The proposed project would be designed in compliance with Title 5, *Buildings and Structures*, which includes provisions of the 2022 California Building Code. The California Building Code includes emergency access requirements which would minimize site safety hazards and potential operational impacts to police services. The CMPD would review the project's final site plans to ensure that the project adhere to emergency access requirements for the CMPD. Following compliance with Municipal Code requirements, the project's operational impacts in this regard would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

3) Schools?

Less Than Significant Impact. The Newport-Mesa Unified School District (NMUSD) provides school services to the City. NMUSD spans approximately 59 square miles and includes the cities of Costa Mesa and Newport Beach. NMUSD consists of 32 schools, including 22 elementary schools, two intermediate schools, two middle/high schools (grades 7-12), two high schools (grades 9-12), three alternative schools/programs, and one adult education program (partnered with the Huntington Beach Adult School). The closest school to the project site is the College Park Elementary School located at 2380 Notre Dame Road, approximately 0.5 miles to the north.[2]

The project involves the development of 40 units, which could generate additional students within the project area. According to the NMUSD questionnaire prepared for the Hive Live Project, single-family dwelling units have the following student generation rates per unit: 0.23 elementary students, 0.05 middle school students, and 0.09 high school students for every single-family dwelling unit,[3] Based on NMUSD's student generation rates for residential uses, the project would generate up to ten elementary students, two middle school students, and four high school students. The nominal increase in student population generated by the project would not result in the need for new or physically altered schools. Additionally, the NMUSD provided a NMUSD Will Serve Letter which indicates that schools near the project site (i.e., College Park Elementary School, Costa Mesa Middle School, and Costa Mesa High School) would be capable of serving the site; refer to Appendix H. The project would also be subject to NMUSD developer fees pursuant to Senate Bill 50. According to Government Code Section 65996, payment of statutory fees under Senate Bill 50 is considered to be full mitigation for new development projects. Thus, payment of developer impact fees would ensure project impacts to NMUSD services are proportionally offset and reduced to less than significant levels.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4) Parks?

Less Than Significant Impact. The City currently has a parkland standard of 4.26 acres of parkland per 1,000 residents. As discussed in Section 4.14, *Population and Housing*, the proposed project would introduce up to 101 new residents into the City. As such, the proposed project would be required to provide a total of approximately 0.43 acres of parkland. The proposed project would provide approximately 32,437 square feet of open space of which 9,817

[2] Newport-Mesa Unified School District, *School Locator*, https://web.nmusd.us/schools/school-locator, accessed November 24, 2024.

[3] City of Costa Mesa, Hive Live Public Review Draft Environmental Impact Report, Appendix L, Public Services and Utilities Correspondence, dated January 2025.

square feet would comprise of common use open space and 22,620 square feet would be provided as private use open space (backyards). Of the 9,817 square feet of common open space, 6,317 square feet would be provided as a BBQ/children play area and 3,500 square feet would be provided as flex open space. As such, the proposed 32,437 square feet of open space (or approximately 0.74 acres) on-site would adequately meet the required 0.43 acres of parkland requirement.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

5) Other public facilities?

Less Than Significant Impact. Other public facilities that could potentially be impacted by the proposed project include library services. Library services for the City, including the project site, are provided by the Orange County Public Library (OCPL). There are two OCPL branch libraries within the City, the Donald Dungan Library and Mesa Verde Library.[4] The nearest OCPL branch library is the Donald Dungan Library, approximately one mile to the southwest at 1855 Park Avenue. While the Donald Dungan Library would primarily serve future residents of the site, residents also have access to all 33 libraries in the OCPL system, including those in neighboring cities (Santa Ana, Irvine, and Fountain Valley). OCPL provides online services that allow library patrons to check out books and resources from any of the OCPL libraries. These online services alleviate the potential demand the project may have on the Donald Dungan Library. Overall, library resources would not be limited to what is provided by the existing Donald Dungan Library and, therefore, project implementation is not anticipated to result in a significant impact on OCPL services. Impacts would be less than significant in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[4] City of Costa Mesa, *Libraries*, https://www.costamesaca.gov/community/libraries, accessed November 18, 2024.

4.16 RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✓	

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. Refer to Response 4.15(a)(4).

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less Than Significant Impact. Refer to Response 4.15(a)(4). The project's potential environmental impacts associated with the construction of recreational amenities (children play area and flex open space) associated with the proposed project are analyzed throughout this Initial Study. Compliance with applicable laws, ordinances, and regulations would ensure that the project's impacts from the construction and operation of the proposed park features would be reduced to less than significant levels.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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4.17 TRANSPORTATION

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?		✓		
b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			✓	
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	
d. Result in inadequate emergency access?		✓		

This section is primarily based upon the *Victoria Place Project, City of Costa Mesa, VMT Screening Analysis* (VMT Screening Analysis), prepared by Michael Baker International, December 20, 2024; refer to Appendix G, *VMT Screening Analysis*.

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact With Mitigation Incorporated.

ROADWAY FACILITIES

Roadways located near the project vicinity includes Victoria Place, Victoria Street, Newport Boulevard, and Fairview Road. According to the General Plan Exhibit C-2, Fairview Road is listed as a major arterial street while Victoria Street and Newport Boulevard are listed as a secondary arterial street. Major arterial streets are six-lane divided roadways that experiences a large volume of regional through traffic (approximately 56,000 to 68,000 daily trips) that is not handled by the freeway system. Secondary arterial streets are defined as four-lane undivided roadways (approximately 25,000 to 30,000 daily trips) that serves as a connector that distributes traffic between local streets and major and primary arterial streets.

Development of the proposed project would not result in any long-term impacts associated with the City's planned street classification system. However, construction activities may require partial lane closures along Victoria Place. No lane closures would be required along Victoria Street, Newport Boulevard, or Fairview Road. As such, Standard Condition of Approval (SCA) TRA-1 would require preparation of a Construction Management Plan (CMP) which minimizes construction impacts to neighboring uses to the fullest extent that is reasonable and practical. Specifically, the plan would specify construction parking, staging grounds, hauling routes, and vehicle access on the construction site. Additionally, the CMP would limit the total truck trips (i.e., hauling trips) associated with the construction of the proposed project to less than 200 trips per day. Implementation of SCA TRA-1 would minimize the project's temporary construction impacts on roadway facilities. Impacts in this regard would be less than significant.

TRANSIT, BICYCLE, AND PEDESTRIAN FACILITIES

Transit services in the City are provided by Orange County Transportation Authority (OCTA). OCTA provides transit services throughout Orange County and offers a wide range of fixed-route bus services. OCTA has developed an extensive network of transit routes to connect residents and commuters of Costa Mesa to key destinations. Three OCTA bus routes operate within the vicinity of the project site: Routes 47 and 55 along Wilson Street and Route 71

along Newport Boulevard. The closest bus stop to the project site is the Newport-Fairview bus stop, located approximately 230 feet to the east of the project site (along the west side of Newport Boulevard, just south of Fairview Road).

The General Plan Circulation Element classifies Victoria Street and Fairview Road as Class II Bicycle Lanes, which is defined as a striped and signed lanes for the exclusive use of bicycles and are adjacent to the curb. These lanes use existing rights-of-way and share roadways with motor vehicles. Additionally, Class II Bicycle Lanes along Fairview Road to the east of the project site is currently planned to be converted by the City into Class IV Bicycle Lanes. Class IV Bicycle Lanes are protected bike lanes which are for exclusive use by bicycles and protected via a physical barrier (i.e., curb, planters, parked cars). Pedestrian sidewalks are currently provided along the southern right-of-way of Victoria Place. No sidewalk is present along the northern Victoria Place right-of-way, along the project frontage. Pedestrian sidewalks are currently afforded on both sides of Victoria Street and along the western right-of-way for Newport Boulevard.

Construction of the proposed project would not change the existing sidewalks or bicycle lanes in the project area. In addition, the proposed project would construct sidewalks along the project frontage of Victoria Place, providing additional pedestrian connectivity in the project vicinity. Given the distance of existing bus stops from the project site, construction and operations of the proposed project would not conflict with any program plan, ordinance, or policy addressing the project area's existing transit network.

Construction activities associated with the project, including potential partial lane closures, may temporarily impact bicycle and vehicular facilities along Victoria Place. As such, Mitigation Measure TRA-1 would require the preparation of a Traffic Management Plan (TMP) to maintain traffic flow and emergency access during construction activities. The TMP would include information detailing proposed signage, lane closures, flag persons, etc., and require that bicycle lanes, pedestrian sidewalks, and bus stops remain open and accessible, to the great extent feasible, during construction or be re-routed to ensure continued connectivity. Additionally, the project would implement Standard Condition of Approval (SCA) TRA-1 which would require the preparation of a Construction Management Plan (CMP). The CMP would outline the location of proposed construction parking, vehicle access routes, staging grounds, and hauling routes. With implementation of SCA TRA-1 and Mitigation Measure TRA-1, the project would not conflict with existing bicycle and pedestrian facilities during construction activities, and impacts would be less than significant.

Standard Conditions of Approval:

SCA TRA-1 Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring uses to the fullest extent that is reasonable and practicable. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption during construction. The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Director of Economic and Development Services or Transportation Services Manager.

Mitigation Measures:

TRA-1 Prior to Project commencement of construction, the Applicant or designee shall submit a Construction Traffic Management Plan (TMP) for review and approval by the City Traffic Engineer. The TMP shall include signage, lane closures, flag persons, etc., and shall specify that one lane of travel in each direction shall be maintained along City rights-of-way. Bicycle lanes, pedestrian sidewalks, and bus stops shall remain open and accessible, to the greatest extent feasible, during construction or shall be re-routed to ensure continued connectivity while maintaining Americans with Disabilities Act (ADA) accessibility. The TMP shall be incorporated into project specifications for verification prior to final plan approval.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Less Than Significant Impact. The State of California Governor's Office of Planning and Research (OPR), in implementing Senate Bill (SB) 743, issued proposed updates to the CEQA guidelines in November 2017 that amends the Appendix G question for transportation impacts to delete reference to vehicle delay and level of service (LOS) and instead refer to Section 15064.3, subdivision (b)(1) of the CEQA Guidelines asking if the project would result in a substantial increase in vehicle miles traveled (VMT). The California Natural Resources Agency certified and adopted the revisions to the CEQA Guidelines in December of 2018, and as of July 1, 2020, the provisions of the new section are in effect Statewide. Concurrently, OPR developed the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory), dated December 2018, which provides non-binding recommendations on the implementation of VMT methodology which has significantly informed how VMT analyses are conducted in the State. These new guidelines are contained within the *City of Costa Mesa Transportation Impact Analysis Guidelines* (TIA Guidelines), dated, October 2020, and provide screening criteria and methodology for VMT analysis.

Per the City's TIA Guidelines, the City considers three types of screening that may be applied to a project to effectively screen transportation impacts. If a proposed project meets the criteria of one of the three screening types, the project's impact on transportation would be less than significant. The screening criteria is listed below:

- Step 1: Transit Priority Area (TPA) Screening: Projects located within a TPA may be presumed to have a less than significant impact absent substantial evidence to the contrary. This presumption may NOT be appropriate if the project:

    1. Has a Floor Area Ratio (FAR) of less than 0.75;
    2. Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction;
    3. Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Southern California Association of Governments [SCAG]); or
    4. Replaces affordable residential units with a smaller number of moderate- or high- income residential units.

- Step 2: Low Vehicle Miles Traveled (VMT) Screening Area: Residential and office projects located within a low VMT-generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. In addition, other employment-related and mixed-use land use projects may qualify for the use of screening if the project can reasonably be expected to generate VMT per service population that is similar to the existing land uses in the low VMT-area.

- Step 3: Project Type Screening: Some project types have been identified as having the presumption of a less than significant impact. The following uses can be presumed to have a less than significant impact absent substantial evidence to the contrary as their uses are local serving in nature:

    1. Local-serving K-12 public schools;
    2. Local parks;
    3. Day care centers;
    4. Local-serving retail uses less than 50,000 square feet, including:
        a. Gas stations, banks, restaurants, and/or shopping Center;
    5. Student housing projects or adjacent to college campuses;
    6. Local-serving assembly uses (places of worship, community organizations);
    7. Community institutions (public libraries, fire stations, local government);
    8. Assisted living facilities;

9. Senior housing (as defined by HUD);
10. Projects generating less than 110 daily vehicle trips.

As detailed in the following analysis, all three screening criteria would apply to the proposed project.

Transit Priority Area (TPA) Screening. A TPA is defined as a half mile area around an existing major transit stop or along a high-quality transit corridor (HQTC). A major transit stop is defined as a site which has two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. A HQTC is defined as a corridor with a fixed bus route with service intervals of no longer than 20 minutes during peak commute hours. According to the Appendix A of the City of Costa Mesa TIA Guidelines, the project site is located within an TPA. As discussed in Section 2, *Project Description*, the proposed project would have a FAR of approximately 1.43. Additionally, the proposed project would provide a total of 103 parking stalls which would be less than the required 120 parking stalls pursuant of Municipal Code Section 13.85, *Parking Required*. The proposed project would be consistent with the Sustainable Communities Strategy as the proposed development would construct residential buildings near existing residential and commercial uses.[1] The project would also be located near existing public transportation stops and would include new biking infrastructure (bicycle parking) and sidewalks. Such features would encourage public transportation and active transportation as alternative modes of transportation. As discussed in Section 4.8, *Greenhouse Gas Emissions*, the proposed project would also be consistent with the greenhouse gas reduction strategies contained in the Southern California Association of Governments *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy.* Last, the proposed project would not replace or demolish existing affordable residential dwelling units with fewer moderate- or high- income residential units. As such, the project would screen out through the TPA screening criteria.

Low Vehicle Miles Traveled (VMT) Screening Area. Under the low VMT screening criteria, any residential and office projects located within a low-VMT generating area would be presumed to have a less than significant impact. According to the Appendix A of the TIA Guidelines, the project site is located within an area identified as a low VMT zone (less than 15 percent below the City VMT average. As such, the proposed project would qualify under this screening criteria and as such, would result in a less than significant VMT impact.

Project Type Screening. The proposed project would screen out under the project type screening criteria as a project that would generate less than 110 daily vehicle trips. According to the VMT Screening Analysis (provided in Appendix G), the project's estimated net increase in trip generation would be approximately 25 daily trips; refer to Table 4.17-1, *Project Trip Generation*. As the proposed project would generate less than 110 additional new daily trips, the project type screening criteria would apply to the project. Thus, impacts would be less than significant.

[1] California Air Resources Board, *What are Sustainable Communities Strategies?*, https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/what-are-sustainable-communities-strategies, accessed December 4, 2024.

Table 4.17-1
Project Trip Generation

Land Use	Daily Trips	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Trip Generation Rate							
Proposed							
Single Family Attached Homes	260	5	13	18	12	9	21
Single-Family Detached Housing	38	1	2	3	2	2	4
Total	298	6	15	21	14	11	25
Existing							
Strip Retail Plaza	266	7	5	12	16	16	32
Light Industrial Use	7	1	0	1	0	1	1
Total	273	8	5	13	16	17	33
Trip Generation Summary							
Net Increase Trip Generation							
Proposed Victoria Place Project	25	-2	10	8	-2	-6	-8

Source: Michael Baker International, *Victoria Place Project, City of Costa Mesa, VMT Screening Analysis December 20, 2024*; refer to Appendix G.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. The project would not introduce any hazards to the existing circulation system, such as sharp curves or dangerous intersections, and would not introduce any incompatible uses. Site access would be provided via two unsignalized ingress/egress driveways at the southern end of the project frontage along Victoria Place; refer to Exhibit 2-3. Both driveways would connect to internal drive aisles that provide access to each townhome building and surface parking areas. The proposed circulation layout includes adequate curb return radii for passenger cars, service/delivery trucks, emergency vehicle access and trash trucks, and project traffic is not anticipated to cause significant internal queuing/stacking at the project driveways. The proposed flex open space area would adequately support the weight of emergency vehicles, including CMFD's fire engines. All site improvements that intersect with the public right-of-way would be constructed in accordance with the City's design standards. Pursuant of Standard Conditions of Approval TRA-2, all on-site fencing would comply with the Municipal Code requirements pertaining to traffic line of sight. Overall, project impacts related to hazards due to geometric design features or incompatible uses would be less than significant.

Standard Conditions of Approval:

SCA TRA-2 All fencing onsite must be block walls. The applicant shall submit a detailed block wall plan for review. The location and heights of block walls shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress. The private, interior walls between the homes shall be a minimum of six feet in height.

Mitigation Measures: No mitigation measures are required.

d) Result in inadequate emergency access?

Less Than Significant Impact With Mitigation Incorporated. Project construction activities could temporarily impact adjacent roadway rights-of-way (e.g., through partial lane closures). However, as discussed in Response 4.17(a), SCA

TRA-1 and Mitigation Measure TRA-1 would require the Applicant to prepare and implement a CMP and TMP. The CMP would minimize overall construction related-truck trips which ensures impacts to current traffic flows along neighboring roadways (i.e., Victoria Place) are minimized. The TMP would ensure traffic flow and emergency access are maintained during the construction phase. As stated, the TMP would include information detailing proposed signage, lane closures, flag persons, among others. Upon implementation of SCA TRA-1 and Mitigation Measure TRA-1, construction-related impacts to emergency access in the project area would be reduced to less than significant levels.

At project completion, the project site would be accessed via two unsignalized ingress/egress driveways at the south end of the project site along Victoria Place. Both driveways would connect to internal drive aisles that provide access to each townhome building and surface parking areas. The driveways and internal drive aisles would provide adequate space for emergency vehicles access; refer to Response 4.17(c).

Overall, with implementation of SCA TRA-1 and Mitigation Measure TRA-1, project development would not result in inadequate emergency access. Impacts in this regard would be less than significant.

Standard Conditions of Approval: Refer to SCA TRA-1.

Mitigation Measures: Refer to Mitigation Measure TRA-1.

4.18 TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				✓
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				✓

As of July 1, 2015, California Assembly Bill 52 (AB 52) was enacted and expanded CEQA by establishing a formal consultation process for California tribes within the CEQA process. The bill specifies that any project may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to "begin consultation with a California Native American tribe that is traditional and culturally affiliated with the geographic area of the proposed project." Section 21074 of AB 52 also defines a new category of resources under CEQA called "tribal cultural resources." Tribal cultural resources are defined as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is either listed on or eligible for the California Register of Historical Resources (CRHR) or a local historic register, or if the lead agency chooses to treat the resource as a tribal cultural resource.

On February 19, 2016, the California Natural Resources Agency proposed to adopt and amend regulations as part of AB 52 implementing Title 14, Division 6, Chapter 3 of the California Code of Regulations, CEQA Guidelines, to include consideration of impacts to tribal cultural resources pursuant to Government Code Section 11346.6. On September 27, 2016, the California Office of Administrative Law approved the amendments to Appendix G of the CEQA Guidelines, and these amendments are addressed within this Initial Study.

In compliance with AB 52, the City of Costa Mesa distributed letters notifying each tribe that requested to be on the City's list for the purposes of AB 52 of the opportunity to consult with the City regarding the proposed project. The letters were distributed by certified mail on August 9, 2024.

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

No Impact. As detailed in Response 4.5(a), no historic resources listed or eligible for listing in a State or local register of historic resources are located on-site. Therefore, no impacts related to historic tribal cultural resources defined in Public Resources Code Section 5020.1(k) would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less Than Significant Impact With Mitigation Incorporated.

As noted above, the City distributed letters to potentially affected Native American tribes which have cultural or traditional affiliation with the City in accordance with AB 52. The letters were distributed by certified mail on August 9, 2024. The Gabrieleño Band of Mission Indians – Kizh Nation, Cahuilla Band of Indians, and Pala Band of Mission Indians responded to the notification letters on August 9, August 13, and November 8 respectively. The Cahuilla Band of Indians responded to the notification letters stating that the tribe is unaware of any cultural resources at or near the project site. Nevertheless, since the project site is within the Cahuilla traditional land use, the tribe requested that a cultural resources inventory be prepared by a qualified archaeologist prior to development activities, preparation of a record search with associated survey reports and site records, and preparation of cultural resource documentation generated from the project site. Preparation of such reports (cultural resources inventory, records search, and cultural resource documentation) are contained within Appendix B, *Cultural Resources Assessment*. The Cahuilla Band of Indians responded to the notification letters within the response period and submitted a consultation request to the City on August 13, 2024. Tribal consultation between the City and the Cahuilla Band of Indians occurred through a virtual consultation on August 22, 2024. During the consultation, the project site was confirmed to be outside the Cahuilla Band of Indians' ancestral territory and as such, the tribe would defer to other tribes for monitoring. Nevertheless, the Cahuilla Band of Indians requests to be notified if any cultural materials or artifacts are discovered that could potentially be identified as belonging to the Cahuilla Band of Indians.

The Pala Band of Mission Indians responded to the notification letters stating that the project site is not within the boundaries of the recognized Pala Indian Reservation and is not within the Pala Band of Mission Indians' traditional land use. As such, the Pala Band of Mission Indians did not have any comments regarding the proposed project and declines AB 52 consultation for this project.

The Gabrieleño Band of Mission Indians – Kizh Nation responded to the notification letters within the response period requesting formal consultation with the City. Tribal consultation between the City and the Gabrieleño Band of Mission Indians – Kizh Nation occurred on September 9, 2024 and concluded on January 14, 2025. Tribal consultation suggests the requirement for on-site monitoring, protocol for uncovered unknown tribal resources, and training protocols for contractors.

As such the proposed project would implement Mitigation Measures TCR-1. Mitigation Measure TCR-1 would require retain a Native American monitor from the Native American tribe that is culturally and ancestrally affiliated with the project site: such as the Gabrieleño Band of Mission Indians – Kizh Nation, as approved by the City (herein referenced as the Native American Monitor). The Native American Monitor shall monitor the proposed project's ground disturbing activities (e.g., demolition, grubbing/clearing, rough grading, precise grading, mass grading, trenching, excavation, boring, auguring, and weed abatement on previously disturbed and undisturbed ground). The Native American Monitor would be required to prepare daily monitoring logs that include descriptions of the relevant ground disturbing activities, locations of such activities, observed soil types, and the presence or absence of tribal cultural-related materials. In the event resources are discovered during any phase of ground disturbing activities, and it is determined by the Native American Monitor, in consultation with the City, to be Native American in origin, then all construction work within 50 feet (15 meters) of the find must cease until the Native American Monitor can assess the find. Work would be allowed to continue outside of the buffer zone. The Native American Monitor would determine the appropriate treatment of the discovered resource that is consistent with the tribe's cultural practices, including reinternment on site in an appropriate area determined by the tribe in consultation with the City and the applicant, or retention of the discovered resource for educational purposes. Construction work within the buffer area surrounding a tribal cultural resource discovery shall resume only after the Native American Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the tribe, and (2) completed the appropriate treatment of the resource. Monitoring for tribal cultural resources by the Native American Monitor would be considered concluded upon the City's receipt of written confirmation from the Native American Monitor that ground disturbing activities with potential impacts to discovered and/or undiscovered tribal cultural resources are complete.

The proposed project would also comply with State Health and Safety Code Section 7050.5 which states that no further disturbance shall occur until the County coroner has made a determination of origin and disposition pursuant to State Public Resources Code Section 5097.98. The County coroner must be notified of the find immediately. If the remains are determined to be Native American, the County coroner would notify the Native American Heritage Commission (NAHC), which would determine and notify a Most Likely Descendent (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The MLD recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials, preservation of Native American human remains and associated items in place, relinquishment of Native American human remains and associated items to the descendants for treatment, or any other culturally appropriate treatment.

As such, with implementation of Mitigation Measure TRC-1, Mitigation Measure CUL-1, and compliance with the State Health and Safety Code Section 7050.5, impacts to tribal cultural resources would be reduced to less than significant levels.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: Refer to Mitigation Measure CUL-1.

TCR-1 Prior to issuance of any grading permits, the Applicant shall formally retain a Native American monitor from the Native American tribe that is culturally and ancestrally affiliated with the Project location: the Gabrieleño Band of Mission Indians – Kizh Nation. The Applicant shall allow 45 days from initial contact with the first preference tribe (Kizh Nation) to enter into a contract for monitoring services. If the Applicant can demonstrate they were unable to secure an agreement with the first preference tribe, or if the contracted tribe fails to fulfill its obligation under the contract terms, then the Applicant may retain an alternative qualified tribal monitor

approved by the City. The City approved Monitor (the "Monitor"), shall monitor all "ground-disturbing" Project activities, (I.e., both on-site and any off -site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work), which includes but is not limited to: demolition, grubbing/clearing, rough grading, precise grading, mass grading, trenching, excavation, boring, auguring, and weed abatement on previously disturbed and undisturbed ground (collectively "ground disturbing activities"). A copy of the executed contract shall be submitted to the Costa Mesa Economic and Development Services Department prior to the issuance of any permit necessary to commence ground-disturbing activities.

The Monitor shall prepare daily monitoring logs that include descriptions of the relevant ground disturbing activities, locations of such activities, observed soil types, and the presence or absence of tribal cultural-related materials. Should tribal cultural-related resources be discovered, monitor logs shall identify and describe such resources, including but not limited to, Native American cultural and historical artifacts, as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the City of Costa Mesa and maintained as confidential. In the event resources are discovered during any phase of ground disturbing activities, and it is determined by the Monitor, in consultation with the City, to be Native American in origin, then all construction activity within fifty (50) feet (15 meters) of the find shall cease until the Monitor can assess the find. Work shall be allowed to continue outside of the buffer zone. The Monitor shall determine the appropriate treatment of the discovered resource that is consistent with the tribe's cultural practices, including reinternment on site in an appropriate area determined by the tribe in consultation with the City and the applicant, or retention of the discovered resource for educational purposes. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Kizh Nation, and (2) completed the appropriate treatment of the resource.

Monitoring for tribal cultural resources ("TCR") shall conclude upon the City's receipt of written confirmation from the Monitor that ground disturbing activities with potential impacts to discovered and/or undiscovered TCRs are complete.

4.19 UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			✓	
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓	
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	
e. Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?			✓	

This section is primarily based upon the following technical studies included in Appendix H, *Public Services and Utilities Correspondence:*

- *Will Serve Letter for 220, 222, 234, and 236 Victoria Place* (Water Will Serve), prepared by Mesa Water District, November 27, 2024; and
- *Proposed 40-Unit Housing Development at 220, 222, 234, and 236 Victoria Place, Costa Mesa: CMSD Will Serve Sewer Letter* (Sewer Will Serve), prepared by Costa Mesa Sanitary District, January 8, 2025.
- *Tentative Tract No. 19351, 220 Victoria Street, Conditions of Approval,* prepared by City of Costa Mesa Public Works Department, January 28, 2025.

a) Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impact.

Water

The project site would be served by the Mesa Water District (MWD). The project proposes private one-inch water service water laterals that connect to the existing 12-inch water main in Victoria Place. The western portion of the project would connect to a proposed 6-inch water main in the western portion of the Victoria Parkway. The new 6-inch water main would then connect to an existing 12-inch water main in Victoria Place. The eastern portion of the project site would connect to the existing 12-inch water main in Victoria Place near the central portion of the project frontage.

Based on written correspondence from the MWD for the proposed project, the MWD would adequately serve the water needs of the proposed project using the existing 12-inch water main along Victoria Place; refer to Appendix H, *Public Services and Utilities Correspondence*. In order to obtain water connection permits, the Applicant must submit site plans showing locations of proposed potable water connections for domestic use and fire suppression, calculated fire suppression/sprinkler system water demands, installation locations on fire suppression lines, irrigation plans, a hydraulic analysis for fire flow, and Costa Mesa Fire Department Water Availability Form, among others, during the design phase of the project. The Applicant would also be required to pay standard MWD water connection fees and ongoing user fees to ensure the project's impacts on existing water facilities are adequately offset. As such, less than significant impacts would occur in this regard.

Wastewater

Costa Mesa Sanitary District (CMSD) would provide wastewater services to the proposed development. CMSD would gather wastewater generated from the project site before being treated at the Orange County Sanitation District Reclamation Plant No.1 and No. 2. The project proposes to construct private four-inch lateral and six-inch main sewer lines throughout the site to connect to the existing 21-inch sewer line in Victoria Place.

As discussed in the CMSD *2022 Wastewater Rate Study*, the CMSD projects that for every acre of commercial zoned property, approximately 5,000 gallons of wastewater are generated every day.[1] As such, the existing 16,657 square feet of commercial uses would generates approximately 1,902 gallons of wastewater per day.[2] Implementation of the proposed project would replace these uses with 40 residential dwelling units. Based on the CMSD *2022 Wastewater Rate Study*, the CMSD utilizes a residential flow coefficient of approximately 71.5 gallons per day per capita. Based on The City's average household size of 2.52, the proposed 40 residential dwellings would generate up to 101 new residents into the City; refer to Section 4.14, *Population and Housing*. The project's population of 101 residents would generate approximately 7,222 gallons of wastewater per day or a net increase of 5,320 gallons of wastewater per day over existing conditions. Nevertheless, the project would be required to pay standard wastewater connection fees and ongoing user fees, which would ensure the project's impacts on existing sewer facilities are adequately offset. Payment of these fees would fund connections to existing sewer lines, and would offset the project's increase in demand for wastewater collection services. As such, impacts would be less than significant in this regard.

As documented in Appendix H, the CMSD provided a Sewer Will Serve letter for the proposed project stating that CMSD would be able to provide wastewater services for the proposed development. It is acknowledged that the CMSD would accept flows from the proposed project if:

- The sewer flows from the development would not exceed 8,400 gallons of wastewater per day,
- The proposed development does not exceed 40 dwelling units,
- The proposed private sewer main is maintained by a homeowner's association or similar organization, and
- The developer applies for a permit, submit the required building designs, grading plans, sewer plans, pay appropriate sewer fees, and is issued a sewer permit. And
- The proposed project must comply with the California Plumbing Code and applicable CMSD ordinance, regulations, and requirements governing wastewater flows and design

As explained above, implementation of the proposed project would not exceed 8,400 gallons of wastewater per day. The proposed project would not exceed 40 dwelling units and would be maintained by a homeowner's association. All sewer improvements must meet the approval of CMSD (SCA USS-1), including providing requested building designs,

1 Costa Mesa Sanitary District, *2022 Wastewater Rate Study*, January 3, 2022.
2 5,000 gallons of wastewater per acre of commercial property would be equivalent to approximately 0.11 gallons of wastewater per square feet (5,000 gallons per acre divided by 43560 square feet [1 acre]).

grading plans, sewer plans, and payment of appropriate sewer fees, and obtaining a sewer permit; refer to Appendix H. Last, the project must comply with the California Plumbing Code and applicable CMSD ordinance regulations and requirements governing wastewater flows and design.

Stormwater

The proposed project would install an on-site storm drain system with a modular wetland system. Low flows of on-site runoff would be captured on-site and conveyed to the modular wetland system units to be treated. Once treated, water would then flow to the existing storm drain in Victoria Place. As discussed in Section 4.10, *Hydrology and Water Quality*, the implementation of the proposed project would not increase the overall runoff flows during a two year, 10-year, 25-year, and 100-year storm event, but rather, would reduce the discharge volumes compared to the existing condition. It should be noted that runoff on the existing site flows along drainage patterns and does not have an on-site storm drain system that directs runoff flows. As such, the implementation of the proposed project would help direct runoff flows and treat runoff in modular wetland systems before releasing flows into storm drains, improving conditions compared to the existing condition.

Additionally, the proposed project would implement best management practices (BMPs) to be implemented to further minimize runoff volumes. BMPs include common area landscape management and litter control measures, stenciling storm drains with prohibitive language and/or graphical icons to prevent dumping, use of efficient irrigation systems/landscape design, water conservation, smart controllers, and source control to minimize runoff, and other non-structural and structural BMPs. As discussed in Section 4.10, the WQMP prepared for the proposed project would require the implementation of a LID BMP and incorporation of structural/non-structural BMPs. The LID BMP would include the implementation of a MWS along the southeast corner of the project site which would biotreat runoff from the project site. The treated water from the MWS would connect to the proposed 18-inch outlet pipe that would then flow to the proposed curb opening catch basin near the Newport Boulevard and Victoria Place intersection. The new outlet pipe would be installed via trenching. In the event that runoff exceeds the design capacity of the MWS, excess flows would bypass the system and directly flow into the existing storm drain along Victoria Place. In addition to the LID BMP, the proposed project would include a variety of structural/non-structural BMPs; refer to Section 4.10. Structural BMPs are engineered systems that reduce and mitigate operational impacts while non-structural BMPs are broad planning and design approaches to reduce pollutant impacts on runoff. Implementation of the proposed storm drain improvements and structural/non-structural BMPs would reduce the need for new or expanded storm water drainage facilities. Thus, impacts in this regard would be less than significant.

Dry Utilities

Southern California Edison would provide electricity services to the site. However, it is acknowledged that the proposed project would possibly be all electric, since as of July 2024, Southern California Edison (SCE) is requesting "only electric" on-site to participate in new future service. As such, no natural gas utilities would be required. The project would require construction of new private on-site dry utilities; however, payment of standard utility connection fees and ongoing user fees would ensure these utility services are able to accommodate the proposed development. Additionally, the project's potential environmental effects in this regard are analyzed throughout this Initial Study and would be subject to compliance with all applicable local, State, and federal laws, ordinances, and regulations, as well as the specific mitigation measures throughout this Initial Study. As such, project impacts in this regard would be less than significant.

Standard Conditions of Approval:

SCA USS-1 All sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.

Mitigation Measures: No mitigation measures are required.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. As discussed above, MWD would provide water services to the project site. Based on MWD's *2020 Urban Water Management Plan* (UWMP), Table 4.19-1, *MWD Total Water Demand Projections*, details MWD's anticipated total water demand projections from 2025 through 2045.

Table 4.19-1
MWD Total Water Demand Projections

Land Use	2025	2030	2035	2040	2045
Single Family	5,154	5,554	5,854	5,953	6,084
Multi-Family	5,139	5,648	6,061	6,301	6,645
Institutional/Governmental	871	1,027	1,074	1,084	1,064
Commercial	2,632	3,102	3,244	3,275	3,213
Industrial	248	292	305	308	303
Landscape	1,563	1,564	1,595	1,571	1,541
Losses	746	822	867	884	901
Recycled Water Demand	1,100	1,100	1,100	1,100	1,100
Total	17,454	19,109	20,101	20,476	20,851

Notes: Units are in acre-feet per year.
Combined total from Table 4-2 and Table 4-3 of the *2020 Urban Water Management Plan Final.*

Source: Mesa Water District, *2020 Urban Water Management Plan Final,* https://www.mesawater.org/sites/default/files/Save%20Water/Documents/Mesa%20Water%202020%20UWMP%20FINAL-2021.06.30.pdf, June 2021.

MWD relies on a combination of clear and amber-tinted groundwater from the Orange County Groundwater Basin (OC Basin) for 94 percent of its demands and recycled water for six percent of its demand.[3] Communities located in the north and central Orange County are located above the OC Basin, an underground aquifer. The 270-square mile of the OC Basin within Orange County is operated by the Orange County Water District (OCWD) in cooperation with cities and water districts, including the MWD. MWD works together with three primary agencies, Metropolitan Water District of Southern California (Metropolitan), Municipal Water District of Orange County (MWDOC), and OCWD to ensure a safe and reliable water supply to serve the community in periods of drought and shortage. According to the UWMP, MWD is able to meet projected demands during normal, dry, and multiple dry years through 2045; refer to Tables 4.19-2, *Normal Year Supply and Demand Comparison*, through 4.19-4, *Multiple Dry Year Supply and Demand Comparison*.

Table 4.19-2
Normal Year Supply and Demand Comparison

	2025	2030	2035	2040	2045
Supply Totals	17,454	19,109	20,101	20,476	20,851
Demand Totals	17,454	19,109	20,101	20,476	20,851
Difference	0	0	0	0	0

Notes: Units are in acre-feet per year.

[3] Mesa Water District, *2020 Urban Water Management Plan Final,* https://www.mesawater.org/sites/default/files/Save%20Water/Documents/Mesa%20Water%202020%20UWMP%20FINAL-2021.06.30.pdf, June 2021.

Source: Mesa Water District, *2020 Urban Water Management Plan Final, Table 7-2,* https://www.mesawater.org/sites/default/files/Save%20Water/Documents/Mesa%20Water%202020%20UWMP%20FINAL-2021.06.30.pdf, June 2021.

Table 4.19-3
Single Dry Year Supply and Demand Comparison

	2025	2030	2035	2040	2045
Supply Totals	18,501	20,256	21,307	21,705	22,102
Demand Totals	18,501	20,256	21,307	21,705	22,102
Difference	0	0	0	0	0

Notes: Units are in acre-feet per year.
Source: Mesa Water District, *2020 Urban Water Management Plan Final, Table 7-3,* https://www.mesawater.org/sites/default/files/Save%20Water/Documents/Mesa%20Water%202020%20UWMP%20FINAL-2021.06.30.pdf, June 2021.

Table 4.19-4
Multiple Dry Year Supply and Demand Comparison

		2025	2030	2035	2040	2045
First Year	Total Supply	18,182	18,852	20,466	21,387	21,784
	Total Demand	18,182	18,852	20,466	21,387	21,784
	Difference	0	0	0	0	0
Second Year	Total Supply	18,261	19,203	20,676	21,466	21,864
	Total Demand	18,261	19,203	20,676	21,466	21,864
	Difference	0	0	0	0	0
Third Year	Total Supply	18,341	19,544	20,886	21,546	21,943
	Total Demand	18,341	19,544	20,886	21,546	21,943
	Difference	0	0	0	0	0
Fourth Year	Total Supply	18,421	19,905	21,097	21,625	22,023
	Total Demand	18,421	19,905	21,097	21,625	22,023
	Difference	0	0	0	0	0
Fifth Year	Total Supply	18,501	20,256	21,307	21,705	22,102
	Total Demand	18,501	20,256	21,307	21,705	22,102
	Difference	0	0	0	0	0

Notes: Units are in acre-feet per year.
Source: Mesa Water District, *2020 Urban Water Management Plan Final, Table 7-4,* https://www.mesawater.org/sites/default/files/Save%20Water/Documents/Mesa%20Water%202020%20UWMP%20FINAL-2021.06.30.pdf, June 2021.

According to the CalEEMod modeling for the proposed project, the development would require approximately 8,923,797 gallons per year or approximately 27.39 acre-feet per year; refer to Appendix A, *Air Quality/GHG/Energy Data*. The project's estimated water demand of 27.39 acre-feet per year would represent approximately 0.15 percent of the City's projected water demand of 17,454 acre-feet for 2025 and approximately 0.13 percent of 20,851 acre-feet for 2045; refer to Table 4.19-1. According to the Water Will Serve Letter prepared by the MWD, there is sufficient water supply to serve the proposed project; refer to Appendix H. As such, there would be adequate water supplies during normal, dry, and multiple dry years. Thus, impacts would be less than significant in this regard.

It is acknowledged that a Zoning Code Amendment is requested to change the zoning of the project site from C2 to C2 with a Residential Incentive Overlay District. Approval of the Zoning Code Amendment would permit the development of residential uses at the project site. While the project would result in an increase of residential units not previously contemplated in the buildout of the City and UWMP, this increased would be nominal and the MWD would have adequate water supplies to service the proposed project; refer to Appendix H. Additionally, the increase of 40 residential dwelling units would not substantially increase water demand. The project would also be required to comply with water

efficiency and water conservation standards in the 2022 California Building Energy Efficiency Standards and 2022 California Green Building Standards Code. Thus, project implementation would result in a less than significant impact in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. Development of the proposed project would generate additional wastewater beyond existing conditions; refer to Response 4.19(a). Per the *Sewer Calculation* study prepared by CMSD for the proposed project, the CMSD utilized a residential wastewater generation rate of approximately 70 gallons per day; refer to *Appendix H*, Public Services and Utilities Correspondence. It should be noted that the CMSD utilized a more conservative estimate of three individuals per household. Based on the *Sewer Calculation* study, the proposed project would generate approximately 8,400 gallons of wastewater per day. As discussed above, the existing site generates approximately 1,902 gallons of wastewater per day. Thus, the proposed project would result in a net increase of approximately 6,498 gallons of wastewater per day. The proposed project would be subjected to standard wastewater connection fees and ongoing user fees. Payment of such fees would ensure that the project's impacts on wastewater facilities and services are minimized. Thus, following compliance with the relevant laws, ordinances, and regulations and payment of in-lieu fees, project-generated wastewater would be adequately accommodated by existing CMSD wastewater treatment facilities. A less than significant impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. CMSD contracts residential curbside trash and recycling collection services with CR&R Environmental Services, Inc. (CR&R).[4] In 2019, the latest year where data is available, about 98 percent of solid waste landfilled from Costa Mesa was disposed of at four facilities: the El Sobrante Landfill, the Frank R. Bowerman Sanitary Landfill, the Olinda Alpha Landfill, and the Prima Deshecha Landfill.[5] Table 4.19-5, *Landfills Serving the City*, depicts the existing capacities and maximum daily capacities for these four landfills.

Construction

The demolition of the existing structures would generate approximately 500 tons of demolition debris.[6] Since at least 65 percent of demolition debris and construction waste would be recycled and/or reused in accordance with CALGreen requirements (CALGreen Section 5.408), the proposed project would generate a maximum of approximately 175 tons of demolition waste that would be disposed of in local landfills. The four identified landfills that accept the majority of

4 Costa Mesa Sanitary District, *Weekly Curbside Collection,* https://www.cmsdca.gov/trash___recycling/curbside_collection/index.php, accessed November 19, 2024.

5 CalReycle, *Jurisdiction Disposal and Alternative Daily Cover Tons by Facility*, https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility, accessed November 19, 2024.

6 Elzarka, Hazen, *Making the Case for Construction Waste Management*, http://ascpro0.ascweb.org/archives/2007/CPGT136002007.pdf, accessed November 19, 2024.

the City's solid waste also accept construction and demolition debris. Demolition of the existing structure would occur over two weeks or ten working days and as such, approximately 17.5 tons of demolition debris would be disposed at

Table 4.19-5
Landfills Serving the City

Landfill/Location	Maximum Daily Throughput (tons per day)	Remaining Capacity (cubic yards)	Anticipated Closure Date
El Sobrante Landfill 10910 Dawson Canyon Road Corona, CA 91719	16,054 tons	143,977,170 cubic yards	2051
Frank R. Bowerman Sanitary Landfill 11002 Bee Canyon Access Road Irvine, CA 92618	11,500 tons	205,000,000 cubic yards	2053
Olinda Alpha Landfill 1942 North Valencia Avenie Brea, CA 92823	8,000 tons	17,500,000 cubic yards	2036
Prima Deshecha Landfill 32250 Avenida La Pata San Juan Capistrano, CA 92675	4,000 tons	128,300,000 cubic yards	2102
Total	39,554 tons	494,777,170 cubic yards	-

Source:
CalRecycle, *El Sobrante Landfill*, https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402, accessed November 19, 2024.
CalRecycle, *Frank R. Bowerman Sanitary Landfill*, https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2767?siteID=2103, accessed November 19, 2024.
CalRecycle, *Oldina Alpha Landfill,* https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2757?siteID=2093, accessed November 19, 2024.
CalRecycle, *Prima Deschecha Landfill*, https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2750?siteID=2085, accessed November 19, 2024.

the four landfills per day. The disposal of demolition debris would be one-time in nature and would represent a nominal increase in the overall daily disposal at the landfills. As such, impacts would be less than significant in this regard.

Operations

The project site is currently developed with approximately 18,567-square feet of existing commercial retail and storage yards. Based on a solid waste generation rate of 2.5 pounds per 1,000 square feet per day for commercial retail use, the existing site generates approximately 46.42 pounds of solid waste per day (or approximately 0.02 tons per day); refer to Table 4.19-6, *Solid Waste Generation*.[7] As discussed, the proposed project would construct a total of 40 dwelling units. Based on a solid waste generation of 11.4 pounds per dwelling unit per day, the proposed project would generate approximately 456 pounds per day (or approximately 0.23 tons per day). As such, the proposed project would result in a net increase of 409.58 pounds per day or approximately 0.205 tons per day. This represents less than 0.1 percent of the daily permitted throughput capacities of the four landfills identified in Table 4.19-5.

[7] California Department of Resources Recycling and Recovery, *Estimated Solid Waste Generation Rates*, https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates, accessed November 19, 2024..

Table 4.19-6
Solid Waste Generation

Land Uses	Buildout	Solid Waste Generation Rate	Solid Waste Generation
Existing Conditions			
Commercial Retail	18,567 square feet	2.5 pounds per 1,000 square feet per day	46.42 pounds per day (0.023 tons per day)
Proposed Project			
Residential Uses	40 dwelling units	11.4 pounds per dwelling unit per day	456 pounds per day (0.228 tons per day)
		Net Increase	409.58 pounds per day (0.205 tons per day)
Notes: numbers may be off dur to rounding.			

Additionally, operation of the project would include recycling of green waste in accordance with AB 1826. However, per Standard Condition of Approval (SCA) U-1, all units must contract with a trash collection service (CMSD). As such, with implementation of regulatory requirements and SCA U-1, the project is not anticipated to generate solid waste in excess of State or local standards, in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Impacts in this regard would be less than significant.

Standard Conditions of Approval:

SCA U-1 The applicant and future homeowners shall contract with a waste disposal company that will provide full on-site trash and recyclable collection. Access for disposal collection shall be provided from the rear alley. There shall be no storage of trash bins or cans on public streets with the exception of temporary use of the right-of-way for rolling containers or loading to large trash trucks.

Mitigation Measures: No mitigation measures are required.

e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. Refer to Response 4.19(d). The proposed project would comply with all federal, State, and local statutes and regulations related to solid waste, including AB 939. Specifically, the project would be required to recycled, reduced, or composted at least 65 percent of construction and demolition debris per CALGreen Section 5.408. Further, the project would be required to comply with SCA U-1, which includes providing recyclable collection to the on-site residents. Compliance with existing laws and regulations would ensure project's impacts related to solid waste are reduced to less than significant levels.

Standard Conditions of Approval: Refer to SCA U-1.

Mitigation Measures: No mitigation measures are required.

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4.20 WILDFIRE

If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?				✓
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				✓
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✓
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✓

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact. According to the California Department of Forestry and Fire's (CAL FIRE) *Orange County State Responsibility Area Fire Hazard Severity Zones* and *Orange County Very High Fire Hazard Severity Zones in LRA*, *As Recommended by CAL FIRE*, the project site is not located in or near a State responsibility area nor is the project site designated as a very high fire hazard severity zone.[1,2] Additionally, the site is not located in the vicinity of a moderate or high fire hazard severity zone. Thus, no impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact. Refer to Response 4.20(a).

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

1 California Department of Forestry and Fire, *Very High Fire Hazard Severity Zone in LRA as Recommended by CAL FIRE, Orange County*, November 2011, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-map/upload-5/fhszl_map30.pdf, accessed November 15, 2024.

2 California Department of Forestry and Fire Protection, *Orange County State Responsibility Area Fire Hazard Severity Zones*, September 29, 2023, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-map-2022/fire-hazard-severity-zones-maps-2022-files/fhsz_county_sra_11x17_2022_orange_3.pdf?rev=8304779bfa204bea8c3eb4638734287e&hash=8FE491A0FEB121DA77261F19AA136C25, accessed November 15, 2024.

Mitigation Measures: No mitigation measures are required.

c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

No Impact. Refer to Response 4.20(a).

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

No Impact. Refer to Response 4.20(a).

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓		
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		✓		
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		✓		

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact With Mitigation Incorporated. As detailed in Section 4.4, *Biological Resources*, no impacts would occur to any special-status plant or wildlife species known to occur in the project area. The project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal.

Additionally, project implementation is not anticipated to result in adverse impacts to known cultural, paleontological, or tribal cultural resources; refer to Section 4.5, *Cultural Resources*, Section 4.7, *Geology and Soils*, and Section 4.18, *Tribal Cultural Resources*. However, in the unlikely event that buried archaeological resources are encountered during ground disturbance activities, Mitigation Measure CUL-1 would require all construction work to halt until a qualified archaeologist can evaluate the find and determine the appropriate treatment plan for the resource. Additionally, Mitigation Measure TRC-1 would ensure a Native American Monitor is provided the opportunity to monitor ground-disturbing activities that may impact previously unknown cultural resources of Native American origin. Additionally, Mitigation Measure GEO-1 would ensure the project Applicant consults with a qualified paleontologist or geologist to confirm that grading would occur at depths that could encounter highly sensitive sediments for paleontological resources. If activities extend into such sediments, a qualified paleontologist would be retained and a preparation of a Project Monitoring Plan would be required for review and approval by the City. In the event that fossils are discovered, implementation of Mitigation Measure GEO-2 would require all construction activities to halt within a 50-foot radius of the find until the qualified paleontologist is able to assess the significance of the find. Therefore, the proposed project would not eliminate important examples of the major periods of California history or prehistory. Impacts in this regard would be less than significant with mitigation incorporated.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant Impact With Mitigation Incorporated. A significant impact may occur if a proposed project, in conjunction with related projects, would result in impacts that are less than significant when viewed separately, but would be significant when viewed together. As concluded in Sections 4.1 through 4.20, the proposed project would not result in any significant and unavoidable impacts in any environmental categories with implementation of existing regulatory requirements and/or project-specific mitigation measures. Implementation of standard conditions of approval (SCAs) and mitigation measures at the project-level would reduce the potential for the incremental effects of the proposed project to be considerable when viewed in connection with the effects of past projects, current projects, or probable future projects. Thus, impacts in this regard would be less than significant with SCAs and mitigation incorporated.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant Impact With Mitigation Incorporated. Previous sections of this Initial Study reviewed the proposed project's potential impacts related to aesthetics, air quality, noise, hazards and hazardous materials, transportation, and other issues. As concluded in these previous discussions, the proposed project would not have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly, following conformance with the existing regulatory framework, SCAs, and mitigation measures. Further, as a residential development, project features would be designed to meet the needs of humans and are not anticipated to result in direct or indirect adverse effects. Impacts would be less than significant upon implementation of SCAs and mitigation measures detailed in this Initial Study.

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4.23 REPORT PREPARATION PERSONNEL

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5.0 CONSULTANT RECOMMENDATION

Based on the information and environmental analysis contained in the Initial Study/Environmental Checklist, we recommend that the City of Costa Mesa prepare a Mitigated Negative Declaration for the Victoria Place Project. We find that the proposed project could have a significant effect on several environmental issues, but that mitigation measures have been identified that reduce such impacts to a less than significant level. We recommend that the second category be selected for the City of Costa Mesa's determination (see Section 6.0, *Lead Agency Determination*).

3/25/25
Date

Kristen Bogue, Project Manager
Michael Baker International

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6.0 LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

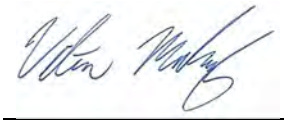
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☐

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. ☒

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐

Signature: 

Title: Senior Planner

Printed Name: Victor Mendez

Agency: City of Costa Mesa

Date: 3/25/2025

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ATTACHMENT 2
EXHIBIT B

MAY 2025



FINAL

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

VICTORIA PLACE PROJECT





PREPARED FOR

PREPARED BY

Michael Baker INTERNATIONAL

FINAL
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Victoria Place Project

SCH No. 2025031168

Lead Agency:

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May 2025

JN 204361

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1.0 INTRODUCTION

The Victoria Place Project (Project) involves demolishing the existing commercial retail buildings, a residential unit repurpose as a commercial use, and storage yards. The project proposes to develop a 40-unit residential common interest development community comprising of 18 duplexes and four detached units fronting Victoria Place. The 76,923-square foot lot area (or approximately 1.77 acres) would be developed with 18 duplexes, or 36 units, with a square footage of 2,751 square feet per unit (which includes 425-square feet of space available for a home office on the ground floor). The project would also construct four detached units. The four detached, situated along Victoria Place, would have a square footage of 2,751-square feet per unit (which includes 427 square feet of space available for a home office on the ground floor).

The Public Review Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2025031168) was made available for public review and comment pursuant to CEQA Guidelines Section 15070 from April 1, 2025 through April 30, 2025.

The Public Review IS/MND was available for review at the City of Costa Mesa Economic and Development Department, located at 77 Fair Drive, Costa Mesa, CA, 92626, at the Mesa Verde Library, located at 2969 Mesa Verde Drive, Costa Mesa, CA, 92626, Costa Mesa/Donal Dungan Library, located at 1855 Park Avenue, at the Governor's Office of Planning and Research (OPR) CEQAnet Web Portal online at: https://ceqanet.opr.ca.gov/; and online at: https://www.costamesaca.gov/government/departments-and-divisions/economic-and-development-services/planning/environmental-notices-and-reports.

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2.0 RESPONSES TO COMMENTS

In accordance with the *California Environmental Quality Act Guidelines* (CEQA Guidelines) Section 15074(b), the City of Costa Mesa, as the Lead Agency, would evaluate the Public Review Draft Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2025031168) for Victoria Place (herein referenced as the project) together with any comments received during the public review process. Although CEQA Guidelines Sections 15073, 15073.5, and 15074 do not require a Lead Agency to prepare written responses to comments received on an IS/MND, the City of Costa Mesa has elected to prepare the following written responses with the intent of conducting a comprehensive and meaningful evaluation of the proposed project.

During the public review period, comments were received on the Public Review Draft Initial Study/Mitigated Negative Declaration (IS/MND) from interested public agencies. It is acknowledged that no comments were received from organizations, tribes, or other interested parties. The following is a list of commenters on the Public Review Draft IS/MND during the public review period. Each comment letter is assigned a letter number. Individual comments within each communication have been numbered so comments can be cross-referenced with specific responses. Following this list, the text of the communication is reprinted and followed by the corresponding response.

Comment Letter No.	Person, Firm, or Agency	Letter Dated
A1	Department of Toxic Substance Control	April 3, 2025
A2	California Department of Transportation	April 28, 2025

PUBLIC AGENCIES

Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Katherine M. Butler, MPH, Director
8800 Cal Center Drive
Sacramento, California 95826-3200
dtsc.ca.gov

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

April 3, 2024

Victor Mendez
Senior Planner
City of Costa Mesa
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Costa Mesa, CA 92626
Victor.Mendez@costamesaca.gov

RE: MITIGATED NEGATIVE DECLARATION FOR VICTORIA PLACE PROJECT DATED MARCH 26, 2025, STATE CLEARINGHOUSE NUMBER 2025031168

Dear Victor Mendez,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the Victoria Place Project (Project). The Project proposes to develop a 40-unit residential development community comprising of 18 duplexes and four detached units. The 76,923-square foot lot area would be developed with 18 duplexes, or 36 units. The Project would also construct four detached units. Proposed City entitlements include a General Plan Amendment (24-0001), a Zoning Code Amendment, Tentative Tract Map (No. 19351), and a Master Plan.

DTSC recommends and requests consideration of the following comments:

A1-1

1. The Phase II Environmental Site Assessment indicated if the use of the property is changed to more sensitive uses such as residential, care stations, schools or childcare, further subsurface soil and soil gas investigations and health risk assessments may be required. Mitigation Measure HAZ-1 stated a Soil Management Plan (SMP) will be prepared and implemented during earthwork redevelopment activities in case soil impacts are encountered during grading and excavation activities. As part of this SMP, any on-site

contaminated soils, including soils that could potentially be imported to the site, would be assessed to confirm that they are handled in compliance with all applicable regulatory guidance. DTSC does not recommend a SMP be used as a primary cleanup plan.

DTSC recommends that any potential contamination be fully characterized and then remediated under the oversight of a self-certified local agency, DTSC or a Regional Water Quality Control Board as a SMP alone cannot sufficiently identify and document the potential contaminants that may pose a threat to human health and the environment. DTSC recommends that a cleanup plan, a Removal Action Workplan or Remedial Action Plan, be prepared to adequately address all site impacts after complete characterization. If entering into one of DTSC's cleanup plans such as a voluntary agreement, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: Request for Agency Oversight Application. Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact your Regional Brownfield Coordinator. **A1-1**

2. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in DTSC's Preliminary Endangerment Assessment Guidance Manual. Additionally, DTSC advises referencing the DTSC Information Advisory Clean Imported Fill Material Fact Sheet if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting DTSC's Human and Ecological Risk Office (HERO) webpage. **A1-2**

DTSC appreciates the opportunity to comment on the DEIR for Victoria Place Project. Thank you for assisting in protecting California's people and the environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via CEQA Review email for additional guidance.

A1-2

Sincerely,



Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

cc: (via email)

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A1. RESPONSES TO COMMENTS FROM DEPARTMENT OF TOXIC SUBSTANCE CONTROL, DAVE KEREAZIS, ASSOCIATE ENVIRONMENTAL PLANNER, APRIL 3, 2025.

A1-1 The commentor states that Mitigation Measure HAZ-1, which requires the preparation of implementation of a Soil Management Plan, would not adequately identify and document the potential contaminants on-site that may pose a risk to human health. The commenter recommends that any potential contamination on-site should be fully characterized and remediated under the oversight of a self-certified local agency, DTSC or a Regional Water Quality Control Board. Additionally, the commentor also recommends that the proposed project prepare and implement a cleanup plan, a Removal Action Workplan, or Remedial Action Plan.

As discussed in the Public Review Draft IS/MND Section 4.9, *Hazards and Hazardous Materials* (page 4.9-2 through 4.9-4), based on the 220-234 Victoria Phase II ESA, these areas of limited releases to on-site soils were below regulatory screening levels for the existing uses at the project site. However, the proposed project would disturb these materials during site grading activities, which could expose construction workers to these hazardous substances in on-site soils. Further, as disclosed on Public Review Draft IS/MND page 4.9-4, Operations, *Soil Vapor Intrusion*, the proposed project would change existing on-site land uses from commercial to residential uses. Based on the Phase II ESA, existing releases to soil and soil gas present in limited areas of the project site could result in accidental conditions involving existing on-site soils as well as the release of soil gas into on-site residential structures during project operations.

The project would be required to implement Mitigation Measure HAZ-1, which requires the implementation of a Soil Management Plan (SMP) during grading activities. The SMP would provide guidance on measures for managing soils during site grading activities. Soil management measures would include soil sampling for potential contaminated soils. In the event that contaminated soils are encountered, testing to determine contamination levels before the import, export, or re-use of the soil for residential purposes. For any contaminated soils that exceed existing Federal, State, and/or local human health screening levels, the soil shall be disposed off-site in accordance with applicable Federal, State, and local regulations.

However, the project would be required to comply with Mitigation Measure HAZ-1, which would require the proper characterization of on-site soils during site grading, as well as the proper reuse or disposal at an appropriate landfill facility. Such management of on-site soils during grading activities would remove soils that present a concern with residential uses at the project site. With compliance of Mitigation Measure HAZ-1, proper use of on-site soils for future residential use would be minimized and impacts associated with accidental conditions from existing on-site soil and soil gas would be reduced to less than significant levels.

Notwithstanding, the project must comply with applicable local, State, and federal laws and regulations that minimizes hazardous exposure to the public and environment. Pursuant to existing laws/regulations and as enforced through HAZ-1, the SMP is required to include a decision framework and specific risk management measures for managing soil, including any

soil import/export activities, in a manner protective of human health and consistent with applicable regulatory requirements. Should regulatory requirements include participation in full characterization and remediation under the oversight of a self-certified local agency, DTSC or a Regional Water Quality Control Board, the applicant would be required by law to do so. If required by law, the applicant would be required to prepare and implement a cleanup plan, Removal Action Workplan, or Remedial Action Plan, if required by a self-certified local agency, DTSC or a Regional Water Quality Control Board. As concluded by the Public Review Draft IS/MND, with compliance with existing regulations as well as implementation of Mitigation Measure HAZ-1, impacts in this regard would be less than significant.

A1-2 As discussed in Public Review Draft IS/MND Section 2.4, *Phasing/Construction*, project earthwork would require approximately 8,570 cubic yards of cut/fill. However, it should be noted that the grading would be balanced on-site and thus, no import or export of soils/fill materials would be required.

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 12
1750 East 4th Street, Suite 100 | SANTA ANA, CA 92705
(657) 328-6000 | FAX (657) 328-6522 TTY 711
https://dot.ca.gov/caltrans-near-me/district-12

April 28, 2025

Mr. Victor Mendez
City of Costa Mesa
778 Fair Drive
Costa Mesa, CA 92626

File: LDR/CEQA
SCH# 2025031168
LDR LOG #2025-02783
SR-55

Dear Mr. Mendez,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Initial Study for a Mitigated Negative Declaration for the proposed Victoria Place Project. The project proposes to develop a 40-unit residential common interest development community comprising of 18 duplexes and four detached units fronting Victoria Place. The 76,923-square foot lot area (or approximately 1.77 acres) would be developed with 18 duplexes, or 36 units, with a square footage of 2,751 square feet per unit (which includes 425-square feet of space available for a home office on the ground floor). The project would also construct four detached units. The four detached, situated along Victoria Place, would have a square footage of 2,751-square feet per unit (which includes 427 square feet of space available for a home office on the ground floor). Proposed utility connections, landscaping improvements, and circulation improvements would also be installed. Proposed City entitlements include General Plan Amendment (PGPA-24-0001), a Zoning Code Amendment, Tentative Tract Map (TTM No. 19351), and a Master Plan. The project site is approximately 1.77 acres and is located at 220, 222, 234, and 236 Victoria Street in the southern portion of the City of Costa Mesa and the nearest state facility is SR-55. A2-1

The mission of Caltrans is Improving lives and communities through transportation. Caltrans is a responsible agency on this project and has the following comments:

1. The project scope includes new sidewalks along the project frontage at Victoria Place, which would allow pedestrian access to the project. However, the project's Conceptual Site Plan (Exhibit 2-30), does not show any designated pedestrian walkways to each unit. This may create vehicle-pedestrian conflict. If feasible, consider adding pedestrian walkways to each unit.

2. The project is increasing the number of residential units in the area. This may increase pedestrian activity in the area. To enhance pedestrian safety and connectivity to the Downtown/Triangle District, consider installing high visibility crosswalks at the intersection of Victoria Place/Newport Boulevard and Victoria Place/Victoria Street. **A2-2**

3. During construction, please ensure that appropriate detours and safety measures are in place to prioritize the mobility, access, and safety of bicyclists, pedestrians, and transit users. If adjacent sidewalks or bike lanes need to be closed during construction, please ensure that closures and detours are clearly signed. **A2-3**

4. On page 4.17-1 of the IS/MND, Caltrans looks forward to City's further discussion about existing transit services for all on local, intercounty and regional bus services, including the connectivity to rail services from the nearest train stations, provided by Metrolink and/or Amtrak Pacific Surfliner. **A2-4**

5. Provide discussion about the City's multimodal mobility strategies and opportunities to connect and/or expand transit services locally and regionally such as continuous coordination with OCTA. **A2-5**

6. Encourage the use of transit among future residents, visitors, and workers of the proposed areas of developments. Increasing multimodal transportation will lead in a reduction to congestion, Vehicle Miles Traveled and improve air quality. **A2-6**

7. Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. Prior to submitting to Caltrans Permit's branch, applicant should fill out Applicant's Checklist to Determine Applicable Review Process (QMAP List) Form TR-0416 to determine if project oversight/coordination with Caltrans Project Manager is needed. If coordination is not required, please submit an encroachment permit application package (EPAP) through the Caltrans Encroachment Permit System (CEPS - https://ceps.dot.ca.gov/). EPAP should include application, PE signed and stamped site-specific traffic control plan, insurance, letter of authorizations as needed, and any other relevant documents. EPAP should be submitted as early as possible to avoid any delays. **A2-7**

8. Project plans and traffic control plans must be stamped and signed by a licensed engineer. For all plans, including traffic control plans, Caltrans R/W lines should be clearly labeled, which includes existing and proposed (if there are any changes to Caltrans R/W), the north arrow, the edge of pavement, and edge of the sidewalk, if applicable. When submitting the application, please include final Environmental Clearance Documentation, relevant design details including design exception approvals and construction and drainage plans, traffic control plans, traffic management plan and traffic impact study if proposed traffic delay of 30 minutes above normal recurring traffic delay is anticipated, any Caltrans R/W certifications if needed, maintenance agreement as needed, shoring plans for any excavation 5-feet or more, ADA certification, and any letter of authorizations.

A2-8

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Maryam Molavi, at Maryam.Molavi@dot.ca.gov.

Sincerely,

Scott Shelley (Apr 28, 2025 14:38 PDT)

Scott Shelley
Branch Chief – Local Development Review/Climate Change/Transit Grants
District 12

A2. RESPONSES TO COMMENTS FROM CALIFORNIA DEPARTMENT OF TRANSPORTATION, SCOTT SHELLEY, BRANCH CHIEF – LOCAL DEVELOPMENT REVIEW/CLIMATE CHANGE/TRANSIT GRANTS, APRIL 28, 2025.

A2-1 As discussed in Public Review Draft IS/MND Section 2.3, *Project Characteristics* (page 2-10), new sidewalks would be constructed along the project frontage at Victoria Place which would allow pedestrian access to the project site, as well as entry sidewalks from private streets to front entries for each unit. New sidewalk and walkways would comply with the City of Costa Mesa's Municipal Code requirements for building pedestrian access and circulation.

A2-2 As discussed in Public Review Draft IS/MND Section 4.14, *Population and Housing* (page 4.14-1), the proposed project would introduce up to 101 new residents and would represent a nominal increase in the City's population. Of these 101 new residents, only a nominal number of pedestrians would be accessing the City's pedestrian network at any given time. As such, the existing pedestrian facilities (i.e., sidewalks, crosswalks) at the off-site intersections of Victoria Place/Newport Boulevard and Victoria Place/Victoria Street would adequately service the proposed project.

A2-3 As discussed in Public Review Draft IS/MND Section 4.17, *Transportation* (page 4.17-2), Mitigation Measure TRA-1 would require the review and approval of a Traffic Management Plan (TMP) by the City Traffic Engineer. The TMP would ensure that bicycle lanes, pedestrian sidewalks, and bus stops remain open and accessible, to the greatest extent feasible, during construction. In the event that that access cannot be maintained, bicycle lanes, pedestrian sidewalks, and/or bus stops would be re-routed to ensure connectivity. As such, the proposed project would incorporate detours and safety measures in the TMP and impacts pertaining to transportation safety during construction would be reduced to less than significant levels.

A2-4 This comment is acknowledged. The commenter does not raise new environmental information or directly challenge information provided in the Public Review Draft IS/MND; no further response is required.

A2-5 As discussed in Public Review Draft IS/MND Section 4.17, *Transportation* (pages 4.17-1 through 4.17-2), the topic of multimodal transportation options (i.e., roadways, transit [Orange County Transportation Authority], bicycle, and pedestrian facilities) are discussed. Additionally, the proposed project would not change existing pedestrian, bicycle, and transit facilities in the project area. It would also be noted that the proposed project would include new sidewalks and a new Class II Bicycle Lane along the frontage of Victoria Place. To emphasize the Class II Bicycle Lane proposed along Victoria Place, the following minor correction is made to the Public Review Draft IS/MND Section 2.3, *Project Characteristics* (page 2-10) and is reflected below and in Section 3.0, *Errata*, of this Final IS/MND. Additionally, Public Review Draft IS/MND Section 4.17 (page 4.17-2) discusses that the proposed project would not conflict with program plan, ordinance, or policy which encourages multimodal transportation options.

Section 2.3, Project Characteristics, Page 2-10

> Vehicular site access would be provided via two unsignalized driveways at the southern end of the project along Victoria Place; refer to Exhibit 2-3. Both driveways connect to internal drive aisles that form an "H"-shaped roadway pattern on-site. The 25-foot-wide internal drive aisles would also serve as fire access lanes pursuant to the City's Municipal Code requirements. New sidewalks would be constructed along the project frontage at Victoria Place which would allow pedestrian access to the residential community. The project also proposes locking residential pedestrian gates for pedestrian access for all on-site residents only. The proposed project would also construct a new Class II bike lane with a two-foot buffer along Victoria Place per the City Development Standards; refer to Exhibit 2-3.

A2-6 As discussed in Public Review Draft IS/MND Section 4.8, *Greenhouse Gas Emissions* (pages 4.8-7 through 4.8-11), the proposed project would emphasize land use patterns and include design features that facilitate multimodal transportation options. Such features include proximity to destinations, located within one mile of existing bus stops serviced by the Orange County Transportation Authority, bicycle parking, a new Class II Bicycle Lane, and installation of new pedestrian sidewalks. As such, implementation of the proposed Class II Bicycle Lane, new sidewalks, and bicycle parking would encourage future residents to utilize multimodal transportation alternatives. As discussed in Public Review Draft IS/MND Section 4.17, *Transportation* (Page 4.17-4), the proposed project would meet three transportation screening criteria and was determined to have a less than significant impact on transportation. Specifically, the proposed project would generate less than 110 daily trips, is located in an area classified as a low VMT zone, and would meet the criteria under a Transit Priority Area Screening criteria. Lastly, as discussed in Public Review Draft IS/MND Section 4.3, *Air Quality*, the proposed project would not conflict with the South Coast Air Quality Management District 2022 Air Quality Management Plan and would not result in emissions that exceed applicable air quality thresholds. As such, the proposed project would not result in a significant impact on air quality.

A2-7 As discussed in Public Review Draft IS/MND Section 2, *Project Description* (page 2-1) and Exhibit 2-2, *Site Vicinity*, the project site is located within the boundaries of Assessor's Parcel Numbers 419-111-19 through -21). Additionally, off-site improvements (i.e., utility lines installation, installation of new pedestrian sidewalks and bike lane) would occur throughout Victoria Place right-of-way only. No physical improvements would occur within Caltrans R/W.

A2-8 As discussed in Response to Comment A2-7, construction would not occur within Caltrans R/W. Additionally, preparation of all project plans and traffic control plans would comply with all applicable State and local regulations. T

3.0 ERRATA

Changes to the Public Review Draft Initial Study/Mitigated Negative Declaration (IS/MND) are noted below. A double-underline indicates additions to the text; ~~strikethrough~~ indicates deletions to the text. These clarifications and modifications are not considered to result in any new or substantially greater significant impacts as compared to those identified in the Public Review Draft IS/MND. The changes to the Public Review Draft IS/MND do not affect the overall conclusions of the environmental document. Changes are listed by page and, where appropriate, by paragraph.

Table of Contents, Page iii, *List of Exhibits*, 12 Lines/Exhibits Down

~~Exhibit 2-6 Conceptual Landscape Plan..... 2-16~~

Exhibit 2-6a Conceptual Landscape Plan – Project Frontage..... 2-16

Exhibit 2-6b Conceptual Landscape Plan – Project Site..... 2-17

Exhibit 2-7 Conceptual Utility Plan……..... ~~2-18~~ 2-19

Section 2.2, Environmental Setting, Page 2-1, Table 2-1, *Existing Structures*

Table 2-1
Existing Structures

Tenant/Business	Use	Square Footage/Units
220 Victoria Street		
Suite A	Storage	500 square feet
Suite B	Boat Storage and Commercial Retail (Harvey's Boat Storage)	1,400 square feet
222 Victoria Street		
Suite A	Commercial Retail (Allied Lighting)	6,834 square feet
234 Victoria Street		
Suite A	Originally constructed as residential use, but has been utilized for commercial purposes for the past 58 years (Currently Vacant)	1 Unit Approximately 2,000 square feet
Suite B	Commercial (Suburban Plumbing)	2,333 square feet
236 Victoria Street		
~~-~~ Suite A	Commercial Retail (Battery Mart)	5,500 square feet
	Total Commercial Square Footage	18,567 square feet

Section 2.3, Project Characteristics, Page 2-10, Subsection *Site Access and Parking*, First Paragraph

Vehicular site access would be provided via two unsignalized driveways at the southern end of the project along Victoria Place; refer to Exhibit 2-3. Both driveways connect to internal drive aisles that form an "H"-shaped roadway pattern on-site. The 25-foot-wide internal drive aisles

would also serve as fire access lanes pursuant to the City's Municipal Code requirements. New sidewalks would be constructed along the project frontage at Victoria Place which would allow pedestrian access to the residential community. The project also proposes locking residential pedestrian gates for pedestrian access for all on-site residents only. The proposed project would also construct a new Class II bike lane with a two-foot buffer along Victoria Place per the City's Development Standards; refer to Exhibit 2-3.

Section 2.3, Project Characteristics, Page 2-16, Subsection *Open Space and Landscaping* (Continued), First Paragraph

Landscaping would be installed at Victoria ~~Parkway~~Place as well as within the new community; refer to ~~Exhibit 2-6, *Conceptual Landscape Plan*~~ Exhibit 2-6a, *Conceptual Landscape Plan – Project Frontage*, and Exhibit 2-6b, *Conceptual Landscape Plan – Project Site*. The landscaping area in front of the detached units along Victoria Place would consist of fauna and flora gardens with pedestrian walkways into the residential community. Additionally, the landscaping along Victoria Place~~Victoria Parkway~~ has been designed to include ~~seating areas,~~ shade trees, lush landscaping, bioswale, and other amenities. Other ornamental landscaping would be installed throughout the project site, including along the project frontage, drive aisles, building perimeters, and entryways; refer to Exhibit 2-6b ~~Exhibit 2-6~~. Planting materials would include a variety of trees (i.e., Bloodgood London Plane, Afghan Pine, Brisbane Box, Hopseed Bush, etc.), shrubs (i.e., Atlas Fescue, Spanish Lavender, Blue Flame Agave, etc.), and groundcover.

Section 2.3, Project Characteristics, Page 2-16, Subsection *Utilities and Services*, First Bullet Point

- *Water*. The project site would be served by the Mesa Water District (MWD). The project proposes private one-inch service water laterals that connect to the existing 12-inch water main in Victoria Place. The western portion of the project would connect to a proposed 6-inch water main in the western portion of the landscaping area fronting Victoria Place~~Victoria Parkway~~. The new 6-inch water main would then connect to an existing 12-inch water main in Victoria Place. The eastern portion of the project site would connect to the existing 12-inch water main in Victoria Place near the central portion of the project frontage.

Section 2.3, Project Characteristics, Page 2-16, Subsection *Utilities and Services*, Third Bullet Point

- *Drainage*. The project proposes to construct an on-site storm drain system with a modular wetland system. The project proposes to construct private four- to eight-inch storm drains throughout the site. The new storm drains would convey storm water flows to the modular wetland system unit at the southeast corner of the landscaping area fronting Victoria Place~~in Victoria Parkway~~ to be treated before being conveyed to the existing 24-inch storm drain in Victoria Place at one point of connection. Should the storm event exceed the capacity of the modular wetland system unit, the water would bypass the system to flow into the existing storm drain. Additionally, an 18-inch outlet pipe would be installed to connect to the proposed curb opening catch basin near the Newport Boulevard and

Victoria Place intersection; refer to Exhibit 2-7. The new outlet pipe would be installed via trenching.

Section 2.3, Project Characteristics, Page 2-17

Removed Exhibit 2-6, *Conceptual Landscape Plan*, and included two new exhibits. The new exhibits include Exhibit 2-6a, *Conceptual Landscape Plan – Project Frontage*, and Exhibit 2-6b, *Conceptual Landscape Plan – Project Site*.

Section 4.1, Aesthetics, Page 4.1-3, Table 4.1-1, *General Plan Consistency Analysis Governing Scenic Quality*

Table 4.1-1
General Plan Consistency Analysis Governing Scenic Quality

Relevant Section	Consistency Analysis
Goal CD-1 Strengthen the image of the City as experienced from sidewalks and roadways.	*Consistent.* New public sidewalks would be constructed along the project frontage at Victoria Place which would allow pedestrian access to the residential community. Landscaping would be installed along the project site frontage abutting Victoria Place~~at Victoria Parkway~~ as well as within the new community; refer to ~~Exhibit 2-6, *Conceptual Landscape Plan*~~ Exhibit 2-6a, *Conceptual Landscape Plan – Project Frontage* and Exhibit 2-6b, *Conceptual Landscape Plan – Project Site*. The landscaping area in front of the detached units along Victoria Place would consist of fauna and flora gardens with pedestrian walkways into the residential community. The project also proposes locking residential pedestrian gates for pedestrian access into the project site for resident access only.



Source: Studio Berzunza 2025

VICTORIA PLACE PROJECT

Michael Baker INTERNATIONAL

NOT TO SCALE

05/2025 • JN 204361

Conceptual Landscape Plan – Project Frontage

Exhibit 2-6a



Source: Studio Berzunza 2025

VICTORIA PLACE PROJECT

Michael Baker INTERNATIONAL

NOT TO SCALE

05/2025 • JN 204361

Conceptual Landscape Plan – Project Site

Section 4.1, Aesthetics, Page 4.1-6, Table 4.1-2 (Continued), *Municipal Code Consistency Analysis Governing Scenic Quality, No. 4*

Table 4.1-2
Municipal Code Consistency Analysis Governing Scenic Quality

Relevant Section	Consistency Analysis
(4) The proposed residences have adequate separation and screening from adjacent commercial uses through site planning considerations, structural features, landscaping, and perimeter walls.	*Consistent.* The proposed project would install appropriate seven-foot-high perimeter concrete block walls to the west, north, and east consistent with Municipal Code 13-75, *Fences and walls*. ~~Proposed landscaping would~~ Landscaping would be installed along the project site frontage abutting Victoria Place~~at Victoria Parkway~~ as well as within the new community; refer to ~~Exhibit 2-6~~Exhibit 2-6a and 2-6b. The landscaping area in front of the detached units along Victoria Place would consist of fauna and flora gardens with pedestrian walkways into the residential community. Additionally, the ~~Victoria Parkway~~landscaping area along the project site frontage abutting Victoria Place has been designed to include ~~seating areas,~~ shade trees, lush landscaping, bioswale, and other amenities. Other ornamental landscaping would be installed throughout the project site, including along the project frontage, drive aisles, building perimeters, and entryways; refer to ~~Exhibit 2-6~~ Exhibit 2-6a and 2-6b. Planting materials would include a variety of trees (i.e., Bloodgood London Plane, Afghan Pine, Brisbane Box, Hopseed Bush, etc.), shrubs (i.e., Atlas Fescue, Spanish Lavender, Blue Flame Agave, etc.), and groundcover.

Section 4.1, Aesthetics, Page 4.1-9, Table 4.1-1, Subsection *Standard Conditions of Approval*

***Standard Conditions of Approval*:**

SCA AE-8 All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day

SCA AE-9 Prior to the issuance of Building Permits, the Applicant shall submit a Lighting Plan and Photometric Study for the approval of the City's Economic and Development Services Department. The Lighting Plan shall demonstrate compliance with the following: (a) Lighting design and layout shall limit spill light to no more than 0.5 foot candle at the property line of the surrounding neighbors, consistent with the level of lighting that is deemed necessary for safety and security purposes on site. (b) Glare shields may be required for select light standards.

SCA AE~~S~~-10 On-site lighting shall be provided in all parking areas, vehicular access ways, and along major walkways. The lighting shall be directed onto driveways and walkways

within the project and away from dwelling units and adjacent properties to minimize light and glare impacts, and shall be of a type approved by the Director of Economic and Development Services.

Section 4.10, Hydrology and Water Quality, Page 4.10-8, Subsection *Operations*, First Paragraph

At project completion, the project site would not include large areas of exposed soils that would be subject to runoff. Rather, any unpaved areas would be improved with landscaping to minimize the potential for erosion or siltation on- or off-site; refer to ~~Exhibit 2-6, *Conceptual Landscape Plan*~~ Exhibit 2-6a, *Conceptual Landscape Plan – Project Frontage* and Exhibit 2-6b, *Conceptual Landscape Plan – Project Site*…

Section 4.11, Land Use and Planning, Page 4.11-3, Table 4.11-1, *General Plan Consistency Analysis*

Table 4.11-1
General Plan Consistency Analysis

Relevant Policies	Project Consistency Analysis
Policy LU-2.7: Permit the construction of buildings over two stories or 30 feet only when it can be shown that the construction of such structures will not adversely impact surrounding developments and deprive existing land uses of adequate light, air, privacy, and solar access.	Consistent: The project site is relatively flat and developed with commercial retail buildings, housing, and storage yards; surrounding land uses include a mixture of commercial and residential uses. The proposed three-story duplexes and three-story single-family detached units would have a maximum building height of 39 feet and six inches measured from above natural/finished grade. Building elevations are shown on Exhibits 2-5a, *Project Site Building Elevations*, through 2-5e, *Building Elevations – Renderings*. As detailed, the three-story duplexes and three-story single-family detached units would have a maximum building height of 39 feet and six inches measured from above natural/finished grade. A seven-foot-tall concrete block wall is proposed along the site perimeter except along Victoria Place. The block wall would be designed in accordance with Municipal Code Section 13.75, *Fences and walls*. Wood fencing would be provided between the private backyards of each duplex unit. A motor-operated swinging gate would be present at the entrance of the two driveways along Victoria Place. The motor-operated swinging gate would only permit the entry of residents, guests, and public services (i.e., police, fire protection services, trash collection services, etc.). As such, the project would provide internal privacy to residents while ensuring that adjacent uses are not deprived of privacy. The project site is located in a highly developed, urbanized area with existing sources of light; the project's light impacts are further evaluated in Section 4.1, *Aesthetics*.
Policy LU-2.9: Require appropriate building setbacks, structure orientation, and placement windows to consider the	Consistent: The proposed Master Plan would include development standards for structural setbacks and distances between project buildings and between adjacent properties;

privacy of adjacent residential structures within the same project and on adjacent properties.	all setbacks would extend to the public right-of-way (i.e., the sidewalk easement). Additionally, all setbacks would be consistent with Municipal Code Article 12, Section 13-83.64, *Residential Incentive Overlay District Development Standards*; refer to Table 4.11-2, *Residential Incentive Overlay District Development Standards Consistency Analysis*, below.
Policy LU-2.11: Ensure adequate noise attenuation in urban design, such as walls for sound attenuation, development of landscaped greenbelts, provision of landscape berms, etc.	***Consistent.*** Refer to Response to Policy LU-2.7 regarding proposed walls and fencing. Additionally, ornamental landscaping would be installed throughout the project site, including along the project frontages, drive aisles, building perimeters, and entryways, and would include a variety of trees, shrubs, and groundcover; refer to ~~Exhibit 2-6, *Conceptual Landscape Plan* –~~Exhibit 2-6a, *Conceptual Landscape Plan – Project Frontage* and Exhibit 2-6b, *Conceptual Landscape Plan – Project Site.*

Section 4.11, Land Use and Planning, Page 4.11-5, Table 4.11-1, *General Plan Consistency Analysis*, Last Four Rows

Table 4.11-1
General Plan Consistency Analysis

Relevant Policies	Project Consistency Analysis
Policy LU-5.7: Encourage new development that is organized around compact, walkable, mixed-use neighborhoods and districts to conserve open space resources, minimize infrastructure costs, and reduce reliance on the automobile.	Consistent: The project proposes a residential development that would incorporate walkable spaces both on-site and along the public street frontage of Victoria Place. New public sidewalks would be constructed along Victoria Place which would allow pedestrian access east/west along the northern right-of-way, as well as into the new residential community. The public landscaping area along Victoria Place would consist of pedestrian walkways~~, seating areas,~~ and shade trees.
Policy LU-5.11: Development plans shall be required for all phased development and approvals and shall be approved by the Planning and Transportation Services Divisions prior to the issuance of building permits.	Consistent: As detailed in Section 2.5, *Agreement, Permits and Approvals*, the anticipated discretionary approvals therein (in addition to ministerial actions such as demolition permit, grading permit, building permits, encroachment permits, certificates of occupancy, etc.) have been requested by the Applicant for this project and would require City discretionary approval prior to issuance of building permits.
Policy LU-5.12: Development plans shall include an overall buildout plan, which can demonstrate the ability of the circulation system to support the proposed level of development.	Consistent: An analysis of the proposed project's impacts on transportation and circulation in the project vicinity is included in Section 4.17, *Transportation*. The proposed project's internal circulation and improvements to the City's circulation system are not anticipated to cause significant traffic impacts, such as internal queuing/stacking at the project driveways, or create significant vehicle-pedestrian conflict points. Impacts to the circulation system were determined to be less than significant.
Land Use Goal LU-6: Economically Viable and Productive Land Uses that Increase the City's Tax Base	
Policy LU-6.19: Provide flexibility and support for development of residential, office, small retail centers, and similar uses that would serve local residents and would also benefit from the high visibility along major corridors outside of significant commercial or industrial nodes.	Consistent: The project would include residential units within a site that is located adjacent to major arterial and secondary arterial streets (e.g., Fairview Road, Victoria Street, and Newport Boulevard). The new residential units would be located in proximity to existing commercial/retail uses, including those associated with the Triangle to the south.

Section 4.11, Land Use and Planning, Page 4.11-6, Table 4.11-2, *Residential Incentive Overlay District (RIOD) and Residential Common Interest Development (RCID): Development Standards Consistency Analysis*

Table 4.11-2
Residential Incentive Overlay District (RIOD) and Residential Common Interest Development (RCID): Development Standards Consistency Analysis

Zone	Development Standard	Requirement	Proposed Project	Does Project Satisfy Requirement?
RIOD	Minimum Lot Area	0.5 acres	1.77 acres	Yes
RCID	Minimum Lot Area	N/A	N/A	N/A
RIOD	Maximum Density – Dwelling Units Per Acre (du/ac)	30 du/ac = maximum 53 units	22.6 du/ac = 40 units	Yes
RCID	Maximum Floor Area Ratio (FAR)	0.75	1.43	No[1]
RIOD	Minimum Open Space	40 percent of total site area = minimum 30,840 square feet	~~34,578 square feet~~ 32,437 square feet	Yes
RCID	Minimum Open Space			

Section 4.11, Land Use and Planning, Page 4.11-7, Table 4.11-2 (Continued), *Residential Incentive Overlay District (RIOD) and Residential Common Interest Development (RCID): Development Standards Consistency Analysis*

Table 4.11-2
Residential Incentive Overlay District (RIOD) and Residential Common Interest Development (RCID): Development Standards Consistency Analysis

Zone	Development Standard	Requirement	Proposed Project	Does Project Satisfy Requirement?
RIOD	Maximum Building Height	Three stories. Sites abutting R2-MD zones shall incorporate a stepped elevation from two to three stories. Rooftop terraces are permitted and not considered a story.	Three stories (39 feet and six inches measured from above natural/finished grade)	Yes
RCID	Maximum Building Height	2 stories/27 feet		No[1]
RIOD	Landscape Setback Abutting All Public Rights-of-Way, Excluding Alleys	20 feet	20 feet	Yes
RIOD	Landscaped Parkway (Interior Private Streets or Common Driveways)	Combined 10 feet wide, no less than 3 feet on one side	None	No[1]
RCID	Landscaped Parkway (Interior Private Streets or Common Driveways)	Combined 10 feet wide, no less than 3 feet on one side. Parkway on house side of private street or common	None	No[1]

		driveway shall be a minimum of 5 feet wide		
RIOD RCID	Front Front	20 feet	20 feet	Yes
RIOD	Side (Interior and Street)	20 feet (for 3 stories abutting R2-MD zones)	7 feet, 6 inches	Yes
RCID	Side (Interior and Street)	5 feet		No[1]
RIOD	Rear (Interior and Street)	20 feet (for 3 stories abutting R2-MD zones)	11 feet, 3 inches	No[1]
RCID	Rear (Interior and Street)	20 feet for 2-story structures in R2-MD and R2-HD zones; 15 feet for 2-story structures in the R-3 zone. 10 feet for one story structures.		N/A[2]
RIOD	Storage	N/A	~~None~~ Garage (390 SF)	N/A
RCID	Storage	Each unit shall provide 200 cubic feet of securable storage exterior to the unit or within the garage/carport.	~~None~~ Garage (390 SF)	~~No[1]~~Yes

Section 4.18, Tribal Cultural Resources, Page 4.18-1

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				✓
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			✓	~~✓~~

Section 4.10, Utilities and Service Systems, Page 4.19-1

This section is primarily based upon the following technical studies included in Appendix H, *Public Services and Utilities Correspondence:*

- *Will Serve Letter for 220, 222, 234, and 236 Victoria Place* (Water Will Serve), prepared by Mesa Water District, November 27, 2024; and
- *Proposed 40-Unit Housing Development at 220, 222, 234, and 236 Victoria Place, Costa Mesa: CMSD Will Serve Sewer Letter* (Sewer Will Serve), prepared by Costa Mesa Sanitary District, January 8, 2025.
- *Tentative Tract No. 19351, 220 Victoria Street, Conditions of Approval,* prepared by City of Costa Mesa Public Works Department, April 22, 2025~~January 28, 2025~~.

Section 4.10, Utilities and Service Systems, Page 4.19-1, Subsection *Water*, First Paragraph

The project site would be served by the Mesa Water District (MWD). The project proposes private one-inch water service water laterals that connect to the existing 12-inch water main in Victoria Place. The western portion of the project would connect to a proposed 6-inch water main in the western portion of the landscaping area fronting Victoria Place~~Victoria Parkway~~…

Appendix B, Cultural Resources Assessment, Section 2.2 Project Characteristic, Page 2, First Paragraph, First Sentence

The development would have a maximum building height of 39 feet, 6 ~~six~~ inches measured from above natural/finished grade...

Appendix H, Public Services and Utilities Correspondence

Replacement of the last three pages of Appendix H, *Tentative Tract No. 19351, 220 Victoria Street, Conditions of Approval,* prepared by City of Costa Mesa Public Works Department (dated January 28, 2025), with the revised *Tentative Tract No. 19351, 220 Victoria Street, Conditions of Approval,* prepared by City of Costa Mesa Public Works Department (dated April 22, 2025).

CITY OF COSTA MESA

CALIFORNIA 92628-1200 P.O. BOX 1200

PUBLIC WORKS DEPARTMENT – ENGINEERING DIVISION

April 22, 2025

Costa Mesa Planning Commission
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

SUBJECT: Tentative Tract No. 19351
LOCATION: 220 Victoria Street

Dear Commissioners:

Tentative Tract Map No. 19351 as furnished by the Planning Division for review by the Public Works Department consists of subdividing two lots into one numbered lot for condominium purposes. Tentative Tract Map No. 19351 meets with the approval of the Public Works Department, subject to the following conditions:

1. The Tract shall be developed in full compliance with the State of California Subdivision Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Section 13-208 through 13-261 inclusive, of the Municipal Code.

2. The Subdivider shall conduct soil investigations and provide the results to the City of Costa Mesa Engineering and Building Divisions pursuant to Ordinance 97-11.

3. Copy of the Final Tract Map shall be submitted to the Engineering Division for checking. Map check fee shall be paid per C.C.M.M.C. Section 13-231.

4. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.

5. Dedicate an ingress/egress easement to the City for emergency and public security vehicles purposes only. Maintenance of easement shall be the sole responsibility of a Homeowners Association formed to conform to Section 13-41 (e) of the C.C.M.M.C.

6. Vehicular and pedestrian access rights to Victoria Street shall be released and relinquished to the City of Costa Mesa except at approved access locations.

7. Dedicate easements as needed for public utilities.

8. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.

9. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital-graphics file of said map in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.

10. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.

11. The elevations shown on all plans shall be based on the County of Orange Benchmark Datum.

12. Prior to recordation of a Final Tract Map, submit required cash deposit or surety bond to guarantee monumentation. The deposit amount shall be determined by the City Engineer.

13. Submit required cash deposit or surety bond to guarantee construction of off-site street improvements at time of permit per Section 15-32, C.C.M.M.C. and as approved by City Engineer. Amount to be based on construction cost estimate prepared by Engineer and approved by City Engineer. The Subdivider and City shall enter into an agreement for the installation of the offsite improvements as provided in Section 66462 of the California Subdivision Map Act.

14. Prior to occupancy on the Tract, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File, reproducible mylar of the recorded Tract Map, an approved Offsite Plan and nine copies of the recorded Tract Map.

15. Submit for approval to the City of Costa Mesa preliminary plans that shows the undergrounding of utility poles along the project's frontage, including any poles across the street which are only servicing the existing property and that will not be utilized to the extent practical or feasible.

16. Submit for approval to the City of Costa Mesa final design plans approved for construction that shows all proposed above and/or underground utilities within the public right-of-way required for the construction of this project. Any proposed facilities within the public right-of-way shall be approved by the City Engineer including but not limited to water, power, gas or telecommunication services.

17. Construct a common area for passive recreation purposes in front of the project as shown on the preliminary landscape plan. The maintenance of this area shall be responsibility of the homeowner association. All improvements in the public right-of-way associated with the passive recreation area shall be subject to the approval of the City Engineer.

18. Obtain an Encroachment Permit from the City of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk.

19. Obtain an Encroachment Permit from the City of Costa Mesa, Engineering Division, at the time of development and then reconstruct P.C.C. sidewalk per City of Costa Mesa Standards as shown on the Offsite Plan, including four (4) feet clear around obstructions in the sidewalk.

20. Obtain an Encroachment Permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approaches per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager.

21. Submit for approval to the City of Costa Mesa, Engineering Division, Street Improvement and Storm Drain Plans, that show Sewer and Water Improvements, prepared by a Civil Engineer registered in the State of California.

22. Construct a catch basin within the public right-of-way and connect to the City storm drain system.

23. Prior to the issuance of the certificate of occupancy, the two existing 8" diameter storm drains downstream of the project site on Victoria Place shall be replaced with 18" diameter reinforced concrete pipes. This improvement shall be completed to the satisfaction of the City Engineer and prior to slurry sealing the roadway.

24. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of Final Tract Map

25. The Subdivider's engineers shall furnish the Engineering Division a hydrology/hydraulics study to the City of Costa Mesa showing existing and proposed facilities and the method of draining this area and tributary areas without exceeding the capacity of any street or drainage facility on-site or off-site. This study to be furnished with the first submittal of the Final Tract Map. Cross lot drainage shall not occur.

26. In order to comply with the latest Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan (WQMP) conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer, which shall be submitted to the City of Costa Mesa Engineering Divisions for review and approval.
    - A WQMP (Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.
    - Location of BMPs shall not be within the public right-of-way.

27. Ownership and maintenance of the private on-site drainage facilities, BMPs, parkway culverts and other common areas shall be transferred by the owner to the Homeowner Association to be formed pursuant to the C.C.M.M.C. Section 13-41 (e) and said association shall indemnify and hold harmless the City of Costa Mesa for any liability arising out of or in any way associated with the connection of the private drainage system with the City's drainage system and shall execute and deliver to the City of Costa Mesa the standard (indemnity) Hold Harmless Agreement required for such conditions prior to issuance of permits.

28. All sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.

29. All water system improvements shall meet the approval of Mesa Water District; call (949) 631-1200 for information.

30. Obtain approval for the planting and species of trees in the public right-of-way from the City Arborist.

31. Restore the roadway surface by slurry sealing along the project's frontage to the satisfaction of the City Engineer.

Sincerely,

Seung Yang

Seung Yang, P. E.
City Engineer

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This requirement ensures that environmental impacts found to be potentially significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Victoria Place Project (Project); refer to Table 1, *Mitigation Monitoring and Reporting Checklist*. This MMRP is intended to provide verification that the implementation of all mitigation measures identified in the Draft IS/MND are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of all such records in the project file.

This MMRP delineates responsibilities for monitoring the project. Pursuant to CEQA Guidelines Section 15097(a), however, the City of Costa Mesa ultimately remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the mitigation program. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The City distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Draft IS/MND, which provides general background information on the reasons for the adopted mitigation measures.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- Responsible parties provide the City of Costa Mesa with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.
- The City of Costa Mesa prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.
- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals, as indicated.

Minor changes to the MMRP, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the City of Costa Mesa. Such changes could include reassignment of

monitoring and reporting responsibilities, plan redesign to make any appropriate improvements, and/or modification, substitution, or deletion of mitigation measures subject to conditions described in CEQA Guidelines Section 15162.

Table 1
Mitigation Monitoring and Reporting Checklist

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
4.5 CULTURAL RESOURCES								
CUL-1	Prior to issuance of grading permits, the City of Costa Mesa shall ensure a qualified archaeologist who meets the Secretary of the Interior's Standards for professional archaeology has been retained for the project and shall be on-call during all demolition and grading/excavation. The qualified archaeologist shall ensure the following measures are followed for the project: • Prior to any ground disturbance, the qualified archaeologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should resources of a potentially cultural nature be discovered during construction.	Project Applicant; Construction Contractor; Qualified Archaeologist; Native American Monitor	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities	City of Costa Mesa Development Services Director	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	Workers shall be provided contact information and protocols to follow in the event that inadvertent discoveries are made. The training can be in the form of a video or PowerPoint presentation. Printed literature (handouts) can accompany the training and can also be given to new workers and contractors to avoid the necessity of continuous training over the course of the project. • Prior to any ground disturbance, the applicant shall submit a written Project Monitoring Plan (PMP) to the City of Costa Mesa's Director of Economic and Development Services for review and approval. The monitoring plan shall include monitor contact information (including the qualified archeologist and the Native American Monitor per Mitigation Measure TCR-1), specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds.							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	• In the event resources of a potentially Native American nature are discovered during any stage of project construction, all construction work within 50 feet (15 meters) of the discovered tribal cultural resource ("TCR") shall cease and the Kizh Monitor shall assess the discovery. Construction activities outside the buffer zone may continue during the Kizh Monitor's assessment. o Non-Native American (Non-TCR) Discoveries: If warranted based on the qualified archaeologist's evaluation of the archaeological (but non-TCR) discovery, the archaeologist shall collect the resource and prepare a test-level report describing the results of the investigation. The test-level report shall evaluate the site including discussing the significance (depth, nature, condition, and extent of the resource), identifying final Cultural Mitigation Measures, if							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	any, that the City of Costa Mesa's Director of Economic and Development Services shall verify are incorporated into future construction plans, and providing cost estimates. o <u>Conjoined Archaeological and Native American (TCR) Discoveries</u>: If, following consultation with the Kizh Monitor, it is determined that a historic or prehistoric discovery includes Native American materials or resources, then the Kizh Monitor shall determine the appropriate treatment of the discovered TCR(s) consistent with Mitigation Measure TCR-1. The Kizh Monitor shall prepare a TCR discovery report, which may include descriptions and evaluations of the area and conditions at the site of the discovery (i.e., depth, nature, condition, and extent of the resources), as well as a discussion of the significance to the Kizh Nation.							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	o The requirements of Section 15064.5 of the CEQA Guidelines shall be followed. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Kizh Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Kizh Nation, and (2) completed the appropriate treatment of the resource consistent with Mitigation Measure TCR-1.							
4.7 GEOLOGY AND SOILS								
GEO-1	Prior to issuance of a grading permit and any ground-disturbing activities, the project applicant shall consult with a geologist or paleontologist to confirm whether anticipated grading would occur at depths that could encounter highly sensitive sediments for paleontological resources. If confirmed that underlying sediments may have high sensitivity, construction activity shall be monitored by a qualified paleontologist retained by the project applicant and a written Project Monitoring Plan (PMP) shall be submitted to the City of Costa Mesa's Director of Economic and Development Services for	Project Applicant; Construction Contractor; Qualified Geologist; Qualified Paleontological Monitor	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities	City of Costa Mesa Development Services Director	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	review and approval. The monitoring plan shall include monitor contact information, specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds. The paleontologist shall have the authority to halt construction during construction activity. Because the project area is immediately underlain by Holocene sediments (low sensitivity) and the depth of these sediments is unknown, spot-check monitoring shall be conducted to identify potential fossils and the lithological transition to Pleistocene sediments. If Pleistocene-aged sediments are discovered at depth, monitoring shall transition to full-time as ground-disturbing activities occur at or below this identified depth because these Pleistocene units have been identified as having high sensitivity for paleontological resources.							
GEO-2	In the event of any fossil discovery, regardless of depth or geologic formation, construction work shall halt within a 50-foot radius of the find until a qualified paleontologist retained by the project applicant can determine its significance. Significant fossils shall be recovered, prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility in accordance with the standards of the Society	Construction Contractor; Qualified Paleontological Monitor	During Ground Disturbing Activities	City of Costa Mesa Development Services Director	During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	of Vertebrate Paleontology (2010). The most likely repository is the Natural History Museum of Los Angeles County (NHMLAC). The repository shall be identified, and a curatorial arrangement shall be signed prior to the collection of the fossils.							
4.9 HAZARDS AND HAZARDOUS MATERIALS								
HAZ-1	Prior to issuance of a grading permit, the contractor shall retain a qualified environmental professional with Phase II/Site Characterization experience, to be approved by the City's Department of Public Works City Engineer, to prepare a Soil Management Plan (SMP). The SMP shall be made available to the contractor, construction workers, and the City Engineer for use during grading/excavation activities. The SMP shall include guidelines for safety measures and soil management in the event that soils are to be disturbed, and for handling soil during any planned earthwork activities. The SMP shall also include a decision framework and specific risk management measures for managing soil, including any soil import/export activities, in a manner protective of human health and consistent with applicable regulatory requirements. If required by regulatory requirements, the preparation and implementation of a cleanup plan such as the RAW shall be deemed necessary.	Project Applicant; Construction Contractor; Qualified Environmental Professional with Phase II/Site Characterization Experience	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities	Qualified Environmental Professional; City of Costa Mesa Public Services Director	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	During the grading phase, the qualified professional shall conduct soil sampling and monitor soil conditions. In the event where contaminated soil is discovered, the qualified professional shall take a sample and coordinate laboratory testing to determine contamination levels before the import, export, or re-use of the soil for residential purposes. Should any soil samples identify contamination levels in exceedance of existing Federal, State, and/or local human health screening levels for residential uses, the soil shall be disposed off-site by a licensed hazardous waste hauler in accordance with applicable Federal, State, and local regulations.							
4.17 TRANSPORTATION								
TRA-1	Prior to Project commencement of construction, the Applicant or designee shall submit a Construction Traffic Management Plan (TMP) for review and approval by the City Traffic Engineer. The TMP shall include signage, lane closures, flag persons, etc., and shall specify that one lane of travel in each direction shall be maintained along City rights-of-way. Bicycle lanes, pedestrian sidewalks, and bus stops shall remain open and accessible, to the greatest extent feasible, during construction or shall be re-routed to ensure continued connectivity while maintaining Americans with Disabilities Act (ADA) accessibility. The TMP shall be	Project Applicant; City Traffic Engineer	Prior to and During Ground Disturbing Activities	City of Costa Mesa Public Services Director; City Traffic Engineer	Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	incorporated into project specifications for verification prior to final plan approval.							
4.18 TRIBAL CULTURAL RESOURCES								
TCR-1	Prior to issuance of any grading permits, the Applicant shall formally retain a Native American monitor from the Native American tribe that is culturally and ancestrally affiliated with the Project location: the Gabrieleño Band of Mission Indians – Kizh Nation. The Applicant shall allow 45 days from initial contact with the first preference tribe (Kizh Nation) to enter into a contract for monitoring services. If the Applicant can demonstrate they were unable to secure an agreement with the first preference tribe, or if the contracted tribe fails to fulfill its obligation under the contract terms, then the Applicant may retain an alternative qualified tribal monitor approved by the City. The City approved Monitor (the "Monitor"), shall monitor all "ground-disturbing" Project activities, (I.e., both on-site and any off -site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work), which includes but is not limited to: demolition, grubbing/clearing, rough grading, precise grading, mass grading, trenching, excavation, boring,	Native American Monitor	Prior to Issuance of Grading Permit; During Ground Disturbing Activities	Costa Mesa Development Services Director	Prior to Issuance of Grading Permit; Prior to and During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	auguring, and weed abatement on previously disturbed and undisturbed ground (collectively "ground disturbing activities"). A copy of the executed contract shall be submitted to the Costa Mesa Economic and Development Services Department prior to the issuance of any permit necessary to commence ground-disturbing activities. The Monitor shall prepare daily monitoring logs that include descriptions of the relevant ground disturbing activities, locations of such activities, observed soil types, and the presence or absence of tribal cultural-related materials. Should tribal cultural-related resources be discovered, monitor logs shall identify and describe such resources, including but not limited to, Native American cultural and historical artifacts, as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the City of Costa Mesa and maintained as confidential. In the event resources are discovered during any phase of ground disturbing activities, and it is determined by the Monitor, in consultation with the City, to be Native American in origin, then all construction activity within fifty (50) feet (15 meters) of the find shall cease until							

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	the Monitor can assess the find. Work shall be allowed to continue outside of the buffer zone. The Monitor shall determine the appropriate treatment of the discovered resource that is consistent with the tribe's cultural practices, including reinternment on site in an appropriate area determined by the tribe in consultation with the City and the applicant, or retention of the discovered resource for educational purposes. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Kizh Nation, and (2) completed the appropriate treatment of the resource. Monitoring for tribal cultural resources ("TCR") shall conclude upon the City's receipt of written confirmation from the Monitor that ground disturbing activities with potential impacts to discovered and/or undiscovered TCRs are complete.							

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ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING REZONE TO APPLY THE RESIDENTIAL INCENTIVE OVERLAY DISTRICT ZONING DESIGNATION TO THE PROPERTIES LOCATED AT 220, 222, 234, AND 236 VICTORIA STREET ("VICTORIA PLACE")

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

WHEREAS, a General Plan Amendment, Rezone, Tentative Tract Map, and Master Plan, was filed by Bundy-Finkel Architects, on behalf of WMC, LLC, requesting approval of the following: Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment, Rezone, Master Plan, and Tentative Tract Map to facilitate the development of a 40-unit residential common interest development project located at 220, 222, 234, and 236 Victoria Street; and

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; and

WHEREAS, on June 9, 2025, the Planning Commission recommended denial of the proposed project with a 5-2 vote (Commissioner Dickson and Commissioner Andrade voting no);

WHEREAS, at the June 9, 2025 meeting, the Planning Commission recommended that the City Council take the following actions:

1. **Deny** the Initial Study/Mitigated Negative Declaration including the Mitigation Monitoring and Reporting Program; and
2. **Deny** General Plan Amendment PGPA-24-0001 to modify the Land Use Element's maps, figures, text and tables to apply a Residential Incentive Overlay District zoning designation to the subject property, as the site currently has a land use designation of General Commercial, which does not allow residential development; and
3. **Deny a request to** rezone the project site by applying the Residential Incentive Overlay District zoning designation to the subject project site,

currently zoned C2 – General Business District, to facilitate the residential development while maintaining the underlying commercial zoning; and

4. **Deny** Master Plan PMAP-24-0002 for a 40-unit residential common interest development; and
5. **Deny** Tentative Tract Map No. 19351 to subdivide the properties for condominium purposes.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS/MND) including the Mitigation Monitoring and Reporting Program was prepared in compliance with CEQA and the local environmental review guidelines; and

WHEREAS, the Draft IS/MND was circulated for the required 30-day public review period beginning on April 1, 2025, and ending on April 30, 2025; and

WHEREAS, written comments received from the general public, government entities, and other interested parties were responded to, where appropriate, in the manner prescribed in California Code of Regulations Section 15073; and

WHEREAS, no significant new information has been added to the IS/MND since its circulation for public comment and no changes to the proposed project have occurred which would require recirculation of the IS/MND under CEQA Guidelines Section 15073.5; and

WHEREAS, the City Council has reviewed and considered the IS/MND and has found that the IS/MND adequately evaluates the environmental impacts of the proposed project, and the IS/MND is complete, adequate, and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines; and

WHEREAS, the IS/MND reflects the independent judgment and analysis of the City of Costa Mesa.

Now, therefore, THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY APPROVES AS FOLLOWS:

Section 1: REZONE. The City of Costa Mesa Official Zoning Map is hereby amended as follows:

1. The proposed rezone to apply the Residential Incentive Overlay District is consistent with the General Plan as amended by General Plan Amendment PGPA-24-0001 and adopted by Resolution No. 25-XX.
2. There is hereby placed and included in the Residential Incentive Overly District zoning district a 1.77-acre parcel and as shown in Exhibit 1, situated in the City of Costa Mesa, County of Orange, State of California.
3. Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in Subsections Number 1 and Number 2. A copy of the Official Zoning Map and Zoning Code is on file in the office of the Planning Division.

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 section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Costa Mesa hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 4. Effective Date. This Ordinance shall take effect on the 31st day after adoption.

Section 5. Certification. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

PASSED AND ADOPTED this _____ day of _____, 2025

_____
John Stephens, Mayor

ATTEST:

_____
Brenda Green, City Clerk

APPROVED AS TO FORM

_____
Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, Brenda Green, City Clerk of the City of Costa Mesa, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2025-xx ____ introduced at a regular meeting of the City Council of the City of Costa Mesa held on the 15 day of July, 2025, and was thereafter adopted at a regular meeting held on the _____ day of _____, 2025, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

Said ordinance has been published or posted pursuant to law.

Witness my hand and the official seal of the City of Costa Mesa this ____ day of _____, 2025.

_____
Brenda Green, City Clerk

EXHIBIT 1

REZONE

Amendment to the Zoning Map

Apply the Residential Incentive Overlay District zoning designation of the 1.77-acre site at 220, 222, 234, and 236 Victoria Street, while maintaining the underlying C2 – General Business District zone



Residential Incentive Overlay (30 du/ac)

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-364 **Meeting Date:** 7/15/2025

TITLE:

RESIDENTIAL PERMIT PARKING PROGRAM - CABRILLO STREET BETWEEN ORANGE AVENUE AND SANTA ANA AVENUE

DEPARTMENT: **PUBLIC WORKS DEPARTMENT/ TRANSPORTATION SERVICES DIVISION**

PRESENTED BY: **RAJA SETHURAMAN, PUBLIC WORKS DIRECTOR**

CONTACT INFORMATION: **PAUL MARTIN, TRANSPORTATION SERVICES MANAGER, (714) 754-5343**

RECOMMENDATION:

Staff recommends the City Council adopt the proposed Resolution No. 2025-xx, approving the implementation of a Residential Permit Parking (RPP) only restriction on Cabrillo Street between Orange Avenue and Santa Ana Avenue, and authorizing the Transportation Services Manager to extend the restriction within a 1,000-foot radius as needed, based on a qualifying petition from affected residents and Council-adopted guidelines.

BACKGROUND:

At the July 19, 2022 regular meeting, the City Council approved the amendments to the Costa Mesa Municipal Code (CMMC) incorporating proposed changes to the Residential Permit Parking (RPP) program through a Public Hearing process. The guiding principles employed in the development of the City's revised RPP program include:

- **Equitable access:** Develop equitable programs that appropriately balance the parking needs of all residents, businesses, and visitors, while enabling the on-street parking supply to serve the community fairly, and enhance access for all.
- **Sustainable solutions:** Implement financially sustainable strategies that modernize and streamline parking program management.
- **Efficient program management:** Create an efficient and adaptable parking system that is optimized for the City's current needs, but can be incrementally updated and adjusted over time.

In April 2025, a petition was received from the residents of Cabrillo Street requesting the implementation of a Residential Permit Parking only restriction. The petition was signed by 46 out of 87 households that would be directly affected by the requested parking restriction. These residents expressed concerns about the lack of on-street parking due to external impacts.

ANALYSIS:

According to the revised RPP program guidelines adopted by the City Council (Attachment 2), new requests for RPP will be limited to areas experiencing external parking impacts such as commercial areas, neighboring cities, the Orange County Fairgrounds, schools, and recreational areas. All housing types within impacted areas are eligible for permits.

Following the request for a new RPP zone, Transportation Services staff conducted several parking surveys during various times to determine the source and level of parking impacts. The parking surveys indicated both customers and employees of the shopping centers located on 17th Street are utilizing Cabrillo Street for parking during business hours, which qualifies as an RPP-defined external parking impact to Cabrillo Street. In addition, neighborhood parking intrusions are considered significant if 70 percent or more of available parking is utilized by vehicles at any time. Staff conducted a parking occupancy survey and found that during the times when external impacts were present, more than 70 percent of available parking was utilized on the subject street. Staff found that the requirements in the RPP Guidelines for consideration of establishing Residential Permit Parking on the subject streets have been met. A map (Attachment 3) of the location of the subject area under consideration is provided.

If Residential Permit Parking is approved for this neighborhood zone, residents on these streets will have the opportunity to purchase permits through the online parking permit management system. After a majority of households purchase at least one permit, signs will be posted restricting parking on the affected streets to only vehicles with a valid permit, and letters will be sent to residents with an anticipated enforcement target date (approximately one month after the installation of signs).

If the City Council approves the implementation of a Residential Permit Parking only restriction on the subject street, parking intrusion onto other nearby streets is possible to occur. Therefore, the attached resolution provides the Transportation Services Manager with the authority to extend the limits of the permit parking area up to 1,000 feet in distance from the subject street, as necessary to address continued resident concerns. This action will be based on each “extended” area meeting the criteria in the Council adopted RPP guidelines including a qualifying petition.

ALTERNATIVES:

The City Council could choose not to approve the resolution. However, this alternative would leave the externally impacted street of Cabrillo Street without any Residential Permit Parking restriction and will result in continued resident concerns for the lack of available street parking due to external parking intrusion.

FISCAL REVIEW:

The annual operating costs of administering the program for this neighborhood zone are anticipated to be self-funded by revenues collected from the program. Revenue collected from this program will also offset future hardware, software, and on-call support expenses related to the program.

LEGAL REVIEW:

The City Attorney's Office has reviewed this report, prepared the proposed resolution and approves them both as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This project supports the following City Council goals:

- Achieve long-term fiscal sustainability.
- Strengthen the public's safety and improve the quality of life.

CONCLUSION:

Staff recommends the City Council adopt the proposed Resolution No. 2025-xx, approving the implementation of a Residential Permit Parking (RPP) only restriction on Cabrillo Street between Orange Avenue and Santa Ana Avenue, and authorizing the Transportation Services Manager to extend the restriction within a 1,000-foot radius as needed, based on a qualifying petition from affected residents and Council-adopted guidelines.

RESOLUTION NO. 2025-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING RESIDENTIAL PERMIT PARKING ON CABRILLO STREET BETWEEN ORANGE AVENUE AND SANTA ANA AVENUE AND AUTHORIZING THE TRANSPORTATION SERVICES MANAGER TO EXTEND THE RESIDENT ONLY PARKING RESTRICTION WITHIN A 1,000 FOOT RADIUS AS NEEDED

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

WHEREAS, the Costa Mesa City Council has determined that parking is a limited resource on specific streets in Costa Mesa; and

WHEREAS, Section 10-221 of the Costa Mesa Municipal Code provides for the designation of permit only parking areas by resolution of the City Council; and

WHEREAS, the City Council finds that residential permit only parking is needed on Cabrillo Street between Orange Avenue and Santa Ana Avenue (“Designated Street”); and

WHEREAS, the City Council finds that the Transportation Services Manager should be authorized to extend and/or modify the limits of said prohibitions within a 1,000 foot radius of the above Designated Street to serve the best interests of the neighborhood without further City Council action; and

WHEREAS, Sections 10-82 and 10-83 of the Costa Mesa Municipal Code set forth provisions for enforcement and obedience to Code regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COSTA MESA that parking is hereby prohibited on the Designated Streets, at all times, to vehicles without a permit.

BE IT FURTHER RESOLVED that the Transportation Services Manager is hereby authorized to extend and/or modify the limits of said parking prohibition within a 1,000 foot

radius of the Designated Streets to serve the best interests of the neighborhood, provided that the approval of such extension or modification is in accordance with City requirements.

BE IT FURTHER RESOLVED that, pursuant to Section 10-82 of the Costa Mesa Municipal Code, signs shall be posted to give notice of said parking prohibition.

PASSED, APPROVED AND ADOPTED this 15th day of July, 2025.

_____
John Stephens, Mayor

ATTEST:

_____
Brenda Green, City Clerk

APPROVED AS TO FORM:

_____
Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 25-xx and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 15th day of July, 2025, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 16th day of July, 2025.

_____
Brenda Green, City Clerk

July 19, 2022

CITY COUNCIL GUIDELINES AND POLICIES FOR CONSIDERATION OF INSTALLATION OR REMOVAL OF RESIDENT ONLY PERMIT PARKING

The City of Costa Mesa's Resident Permit Parking (RPP) Program was developed with the following guiding principles:

- **Equitable access**: Develop equitable programs that appropriately balance the parking needs of all residents, businesses, and visitors, while enabling the on-street parking supply to serve the community fairly, and enhance access for all.
- **Sustainable solutions**: Implement financially sustainable strategies that modernize and streamline parking program management.
- **Efficient program management**: Create an efficient and adaptable parking system that is optimized for the City's current needs, but can be incrementally updated and adjusted over time.

The RPP program is aligned with the Attorney General's opinion and develops an equitable solution that serves the needs of all Costa Mesa residents. The 2016 California Attorney General's opinion (#14-304), states ***"In issuing long-term residential parking permits, local authorities may not distinguish among residents based on the type of dwelling in which they live."***

Resident only permit parking will be limited to areas experiencing external parking demand which includes impacts from commercial areas, neighboring cities, the Orange County Fairgrounds, schools, and recreational facilities. At the onset of this RPP program, a phased renewal process will be implemented for existing residential parking permit streets from the prior RPP program (prior to 2021).

Requests for new RPP zones will be reviewed and evaluated by Transportation Services staff using the following guidelines and policies:

- Permit eligibility includes Costa Mesa residents of all housing types in compliance with the 2016 California Attorney General's opinion and removes the limitation of the program to only single family, R-1 zones.

- RPP eligibility zones are limited to areas experiencing external parking demand which includes impacts from commercial areas, neighboring cities, the Orange County Fairgrounds, schools, and recreational facilities.

- Requests for installation or removal of resident only permit parking will be considered as a neighborhood permit zone system established with a recommended minimum street-frontage of about 2,000 feet instead of on a street-by-street basis. The Transportation Services Manager or designee will determine the appropriate length of a neighborhood permit zone.

- When considering requests to implement resident permit parking, the City will conduct parking occupancy surveys to determine the utilization of on-street parking.

A 70% parking occupancy threshold of all available on-street parking and visible off-street parking is required for consideration of new neighborhood permit zones.

- A petition signed by a majority (51% or greater) of households is required to install or remove neighborhood permit zones for resident permit parking.
    - For petitions in rental complexes, the residents, property managers, and property owners will participate in the petition survey. If the units in a multi-family property are individually owned, each owner would be included in the petitioning.

- Only one signature per household will be considered.

- Upon receipt of a valid (majority) petition for a neighborhood permit zone, the City will send notification of the resident only permit parking installation or removal request to all households in the affected neighborhood zone.

- If the Transportation Services Manager approves the install or removal of a neighborhood permit parking zone per these guidelines and policies, a recommendation will be forwarded to the City Council for final action. Once final action has been taken by the City Council, no further changes or requests for changes in resident permit parking for this neighborhood zone will be considered for a minimum period of one year.

- Resident permit parking will be implemented in accordance with the provisions of the Costa Mesa Municipal Code summarized below:

    - One (1) resident parking permit per eligible driver based on verification of residence and vehicle registration and maximum of four (4) permits per dwelling.

    - Permits are non-transferable and strictly associated with the vehicle's license plate number.

    - Maximum of one hundred (100) guest parking permits per year to each eligible household. Each guest pass is for one-time use only. Staff will consider guest passes for special events on a case-by-case basis.

    - Parking permits are valid only for the zone in which issued.

    - An annual resident permit parking fee structure with an escalating rate structure and low cost permits for qualifying low income residents will be implemented with the amount of annual permit fees subject to change annually. The current fee structure is provided as an attachment and subject to change annually.

City Council Approved July 19, 2022

EXHIBIT A

CITY OF COSTA MESA
RESIDENTIAL PARKING PERMIT PROGRAM
ANNUAL FEES

FISCAL YEAR 2022-2023

Fee Structure Per Dwelling
Annual Residential Parking Permit Fees

Residential Parking Permit - 1st $25

Residential Parking Permit - 2nd $50

Residential Parking Permit - 3rd $75

Residential Parking Permit - 4th $100

100 Guest Permits $25

Annual Residential Parking Permit Fees for Qualifying Low Income Residents

Residential Parking Permit - 1st $5

Residential Parking Permit - 2nd $10

Residential Parking Permit - 3rd $25

Residential Parking Permit - 4th $50

100 Guest Permits $25


Cabrillo Street
Cabrillo Street
Orange Avenue
Proposed "Resident Only" Zone
Santa Ana Avenue

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-376 **Meeting Date:** 7/15/2025

TITLE:

RANDALL PRESERVE DISCUSSION

DEPARTMENT:	**CITY MANAGER'S OFFICE**
PRESENTED BY:	**CECILIA GALLARDO-DALY, INTERIM CITY MANAGER**
CONTACT INFORMATION:	**CECILIA GALLARDO-DALY, INTERIM CITY MANAGER (714) 754-5328**

RECOMMENDATION:

Per the request of Council Member Reynolds, receive input from the City Council and public on the Randall Preserve Draft Plans.

BACKGROUND:

The Frank and Joan Randall Preserve, formerly Banning Ranch, is a 387-acre parcel consisting of a coastal mesa and adjacent coastal lowlands and wetlands with significant cultural resources and a vital habitat for many state and federally-listed species. The Mountains Recreation and Conservation Authority (MCRA) holds title to the Randall Preserve. The MRCA is committed to developing a property management plan for Randall Preserve. The Property Management Plan (PMP) will include:

- Resource Management Plan (RMP)
- Coastal Resilience Strategy (CRS)
- Public Access Plan (PAP)
- Tribal Access and Engagement Plan (TAEP)

ANALYSIS:

The MCRA has released drafts of the RMP, CRS, and PAP and is currently taking comments on the draft plans. Council Member Reynolds will provide an update on Randall Preserve and discuss City Council input on the following draft plans released for public review:

- **Resource Management Plan -** A critical next step for the Randall Preserve is an evaluation of the site through a Resource Management Plan (RMP), which includes plant and animal, watershed, and other surveys and analysis. Download the Draft RMP <https://www.randallpreserve.org/_files/ugd/1e3f71_063a5f4ef8a0419ababd78875d63453f.pdf>

- **Coastal Resilience Strategy -** The Coastal Resilience Strategy (CRS) assesses hazard risk and community vulnerability, identifies nature-based solutions appropriate for this site, quantifies conservation and restoration action, and measures the effectiveness of our actions to reduce hazard risk and build climate resilience. Download the Draft CRS <https://www.randallpreserve.org/_files/ugd/4a263a_593f01a71c7f4cceadf1f2f8b64d2e21.pdf>

- **Public Access Plan -** The Public Access Plan (PAP) is developed last because all of the other plans inform this one. It will include the types of allowed activities, locations of those activities, and the hours the public can visit the Preserve. The PAP is also a chapter within the RMP. Download the PAP <https://www.randallpreserve.org/_files/ugd/4a263a_4e97e9e594754add9660e2a5299d1e84.

The Tribal Access and Engagement Plan is in development.

ALTERNATIVES:

The City Council may determine that no comments are necessary for the three draft plans.

FISCAL REVIEW:

This action has no fiscal impact.

LEGAL REVIEW:

This item is administrative and does not necessitate legal review.

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the following City Council goal:

- Advance Environmental Sustainability and Climate Resiliency.

CONCLUSION:

Per the request of Council Member Reynolds, discuss City Council Comments on the Randall Preserve Draft Plans for submittal to MRCA.