CITY OF COSTA MESA

REGULAR CITY COUNCIL AND HOUSING AUTHORITY*

Agenda - Final Amended

Tuesday, October 7, 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

Council Member Buley will be attending the meeting via Zoom Webinar from:
Mission Inn Hotel & Spa
3649 Mission Inn Ave., Riverside, CA

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.

Members of the public are welcome to speak during the meeting when the Mayor opens the floor for public comment. There is no need to register in advance or complete a comment card. When it's time to comment, line up at one of the two podiums in the room and wait for your turn. Each speaker will have up to 3 minutes (or as directed) to address the City Council.

To maintain a respectful and orderly atmosphere during the meeting, attendees shall refrain from using horns or amplified speakers. Signs and props may be brought into the Chamber, provided they do not exceed 11 inches by 18 inches in size and do not hinder the visibility of other attendees. The possession of poles, sticks, or stakes is strictly prohibited.

All attendees must remain seated while in the chamber until instructed by the Presiding Officer to approach and line up for public comment. To ensure safety and maintain order during the proceedings, standing or congregating in the aisles or foyer is strictly prohibited.

Further information regarding the City's regulations on addressing the City Council and expected conduct during meetings are available at the following links.

Title 2: Administration
§ 2-61: Conduct while addressing the council.
https://ecode360.com/42609578

Title 2: Administration
§ 2-64: Disorderliness by members of the audience.
https://ecode360.com/42609598

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/86098580031?pwd=3B9LF32StrAXk7lRxtPGKRQC6TQO1r.1
Or sign into Zoom.com and “Join a Meeting”
Enter Webinar ID: 860 9858 0031/ Password: 230425
• 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: 860 9858 0031/ Password: 230425
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 – INITIATION OF LITIGATION – TWO CASES
   Pursuant to California Government Code Section 54956.9 (d)(4), Potential Litigation.

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

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

REGULAR MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY

OCTOBER 7, 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. Proclamation: Breast Cancer Awareness Month
2. Recognition of the Newport Mesa Girls Softball 8U All Stars
3. Recognition of Costa Mesa Little League Player Gavin Brandon

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 Gameros
2. Council Member Marr
3. Council Member Reynolds
4. Council Member Pettis
5. Council Member Buley
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** **25-525**

RECOMMENDATION:

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

2. **READING FOLDER** **25-526**

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk and authorize staff to reject any and all Claims: Lydia Bolanos, Mike Carrillo, Carolyn Hanson, Ana Ruiz.

3. ADOPTION OF WARRANT RESOLUTION **25-441**

RECOMMENDATION:

City Council approve Warrant Resolution No. 2741.

Attachments: 1. Summary Check Registration 09-05-2025
2. Summary Check Registration 09-11-2025
3. Summary Check Registration 09-18-2025
4. Summary Check Registration 09-22-2025

4. MINUTES **25-527**

RECOMMENDATION:

City Council approve the minutes of the regular meeting of September 2, 2025 and the adjourned regular meeting of September 9, 2025.

Attachments: 1. 09-02-2025 Draft Minutes
2. 09-09-2025 Draft Minutes

5. PROPOSED AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR EVERETT DOREY, LLP FOR LEGAL SERVICES **25-520**

RECOMMENDATION:

Staff recommends the City Council approve the proposed First Amendment to the Professional Services Agreement for Everett Dorey, LLP for legal services and determine the effective date of the amendment, and authorize the City Manager and the City Clerk to execute the amendment.

Attachments: 1. Everett Dorey LLP - PSA to provide legal services -02-19-2019
2. CM-CC PSA Everett Dorey LLP - Amend 1

6. ACCEPTANCE AND ALLOCATION OF THE OPERATION STONEGARDEN (OPSG) FUNDS 25-524

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the Agreement for the Operation Stonegarden (OPSG) Funds and authorize the City Manager, or designee, to execute the agreement for a period of performance from September 1, 2024 through May 31, 2027.

2. Adopt Resolution No. 2025-XX authorizing the acceptance of the OPSG Funds and authorizing the City Manager, or designee, to accept the funds in the amount of $170,000.

3. Approve revenue and expense appropriations in the amount of $170,000 for the OPSG Funds.

Attachments: 1. 2024 OPSG Memorandum Of Agreement
2. Exhibit A - 2024 OPSG Budget Worksheet
3. Exhibit B - 2024 OPSG Standard Assurances & Program Standard Assurances Addendum
4. Reso - Authorizing Acceptance of FY 2024 OPSG Funds

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** **25-519**

   RECOMMENDATION:

   Staff recommends the City Council close the open public hearing and continue the project to a date uncertain.

   Attachments: 1. Continuation Request

2. **APPEAL OF PLANNING APPLICATION 23-14 AND TENTATIVE PARCEL MAP 2023-117 FOR A RESIDENTIAL SMALL LOT SUBDIVISION TO CREATE TWO PARCELS, EACH CONTAINING A NEW TWO-STORY DETACHED SINGLE-FAMILY RESIDENCE AND AN ATTACHED TWO-CAR GARAGE AT 2308 SANTA ANA AVENUE** **25-440**

RECOMMENDATION:

Staff recommends the City Council:

1. Find that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions for the parcel map application, and Section 15303 (Class 3), New Construction or Conversion of Small Structures for the design review application.

2. Find the project statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.66.

3. Approve Parcel Map No. 2023-117 and Design Review PA-23-14 based on findings of fact and subject to conditions of approval.

Attachments: Agenda Report
1. Draft Resolution
2. Filed Appeal
3. Revised Landscaping Plans
4. Planning Commission Resolution
5. Planning Commission Agenda Report
6. Planning Commission Public Comments
7. Planning Commission Minutes
8. Planning Commission Approved Project Plans

OLD BUSINESS:

1. CLEAN MOBILITY OPTIONS VOUCHER PILOT PROGRAM FOR COMMUNITY BASED TRANSIT - AMENDMENT ONE **25-518**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve Amendment One to the Contractor Services Agreement (CSA) with Circuit Transit, Inc. for the Clean Mobility Options (CMO) Voucher Pilot Program in an amount not to exceed $650,000 annually, for a term of two (2) years.

2. Authorize an increase of appropriation of the Clean Mobility - On Demand Transit Services from $500,000 to $650,000 for Fiscal Year 2025-26.

3. Authorize the Interim City Manager and the City Clerk to execute the agreement and future amendments to the agreement.

Attachments: 1. Voucher Agreement Amendment 1
2. Amendment One to CSA with Circuit Transit

2. ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 (PLANNING ZONING AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE TO PROVIDE TECHNICAL UPDATES AND CLARIFICATIONS (CODE AMENDMENT PCTY-25-0001) **25-445**

RECOMMENDATION:

Staff recommends the City Council adopt Ordinance No. 2025-XX approving Zoning Code Amendment PCTY-25-0001, amending Title 13 of the Costa Mesa Municipal Code (Planning, Zoning, and Development) to modify the City's Zoning Code to provide technical updates and clarifications.

Attachments: Agenda Report
1. Draft Ordinance
2. Legislative Digest

NEW BUSINESS: NONE.

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

ADJOURNMENT

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-525 **Meeting Date:** 10/7/2025

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 #: 25-526 **Meeting Date:** 10/7/2025

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: Lydia Bolanos, Mike Carrillo, Carolyn Hanson, Ana Ruiz.

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-441 **Meeting Date:** 10/7/2025

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. 2741.

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. 25-18 On Cycle for 4,243,653.20, 25-19 On Cycle for 3,997,253.17, and 25-18 “A” Off Cycle for 1,1840.46, and City operating expenses for $5,469,802.82.

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255312	09/05/25	P	Charter Communications	0000011202	655.23
		Line Description:	PD Warehouse 8/18-9/17/25		
0255313	09/05/25	P	Norman A Traub Associates Inc	0000013815	2,755.00
		Line Description:	Workplace Investigation		
0255314	09/05/25	P	Shaw HR Consulting Inc	0000021706	7,155.00
		Line Description:	Reasonable Accomodations		
				TOTAL	**$10,565.23**

0. *

10,565.23 +
622,462.34 +
34,614.25 +
667,641.82 *

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255241	09/05/25	P	Action Door Repair Corporation	0000031229	19,461.98
		Line Description:	REPLACE BAY DOOR W/ELECTRIC RO		
0255242	09/05/25	P	Admin Sure Inc	0000021568	17,653.00
		Line Description:	Wkrs Comp Adim Fee-Aug 2025		
0255243	09/05/25	P	Allegiant Mechanical Inc	0000031349	23,327.00
		Line Description:	HVAC CONTROLS @ FS#6		
0255244	09/05/25	P	Community Controls	0000020782	27,292.75
		Line Description:	GATE REPAIR @ FS#4		
0255245	09/05/25	P	Enough for All Fund	0000023003	50,000.00
		Line Description:	Donation-Enough for All Fund		
0255246	09/05/25	P	Interwest Consulting Group Inc	0000021505	42,403.75
		Line Description:	Professional Svs Jan 25 Professional Svs Dec 24 Professional Svs Feb 25 Professional Svs March 25 Professional Svs April 25 Professional Svs May 25 Professional Svs June 25 Professional Svs Dec 24 Professional Svs Jan 25		
0255247	09/05/25	P	Pinnacle Petroleum, Inc	0000029315	21,689.09
		Line Description:	CY Unleaded Fuel Tank#3&4		
0255248	09/05/25	P	Rimini Street Inc	0000022440	188,718.00

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	SUPPORT SERVICE AGREEMENT			
0255249	09/05/25	P	Someone Cares Soup Kitchen	0000012010		50,000.00
		Line Description:	2025 Donation			
0255250	09/05/25	P	Wittman Enterprises LLC	0000026639		16,353.00
		Line Description:	Aug 2025			
0255251	09/05/25	P	Woodruff Spradlin & Smart	0000004577		21,027.50
		Line Description:	WORKPLACE INVESTIGATIONS WORKPLACE INVESTIGATIONS WORKPLACE INVESTIGATIONS			
0255252	09/05/25	P	AT & T	0000001107		967.15
		Line Description:	PRI Circuit Inbound Trunk Red Phone Fire Sta#5 Red Phone Fire Sta#3 Red Phone Fire Sta#2 Red Phone Fire Sta#1 Red Phone Fire Sta#4 Red Phone Fire Sta#6 Fire Emergency Line NHCC Fire Alarm Lions Park Baseball Field DRC Fire Alarm WSS Alarm Jack Hamett Sports Complex			
0255253	09/05/25	P	All American Asphalt	0000000971		1,091.86
		Line Description:	Asphalt for filing potholes & Asphalt for filing potholes &			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255254	09/05/25	P	Amtech Elevator Services	0000013616		5,100.00
		Line Description:	Full load leakdown safety test CH Elevator Main-Mar 2025 CH Elevator Main-May 2025			
0255255	09/05/25	P	Arely Sojo	0000031460		120.00
		Line Description:	Live Painting for ARTventure			
0255256	09/05/25	P	Arts & Learning Conservatory	0000021365		6,000.00
		Line Description:	Two Performances for ARTventur			
0255257	09/05/25	P	Atkinson Andelson Loya Ruud & Romo	0000027289		1,569.75
		Line Description:	Gen Employment Advice-Jul 25			
0255258	09/05/25	P	BC Traffic Specialist	0000022225		1,385.48
		Line Description:	Temp No Parking Sign Plastic/Metal Barricade			
0255259	09/05/25	P	Backhaus Dance	0000030728		1,500.00
		Line Description:	Dance Performance for ARTventu			
0255260	09/05/25	P	Bartwood Construction, Inc	0000012314		725.00
		Line Description:	Board up @3084 Taylor Way			
0255261	09/05/25	P	Bee Busters Inc	0000007572		430.00
		Line Description:	Bee Colony Abatement Bee Colony Abatement Bee Colony Abatement			
0255262	09/05/25	P	Briyana Negrette	0000031464		1,200.00

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Installation Srvs			
0255263	09/05/25	P	CAPF	0000004755		2,507.50
		Line Description:	Firefighters LTD Sep 25			
0255264	09/05/25	P	CHUBB	0000031158		1,432.74
		Line Description:	Long Term Care Ins-Aug 2025			
0255265	09/05/25	P	CLEA	0000004754		3,904.00
		Line Description:	Police Officers LTD Sep 25			
0255266	09/05/25	P	Carl Warren & Company	0000001578		3,994.09
		Line Description:	Wkrs Comp Admin Fee-Aug 25			
0255267	09/05/25	P	Child Creativity Lab	0000031463		800.00
		Line Description:	Art Booth ARTventure			
0255268	09/05/25	P	Continental Interpreting Services Inc	0000024355		1,300.00
		Line Description:	Interpreter City Council Mtng			
0255269	09/05/25	P	CoreLogic Information Solutions Inc	0000004774		4,726.32
		Line Description:	RealQuest Online Services Annu			
0255270	09/05/25	P	County of Orange Health Care Agency	0000003488		8,982.00
		Line Description:	FS#6 CUPA Anniversary 25-26 CUPA Anniversary 25-26 Haz Mat PD CUPA Anniversary 25-26 FS#6 CUPA Anniversary 25-26 SF#1 CUPA Anniversary 25-26 S#5 CUPA Anniversary 25-26			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	FS#2 CUPA Anniversary 25-26 CY CUPA Anniversary 25-26 HazM FS#3CUPA Anniversary 25-26 FS#6 CUPA Anniversary 25-26 CM Rec Center Haz Mat Disclosu CY CUPA Anniversary FY 25-26 FS#1 CUPA Anniversary 25-26			
0255271	09/05/25	P	Daniels Tire Service	0000001922		2,521.80
		Line Description:	Recycle Tire Pick Up For Warehouse Automotive-Tires Warehouse Stock Warehouse Stock			
0255272	09/05/25	P	ECKERSALL LLC	0000025412		1,035.00
		Line Description:	Sr GIS Analyst 7/23-7/30/25			
0255273	09/05/25	P	Endemic Environmental Services Inc	0000021277		14,053.62
		Line Description:	FP Wetland 7/1-7/15/25			
0255274	09/05/25	P	FALCK MOBILE HEALTH CORP.	0000019807		2,400.00
		Line Description:	Surge Unit-Jul 2025			
0255275	09/05/25	P	FM Thomas Air Conditioning Inc	0000017151		8,383.28
		Line Description:	Service Call Service Call Exhaust Fan on Lower Roof R&R			
0255276	09/05/25	P	Galls LLC	0000002297		1,526.97
		Line Description:	Uniform-Bowman Safety Vest-Anaya Uniform-Bowman			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255277	09/05/25	P	General Code LLC	0000030264		1,077.00
		Line Description:	Codification of Municipal Code			
0255278	09/05/25	P	Going Steady Studios	0000030344		3,133.83
		Line Description:	SALES TAX (7.75%) SHIPPING FLORAL CENTERPIECES			
0255279	09/05/25	P	Grainger	0000002393		2,328.27
		Line Description:	Fleet-Utility Tank Fleet-Welding Supplies Fleet-Shop Supplies Fleet-Shop Tools Hardware Hardware Hardware Hardware Hardware Fleet-Crimp Hose Ferrule Fleet-Crimp Hose Ferrule			
0255280	09/05/25	P	Hanks Electrical Supplies	0000002445		51.72
		Line Description:	Price Agreement			
0255281	09/05/25	P	Harold Adam Harris	0000030966		500.00
		Line Description:	Master of Ceremonies ARTventur			
0255282	09/05/25	P	Integrated Impressions	0000003403		690.05
		Line Description:	Promotional Items			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255283	09/05/25	P	Jennifer Moraca	0000031474		300.00
		Line Description:	Musical Performance ARTventure			
0255284	09/05/25	P	KLN Lifestyle LLC	0000029802		500.00
		Line Description:	Art Making Activity			
0255285	09/05/25	P	Kymberly Stewart	0000031454		2,400.00
		Line Description:	Musical Performance			
0255286	09/05/25	P	Leonides Aguirre	0000030378		500.00
		Line Description:	Chalk Art for ARTventure			
0255287	09/05/25	P	Liebert Cassidy Whitmore	0000002960		9,505.00
		Line Description:	LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - HR LEGAL SERVICES - PD			
0255288	09/05/25	P	MIS Training Institute Holdings, Inc.	0000031347		3,675.00
		Line Description:	ONLINE LEARNING COURSES			
0255289	09/05/25	P	Magic Jump Rentals Orange County LLC	0000029291		618.40
		Line Description:	JUMPER RENTALS FOR 8/5/25 NATI			
0255290	09/05/25	P	Maribeth McFaul	0000027134		400.00
		Line Description:	Chalk Art ARTventure			
0255291	09/05/25	P	Marlin Leasing Corporation	0000031369		3,636.08
		Line Description:	Copier Lease 6/2-7/1/25			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255292	09/05/25	P	Matrix Air & Hydronic Balancing Co	0000030961		5,800.00
		Line Description:	4TH FL AHU'S PERF & AF/B SURVE			
0255293	09/05/25	P	Monica Ramos Thaller	0000030904		275.00
		Line Description:	Chalk Art ARTventure			
0255294	09/05/25	P	Nuria Martinez	0000030379		650.00
		Line Description:	Chalk Art ARTventure			
0255295	09/05/25	P	Pacific Medical Waste	0000029793		193.22
		Line Description:	Biohazard Disposal Svc-Aug 25			
0255296	09/05/25	P	Primo Brands	0000031368		303.07
		Line Description:	WATER DELIVERY SERVICE			
0255297	09/05/25	P	Quadient Inc	0000028798		268.19
		Line Description:	POSTAGE MACHINE SUPPLIES			
0255298	09/05/25	P	Red Boy Productions	0000031462		1,500.00
		Line Description:	Performance for ARTventure			
0255299	09/05/25	P	Red Wing Business Advantage Account	0000003772		191.72
		Line Description:	Safery Boots Brett C			
0255300	09/05/25	P	Renewell Fleet Services LLC	0000031060		2,376.52
		Line Description:	Stock-Whelen Lights Steering W			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255301	09/05/25	P	Rincon Truck Center Inc	0000013236		1,176.00
		Line Description:	Stock-Cool Temp Sensor Stock-FT Valve Kit			
0255302	09/05/25	P	Southern California Edison Company	0000004088		12,619.99
		Line Description:	3349 Sakioka 7/28-8/25/25 3351 Sakioka 7/28-8/25/25 Sr Ctr 7/30-8/27/25 2301 Harbor 7/25-8/24/25 2948 Bristol 7/17-8/14/25 NHCC 7/30-8/27/25 1952 Newport 7/29-8/26/25 348 E 17th 7/28-8/25/25 Davis Field 7/30-8/27/25 360 W Wilsion 7/30-8/27/25			
0255303	09/05/25	P	Southern California Gas Company	0000004092		540.15
		Line Description:	BCC 7/24-8/25/25 FS#6 7/28-8/27/25 FS#1 7/24-8/25/25			
0255304	09/05/25	P	Susan Lachner	0000025019		300.00
		Line Description:	Musical Performance ARTventure			
0255305	09/05/25	P	Tony Lattimore Photography	0000031461		1,250.00
		Line Description:	Professional Photography ARTve			
0255306	09/05/25	P	UniFirst Holdings Inc	0000030616		155.88
		Line Description:	CMBS Walk Off Mats CMBS Walk Off Mats			
0255307	09/05/25	P	United Storm Water Inc	0000026001		7,134.75

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Retention Proj #23-08			
0255308	09/05/25	P	Vanguard University	0000008496		150.00
		Line Description:	Musical Performance ARTventure			
0255309	09/05/25	P	Verizon Wireless	0000008717		1,139.89
		Line Description:	Parks Cell Phone 5/18-6/17/25			
0255310	09/05/25	P	Wesley Lima De Amorim	0000031459		1,000.00
		Line Description:	Musical Performance for ARTven			
0255311	09/05/25	P	Williams Data Management	0000018803		539.98
		Line Description:	DATA STORAGE			
					TOTAL	**$622,462.34**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
020579	09/05/25	P	Anna Acosta-Reyes	0000030861	2,184.16
		Line Description:	Govt Pro Becker CPA Bundle		
020580	09/05/25	P	CDW Government Inc	0000005402	29,184.99
		Line Description:	SALES TAX (7.75%) APC BASIC RACK PDU APC SMART-UPS X 120V EXTERNAL APC SMART-UPS X 2000VA SINEWAV APC UPS NETWORK MANAGMENT CARD		
020581	09/05/25	P	Emily Pulaski	0000022350	250.00
		Line Description:	Achievement Award Sep 2025		
020582	09/05/25	P	Khoa Nguyen	0000031478	695.10
		Line Description:	PMP Exam Reg/Practice Test		
020583	09/05/25	P	Marcella Holt	0000026739	473.00
		Line Description:	CLET Training-Palm Springs		
020584	09/05/25	P	Mark Perkins	0000023756	515.00
		Line Description:	ICC 2025 Membership		
020585	09/05/25	P	Michelle Bradbury	0000014380	301.00
		Line Description:	Women Leaders in Law Enf Women Leaders in Law Enf		
020586	09/05/25	P	Monte Peters	0000022201	215.00
		Line Description:	Sherman Blk Supervisor Ldrsp		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
020587	09/05/25	P	Nicholas Harbert	0000030655		501.00
		Line Description:	Western State ORC Training Con			
020588	09/05/25	P	Ryan Bohr	0000027031		295.00
		Line Description:	2025 ICC Membership			
					TOTAL	**$34,614.25**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255315	09/10/25	P	Marlin Leasing Corporation	0000031369		7,678.52

Line Description:

COPIER LEASE HR	
COPIER LEASE Bridge Shelter	
COPIER LEASE PD	
COPIER LEASE Fire	
COPIER LEASE Parks	
COPIER LEASE Dev Svc	
COPIER LEASE Finance	
COPIER LEASE City Clerk	
COPIER LEASE City Council	
COPIER LEASE City Manager	
COPIER LEASE HR	
COPIER LEASE IT	7,678.52
COPIER LEASE PD	10,000.00
COPIER LEASE PW	1,084,102.72
COPIER LEASE Fire	0.00
COPIER LEASE Parks	1,174.24
COPIER LEASE Dev Svc	93,673.75
COPIER LEASE Finance	358,658.98
COPIER LEASE City Clerk	(28.04)
COPIER LEASE City Council	1,555,260.17
COPIER LEASE City Manager	
COPIER LEASE IT	

TOTAL **$7,678.52**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255316	09/11/25	P	Petty Cash Fund Narc Program	0000001833		10,000.00

Line Description: Replenish SIU Expense Fund

TOTAL **$10,000.00**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255317	09/12/25	P	BrightView Landscape Services Inc	0000026055		204,688.25
		Line Description:	Landscape Maint Svc-Aug 2025			
0255318	09/12/25	P	Catering by Mix Mix	0000030341		21,690.08
		Line Description:	SERVICE FEE 22% SALES TAX (7.75%) CATERING SERVICES			
0255319	09/12/25	P	Charter Communications	0000011202		21,219.41
		Line Description:	237927601-BCC Network Svs 237939201-DRC Network Svs 237938801-NHCC Network Svs 237940101-NHCC Public WiFi 240159901-DRC Internet Svs 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 237939101-Fire Sta #1 Network 237939301-Fire Sta #2 Network 237939401-Fire Sta #3 Network 237940301-Library Public WiFi 237925901-PD Public WiFi 237929301-PD Video Svs 237926501-PD Video Svs 237940501-Fire Sta #4 Network 8/19/25-Credit-Unreturned Equi 253883901-Lions Park Caf? Inte 252590301-PD Warehouse Interne 237926401-City Hall Public WiF 237926601-Senior Center Intern 237926801-City Hall Network/Vi 237927201-Senior Center Networ		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	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 237939901-Code Enforcement Net 237940401-Fire Sta #4 Internet 243645501-Code Enforcement Int			
0255320	09/12/25	P	Commercial Interior Resources	0000031200		20,621.76
		Line Description:	PD Floor Replacement Proj24-05 Retention Proj 24-05/200017			
0255321	09/12/25	P	Endemic Environmental Services Inc	0000021277		15,153.31
		Line Description:	FVP Wetland Maint 8/1-8/15/25			
0255322	09/12/25	P	Gentry General Engineering	0000030532		148,432.05
		Line Description:	Retention Proj #23-11			
0255323	09/12/25	P	JFK Transportation Co., Inc.	0000030141		18,142.17
		Line Description:	Day Camp 8/7/25 2 Buses Day Camp 7/1/25 1 Bus Day Camp 7/2/25 1 Bus Day Camp 7/3/25 1 Bus Day Camp 7/8/25 2 Buses Day Camp 7/9/25 1 Bus Day CAmp 7/10/25 1 Bus Day Camp 7/15/25 1 Bus Day Camp 7/16/25 1 Bus Day Camp 7/17/25 1 Bus Day Camp 7/22/25 2 Buses			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Day Camp 7/23/25 2 Buses Day Camp 7/24/25 2 Buses Day Camp 7/29/25 2 Buses Day Camp 7/30/25 2 Buses Day Camp 7/31/25 2 BUses Day Camp 8/5/25 2 Buses Day Camp 8/6/25 2 Buses			
0255324	09/12/25	P	Lyons Security Service Inc	0000027168		59,243.63
		Line Description:	24 Hr Security of Lions Parks Security Srvs SC July 25 24 Hr Lions Park Security			
0255325	09/12/25	P	Orange County Treasurer Tax Collector	0000003489		20,147.50
		Line Description:	Parking Citation July 2025			
0255326	09/12/25	P	Pacific Symphony	0000030109		25,000.00
		Line Description:	Free Park Performances in City			
0255327	09/12/25	P	Pinnacle Petroleum, Inc	0000029315		22,496.77
		Line Description:	PD Unleaded Fuel			
0255328	09/12/25	P	SCA of CA, LLC	0000029971		127,226.87
		Line Description:	Bi-Weekly Pressure Wash Bust S Sweeping Residential Hand Sweep&Pressure Wash Of			
0255329	09/12/25	P	Southern California Edison Company	0000004088		210,976.40
		Line Description:	1035 Park Crest 8/4-9/2/25 3129 Harbor Aug 25 Parks Maint Aug 25 885 Junipero 8/4-9/2/25 Sunflower/Plaza Aug 25			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Loan8670 Sunflower/Plaza Aug25 Tennis Ctr 8/4-9/2/25 1895 Irvine Aug 25 2750 Fairview 8/4-9/2/25 970 Arlington 8/4-9/2/25 980 Arlington 8/4-9/2/25 Volcom Skate Park 8/4-9/2/25 Fac & Equip Aug 25 1624 Gisler Aug 25 Joan St Bike Trail Aug 25 3460 Smalley Aug 25 Street Lights Aug 25 1990 Placentia 8/6-9/4/25 Signals Aug 25 745 W 19th 8/5-9/3/25 567 W 18th 8/5-9/3/25 3190 Airport Lp 8/11-9/1/25 702 1/2 Victoria 7/31-8/28/25 Loan8690 Street Lights Aug 25 Baker/Royal Palm Aug 25 19th/Npt Aug 25 Npt Fwy/Baker Aug 25 SD Fwy On/Off Aug 25 1860 Anaheim 7/31-8/28/25 702 Victoria 7/31-8/28/25			
0255331	09/12/25	P	Waxie Sanitary Supply	0000004480		30,786.36
		Line Description:	Sanitary Supplies Sanitary Supplies Sanitary Supplies Sanitary Supplies			
0255332	09/12/25	P	4Leaf Inc	0000029711		460.00
		Line Description:	Consulting Svs July 25			
0255333	09/12/25	P	AT & T	0000001107		107.00

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Internet-Skate Park Camera			
0255334	09/12/25	P	AT & T Mobility	0000001107		93.18
		Line Description:	Distpach Phones 7/12-8/11/25			
0255335	09/12/25	P	AVNI Enterprises Inc	0000030676		13,470.52
		Line Description:	Stock-Senor Assemblies Stock-Valve Sub Assembly Stock-TPm Repair Kit/Valve Spr Stock-Cable Flow/Cable Control Stock-Radiator Cap Stock-Servicre Manual Stock-QG Relief Valve Stock-Compressor/Serpentine Be Stock-Rebuild Kit, 8825 Valve Stock-Control Head/Level Switc Stock-MIV-E Replacement Kit			
0255336	09/12/25	P	Air Exchange Inc	0000024177		7,313.52
		Line Description:	FS#5 Maintenance Unit 528 FS#2 Maintenance FS#4 Maintenance PM Svc/Svc Call Maintenance			
0255337	09/12/25	P	Alldata	0000018288		1,500.00
		Line Description:	Repair/Access Subscrptn 25-26			
0255338	09/12/25	P	Amazing Tents & Events	0000029486		800.00
		Line Description:	TENT RENTAL			
0255339	09/12/25	P	American Alarm Systems Inc	0000008900		810.00
		Line Description:	Fire/Security Monitoring-BCC Fire/Security Monitoring-DAC			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Fire/Security Monitoring-NHCC Fire/Security-Historical Socie			
0255340	09/12/25	P	Amerinat	0000026372		2,005.90
		Line Description:	Services Aug 2025 Services July 2025			
0255341	09/12/25	P	Amtech Elevator Services	0000013616		2,660.00
		Line Description:	DD Library-Elevator Test			
0255342	09/12/25	P	Anomaly Squared	0000030491		943.38
		Line Description:	Consulting Aug 25			
0255343	09/12/25	P	BC Traffic Specialist	0000022225		339.17
		Line Description:	Concrete Auto Stop			
0255344	09/12/25	P	Bee Busters Inc	0000007572		220.00
		Line Description:	Bee Colony Abatement Colony Abatement-Commercial			
0255345	09/12/25	P	Bureau Veritas North America Inc	0000016616		1,372.88
		Line Description:	Plan Check Svc			
0255346	09/12/25	P	Callyo 2009 Corp	0000022018		5,736.00
		Line Description:	Callyo Renewal 9/1/25-8/31/26			
0255347	09/12/25	P	City of Huntington Beach	0000002599		3,060.00
		Line Description:	Helicopter Svc-July 25			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255348	09/12/25	P	Community Controls	0000020782		220.00
		Line Description:	FS#4-Loops			
0255349	09/12/25	P	Compressed Air Specialties Inc	0000020784		768.67
		Line Description:	LABOR HOSE END OVERHAUL KIT HOSE SALES TAX (7.75%)			
0255350	09/12/25	P	Costa Mesa Auto Glass	0000010001		796.91
		Line Description:	795-Winshield Replaced			
0255351	09/12/25	P	Costa Mesa Lock & Key	0000001817		175.55
		Line Description:	Lock & Key Svc			
0255352	09/12/25	P	Dymond Media	0000030404		6,055.00
		Line Description:	ARTventure Award Ceremony			
0255353	09/12/25	P	Ecolab Pest Elimination	0000024420		667.40
		Line Description:	Pest Control			
0255354	09/12/25	P	Emergency Medical Services Authority	0000002120		37.00
		Line Description:	EMS License Renewal-Jul 2025			
0255355	09/12/25	P	G & W Towing	0000002289		952.00
		Line Description:	340-Tow Service 718-Tow Service 321-Tow Service 711-Tow Service			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255356	09/12/25	P	Galls LLC	0000002297		4,859.65
		Line Description:	Uniform-Maldonado Uniform-Gutierrez Uniform-Maldonado Uniform-Meadors Uniform-Cucinotti Safety Vest-R Gonzales Uniform-J Luque Uniform-F Diaz Safety Vest-H Petteys			
0255357	09/12/25	P	Grainger	0000002393		622.29
		Line Description:	Fleet-Digital Multimeter			
0255358	09/12/25	P	Hanks Electrical Supplies	0000002445		28.93
		Line Description:	Electrical Supplies			
0255359	09/12/25	P	Irvine Ranch Water District	0000005112		2,364.81
		Line Description:	308 University 8/6-9/5/25 258 Brentwood 8/7-9/5/25 261 Monte Vista 8/7-9/5/25 2603 Elden 8/6-9/5/25 106 Del Mar 8/6-9/5/25 170 Del Mar 8/6-9/5/25 220 23rd 8/6-9/4/25			
0255360	09/12/25	P	Johnson Controls Fire Protection LP	0000026089		1,539.38
		Line Description:	PD-Induct Sensor Housing/Wires			
0255361	09/12/25	P	Jon Oliver Knight	0000030942		2,750.00
		Line Description:	1.5 Musical Performance HHM			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255362	09/12/25	P	Kimball Midwest	0000006819	941.77
		Line Description:	Shop Supply Shop Supply		
0255363	09/12/25	P	Liebert Cassidy Whitmore	0000002960	516.00
		Line Description:	LEGAL SERVICES - PD May		
0255364	09/12/25	P	MMASC	0000010997	725.00
		Line Description:	Annual Conf Rg Silvia K		
0255365	09/12/25	P	My Binding	0000012073	92.16
		Line Description:	Plastic Comb Binding		
0255366	09/12/25	P	Oracle America Inc	0000003419	2,910.34
		Line Description:	Software Update License Suppor		
0255367	09/12/25	P	Primo Brands	0000031368	53.87
		Line Description:	WATER DELIVERY SERVICE		
0255368	09/12/25	P	Quadient Inc	0000028798	3,001.00
		Line Description:	Credit Line August 2025		
0255369	09/12/25	P	Raymond Handling Solutions Inc	0000017422	103.00
		Line Description:	Automotive Stock		
0255370	09/12/25	P	Red Wing Business Advantage Account	0000003772	3,865.58
		Line Description:	Price Agreement - Streets Safety Shoes Safety Shoes Safety Shoes		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Safety Boots-Ruben Salas Safety Shoes Safety Shoes Safety Shoes Safety Shoes Safety Boots-Kevin Henderson Safety Shoes Safety Boots-Chad Connor Safety Boots-Juan Mejia Work Boots- Parks Work Boots- Parks Work Boots- Parks Safety Boots- Evan Rodriguez Safety Boots-Carlos Henriquez Safety Boots-Jake Mangus			
0255371	09/12/25	P	Rincon Truck Center Inc	0000013236		869.61
		Line Description:	Stock-Cool Temp Sensor			
0255372	09/12/25	P	SVT Fleet-Anaheim	0000030535		7,974.75
		Line Description:	515-Engine Rebuild			
0255373	09/12/25	P	Scott Fazekas & Associates Inc	0000003961		10,470.76
		Line Description:	Consulting Plan Check Srvs			
0255374	09/12/25	P	Signature Party Rentals	0000026916		3,840.72
		Line Description:	Staging&Lights for ARTventure			
0255375	09/12/25	P	SiteOne Landscape Supply LLC	0000024133		265.35
		Line Description:	Equipment for Parks Facilities			
0255376	09/12/25	P	South Coast Air Quality Mgmt District	0000003939		1,070.95
		Line Description:	Corp Yard-Emissions Fee			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Corp Yard-Annual Renewal			
0255377	09/12/25	P	Stacy Moffatt	0000030375		850.00
		Line Description:	Chalk Art ARTventure 2025			
0255378	09/12/25	P	State of California Dept of Justice	0000001534		2,047.00
		Line Description:	Livescan/Fingerprinting Servic			
0255379	09/12/25	P	ThreatSTOP, Inc.	0000031360		10,680.00
		Line Description:	THREATSTOP IP DEFENSE			
0255380	09/12/25	P	Treebark Home Services, Inc.	0000031482		2,180.00
		Line Description:	Rehab for Grant-1845 Monrovia			
0255381	09/12/25	P	Turnout Maintenance Company LLC	0000020182		1,933.35
		Line Description:	Cleaned Fire Apparel Cleaned Fire Apparel Cleaned Fire Apparel			
0255382	09/12/25	P	US Bank	0000002228		8,182.44
		Line Description:	Payroll 25-17			
0255383	09/12/25	P	Verizon Wireless	0000008717		4,525.77
		Line Description:	WIRELESS PHONE WIRELESS PHONE WIRELESS PHONE			
0255384	09/12/25	P	Vortex Industries Inc	0000004437		3,158.75
		Line Description:	NEW GEAR MOTOR OPERATOR @ FS#4			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255385	09/12/25	P	WLC Architects Inc	0000023955	300.00
		Line Description:	FS#1 HVAC Improvements		
0255386	09/12/25	P	Ware Disposal Inc	0000000255	2,930.51
		Line Description:	James St Refuse- May 2025 CMBS Sept 25		
0255387	09/12/25	P	Water One Industries, Inc	0000031042	324.00
		Line Description:	QUARTERLY WATER TREATMENT SVCS		
0255388	09/12/25	P	Waterline Technologies Inc	0000014520	446.84
		Line Description:	DRC-Pool Treatment		
0255389	09/12/25	P	Western DC Systems, Inc.	0000029864	755.00
		Line Description:	Inverter Maintenance		
0255390	09/12/25	P	Williams Data Management	0000018803	534.50
		Line Description:	DATA STORAGE Aug 25		
				TOTAL	**$1,084,102.72**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255330	09/12/25	O	Southern California Edison Company *Line Description:* Overflow	0000004088	0.00
				TOTAL	**0.00**

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Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255391	09/12/25	P	Pamela Lilly	0000025324		750.00
		Line Description:	Payroll Deduction 25-19			
0255392	09/12/25	P	State of California	0000001546		424.24
		Line Description:	Payroll Deduction 25-19			
					TOTAL	**$1,174.24**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255393	09/12/25	P	Jams Inc	0000027198		16,000.00
		Line Description:	MEDIATION SERVICES			
0255394	09/12/25	P	Sheppard Mullin Richter & Hampton LLP	0000031420		77,673.75
		Line Description:	LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES			
					TOTAL	**$93,673.75**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
020589	09/12/25	P	Costa Mesa Employees Association	0000006284		4,644.71
		Line Description:	Payroll Deduction 25-19			
020590	09/12/25	P	Costa Mesa Executive Club	0000006286		360.00
		Line Description:	Payroll Deduction 25-19			
020591	09/12/25	P	Costa Mesa Firefighters Association	0000001812		9,235.50
		Line Description:	Payroll Deduction 25-19			
020592	09/12/25	P	Costa Mesa Police Association	0000001819		7,140.00
		Line Description:	Payroll Deduction 25-19			
020593	09/12/25	P	Costa Mesa Police Management Assn	0000005082		350.00
		Line Description:	Payroll Deduction 25-19			
020594	09/12/25	P	Jeremy Schaffer Leonardo	0000031473		493.00
		Line Description:	EVOC-San Bernardino			
020595	09/12/25	P	Jones Mayer	0000014653		80,863.35
		Line Description:	Munoz, Armando 130619-Abdulmagid 130626-May, Julia 130620-Coats, Damon 130624-Harvey, Lori 130625-Leik, Judith 130633-Peper, Aidia 130636-Querry, Jake 130654-Mood, Ivin #3 130621-D'Alessio 1983 130622-DBO Invest. CM 130638-Rivera, Nathan 130639-Vargas, Angela			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt

Line Description:

130657-Ohio House LLC
130658-Oshiro, Maxine
130629-Nasiri, Soheila
130634-Percival, Zoe M
130656-O'Keefe, Jeanie
130623-Farrell Harrison
130653-Alexander, James
130637-RDK Group Holdings
130641-Wilson, L Theodore
130659-Phillips, Danielle
130618-440 Fair Dr/1179 NP
130640-Veramancini, Juan D
131343-Opioid
131349-Schaefer
131327-Abdulmagid
131336-Jahanbin 2
131338-Litigation
131339-May, Julia
131334-Harvey, Lori
131337-Leik, Judith
131345-Peper, Aidia
131340-Mood, Ivin #3
131330-D'Alessio 1983
131332-DBO Invest. CM
131342-Ohio House LLC
131344-Oshiro, Maxine
131348-Rivera, Nathan
131350-Vargas, Angela
131341-O'Keefe, Jeanie
131346-Percival, Zoe M
131328-Alexander, James
131333-Farrell Harrison
131329-Banegas, Dorado, A
131335-Insight Psychology
131347-RDK Group Holdings
131352-Wilson, L Theodore
131326-440 Fair Dr/1179 NP
131351-Veramancini, Juan D

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	130652-Schaefer 130627-Mood, Ivin #3 130628-Munoz, Armando 130630-O'Keed, Jeanie 130631-Ohio House LLC 130632-Oshiro, Maxine 130651-Salehpour, Ali 126093-Mood, Ivin 1/16 130647-Alexander, James 130650-Jahanbin, Khosrow 130635-Phillips, Danielle 130649-Insight Psychology 130648-Insight Development			
020596	09/12/25	P	Mercy House	0000003138		202,089.79
		Line Description:	CMBS Ops July			
020597	09/12/25	P	Russell Taylor	0000031472		493.00
		Line Description:	EVOC			
020598	09/12/25	P	SHI International Corp	0000016007		52,961.59
		Line Description:	ADOBE ACROBAT PRO			
020599	09/12/25	P	Mark Anguiano	0000017153		28.04
		Line Description:	Civilian Police Leadership Civilian Police Leadership Civilian Police Leadership			
					TOTAL	**$358,658.98**

End of Report

Payment Ref	Cancel Date	Status	Remit To	Remit ID	Payment Date	Payment Amt
020532	9/11/2025	V	Mark Anguiano	0000017153	08/15/25	(28.04)

Line Description: 9/11/25: Routing Number was entered incorrectly. Void and Reissue.

TOTAL **($28.04)**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255395	09/17/25	P	Segerstrom Center for the Arts	0000005321		8,882.90
	Line Description:		TICKETS			
					TOTAL	**$8,882.90**

8,882.90
766,524.85
0.00
372,743.37
5,086.22
1,153,237.34

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255396	09/19/25	P	Allegiant Mechanical Inc	0000031349	24,975.00
		Line Description:	Install AC Unites in the Adobe		
0255397	09/19/25	P	Bound Tree Medical LLC	0000011695	18,122.43
		Line Description:	EMS Supplies EMS Supplies EMS Supplies EMS Supplies EMS Supplies EMS Supplies EMS Supplies		
0255398	09/19/25	P	Circuit Transit Inc	0000031174	40,094.58
		Line Description:	CM Goat July 25		
0255399	09/19/25	P	Kimley Horn & Associates Inc	0000005251	59,489.17
		Line Description:	Signal Modernization for Syste		
0255400	09/19/25	P	Merrimac Energy Group	0000021566	18,699.11
		Line Description:	FS#5 Diesel Fuel Tank #14 FS#1 Diesel Fuel Tank 10 FS #6 Diesel Fuel Tank #15 CY Diesel Fuel Tank #2 FS#2 Diesel Fuel Tank 11 FS#3 Diesel Fuel Tank 13 FS 3 Fuel Tank Rental		
0255401	09/19/25	P	Newport Mesa Unified School District	0000003339	38,584.98
		Line Description:	Developers Fee-Aug 2025		
0255402	09/19/25	P	Onward Engineering	0000003212	46,088.66
		Line Description:	FV Rd Improvements July 25		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Prof Eng Design Srvs Adams Ave Design Svs-Adams Ave July 25			
0255403	09/19/25	P	Professional Sports Field Maintenance	0000011610		24,996.57
		Line Description:	Ballfield Renovations @ Tewink			
0255404	09/19/25	P	Third Wave Corporation	0000025874		49,557.00
		Line Description:	ITSP CONSULTING ITSP Phase 2 CONSULTING ITSP CONSULTING			
0255405	09/19/25	P	WLC Architects Inc	0000023955		51,520.86
		Line Description:	FS #1 HVAC Improvements FS#2 Reconstruction Arch Eng D FS#1 HVAC Improvements July 25			
0255406	09/19/25	P	West Coast Arborists Inc	0000004498		113,919.00
		Line Description:	Tree Maint 8/1-8/15/25 Proj #24-03 Tree Maint July 25			
0255407	09/19/25	P	Yunex LLC	0000029573		16,073.91
		Line Description:	Placentia 16th Install Loops Newport Fairview Pole Knockdow Harbor South Coast Install Loo			
0255408	09/19/25	P	4Leaf Inc	0000029711		2,492.64
		Line Description:	Consulting Svs July 25			
0255409	09/19/25	P	AVNI Enterprises Inc	0000030676		6,475.81
		Line Description:	Stock-Control Head,Foam Pro Stock-Swivel Elbow Repair Kit			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	PG30 Relief Valve,TPM Repair K			
0255410	09/19/25	P	Aetna	0000028711		2,666.19
		Line Description:	Refund Ambulance Fee Overpymnt Refund Ambulance Fee Overpymnt Refund Ambulance Fee Overpymnt			
0255411	09/19/25	P	Ankush Bathla	0000031511		8,000.00
		Line Description:	Refund Permit EENC-24-0951			
0255412	09/19/25	P	Architerra Design Group	0000030581		3,925.00
		Line Description:	Ketchum-Libolt Prk4/25-5/24/25			
0255413	09/19/25	P	Ardurra Group, Inc.	0000030147		720.00
		Line Description:	Consult Engineer Svs Aug 25 Consult Engineer Svs July 25			
0255414	09/19/25	P	Beginners Edge Sports Training LLC	0000027270		2,073.50
		Line Description:	Summer 25 Instructor Payment			
0255415	09/19/25	P	Blue Cross	0000005329		4,228.04
		Line Description:	Refund Ambulance Fee Overpymnt Refund Ambulance Fee Overpymnt Refund Ambulance Fee Overpymnt Refund Ambulance Fee Overpymnt			
0255416	09/19/25	P	Blue Shield of California	0000028683		4,297.02
		Line Description:	Refund Ambulance Fee Overpymnt Refund Ambulance Fee Overpymnt Refund Ambulance Fee Overpymnt Refund Ambulance Fee Overpymnt			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Refund Ambulance Fee Overpymnt Refund Ambulance Fee Overpymnt Refund Ambulance Fee Overpymnt Refund Ambulance Fee Overpymnt Refund Ambulance Fee Overpymnt			
0255417	09/19/25	P	Brian Hillard Karate	0000030959		3,790.80
		Line Description:	Summer 2025 Instructor Payment Summer 2025 Instructor Payment Summer 2025 Instructor Payment			
0255418	09/19/25	P	Briseida Zavala	0000029461		150.00
		Line Description:	Refund Ambulance Fee Overpymnt			
0255419	09/19/25	P	Bureau Veritas North America Inc	0000016616		591.44
		Line Description:	Consulting Svs CMFire Plan Rvw			
0255420	09/19/25	P	CAPE	0000001569		60.00
		Line Description:	2025-26 Mbrshp-M Trujillo			
0255421	09/19/25	P	CSG Consultants Inc	0000001887		2,234.27
		Line Description:	Consult Bldg Plan Svs Jul 25			
0255422	09/19/25	P	Chad Engle	0000031318		200.00
		Line Description:	Refund Rec Dep 2009081.002			
0255423	09/19/25	P	Churros Los Cuates	0000029483		1,012.00
		Line Description:	CATERING SERVICE			
0255424	09/19/25	P	Cigna	0000028713		2,686.51

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Refund Ambulance Fee Overpymnt			
0255425	09/19/25	P	Cintas Corporation	0000023262		916.17
		Line Description:	First Aid Refill-City Hall First Aid Refill-PD			
0255426	09/19/25	P	Cirsa Samiadji	0000031483		100.00
		Line Description:	Refund Ambulance Fee Overpymnt			
0255427	09/19/25	P	City of Newport Beach	0000003327		2,295.48
		Line Description:	Shared Maint/Op Jan-Jun 2025			
0255428	09/19/25	P	CityGreen Consulting, LLC	0000030471		14,983.75
		Line Description:	SB1383 Prog Consult NTP-Sep 15			
0255429	09/19/25	P	Colleen C Welter	0000031505		108.87
		Line Description:	Refund Ambulance Fee Overpymnt			
0255430	09/19/25	P	CoreLogic Information Solutions Inc	0000004774		10.90
		Line Description:	PROPERTY RELATED DATA & REPORT			
0255431	09/19/25	P	Costa Mesa Auto Glass	0000010001		806.69
		Line Description:	572-Winshield Replaced			
0255432	09/19/25	P	DKS Associates	0000024769		692.50
		Line Description:	FV Rd/Belfast Ave Design Jul25			
0255433	09/19/25	P	Denise Harrelson	0000031495		110.00
		Line Description:	Refund Rec Dep 2009122.002			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255434	09/19/25	P	Devon Asmus	0000031507		435.42
		Line Description:	Refund Ambulance Fee Overpymnt			
0255435	09/19/25	P	Dory Rodriguez	0000031496		850.00
		Line Description:	Refund Rec Dep 2009080.002			
0255436	09/19/25	P	Ecolab Pest Elimination	0000024420		1,778.65
		Line Description:	Pest Control Svs Aug 25			
0255437	09/19/25	P	Eduardo Iniestra	0000029307		600.00
		Line Description:	DJ Srvs for HHM			
0255438	09/19/25	P	Edward Smith Jr	0000031486		600.69
		Line Description:	Refund Ambulance Fee Overpymnt			
0255439	09/19/25	P	Elysian Arts & Events, LLC	0000030538		723.45
		Line Description:	Summer 25 Instructor Payment			
0255440	09/19/25	P	Fed Ex	0000002190		18.26
		Line Description:	Standard Overnight Delivery			
0255441	09/19/25	P	Flames Basketball Club	0000031501		250.00
		Line Description:	Refund Rec Dep 2009120.002			
0255442	09/19/25	P	Folklore Mexicano	0000030941		1,500.00
		Line Description:	Entertainment for HHM			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255443	09/19/25	P	Ford Fleet Care	0000026262		9,396.87
		Line Description:	Repairs - Aug 2025 Parts - Aug 2025			
0255444	09/19/25	P	G & W Towing	0000002289		132.00
		Line Description:	725-Tow Svc			
0255445	09/19/25	P	Galls LLC	0000002297		1,644.06
		Line Description:	Uniform-D Trevino Uniform-A Alegado Uniform-D Truong Uniform-M Smith Uniform-Y Carbajal Uniform-J Martinez			
0255446	09/19/25	P	Global College Advisers LLC	0000030958		175.00
		Line Description:	Summer 25 Instructor Payment			
0255447	09/19/25	P	Grainger	0000002393		5,274.42
		Line Description:	Fleet-Portable Evap Cooler Hardware Hardware			
0255448	09/19/25	P	Henry Alvarez	0000031500		250.00
		Line Description:	Refund Rec Dep 2009119.002			
0255449	09/19/25	P	Hoag Executive Health	0000030617		5,580.00
		Line Description:	Wellness Exams/Svc July 25			
0255450	09/19/25	P	Interwest Consulting Group Inc	0000021505		2,971.52
		Line Description:	Consulting Svs July 25			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Consulting Svs July 25 Consulting Svs July 25			
0255451	09/19/25	P	J K Nossaman	0000031503		144.56
		Line Description:	Refund Ambulance Fee Overpymnt			
0255452	09/19/25	P	Johanna Santiago	0000031497		500.00
		Line Description:	Refund Rec Dep 2009082.002			
0255453	09/19/25	P	John & Rebecca Brockman	0000031485		44.09
		Line Description:	Refund 1st Responder Fee Overp			
0255454	09/19/25	P	Josefina Garcia	0000031493		950.00
		Line Description:	Refund Rec Dep 2009124.002			
0255455	09/19/25	P	Joshua M Ritchie	0000031489		82.95
		Line Description:	Refund Ambulance Fee Overpymnt			
0255456	09/19/25	P	Justin S Walley	0000031484		452.25
		Line Description:	Refund Ambulance Fee Overpymnt			
0255457	09/19/25	P	Kaiser Foundation Health Plan	0000030569		2,446.81
		Line Description:	Refund Ambulance Fee Overpymnt			
0255458	09/19/25	P	Langlois Fancy Frozen Foods	0000030651		263.84
		Line Description:	Jail Food Services			
0255459	09/19/25	P	Linscott Law & Greenspan Engineers Inc	0000010877		4,977.00
		Line Description:	Del Mar Ave Bike Fac July 25			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255460	09/19/25	P	Los Angeles Times	0000003000		2,001.19
		Line Description:	Public/Legal Notices			
0255461	09/19/25	P	Lyons Security Service Inc	0000027168		1,323.20
		Line Description:	Security Srvs 25 CIP July 25			
0255462	09/19/25	P	Marlin Vasquez	0000031494		92.00
		Line Description:	Refund Rec Dep 2009135.002			
0255463	09/19/25	P	Marta Shinn	0000031225		100.00
		Line Description:	Refund Rec Dep 2009153.002			
0255464	09/19/25	P	Max Adam Silver	0000031510		2,065.00
		Line Description:	AV SERVICES			
0255465	09/19/25	P	Melissa Foxx Sarmiento	0000029508		157.50
		Line Description:	Refund BXPV-25-0108 R250012323			
0255466	09/19/25	P	Michael M Kawase	0000031502		195.71
		Line Description:	Refund 1st Responder Fee Overp			
0255467	09/19/25	P	Monique Martens	0000031504		41.00
		Line Description:	Refund Ambulance Fee Overpymnt			
0255468	09/19/25	P	Monument Row	0000030907		6,465.40
		Line Description:	Reconstruction Professional Ri			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255469	09/19/25	P	Napa Auto & Truck Parts	0000012968		7,777.74
		Line Description:	Parts Aug 2025			
0255470	09/19/25	P	National Data & Surveying Services	0000021249		840.00
		Line Description:	Volume&Speed Traffic Counts Vol/Spd Traffic Counts			
0255471	09/19/25	P	Newport Beach Alano Club	0000000496		600.00
		Line Description:	Refund Rec Dep 2009121.002			
0255472	09/19/25	P	Office Depot	0000003394		8,807.79
		Line Description:	Office Supplies Fire Office Supplies Finance Office Supplies PD Investigati Office Supplies CEO Comms Mark Office Supplies Telecom Emerg Office Supplies Senior Center Office Supplies Police Admin Office Supplies PD Prop&Evid Office Supplies PS Admin Office Supplies PD Animal Office Supplies PD Records Office Supplies Engineering Office Supplies PD Training Office Supplies Parks Admin Office Supplies Telecom Ops Office Supplies City Manager		
0255473	09/19/25	P	Optum	0000031490		1,657.20
		Line Description:	Refund Ambulance Fee Overpymnt			
0255474	09/19/25	P	Orange County Dept of Education	0000000442		600.00
		Line Description:	Refund Rec Dep 2009125.002			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Refund Rec Dep 2009118.002			
0255475	09/19/25	P	Orange County Mosquito & Vector Control	0000021750		634.05
		Line Description:	Inspection&Treatment July 2025			
0255476	09/19/25	P	Orange County School of Arts Foundation	0000029792		750.00
		Line Description:	PARK PERFORMANCE			
0255477	09/19/25	P	Oscar Healthplan	0000031488		11.29
		Line Description:	Refund Ambulance Fee Overpymnt			
0255478	09/19/25	P	Patricia Gleed	0000029317		1,914.00
		Line Description:	Prep Time			
0255479	09/19/25	P	Paulette Suiter	0000026820		585.00
		Line Description:	Summer 25 Instructor Payment			
0255480	09/19/25	P	Portal Languages-Costa Mesa	0000031444		3,263.00
		Line Description:	Summer 25 Instructor Payment Summer 25 Instructor Payment			
0255481	09/19/25	P	Power Products Unlimited Inc	0000021904		3,228.38
		Line Description:	Radio Batteries			
0255482	09/19/25	P	Premier Security Services Inc	0000002633		1,200.00
		Line Description:	Annual Security Services @ Pro			
0255483	09/19/25	P	Proactive Engineering Consultants Inc	0000028916		4,330.00
		Line Description:	Westside Storm Drain Improveme			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255484	09/19/25	P	Proforce Law Enforcement	0000015742	1,165.23
		Line Description:	REPLACE HELMET MOUNTED HEAD SE		
0255485	09/19/25	P	Red Wing Business Advantage Account	0000003772	900.00
		Line Description:	Boots-Patrick Bauer Boots-Alex Martinez Boots-Howard Sadamoto Boots-Toby Ceniceros		
0255486	09/19/25	P	Renewell Fleet Services LLC	0000031060	4,846.07
		Line Description:	Stock-Seat Cushion 526-Air Bag		
0255487	09/19/25	P	Rincon Truck Center Inc	0000013236	2,136.86
		Line Description:	Stock-HL32 V Pump		
0255488	09/19/25	P	Ryan M Kielhorn	0000031506	2,129.19
		Line Description:	Refund Ambulance Fee Overpymnt		
0255489	09/19/25	P	STV Construction Inc	0000024848	1,592.00
		Line Description:	Lions Park-Cafe 7/5-8/1/25		
0255490	09/19/25	P	Santa Ana College	0000003752	8,832.00
		Line Description:	Post Training Post Training Post Training Post Training		
0255491	09/19/25	P	Signature Auto Glass Inc	0000031458	723.30

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	733-Windshield			
0255492	09/19/25	P	Soothe Inc	0000029732		1,814.40
		Line Description:	Health & Wellness			
0255493	09/19/25	P	South Coast Air Quality Mgmt District	0000003939		1,070.95
		Line Description:	PD-Annual Renewal PD-Emissions Fee			
0255494	09/19/25	P	Southern California Edison Company	0000004088		11,765.31
		Line Description:	1071 Arlington 8/11-9/9/25 744 James A 8/7-9/7/25 1256 Adams 8/12-9/10/25 717 & 721 James 8/7-9//7/25 3190 Red Hill 8/11-9/9/25 2590 Placentia B 8/7-9/7/25 350 Bristol 8/11-9/9/25 BCC 8/7-9/77/25 Vet Hall 8/7-9/7/25 Prez Park 8/13-9/11/25 410 Merrimac B 8/12-9/10/25 410 Merrimac A 8/12-9/10/25 1350 S Coast 8/8-9/8/25 360 Ogle 8/12-9/10/25 Shalimar Park 8/8-9/8/25 Arlington Ped X 8/11-9/9/25 3175 Airway 8/11-9/9/25 1587 Sunflower 8/9-9/8/25 3191 Red Hill 8/11-9/9/25 152 Baker 8/11-9/9/25 707 W 18th 8//7-9/7/25 711 W 18th 8/7-9/7/25 734 James 8/7-9/7/25 740 James 8/7-9/7/25 744 James 8/7-9/7/25		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	745 W 18th 8/7-9/7/25 2293 Canyon 8/7-9/7/25 980 Arlington 8/11-9/9/25 980 Arlington 8/11-9/9/25 1050 Alrington 8/11-9/9/25			
0255496	09/19/25	P	Southern California Gas Company	0000004092		764.30
		Line Description:	717 James 7/21-8/20/25 721 James 6/19-7/21/25 721 James 7/21-8/20/25 3175 Airway 8/11-9/10/25			
0255497	09/19/25	P	Southern California Shredding Inc	0000025605		205.00
		Line Description:	On-Site Shredding Services On-Site Shredding Services			
0255498	09/19/25	P	Sparkle and Fun	0000026395		71.25
		Line Description:	FACE PAINTING SERVICES FOR 8/5			
0255499	09/19/25	P	Stacy Swanson	0000027434		1,220.00
		Line Description:	Refund Appeal Fee PGPA-24-0002			
0255500	09/19/25	P	Staphany Avila	0000027612		227.00
		Line Description:	Refund Rec Dep 2009136.002			
0255501	09/19/25	P	Staples Advantage	0000024532		5,776.40
		Line Description:	Office Supplies IT Office Supplies HR Office Supplies Communty Impro Office Supplies Building Safet Office Supplies Engineering Office Supplies City Clerk			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Office Supplies-PD Office Supplies Fire Office Supplies Finance Office Supplies Planning			
0255502	09/19/25	P	Steven S Yang	0000031508		247.50
		Line Description:	Refund Ambulance Fee Overpymnt			
0255503	09/19/25	P	T Tactical Solutions Inc	0000026642		14,400.79
		Line Description:	Gloves for Property			
0255504	09/19/25	P	Tania Perez	0000031498		1,076.00
		Line Description:	Refund Rec Dep 2009115.002			
0255505	09/19/25	P	The Counseling Team International	0000026352		4,152.50
		Line Description:	Counseling Srvs Aug 25 Counseling Srvs July 25			
0255506	09/19/25	P	The Home Depot	0000002560		10,478.84
		Line Description:	General Supplies Bldg Maint Tools Response/Control Equip Maint Warehouse Tools Equip Maint Tools Park Maint Hardware Supplies Bldg Maint General Supplies Graffiti Abat Auto Parts/Supplies Equip Main General Supplies Street Maint Plumbing Supplies Bldg Maint Hardware Supplies Park Maint			
0255507	09/19/25	P	The Jesse Miranda	0000029847		400.00

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Sponsorship 25 HHM Prayer Bfas			
0255508	09/19/25	P	Thomas Patierno	0000031491		182.58
		Line Description:	Refund Ambulance Fee Overpymnt			
0255509	09/19/25	P	Tumble-N-Kids Inc	0000030098		10,851.10
		Line Description:	Summer 25 Instructor Payment Summer 25 Instructor Payment Summer 25 Instructor Payment			
0255510	09/19/25	P	US Bank	0000002228		7,075.62
		Line Description:	Payroll 25-18			
0255511	09/19/25	P	UniFirst Holdings Inc	0000030616		77.94
		Line Description:	CMBS Walk Off Mats 8/25/25			
0255512	09/19/25	P	United Healthcare	0000028700		1,221.00
		Line Description:	Refund Ambulance Fee Overpymnt			
0255513	09/19/25	P	Verizon Wireless	0000008717		3,107.47
		Line Description:	WIRELESS PHONE 7/18-8/17/25 WIRELESS PHONE 7/18-8/17/25			
0255514	09/19/25	P	Ware Disposal Inc	0000000255		2,867.36
		Line Description:	James St Refuse Sept 25			
0255515	09/19/25	P	Waxie Sanitary Supply	0000004480		24.52
		Line Description:	Sanitary Supplies			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255516	09/19/25	P	West Coast Dance Arts	0000021602	737.10
		Line Description:	Summer 25 Instructor Payment		
0255517	09/19/25	P	West Coast Fence Co	0000021495	2,570.00
		Line Description:	Gate/Fence Repair Gate/Fence Repair		
0255518	09/19/25	P	Wex Bank	0000014258	2,281.36
		Line Description:	Fuel 8/6-9/4/25		
0255519	09/19/25	P	Zachary Sikora	0000031487	575.77
		Line Description:	Refund Ambulance Fee Overpymnt		
0255520	09/19/25	P	Zachary Winkler	0000031499	528.00
		Line Description:	Refund Rec Dep 2009116.002		
				TOTAL	**$766,524.85**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255495	09/19/25	O	Southern California Edison Company *Line Description:* Overflow	0000004088	0.00
				TOTAL	**0.00**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
020600	09/17/25	P	Travel Costa Mesa	0000024750		372,743.37
		Line Description:	BIA Aug 2025			
					TOTAL	**$372,743.37**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
020601	09/19/25	P	Ashraf Hassan	0000030586	541.00
		Line Description:	Refund Towing Fee DR 25-010862		
020602	09/19/25	P	Daniel Bruno	0000029161	159.70
		Line Description:	OTS Traffic Safety Law Enf For		
020603	09/19/25	P	Dustin Fay	0000027733	473.00
		Line Description:	Tactical Medicine-McClellan		
020604	09/19/25	P	Maurilio Torres	0000025958	250.00
		Line Description:	Paramedic Licence Recertificat		
020605	09/19/25	P	Monte Peters	0000022201	84.56
		Line Description:	Sherman Blk Supervise Leader		
020606	09/19/25	P	Reena Leffingwell	0000021326	2,109.27
		Line Description:	NRTCCA Conf-Atlanta,GA		
020607	09/19/25	P	Shane Dean	0000029614	473.00
		Line Description:	Tactical Medicine-McClellan		
020608	09/19/25	P	Waqas Khan	0000026162	995.69
		Line Description:	AISC Code Books AISC Membership		
				TOTAL	**$5,086.22**

End of Report

Report ID: CCM2001O

Bank: DDP1
Cycle: ADDEP1

City of Costa Mesa Accounts Payable
CCM OVERFLOW CHECK LISTING

Page No. 1
Run Date Sep 22,2025
Run Time 10:26:34 AM

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
020574	08/29/25	O	US Bank *Line Description:* Overflow	0000002228	0.00
020575	08/29/25	O	US Bank *Line Description:* Overflow	0000002228	0.00
020576	08/29/25	O	US Bank *Line Description:* Overflow	0000002228	0.00
020577	08/29/25	O	US Bank *Line Description:* Overflow	0000002228	0.00
020578	08/29/25	O	US Bank *Line Description:* Overflow	0000002228	0.00
				TOTAL	**0.00**

1,502,850.66
424.24
16,379.98
554,339.96
19,668.65
0.00
2,093,663.49

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255156	08/29/25	P	Affant Communication	0000013540	38,461.55
		Line Description:	ANNUAL MAINTENANCE		
0255157	08/29/25	P	Benefit Coordinators Corp	0000029594	44,168.20
		Line Description:	Dental Ins Prem-Sep 2025 Vision Ins Prem-Sep 2025		
0255158	08/29/25	P	Bracken's Kitchen Inc	0000029468	19,676.06
		Line Description:	Shelter Food Svc 7/28-8/10/25		
0255159	08/29/25	P	BrightView Landscape Services Inc	0000026055	214,694.41
		Line Description:	Landscape Maint-Jul 20025 Irrigation Repair-Jul 2025		
0255160	08/29/25	P	Commercial Interior Resources	0000031200	189,463.01
		Line Description:	Retention Proj #24-05/#200017 PD Floor Replacement Thru 7/31		
0255161	08/29/25	P	Dudek	0000011416	44,028.51
		Line Description:	Housing 5/24-6/27 PO #18520		
0255162	08/29/25	P	FALCK MOBILE HEALTH CORP.	0000019807	402,621.08
		Line Description:	Ambulance Svc 7/1-7/15/25 Ambulance Svc 7/16-7/31/25 Ambulance Svc 8/1-8/15/25 Ambulance Svc 8/16-8/30/25		
0255163	08/29/25	P	GCD Painting	0000031214	38,000.00
		Line Description:	PD Interior Repaint #24-04 Retaintion #24-04/#200017		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255164	08/29/25	P	LN Curtis & Sons	0000002983		35,413.42
		Line Description:	Fightfighting Equipment (FFE)			
0255165	08/29/25	P	NeWave Construction Inc	0000024108		20,250.00
		Line Description:	Railing Paint @ PD			
0255166	08/29/25	P	Professional Turf Specialties Inc	0000023768		26,150.00
		Line Description:	Davis Field Infield Renovation			
0255167	08/29/25	P	WHP Trainingtowers	0000030251		82,996.75
		Line Description:	Retention Proj FS 4 /#25-475 PRE-FABRICATED TRAINING TOWER			
0255168	08/29/25	P	WLC Architects Inc	0000023955		24,375.00
		Line Description:	FS 32 Reconstruction-Jul 2025			
0255169	08/29/25	P	West Coast Arborists Inc	0000004498		81,575.00
		Line Description:	Tree Maint 7/16-7/31/25			
0255170	08/29/25	P	Wittman Enterprises LLC	0000026639		16,813.00
		Line Description:	July 2025 Services			
0255171	08/29/25	P	126 East 22nd Street LLC	0000031477		6,160.00
		Line Description:	Refund Permit EENC-232-0308			
0255172	08/29/25	P	A & A Wiping Cloth Inc	0000018633		2,844.60
		Line Description:	Warehous Stock			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255173	08/29/25	P	AT & T	0000001107	1,694.49
		Line Description:	Fire Sta#1 Fire Alarm System Lions Park Senior Center Elevator Sr Ctr Fire Alarm Balearic Center Fax Local Usage 2310 Placentia Irrigation		
0255174	08/29/25	P	AT & T	0000001107	117.70
		Line Description:	Internet-Fleet Svs		
0255175	08/29/25	P	AT&T Mobility LLC	0000030878	1,166.96
		Line Description:	CMFR MCT BB 6/27-7/26/25		
0255176	08/29/25	P	All City Management Services Inc	0000009480	2,185.82
		Line Description:	School CrsngGuard 6/22-6/30/25		
0255177	08/29/25	P	Angel Auto Spa LLC	0000027465	6,785.21
		Line Description:	Car Wash-Jul 2025 PD Car Wash-Jun 2025 City Car wash-Jun 2025 PD Car Wash-Jul 2025		
0255178	08/29/25	P	B & H Photo Video Inc	0000006056	642.20
		Line Description:	Camera Lense		
0255179	08/29/25	P	CSG Consultants Inc	0000001887	2,082.55
		Line Description:	Plan Check Svc-Jun 2025		
0255180	08/29/25	P	CoStar Realty Information Inc	0000024413	5,701.32

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Suite Software July 25-Jun 26			
0255181	08/29/25	P	Corporate Modular Services Inc.	0000030380		7,395.96
		Line Description:	SALES TAX (7.75%) FIRST FLOOR REMODEL			
0255182	08/29/25	P	Costa Mesa Auto Glass	0000010001		449.30
		Line Description:	Glass Replacement & Tinting on			
0255183	08/29/25	P	Costa Mesa Lock & Key	0000001817		199.21
		Line Description:	Lock & Key Svc			
0255184	08/29/25	P	Daniels Tire Service	0000001922		2,775.83
		Line Description:	For Warehouse Automotive Stock For Warehouse Automotive Stock Pickup & Disposal of used Tire			
0255185	08/29/25	P	Emergency Medical Services Authority	0000002120		148.00
		Line Description:	EMS License Renewal-May 2025			
0255186	08/29/25	P	Employment Development Department	0000001543		6,101.00
		Line Description:	Unemployment Apr-Jun 2025			
0255187	08/29/25	P	Endemic Environmental Services Inc	0000021277		14,134.87
		Line Description:	FVP Wetland Maint 7/16-7/31/25			
0255188	08/29/25	P	Evident Inc	0000026588		147.00
		Line Description:	CSI-Supplies			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255189	08/29/25	P	Galls LLC	0000002297	14,270.79
		Line Description:	Duty Gears Uniform-Cucinotti Uniform-Stefano Uniform-Cucinotti Uniform-Stafano Uniform-Moldonado		
0255190	08/29/25	P	Grafix Systems	0000031016	1,716.08
		Line Description:	Graphics-Unit # Graphics-Unit #728		
0255191	08/29/25	P	Grainger	0000002393	2,747.89
		Line Description:	Hardware Hardware Hardware Hardware Roll Magnet Hardware Hardware		
0255192	08/29/25	P	Graphic Decisions	0000017773	3,357.00
		Line Description:	Concerts in the Park Banners		
0255193	08/29/25	P	Hanks Electrical Supplies	0000002445	462.77
		Line Description:	Electrical Supplies Electrical Supplies		
0255194	08/29/25	P	Harbor All Glass & Mirror Inc	0000002453	277.55
		Line Description:	Glass Replacement		
0255195	08/29/25	P	Hinderliter De Llamas & Associates	0000002537	6,000.00

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Cannabis Mgnt Prog-Jul 2025			
0255196	08/29/25	P	Hirsch Pipe & Supply Company Inc	0000026475		271.34
		Line Description:	Plumbing Supplies Plumbing Supplies			
0255197	08/29/25	P	Irvine Ranch Water District	0000005112		2,455.26
		Line Description:	308 University 7/7-8/6/25 258 Brentwood 7/7-8/7/25 261 Monte Vista 7/7-8/7/25 2603 Elden 7/7-8/6/25 106 Del Mar 7/7-8/6/25 170 Del Mar 7/7-8/6/25 220 23rd 7/7-8/6/25			
0255198	08/29/25	P	Jezzee Stewart	0000031476		345.00
		Line Description:	Property Lost Stlmnet-5/24/25			
0255199	08/29/25	P	Kaidence Advisors LLC	0000031151		3,847.50
		Line Description:	Refund EIR Deposit Balance			
0255200	08/29/25	P	Kelly Spicers Stores	0000029500		355.26
		Line Description:	Presentation Bonds			
0255201	08/29/25	P	LINA	0000015623		25.00
		Line Description:	NYL Admin Fee July 2025			
0255202	08/29/25	P	Linscott Law & Greenspan Engineers Inc	0000010877		5,755.00
		Line Description:	Traffic Engineering Svc-Jul 25			
0255203	08/29/25	P	Marcos Cabrera	0000031475		5,204.72

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Property Damage Stlmnt-7/5/25			
0255204	08/29/25	P	Monument Row	0000030907		6,910.20
		Line Description:	PROFESSIONAL SERVICES AGREEMEN			
0255205	08/29/25	P	NorMed	0000003366		1,130.00
		Line Description:	FIRST AID AND SAFETY SUPPLIES			
0255206	08/29/25	P	Pacific Chorale	0000025719		9,000.00
		Line Description:	Tickets-Campus Prog			
0255207	08/29/25	P	Pacific Medical Waste	0000029793		193.22
		Line Description:	Biohazard Disposal July 25			
0255208	08/29/25	P	Performance Truck Repair Inc	0000030587		6,371.89
		Line Description:	526-Replaced Air Compressor			
0255209	08/29/25	P	Philharmonic Society of Orange County	0000030547		9,080.00
		Line Description:	Tickets for Campus Prog			
0255210	08/29/25	P	Place Works Inc	0000023119		8,122.50
		Line Description:	Fairview Dev Cntr EIR-Jul 25			
0255211	08/29/25	P	Post Alarm Systems Inc	0000026907		455.31
		Line Description:	CMBS Fire Alarm Monitoring Sep CMBS Fire Alarm Monitor Aug25 CMGS Fire Alram-Jan 2025 CMGS Fire Alram-Jun 2025			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255212	08/29/25	P	Premier Security Services Inc	0000002633		1,200.00
		Line Description:	Security Monitoring @ Corp Yar			
0255213	08/29/25	P	Priority Landscape Services LLC	0000026592		2,480.00
		Line Description:	FV Park Landscape Maint Jul 25			
0255214	08/29/25	P	Prudential Overall Supply	0000025480		1,477.87
		Line Description:	PD Towel Svc-Jul 2025 Fleet Uniform-Jul 2025 Facilities Uniform-Jul 2025 Warehouse Uniform-Jul 2025 Streets Uniform-Jul 2025 Fleet Towel Svc-Jul 2025 Parks Uniform-Jul 2025			
0255215	08/29/25	P	RPW Services Inc	0000012440		2,880.00
		Line Description:	Weed Control			
0255216	08/29/25	P	STV Construction Inc	0000024848		5,373.00
		Line Description:	Lions Park Cafe			
0255217	08/29/25	P	Santa Ana College	0000003752		7,360.00
		Line Description:	Pre Academy #2641/6-1/25/25 PreAcademy264 10/28/24-4/28/25 Pre Academy #264 10/7-10/26/24 Pre Academy #264 1/27-7/22/25			
0255218	08/29/25	P	Segerstrom Center	0000005321		8,882.90
		Line Description:	Tickets for Campus Prog			
0255219	08/29/25	P	Shaw HR Consulting Inc	0000021706		3,762.50

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Reasonable Accomodations Reasonable Accomodations Reasonable Accomodations			
0255220	08/29/25	P	Sims Orange Welding Supply Inc	0000004030		109.56
		Line Description:	Shop-Welding Supplies			
0255221	08/29/25	P	South Coast Repertory	0000010224		8,991.00
		Line Description:	Tickets for Campus Prog			
0255222	08/29/25	P	Southern California Edison Company	0000004088		4,371.00
		Line Description:	FS#1 7/23-8/20/25 Medians 7/9-8/6/25 2704 Harbor 7/23-8/20/25 555 1/2 Paularino 7/24-8/21/25 2783 Bristol 7/18-8/17/25 1040 Paularino 7/18-8/17/25 2917-3171 RedHill 7/11-8/18/25 735 Baker 7/23-8/20/25 867 Prospect 7/24-8/21/25 3120 Manistee 7/24-8/21/25 1071 Bristol 7/21-8/18/25			
0255223	08/29/25	P	Southern California Gas Company	0000004092		4,011.59
		Line Description:	3175 Airway 7/10-8/11/25 Comm 7/22-8/21/25 2310 Placentia 7/22-8/21/25 2300 Placentia 2 7/22-8/21/25 DRC 7/21-8/20/25 Sr Ctr 7/21-8/20/25 Pool 7/21-8/20/25 NHCC 7/21-8/20/25 FS#2 7/23-8/22/25 FS#5 7/22-8/21/25 567 W 18th 7/21-8/20/25			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	FS#3 7/21-8/20/25 FS#4 7/22-8/21/25 PD 7/22-8/21/25			
0255224	08/29/25	P	State of California Dept of Justice	0000001534		1,029.00
		Line Description:	Livescan Svc-Jul 2025			
0255225	08/29/25	P	Tillmann Forensic Investigation LLC	0000025643		417.00
		Line Description:	Fingerprint Srvs July 2025			
0255226	08/29/25	P	Transtech Engineers Inc	0000026910		3,200.00
		Line Description:	On-Call Staff Support Reviews&			
0255227	08/29/25	P	Triton Technology Solutions Inc	0000021687		4,750.00
		Line Description:	MAINTENANCE SERVICES Q4			
0255228	08/29/25	P	Turnout Maintenance Company LLC	0000020182		2,505.04
		Line Description:	Cleaned Fire Apparel Cleaned Fire Apparel Cleaned Fire Apparel Cleaned Fire Apparel			
0255229	08/29/25	P	UniFirst Holdings Inc	0000030616		71.40
		Line Description:	CLEANING SERVICE CMBS 8/4			
0255230	08/29/25	P	Verified First LLC	0000027240		10.00
		Line Description:	Pre-Employment Credit Checks			
0255231	08/29/25	P	Verizon Wireless	0000008717		1,779.84
		Line Description:	WIRELESS PHONE 7/18-8/17/25 WIRELESS PHONE 7/18-8/17			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255232	08/29/25	P	Waterline Technologies Inc	0000014520		1,407.80
		Line Description:	DRC Pool Treatment DRC Pool Treatment			
0255233	08/29/25	P	Waxie Sanitary Supply	0000004480		3,671.33
		Line Description:	Sanitary Supply			
0255234	08/29/25	P	World Oil Environmental Services	0000001088		931.10
		Line Description:	Waste Oil Pickup Waste Aerosol Pickup Waste Metal Filter Pickup Solid Waste Pickup			
0255235	08/29/25	P	Zoll Medical Corporation	0000021290		4,406.44
		Line Description:	Medical			
					TOTAL	**$1,502,850.66**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
0255236	08/29/25	P	State of California	0000001546		424.24
		Line Description:	Paryoll Deduction 25-18			
					TOTAL	**$424.24**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0255237	08/28/25	P	ABC Bus, Inc	0000030250	701.10
		Line Description:	Mobile Command Unit Washing DUI Trailer Unit #792		
0255238	08/28/25	P	Eagle Print Dynamics	0000026736	715.04
		Line Description:	Uniform-HR		
0255239	08/28/25	P	Galls LLC	0000002297	4,597.41
		Line Description:	Uniform-Hagiperos Uniform-Rubio Uniform-Moore Uniform-Gutierrez Uniform-Maloata Uniform-Fricke Uniform-Molina		
0255240	08/28/25	P	The Webstaurant Store, LLC	0000031470	10,366.43
		Line Description:	SHIPPING SALE TAX (7.75%) ICE MACHINE FOR NHCC		
				TOTAL	**$16,379.98**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
020538	08/29/25	P	Costa Mesa Employees Association	0000006284	4,680.71
		Line Description:	Payroll Deduction 25-18		
020539	08/29/25	P	Costa Mesa Executive Club	0000006286	340.00
		Line Description:	Payroll Deduction 25-18		
020540	08/29/25	P	Costa Mesa Firefighters Association	0000001812	9,351.50
		Line Description:	Payroll Deduction 25-18		
020541	08/29/25	P	Costa Mesa Police Association	0000001819	7,200.00
		Line Description:	Payroll Deduction 25-18		
020542	08/29/25	P	Costa Mesa Police Management Assn	0000005082	315.00
		Line Description:	Payroll Deduction 25-18		
020543	08/29/25	P	Elizabeth Palacio	0000029064	76.75
		Line Description:	Catalog mailing Envelopes		
020562	08/29/25	P	Hoon Jo	0000029756	383.40
		Line Description:	2025 NENA Conference Exp		
020563	08/29/25	P	Jack R. Sweeney	0000030173	4,317.60
		Line Description:	3190 E Airport Lp Rental-Sep25		
020564	08/29/25	P	Jenette Martinez	0000029968	250.00
		Line Description:	Achievement Award Jun 2025		
020565	08/29/25	P	Jinna Johnson	0000008081	301.00
		Line Description:	Women Leaders in Law Enf.		

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
020566	08/29/25	P	Jones Mayer	0000014653		175,324.68

Line Description:
#131136-599 W Wilson
#131142-City Manager
#131145-City Council
3130795-2130 Federal
#130809-City Attorney
#130816-DAlessio 1983
#130817-DBO Invest CM
#131130-113 Clearbrook
#131138-Animal Control
#131141-City Clerk PRR
#131151-Human Resource
#131146-Development Svc
#131159-Risk Management
#130819-Farrell Harrison
#131134-374 Woodland Ave
#131144-Code Enforcement
#130848-RDK Group Holding
3131129-1095 Sea Bluff Dr
#130801-440Fair Dr/1179 NP
#131156-Planning Commission
#131155-Parks & Community Svc
#130813-Coats
#130838-Opioid
#130808-Banegas
#130820-Finance
#130824-Hive Live
#130805-Abdulmagid
#130810-City Clerk
#130845-Police Dept
#130846-Public Svcs
#130854-Veramancini
#130794-1963 Wallace
#130804-966 Joann St
#130812-City Manager
#130815-City Council
#130799-2292 Canyon Dr

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt

Line Description:

#130811-City Clerk PRR
#130840-Pacific Shores
#130818-Development Svc
#130826-Human Resources
#130849-Risk Management
#130831-Jamboree Housing
#130827-Insight Psychology
#130844-Planning Commission
#130841-Parks & Community Svcs
3131152-IT
#130834-May
#130832-Leik
#130835-Mood
#130842-Peper
#131143-Coats
#130822-Harvey
#130836-Nasiri
#130837-OKeefe
#130839-OShiro
#130847-Querry
#130850-Rivera
#130853-Vargas
#130855-Wilson
#131154-Opioid
#131139-Banegas
#131147-Finance
#131150-Housing
#130843-Percival
#130852-Schaefer
#130806-Alexander
#131149-Hernandez
#131160-Salehpour
3131148-Fire Dept
#130833-Litigation
#131132-2162 Maple
#131137-Abdulmagid
#131140-City Clerk
#131153-Jahanbin 2
#131133-227 Mesa Dr

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	#131157-Police Dept #131158-Public Svcs #131161-Veramancini 3131135-544 Bernard #130798-2280 Newport #131131-1963 Wallace			
020567	08/29/25	P	Joyce LaPointe	0000006332		301.00
		Line Description:	Women Leaders in Law Enf			
020568	08/29/25	P	Julianne Hernandez	0000027156		301.00
		Line Description:	Women Leaders in Law Enf			
020569	08/29/25	P	Michelle Bradbury	0000014380		301.00
		Line Description:	Women Leaders in Law Enf			
020570	08/29/25	P	Nader Noorani	0000026895		20.58
		Line Description:	Development Review Sit Visits			
020571	08/29/25	P	Priceless Pet Rescue	0000026000		80,000.00
		Line Description:	Shelter & Adoption-Jul 25 Shelter & Adoption-Aug 25			
020572	08/29/25	P	Roxi Fyad	0000025395		85.25
		Line Description:	PD Training Catering			
020573	08/29/25	P	US Bank	0000002228		270,790.49
		Line Description:	Items for Code Enforcement Boo Planning Commission Business M APA California 2025 Conference Subs for Advanced Automatic Se Software Documentation TESSA			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	APA California 25 Conf Reg			
			Cannabis Cloud Base Storage			
			Panning Commission Business Me			
			Bankers Boxes			
			Office Supplies			
			Membership Renewal			
			CalPERS Education Forum			
			Epson ERC Purple Printer			
			Pathways for Women Conf- 4			
			CalPERS Education Forum-Wang			
			Bankers Boxes			
			Fan for Revenue			
			Fan for Treasury			
			4' Expandable Hanging Folders			
			Electric Motor Desk Converter			
			CSMFO Orange County Ch Meeting			
			CalPERS Educational Forum-Serr			
			Electric Standing Desk Convert			
			iCloud Memberships			
			BHBH Housing Supplies New Move			
			Monthly Charge for Council			
			Sta 5 Dryer Repair			
			Station 5 Water Filters			
			Station 5 Dryer Lint Filter			
			Station 5 Under the Sink Water			
			Rideshare for Client			
			BHBH Housing Supplies New Move			
			Client Documentation Birth Cer			
			Annual Memberships			
			Marketing Outreach Supplies			
			Supplies for Council Meeting			
			BHBH Housing Supply New Move			
			Business Meeting Parks Directo			
			Monthly Subs			
			ICSC Bootn Credit			
			Anyflip Online Srvs			
			File Sharing Membership			
			Mac Book-Capt Ruhl Training			
			Dept Conf Call Line			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt

Line Description:

AFM Badge
Supplies for Sta 4
Water&Gatorade Sta 2&6
Messaging Srvs for Telestaff
Items for CM Office
Monthly Subs
Council Meeting Dinner
iPad Charger Interim CM
Monthly NHS Team Meeting
CM Business Meeting MPT Chavez
Monthly Subs
Monthly Subs
Powder Coating Placards/Holder
Refreshmnts CM Meeting
Dinner for Special Session
Refreshmnts City Council Meeti
Registration for CM DCM Annual
Registration for Community Rel
Parking @ County Assessors Off
Office Supplies
Quality Improvement Fire Emerg
CERT Snacks
Coffee/Cups/Snack EMS Sta 4
Current EMT Textbook Support E
Kalmonson Initial PM Accredita
Travel Day Dinner
Accomodations Occupancy
Lunch & Learn
Meet & Greet
Oral Board
Meet & Greet
Lunch & Learn
Membership Dues
Office Supplies
Conference Travel
Equipment-Fields
Ice Bags-July 3rd Event
Event Ad-ARTventure
Event Supplies-ARTventure

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	FlippingBook Software-Magazine			
			Swimoutlet.com Membership Fee			
			July 3 Decor			
			July 3rd Refreshments			
			Papercutter for Central Servic			
			Plant Sign Labels-FVP			
			Custom Sign-CM Muni Code			
			Labels			
			Soil & House Wand			
			Promo Items- July 3rd Event			
			Toilet Paper-July 3rd Event			
			Tissue Paper, Adhesive-Booth			
			Giveaways/Supp-July 3rd Event			
			Food Tent Supp-Concerts in Prk			
			Supplies-July 3rd Event			
			Dais Snacks			
			Tea for CMO			
			Monthly Subs			
			Coffee&Tea for CMO			
			Tech Equipmnt for CM			
			Council Study Session Dinner			
			July 3rd Equipment, Decor, Ref			
			Office Supplies for City Manag			
			Paper&Supplies Central Service			
			Refreshments for BP Ribbon Cut			
			Video Equipment for SM Special			
			Recreation Equipment			
			Supplies-July 3rd Event			
			Refreshments-July 3rd Event			
			Office Supplies-Front Desk			
			Monthly-Spotify,Amazon,Cricut			
			Mesa Water			
			Parking-Summer Camp Excursion			
			EmergGas-Summer Camp Excursion			
			Movie Tix-Summer Camp Excursio			
			Mesa Water			
			Round1-Summer Camp Excursio			
			Bowling-Summer Camp Excursio			
			Parking-Summer Camp Excursion			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Beach Parking--Summer Camp Exc			
			Movie Tix-Summer Camp Excursio			
			Supplies-Craft Class			
			Refreshment-Congregate Lunch			
			Supp/Photobooth-July 3rd Event			
			Monthly Fees On-Line Meeting			
			Personal Item			
			Supplies-Craft Class			
			Supplies-Halloween Bash			
			Coffee Supplies			
			Paper Supplies for Admin			
			Oscillating Fan Steves Office			
			Office Supplies			
			Recreation Equipment			
			Title 22 Certification			
			Lifeguard Training Cert			
			LTS Facility Registration			
			Movie Licenses-Movies in Park			
			Movie-Teen Drive-In Movie Nite			
			Coffee Supplies			
			Smartdraw Annual Subs			
			Logitech Wireless Keyboard			
			Monthly Fee On-Line Queing			
			Apple iPad for Director Sethur			
			Tools-BCC			
			Promo Items-Youth Sports			
			Arts&Crafts Supp-Day Camp			
			Excursion 7/1/25-Day Camp			
			Recreation Equip-Day Camp			
			Excursion Parking-Day Camp			
			Recreation Equip-Youth Sports			
			Safeamp UPS Battery			
			Dell 200 PowerSupply			
			Food-Veterans Social Group Mtg			
			Tools-LEAP			
			Food & Supp-LEAP			
			Art&Craft Supplies-LEAP			
			ARTventure-Craft Supplies			
			CAT6 Cable- 90			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt

Line Description:
APC Basic Rack PDU 120V
CAT6A Ethernet Patch Cable
Fotosok Sideboard Cabinet Ops
DAC Deck Furniture
Teen Camp Equipment
Teen Camp Excursions
Replace Board/Buoy-DAC
WSI Training-DAC Staff
Teen Camp Excursion Parking
Movie Licenses-Summer Events
Teen Camp Excursion Cancelled
Office Supplies
Promo Items-ROCKS
Excursion 7/15/25-Day Camp
Laundering of Dept Table Cover
Refreshments for New City Coun
Unrecognized Charge-3/26/25
Zevo Bug Repellant for Ops Pr
Office Supplies- P-Touch Lable
Monthly CEAOC Luncheon-Meeting
Test Strip Water Sampling Catc
CEAOC Aug Meeting Luncheon
iCloud Monthly Fee
Balloons-Teen Academy
Registration for Seminars
Summer Western Tree Symposium
Teen Academy Supplies
Chief Walk Out Ceremony
Hardware Supplies
Electrical Supplies
Arborist Continuing Education
Teen Academy Supplies-Amazon
Teen Academy Supplies-Costco
ENP Manual
911 Comm Ed (9114Kids)
Team Building Supplies
Team Building Solution
ER Parking-Employee Injury
APCO 911 Association Meeting

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt

Line Description: Employee Recog-ABC Company
Dog Food
Gun Safe-WC's Office
Honor Guard Uniform Equipment
Postage-Letter to CA Capital
Pins for Steel Plates
Asphalt/Pins Potholes, Plates
Beach, Paint, Glove Greffiti R
Tuition-OTS Forum-2 OFCs
Refund-Sig Sauer Holsters
Business Meeting
Office Supplies- Transp Div
Tape Measure- Transp Division
Supplies-Range
Credit Card Service Fee
Flight-Flock Conf-1 OFC
Lodging-OTS Conf-2 OFCs
Range PPE/Cleaning Supp
Tuition-Flock Conf-1 OFC
Dupl Charge-No Show-1 OFC
Lodging-No Show Fee-1 OFC
Refund-Dupl Charge-No Show
Tuition-Mental Health-2 OFCs
Tuition-Mental Health-3 OFCs
Tuition-RequalBasicCrs-1 OFC
Riptide Armory Optic Glass Cle
Tuition-Basic Dispatcher-1 OFC
Tuition-Internal Affairs-1 OFC
Business Meetings
Monthly Meetings/Luncheon
BCC-A/C Electrical Material
Amazon Smart Air Quality Monit
Stock Parts
Supplies
Cardstock
Toothpicks
Food-Employee Recognition
Cards-Employee Recognition
Shop Tools

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
		Line Description:	Stock-Parts			
			Uniform-Recruits			
			Emergency Name Bars			
			Food/Drink-PD Oral Interview			
			Waters-Meetings			
			Dell Networking Cables-8			
			Dell 3-Cell 54 Wh Lithium Ion			
			Office Supp-ROCKS			
			Safety Items-ROCKS			
			Recreation Equip-ROCK			
			Arts&Crafts Supp-ROCKS			
			Small Tools			
			Cart Keys, Small Tools			
			Tuition Refund-Sci Interview-1			
			Tuition-Driving PSP-18 OFCs			
			Door Hardware			
			Boot Cleaner Stand-PD Staff			
			Command Strips-Hanging Sign			
			Ice			
			Microwave-Breakroom			
			Food-Chief Retirement			
			Food/Drink-July 3rd Event			
			Personal Charge			
			Water-Food (Fair)			
			Supp Paint Project			
			Filing Box-New AC Truck			
			Dog Carrier-New AC Truck			
			Metal Storage Cabinet Locker			
			Cleaning/Animal Supp-New AC Tr			
			CATO Membership			
			Additional Line-Cold Calls			
			Equip-Process Firearm Cartridg			
			TV Wall Mount			
			TV Wall Mount Credit			
			Ext Hard Drive-Cell Phone Exam			
			Snacks-EOC			
			Shredder-EOC			
			Trashcans/TV			
			Bottlwater-EOC			

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
			Line Description: Refreshment-EOC			
			Small Trashcan-EOC			
			Tools/Supplies-EOC			
			Wall Plates/Misc Tools			
			Replace Chairs-MESAC Office			
			File Tray-EOC			
			Extra Sign-EOC			
			Monitor Stands-EOC			
			Return-Monitor Stands			
			Monitor Stands/File Tray-EOC			
			Canva Software User Fee			
			Jail Laundry Goods/Food Stuffs			
					TOTAL	**$554,339.96**

End of Report

Payment Ref	Date	Status	Remit To	Remit ID		Payment Amt
020544	08/29/25	P	Alan F Kent	0000006393		2,174.79
		Line Description:	1% Supplemental Pay Sep 25			
020545	08/29/25	P	Beckee Cost	0000016309		946.08
		Line Description:	1% Supplemental Pay Sep 25			
020546	08/29/25	P	Chris Morris	0000007439		2,500.00
		Line Description:	Monthly LTD Payment Sep 25			
020547	08/29/25	P	Danny Hogue	0000006802		1,137.03
		Line Description:	1% Supplemental Pay Sep 25			
020548	08/29/25	P	Darlene Bell	0000005602		580.54
		Line Description:	1% Supplemental Pay Sep 25			
020549	08/29/25	P	David A Dye	0000002065		260.90
		Line Description:	1% Supplemental Pay Sep 25			
020550	08/29/25	P	Edward Dryzmala	0000006686		1,377.28
		Line Description:	1% Supplemental Pay Sep 25			
020551	08/29/25	P	Gale Tuso	0000017460		233.08
		Line Description:	1% Supplemental Pay Sep 25			
020552	08/29/25	P	Harlan Pauley	0000003569		232.12
		Line Description:	1% Supplemental Pay Sep 25			
020553	08/29/25	P	James M Miller	0000007440		2,500.00
		Line Description:	Monthly LTD Payment Sep 25			

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
020554	08/29/25	P	Kathleen Zuorski	0000025225	504.52
		Line Description:	1% Supplemental Pay Sep 25		
020555	08/29/25	P	Linda Boylan	0000023340	57.98
		Line Description:	1% Supplemental Pay Sep 25		
020556	08/29/25	P	Matthew J Collett	0000001720	856.58
		Line Description:	1% Supplemental Pay Sep 25		
020557	08/29/25	P	Paul A Cappuccilli	0000007705	1,214.50
		Line Description:	1% Supplemental Pay Sep 25		
020558	08/29/25	P	Phil Dickens	0000005801	511.76
		Line Description:	1% Supplemental Pay Sep 25		
020559	08/29/25	P	Richard J Johnson	0000005620	1,255.66
		Line Description:	1% Supplemental Pay Sep 25		
020560	08/29/25	P	Thomas J Lazar	0000002925	1,703.25
		Line Description:	1% Supplemental Pay Sep 25		
020561	08/29/25	P	William H Bechtel	0000001224	1,622.58
		Line Description:	1% Supplemental Pay Sep 25		
				TOTAL	**$19,668.65**

End of Report

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-527 **Meeting Date:** 10/7/2025

TITLE:

MINUTES

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

RECOMMENDATION:

City Council approve the minutes of the regular meeting of September 2, 2025 and the adjourned regular meeting of September 9, 2025.

REGULAR CITY COUNCIL AND HOUSING AUTHORITY
SEPTEMBER 2, 2025 - 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 Marr (Via Zoom Webinar), Council Member Pettis, Council Member Reynolds (Arrived 4:03 p.m.), Mayor Pro Tem Chavez, and Mayor Stephens.

Absent: None.

PUBLIC COMMENTS – NONE.

CLOSED SESSION ITEMS:

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

2. **CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - ONE CASE**
   Pursuant to California Government Code Section 54956.9 (d)(4), Potential Litigation.

3. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
   Pursuant to California Government Code Section 54956.9 (d)(1)
   Name of Case: RDK Group Holdings, LLC v. City of Costa Mesa,
   Orange County Superior Court Case No. 30 2025 0149581 CU WM WJC

4. **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

5. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
   Pursuant to California Government Code Section 54956.9 (d)(1)
   Name of Case: Insight Psychology and Addiction, Inc. v. City of Costa Mesa,
   U.S. District Court, Central District of California, Case No. 8:20 cv 00504 JVS JDE

6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Perdomo, et al. v. Noem, et al.,
United States District Court for the Central District of California Case No. 2:25-cv-05605-MEMF-SP

7. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: DBO Investments CM, LLC v. Costa Mesa
Orange County Superior Court Case No. 30-2023-01360125-CU-CR-NJC.

City Council recessed at 4:03 p.m. for Closed Session.

Closed Session adjourned at 5:55 p.m.

CALL TO ORDER - The Regular City Council and Housing Authority meeting was called to order by Mayor Stephens at 6:03 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE – A video was played of the National Anthem and the Mayor led the Pledge of Allegiance.

MOMENT OF SOLEMN EXPRESSION – Led by Pastor Phil Eyskens, Lighthouse Church.

ROLL CALL
Present: Council Member Buley, Council Member Gameros, Council Member Marr (Via Zoom Webinar), Council Member Pettis, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Absent: None.

CITY ATTORNEY CLOSED SESSION REPORT – No reportable action.

PRESENTATIONS:

The City Council presented a proclamation in recognition of 2025 Hunger Action Month.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Jay Humphrey, Costa Mesa, spoke on safety and e-bike riders, spoke on the Fairview Developmental Center Housing Plan and the Fairview Park Master Plan, and requested the drafts of the documents be provided to the public in advance, and spoke in favor of an ethics policy.

Kim Hendricks spoke on Fairview Park activities and tours.

Speaker, requested the removal of the stop sign at Gisler Ave. and Washington Ave. and submitted a petition.

Cynthia Blackwell, Costa Mesa, requested new stop signs at Crystal Court, expressed appreciation for the work on the fencing on South Coast Drive, expressed safety concerns regarding e-bikes and students from Costa Mesa High School riding double with no helmets, and requested enforcement on e-bike riders.

Speaker, thanked staff and the City Council for increasing walkability and sustainability in the city.

Ceasar Garcia, thanked staff and the City Council for providing assistance for the community.

Juana Trejo, thanked staff and the City Council for food distribution programs, thanked the Police Department for being present in the community, and thanked Mr. Godinez for his work in the community.

Speaker, expressed concerns about the demolition at the Fairview Developmental Center and inquired if a survey was done regarding wildlife at the site and spoke on Measure K and density.

Speaker, spoke on ethics and Measure K and spoke on items on the agenda.

Jose Toscana thanked the Mayor for acknowledging September 2025 as Hunger Action Month, and spoke on bringing forth the Fairview Park Master Plan and requested it be released in advance for the public to review.

Cynthia McDonald, Costa Mesa, spoke on an ethics policy and code of conduct, requested the City Council adopt a sunshine ordinance, spoke on compliance with the Brown Act, and requested information on the size of signs allowed in the Council Chambers.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Pettis spoke on attending the meetings on housing, spoke on the importance of financial responsibility and public engagement, spoke on “Speak Up Newport”, and requested additional town halls and community input.

Council Member Buley spoke on meeting with residents regarding signage and traffic concerns on Gisler Ave. and Harbor Blvd., spoke on attending the Historical Society 100 years of service event by the Fire Department, spoke on meeting with the Transportation Division and upcoming meetings with the Neighborhood Improvement Manager and the Police Department, and spoke on the community outreach seminar on September 3rd.

Council Member Gameros reminded everyone that the Costa Mesa Senior Center is a cooling center during the heat waves.

Council Member Reynolds spoke on attending the housing outreach meetings and encouraged additional outreach, provided feedback on the community outreach plan, thanked the Costa Mesa Police Department for responding to community issues, requested the Parks and Community Services Commission to review the Fairview Park Master Plan and to present to the City Council their recommendation on values and principals, requested from staff a brief memo on subcommittees, requested the information on the website regarding the Fairview Developmental Center be updated, and spoke on traffic issues.

Mayor Pro Tem Chavez spoke on the Battle of the Bell football game, spoke on attending the housing walk, spoke on e-bike concerns, requested staff to review e-bike requirements for students in the City of Irvine, and requested to adjourn the meeting in honor of Allison Castillo and spoke in her memory, and thanked the community for their support.

Mayor Stephens spoke on the timeline for releasing the Fairview Park Master Plan and releasing the agenda a week in advance, spoke on the letter from the Parks and Community Services Commission Chair and Vice Chair and agrees with the comments from Council Member Reynolds, spoke on e-bike enforcement, spoke on community engagement, and praised Mayor Pro Tem Chavez.

REPORT – CITY MANAGER – Ms. Gallardo-Daly recognized five Police Officers for saving the lives of two runners at the Orange County Marathon, recognized CMTV for six awards received from the National Association of Telecommunications Officers and Associates, and spoke on the next housing workshop on September 10th from 6:00 p.m. to 8:00 p.m.

REPORT – CITY ATTORNEY – NONE.

CONSENT CALENDAR

MOVED/SECOND: Mayor Pro Tem Chavez/Mayor Stephens
MOTION: Approve the Consent Calendar except for Consent Calendar Item No. 5.
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 and Everrett Dorey.
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: Warren Franklin, Carolyn Hanson, Craig Marshall, Daisy Martinez.

3. ADOPTION OF WARRANT RESOLUTION

ACTION:
City Council approved Warrant Resolution No. 2739.

4. MINUTES

ACTION:
City Council approved the minutes of the Special Closed Session meetings of July 1, 2025 and July 8, 2025.

6. MAINTENANCE SERVICES AGREEMENTS FOR ON-CALL HVAC MAINTENANCE AND REPAIRS

ACTION:
1. City Council approved and authorized the Interim City Manager and the City Clerk to execute a two-year Maintenance Services Agreement (MSA) to provide on-call Heating, Ventilation and Air-Conditioning (HVAC) mechanical automation system repairs and maintenance services, with three (3) one-year renewal periods, in an aggregate amount not to exceed $200,000 annually in a form as approved by the City Attorney to:

    - FM Thomas
    - Harbor Pointe
    - Southland Industries

2. Authorized the Interim City Manager and the City Clerk to execute the agreements and any authorized amendments to the agreements.

DRAFT

ITEMS PULLED FROM THE CONSENT CALENDAR

5. AGREEMENT FOR A SCHOOL RESOURCE OFFICER PROGRAM BETWEEN THE CITY OF COSTA MESA AND NEWPORT-MESA UNIFIED SCHOOL DISTRICT FOR FISCAL YEAR 2025-2026

Public Comments: None.

MOVED/SECOND: Council Member Reynolds/Mayor Stephens
MOTION: Approve staff recommendation incorporating the updated contract language that was provided to the City Council at the meeting. Also, to incorporate language into the contract for any additional training and reporting activities developed between Newport Mesa Unified School District staff and the Costa Mesa Police Department.
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 approved the updated contract language that was provided to the City Council at the meeting. Also, incorporated language into the contract for any additional training and reporting activities developed between Newport Mesa Unified School District staff and the Costa Mesa Police Department.

2. Authorized the Interim City Manager to execute the agreement.

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

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

1. INTRODUCTION OF AN ORDINANCE ADDING CHAPTER XVI (PROHIBITION ON SALE OR DISTRIBUTION OF NITROUS OXIDE) TO TITLE 11 (OFFENSES-MISCELLANEOUS) OF THE COSTA MESA MUNICIPAL CODE TO ESTABLISH REGULATIONS PROHIBITING THE UNLAWFUL SALE OR DISTRIBUTION OF NITROUS OXIDE IN THE CITY

Presentation by Police Captain Chamness.

Public Comments:

Robbie LaBounty, Representing Supervisor Foley's Office, read a letter in support of the ordinance.

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 introduced for first reading, by title only, Ordinance No. 2025-06, adding Chapter XVI (Prohibition on Sale or Distribution of Nitrous Oxide) to Title 11 (Offenses-Miscellaneous) of the Costa Mesa Municipal Code to establish regulations prohibiting the unlawful sale or distribution of nitrous oxide in the City.

2. 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

Public Comments:

Speaker, spoke on work already commencing at the site location.

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 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 continued the open public hearing to the October 7, 2025, City Council meeting.

DRAFT

3. APPEAL OF THE DIRECTOR OF DEVELOPMENT SERVICES' DETERMINATION THAT CANNABIS BUSINESS PERMIT MQ-21-15 FOR A CANNABIS STOREFRONT LOCATED AT 2301 NEWPORT BOULEVARD (CULTURE CANNABIS CLUB) IS NON-OPERATIONAL AND ABANDONED

Public Comments: None.

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Chavez
MOTION: Continue the public hearing to the October 21st City Council meeting.

Council Member Buley spoke on the process, the applicant not meeting timelines, and spoke on not supporting the motion.

ORIGINAL MOTION/SECOND: Mayor Stephens/Mayor Pro Tem Chavez
MOTION: Continue the public hearing to the October 21st City Council meeting.
The motion carried by the following roll call vote:
Ayes: Council Member Marr, Council Member Pettis, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: Council Member Buley and Council Member Gameros.
Absent: None.
Abstain: None.
Motion carried: 5-2

ACTION:
City Council continued the open public hearing to the October 21, 2025, City Council meeting.

City Council recessed into a break at 8:07 p.m.

City Council reconvened at 8:21 p.m.

OLD BUSINESS:

1. SECOND READING AND ADOPTION OF AN ORDINANCE TO REZONE THE PROJECT SITE FROM ADMINISTRATIVE AND PROFESSIONAL (AP) TO MULTIPLE FAMILY RESIDENTIAL (R3) FOR THE 142 UNIT RESIDENTIAL OWNERSHIP PROJECT LOCATED AT 3150 BEAR STREET (MERITAGE HOMES)

Presentation by Mr. Yeager, Senior Planner.

Public Comments:

Speaker, spoke on the pedestrian gate, and expressed concern on traffic flow on Bear St. and Bristol St.

Speaker, spoke on which schools the children would attend, and traffic concerns on Bear St.

Cynthia McDonald, Costa Mesa, expressed concerns on lack of parking, spoke on the low annual net revenue of the project, and stated opposition to taking City land without compensation.

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 gave second reading to and adopted Ordinance No. 2025-05 to approve the rezone for subject property from Administrative & Professional (AP) to Multiple Family Residential (R3).

2. AWARD OF THE TEWINKLE PARK LAKES REPAIR AND REHABILITATION PROJECT, CITY PROJECT NO. 24-12, AND FINDING OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CATEGORICAL EXEMPTION

Presentation by Mr. Ryan, Maintenance Services Manager.

Public Comments:

Speaker, spoke on the Finance and Pension Advisory Committee reviewing the item, spoke on understanding the cost for the project, and a possible liability for the future.

Speaker, spoke in support of the item.

Speaker, Costa Mesa, stated that the geese and ducks have ruined the area, expressed concern on the water quality, and suggested to look at other options.

Cynthia McDonald, Costa Mesa, spoke in support of the item.

Jake Comer, Costa Mesa, spoke in support of the item.

MOVED/SECOND: Council Member Gameros/Council Member Pettis
MOTION: Continue the item to another meeting.

SUBSTITUTE MOTION/SECOND: Mayor Stephens/Council Member Reynolds
SUBSTITUTE MOTION: Approve staff recommendation.
The motion carried by the following roll call vote:
Ayes: Council Member Marr, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: Council Member Buley, Council Member Gameros, and Council Member Pettis.
Absent: None.
Abstain: None.
Motion carried: 4-3

ACTION:

1. City Council made a finding of California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines section 15301.

2. Adopted plans, specifications, and working details for the TeWinkle Park Lakes Repair and Rehabilitation Project, City Project No. 24-12.

3. Awarded a Public Works Agreement (PWA) for construction to Houalla Enterprises, Ltd. (dba Metro Builders & Engineers Group, Ltd.) 2610 Avon Street, Newport Beach, California 92663 in the amount of $2,459,777, and authorized a ten percent (10%) contingency in the amount of $245,978 for unforeseen costs related to this project.

4. Authorized the Interim City Manager and the City Clerk to execute the PWA for Houalla Enterprises, Ltd. (dba Metro Builders & Engineers Group, Ltd.) and future amendments to the agreement within Council authorized limits.

3. AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR CATEGORY 6A (CAT6A) STRUCTURED CABLING AND VERKADA CAMERA INSTALLATION WITH BCS CONSULTANTS

Presentation by Mr. Steinke, IT Manager.

Public Comments:

Edward Coleman, spoke on the bidding thresholds, the scoring matrix, and is against awarding the item to BCS Consultants.

Speaker, spoke on the IT Strategic Plan and inquired when the cabling was proposed in the initial five-year plan, and spoke on the process.

MOVED/SECOND: Mayor Pro Tem Chavez/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 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 authorized the Interim City Manager and City Clerk to execute a Professional Services Agreement (PSA) for network cable and camera installation to BCS Consultants, 9910 Irvine Center Drive, Irvine, CA 92618 in the amount of $740,684 for a two-year term, with the option for a one (1) one-year renewal.

2. Authorized a five percent (5%) contingency in the amount of $37,034 for unforeseen costs.

3. Authorized the Interim City Manager or designee to execute future authorized amendments to the agreement.

4. REQUEST FOR CITY COUNCIL DIRECTION REGARDING THE RESULTS OF THE ORANGE COUNTY POWER AUTHORITY (OCPA) FEASIBILITY STUDY

Presentation by Ms. Jakher, Assistant to the City Manager and Mr. Mosca, representing the Orange County Power Authority.

Public Comments:

Mike Ralph spoke in opposition of joining the Orange County Power Authority.

Tomas Castro, Climate Action Campaign, spoke in support of joining the Orange County Power Authority.

Vicki Johnson, Laguna Woods, spoke in opposition of joining the Orange County Power Authority.

Ralph Taboada, Costa Mesa, inquired on the rates and the impacts if Costa Mesa joins, and spoke on the short timeframe to make a decision.

Michelle Johnson, Irvine, spoke in opposition of joining the Orange County Power Authority.

David Martinez, spoke in support of joining the Orange County Power Authority.

Speaker, spoke in opposition of joining the Orange County Power Authority.

Speaker, spoke in opposition of joining the Orange County Power Authority and encouraged the City Council to do their due diligence.

Harvey Liss, Irvine, spoke in opposition of joining the Orange County Power Authority.

Craig Preston, Costa Mesa, spoke in support of joining the Orange County Power Authority.

Jake Comer, Costa Mesa, spoke in support of joining the Orange County Power Authority.

Speaker, spoke on climate change and in opposition of joining the Orange County Power Authority.

MOVED/SECOND: Council Member Marr/Council Member Reynolds
MOTION: Direct staff to draft an ordinance for the October 7th meeting to join the Orange County Power Authority.

Council Member Reynolds requested to add that the item be reviewed by the Finance and Pension Advisory Committee on September 10th prior to the ordinance being considered by City Council.

Council Member Marr agreed to the request.

MOVED/SECOND: Council Member Marr/Council Member Reynolds
MOTION: Direct staff to draft an ordinance for the October 7th meeting to join the Orange County Power Authority and for the item be reviewed by the Finance and Pension Advisory Committee on September 10th prior to the ordinance being considered by City Council.
The motion carried by the following roll call vote:
Ayes: Council Member Gameros, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: Council Member Buley and Council Member Pettis.
Absent: None.
Abstain: None.
Motion carried: 5-2

ACTION:
City Council directed staff to draft an ordinance for the October 7th meeting to join the Orange County Power Authority and for the item be reviewed by the Finance and Pension Advisory Committee on September 10th prior to the ordinance being considered by City Council.

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Chavez
MOTION: Continue the New Business Items to September 9, 2025 at 6:00 p.m. and Closed Session at 5:00 p.m.

Council Member Reynolds requested to still consider New Business Item No. 1 and only continue New Business items 2 and 3.

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

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Chavez
MOTION: Continue New Business Item Nos. 2 and 3 to September 9, 2025 and Closed Session at 5:00 p.m.
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

NEW BUSINESS:

1. AWARD OF THE FAIRVIEW ROAD ACTIVE TRANSPORTATION AND REHABILITATION PROJECT, CITY PROJECT NO. 25-10, STATE PROJECT NO. CRASL-5312(106), AND FINDING OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CATEGORICAL EXEMPTION

Presentation by Mr. Nikoui, Senior Engineer.

Public Comments:

David Martinez, Costa Mesa, spoke in support of the item.

Andrew Barnes, Costa Mesa, spoke in support of the item.

Speaker, spoke in opposition of the item.

Cynthia McDonald, Costa Mesa, spoke in support of the item.

Craig Preston spoke in support of the item.

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MOVED/SECOND: Council Member Marr/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 Marr, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays:Council Member Pettis.
Absent: None.
Abstain: None.
Motion carried: 6-1

ACTION:

1. City Council made a finding of California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines section 15301.

2. Adopted plans, specifications, and working details for the Fairview Road Active Transportation and Rehabilitation Project, City Project No. 25-10, State Project No. CRASL-5312(106).

3. Awarded a Public Works Agreement (PWA) for construction to Hardy & Harper, Inc., 32 Rancho Circle, Lake Forest, California 92630, in the amount of $2,860,000, and authorized a ten percent (10%) contingency in the amount of $286,000 for unforeseen costs related to this project.

4. Authorized the Interim City Manager and the City Clerk to execute the PWA for Hardy & Harper, Inc., and future amendments to the agreement within Council authorized limits.

2. UPDATE ON SUPPORT SERVICES AND ASSISTANCE FOR RESIDENTS AND TRACKING OF AT-FAULT EVICTIONS

ACTION:
City Council continued the item to the September 9, 2025, City Council meeting.

3. UPDATE ON OPTIONS FOR LEGAL ASSISTANCE FOR RESIDENTS AND POTENTIAL PARTICIPATION IN LAWSUIT CHALLENGING ROAMING IMMIGRATION ENFORCEMENT PATROLS

ACTION:
City Council continued the item to the September 9, 2025, City Council meeting.

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

ADJOURNMENT – Mayor Stephens adjourned the meeting at 11:52 p.m. in honor and memory of Allison Castillo.

Minutes adopted on this 7th day of October, 2025.

_____
John Stephens, Mayor

ATTEST:

_____
Brenda Green, City Clerk

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ADJOURNED REGULAR MEETING
SEPTEMBER 9, 2025 – MINUTES

CALL TO ORDER – The Closed Session meeting was called to order by Mayor Stephens at 5:00 p.m.

ROLL CALL

Present: Council Member Buley, Council Member Marr (Arrived at 5:02 p.m.), Council Member Pettis, Council Member Reynolds (Arrived at 5:02 p.m.), Mayor Pro Tem Chavez, and Mayor Stephens.

Absent: Council Gameros.

PUBLIC COMMENTS – NONE.

CLOSED SESSION ITEMS:

1. **CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION – FOUR CASES**
   Pursuant to California Government Code Section 54956.9 (d)(4), Potential Litigation.

2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
   Pursuant to California Government Code Section 54956.9 (d)(1)
   Name of Case: RDK Group Holdings, LLC v. City of Costa Mesa,
   Orange County Superior Court Case No. 30 2025 0149581 CU WM WJC.

3. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
   Pursuant to California Government Code Section 54956.9 (d)(1)
   Name of Case: City of Costa Mesa v. Pacific Shores Recovery, LLC, et al.,
   Orange County Superior Court Case No. 30-2019-01100581-CU-OR-NJC.

City Council recessed at 5:02 p.m. for Closed Session.

Closed Session adjourned at 5:58 p.m.

CALL TO ORDER - The Adjourned Regular Meeting of the City Council and Housing Authority was called to order by Mayor Stephens at 6:02 p.m.

PLEDGE OF ALLEGIANCE – Led by Mayor Stephens.

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 reported on potential litigation on four cases, motion by Council Member Buley and seconded by Council Member Marr to authorize staff to initiate litigation in all four matters listed in Closed Session item number 1.

NEW BUSINESS:

Mayor Stephens recused himself from New Business item No. 1 due to a potential conflict of interest, due to campaign contributions received from the Apartment Associations and the decision on this item could indirectly affect them. Mayor Pro Tem Chavez assumed the role as presiding officer in his absence.

1. UPDATE ON SUPPORT SERVICES AND ASSISTANCE FOR RESIDENTS AND TRACKING OF AT-FAULT EVICTIONS

Presentation by Ms. Reyes, Deputy City Manager, Mr. Escobar, Management Analyst, and Mr. Barkman, Government Affairs Manager.

Council Member Buley questioned the action taken at the August 5, 2025 Council Meeting regarding the allocation of $100,000 to two non-profit organizations.

Ms. Hall Barlow, City Attorney, responded that the item had been properly agendized but recommended that the City Council ratify the decision through a motion.

Public Comments:

Christian Lopez, Resilience Orange County, spoke in support of a rental registry and tracking of all evictions, urged the City Council to support tenant rights and housing stability, prevent unlawful evictions, requested landlords to provide advance notice to tenants, and establish clear procedures.

Perry Cliffero, spoke in support of a rental registry.

Victor Valladares, Resilience Orange County, spoke in support of a rental registry.

Roberto Herrera, Resilience Orange County, spoke on immigration enforcement/actions and its impact on evictions, requested to require the eviction notice prior to the eviction, advocated to provide the city more time to review and intervene, and spoke in support of a rental registry.

Brook Gray, Costa Mesa, spoke in support of a rental registry and tracking no-fault evictions.

Margaret Sharp, spoke in support of a rental registry and tracking no-fault evictions as well as rental assistance.

Speaker, advised the City Council to conduct exploratory work regarding a rental registry and expressed support of tracking data, emphasizing being mindful about the data collected.

Shawn Drexler, Costa Mesa, spoke in support of a rental registry.

Juana Trejo, Promotoras de Salud de Orange County, spoke on the funds that helped individuals pay their rent and assist with medical treatments. Spoke on abandoned apartments, stated constituents are living in fear and are not reporting crimes due to fear of being detained. Thanked the City Council for not being part of the systemic violence and for everything they have done.

Speaker, spoke against a rental registry.

Priscilla Baltezar, Costa Mesa, thanked the City Council for the $100,000 donation, helping the community, and spoke in support of a rental registry.

Speaker, spoke in support of a rental registry.

Carmen Ramirez, spoke on how members of the community are unjustly being evicted and in support of a rental registry.

Speaker, Costa Mesa, thanked the City Council for the donation but requested to increase allocation for housing, food, and legal expenses, spoke in support of a rental registry, requested the Council to contract with an experienced immigration law firm and spoke in favor of the City joining the Perdomo case.

Blanca Ministerio, Costa Mesa, spoke on rent hikes, fear in the community, a situation where her son and husband were kicked off a soccer field and questioned the accessibility to parks and fields in the City.

Ashley Anderson, Costa Mesa, spoke on public safety concerns, rents and supports a rental registry.

Veronica Rios, Costa Mesa, spoke in support of rent control legislation and thanked the City Council on behalf of the Shalimar community for everything that has been done.

Speaker, expressed support for rent control legislation and advocates for protecting Latino communities facing evictions and unfair rental practices.

Speaker, expressed concern about overpromising to constituents and the potential duplication of services by hiring staff for issues already addressed by established organizations. Recommended the City appoint a liaison to collaborate with these organizations and help direct constituents to the most appropriate resources.

MOVED/SECOND: Council Member Reynolds/Council Member Marr
MOTION: Update the tenant protection ordinance to require notice of any eviction, for staff to develop a proposal for a Costa Mesa rental registry modeled after the City of Santa Ana's rental registry (minus the rental cap), and establish a Network for Renters' Solutions; modeled after Costa Mesa's Network for Homeless Solutions (NHS) with a focus on improving outreach communication to the renter/landlord population and help identify and propose solutions for key renter/landlord challenges.
The motion carried by the following roll call vote:
Ayes: Council Member Gameros, Council Member Marr, Council Member Reynolds and Mayor Pro Tem Chavez.
Nays: Council Member Buley and Council Member Pettis.
Absent: None.
Abstain: Mayor Stephens.
Motion carried: 4-2

ACTION:
1. City Council requested staff to update the tenant protection ordinance to require notice of any eviction.

2. Directed staff to develop a proposal for a Costa Mesa rental registry modeled after the City of Santa Ana's rental registry (minus the rental cap).

3. Directed staff to establish a Network for Renters' Solutions modeled after Costa Mesa's Network for Homeless Solutions (NHS) with a focus on improving outreach communication to the renter/landlord population and help identify and propose solutions for key renter/landlord challenges.

Mayor Stephens returned to the dais at 7:46 p.m.

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Chavez
MOTION: Ratify the decision from the August 5, 2025 City Council Meeting to donate $100,000 to two local non-profit organizations, Enough for All Fund ($50,000) and Someone Cares Soup Kitchen ($50,000).
The motion carried by the following roll call vote:
Ayes: Council Member Gameros, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: Council Member Buley and Council Member Pettis
Absent: None.
Abstain: None.
Motion carried: 5-2

ACTION:
City Council ratified decision from the August 5 Council Meeting to donate $100,000 to two local non-profit organizations, Enough for All Fund ($50,000) and Someone Cares

Soup Kitchen ($50,000).

2. UPDATE ON OPTIONS FOR LEGAL ASSISTANCE FOR RESIDENTS AND POTENTIAL PARTICIPATION IN LAWSUIT CHALLENGING ROAMING IMMIGRATION ENFORCEMENT PATROLS

Presentation by Ms. Hall Barlow, City Attorney.

Public Comments:

Betsy Desmore, Costa Mesa, spoke on the contribution and benefit of immigrants in the community/economy, requested City Council support with at least $200,000 in assistance, and creation of an advisory committee formed of community members, and provided copies of the most recent customs and immigration forms and fees.

Roberto Herrera, Resilience Orange County, spoke in support of joining the Perdomo case, legal assistance, and prioritizing Costa Mesa residents, and spoke on the latest Supreme Court ruling.

Speaker, Party for Socialism and Liberations, spoke on the recent ICE U-Haul incident in Costa Mesa, the latest Supreme Court ruling, and in support of a legal defense fund and joining the Perdomo case.

Perry Cliffero, spoke on a past political event attended at the Pacific Amphitheater and in support of a legal defense fund.

Speakers, Costa Mesa, spoke together in support of a legal defense fund.

Speaker, Costa Mesa, spoke in support of a legal defense fund and joining the Perdomo case.

Jackie Gomez, Changing Hearts and Minds of Youth (CHAMOY), spoke in support for a legal defense fund and a rental registry.

Speaker, Santa Ana, spoke in support of a legal defense fund.

Itzel Ibarra, Yahaira Aguilar, Kevin Gonzalez, Changing Hearts and Minds of Youth (CHAMOY), spoke on impacts of immigration enforcements.

Speaker, Costa Mesa, spoke in support of a legal defense fund and joining the Perdomo case.

Speaker, Costa Mesa, thanked the City Council who supported the $100,000 donation and spoke in support of joining the Perdomo case and a legal defense fund, requesting $400,000 from Council.

Garrett Rincon, Costa Mesa, spoke in support of a legal defense fund and joining the Perdomo case.

Emily Glanton, Costa Mesa, thanked the City Council who supported the $100,000 donation, spoke on the recent ICE U-Haul incident in Costa Mesa and spoke in support of a legal defense fund and joining the Perdomo case.

Shawn Drexler, Costa Mesa, spoke in support of a legal defense fund and joining the Perdomo case.

Speaker, spoke on the City's reserve funds, support of a legal defense fund, requesting $400,000 in funds, and in support of joining the Perdomo case.

Speaker, Orange County Rapid Response Network, spoke on Costa Mesa's history regarding communities of color, and in support of a legal defense fund and joining the Perdomo case.

Speaker, Costa Mesa, spoke in support of a legal defense fund; specifically for Costa Mesa families affected by immigration enforcement, and supports joining the Perdomo case.

Juana Trejo, spoke on efforts with Mayor Pro Tem Chavez of assisting families with drafting Power of Attorney letters in case of family separation, the fear the community is facing, and praised the City Council's leadership.

Melissa Shepard, The Immigrant Defenders Law Center (ImmDef), spoke on services and resources of ImmDef and in support of a legal defense fund and joining the Perdomo case.

Priscilla Baltezar, Costa Mesa, thanked the City Council for the $100,000 donation, rental registry, and spoke in support of a legal defense fund and joining the Perdomo case.

Hallie Stohler, spoke in support of a legal defense fund and joining the Perdomo case.

Speaker, spoke against funding a legal defense fund.

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Chavez
MOTION: Approve the creation of a legal defense fund in the amount of $200,000, direct staff to enter into an agreement with The Immigrant Defenders Law Center (ImmDef) as primary provider, and the Public Law Center as the secondary provider. Include that the fund would benefit Costa Mesa residents (including those detained outside the City), individuals detained within Costa Mesa, and City staff and their families. Authorize the fund to be open for public donations and for staff to provide a report upon the fund reaching $50,000, outlining expenditures to date, and assessing the need for additional funding for City Council discussion and allocation. Lastly, sign on to Amicus Brief in the case of Perdomo, et al. v. Noem, et al.

The motion carried by the following roll call vote:
Ayes: Council Member Gameros, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.
Nays: Council Member Buley and Council Member Pettis
Absent: None.
Abstain: None.
Motion carried: 5-2

ACTION:

1. City Council approved the creation of a legal defense fund in the amount of $200,000.

2. Directed staff to enter into an agreement with The Immigrant Defenders Law Center (ImmDef) as primary provider, and the Public Law Center as the secondary provider.

3. Specified that the fund would benefit Costa Mesa residents (including those detained outside the City), individuals detained within Costa Mesa, and City staff and their families.

4. Authorized the fund to be open for public donations.

5. Directed staff to provide a report upon the fund reaching $50,000, outlining expenditures to date, and accessing the need for additional funding for City Council discussion and allocation.

6. Directed staff to sign on to the Amicus Brief in the case of Perdomo, et al. v. Noem, et al., United States District Court for the Central District of California, Case No. 2:25-cv-05605-MEMF-SP.

ADJOURNMENT – Mayor Stephens adjourned the meeting at 9:28 p.m.

DRAFT

Minutes adopted on this 7th day of October, 2025.

_____
John Stephens, Mayor

ATTEST:

_____
Brenda Green, City Clerk

DRAFT

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-520 **Meeting Date:** 10/7/2025

TITLE:

PROPOSED AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR EVERETT DOREY, LLP FOR LEGAL SERVICES

DEPARTMENT: **CITY ATTORNEY'S OFFICE**

PRESENTED BY: **KIMBERLY HALL BARLOW, CITY ATTORNEY**

CONTACT INFORMATION: **KIMBERLY HALL BARLOW, CITY ATTORNEY (714) 754-5399**

RECOMMENDATION:

Staff recommends the City Council approve the proposed First Amendment to the Professional Services Agreement for Everett Dorey, LLP for legal services and determine the effective date of the amendment, and authorize the City Manager and the City Clerk to execute the amendment.

BACKGROUND:

On February 19, 2019, the City Council retained Everett Dorey, LLP to assist the City in defending against litigation brought by a number of living homes against the City, as well as to seek abatement of illegally operating group homes who failed and refused to operate within the legal requirements of the City's municipal codes. The original agreement is provided as Attachment 1. The agreement does not contain an end date; however, it does allow the City to evaluate the performance of the consultant, and to terminate the agreement if performance of the consultant is deemed unsatisfactory.

ANALYSIS:

The proposed amendment would increase the hourly rate for partners from $265 to $365, associates from $250 to $315 and paralegals from $120 to $140. Since the original agreement was approved, Everett Dorey has successfully defended multiple cases and obtained injunctions and judgments against unpermitted homes. They have not had an increase in their hourly rates since the agreement was approved in early 2019.

Everett Dorey has requested that the proposed increases be approved retroactive to September 2, 2025.

ALTERNATIVES:

The City Council could approve the amendment effective on approval or retroactively effective as requested. The City Council could deny approval of the amendment; however, this alternative is not recommended.

FISCAL REVIEW:

The City has utilized services from Everett Dorey, LLP in an amount of approximately $108,000 annually, over the past three fiscal years. The amendment is estimated to increase the contract by 27%, or have an impact of an additional $29,000 annually, but may vary depending on usage. Funding for this agreement is budgeted in Non-Departmental in the General Fund (Fund 101).

LEGAL REVIEW:

The City Attorney prepared this report and the proposed amendment.

CITY COUNCIL GOALS AND PRIORITIES:

This item achieves City Council goals:

1. Strengthen the public's safety and improve the quality of life.
2. Diversify, stabilize and increase housing to reflect community needs.

CONCLUSION:

Staff recommends the City Council approve the proposed First Amendment to Professional Services Agreement for Everett Dorey, LLP, determine the effective date of the amendment, and authorize the City Manager and the City Clerk to execute the Amendment.

CITY OF COSTA MESA
PROFESSIONAL SERVICES AGREEMENT
WITH
EVERETT DOREY LLP

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is made and entered into by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and EVERETT DOREY LLP ("Consultant"). This Agreement shall be effective as of February 19, 2019 ("Effective Date")

W I T N E S S E T H :

A. WHEREAS, City proposes to utilize the services of Consultant as an independent contractor to provide legal services to the City, as more fully described herein; and

B. WHEREAS, 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. WHEREAS, 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. WHEREAS, 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 the Scope of Services, attached hereto as Exhibit "A" and incorporated herein by this reference. The services set forth herein shall be provided by Consultant's staff identified in Consultant's Staffing Plan, attached hereto as Exhibit "B" and incorporated herein by this reference ("Assigned Staff"). Consultant shall not change its Assigned Staff without City's prior written approval.

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 and within the hereinafter specified. Evaluations of the work will be done by the City Council or its 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 or contractors 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 by this reference (the "Fee

Schedule").

2.2. Additional Services. Consultant shall not receive compensation for any services provided outside the scope of services specified in the Scope of Services 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. 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, material shortages, compliance with laws or regulations, riots, acts of war, or any other conditions beyond the reasonable control of a party.

4.0. TERM AND TERMINATION

4.1. Term. This Agreement shall commence on the Effective Date and continue until terminated as provided herein.

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 Withdrawal of Representation. Consultant may withdraw from the representation of City whenever required or permitted to do so by law. In addition, Consultant may withdraw as legal counsel at any time if withdrawal can be accomplished without material adverse effects on

the interests of the City, or if: (1) the City persists in a course of action involving a lawyer's services that the lawyer reasonably believes to be criminal or fraudulent; (2) the City has used the lawyer's services to perpetrate a crime or fraud; (3) the City insists upon pursuing an objective that the lawyer considers repugnant or imprudent; (4) the City fails substantially to fulfill an obligation to Consultant regarding Consultant's services (including, but not limited to, the City's financial obligations under this Agreement) after reasonable warning from the lawyer that the lawyer will withdraw unless the obligation is fulfilled; (5) the representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the City; or (6) where other good cause for withdrawal exists. Upon such withdrawal, this Agreement shall immediately terminate.

4.4. 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 documents, pleadings or reports, and to other documents pertaining to the services contemplated herein which are delivered to the City.

4.5. Documents. On termination of a matter, Consultant will maintain file documents for ten (10) years, or any alternate period as determined by California law. Upon termination of each matter for which Consultant has provided services to the City, the City has the right to take possession of the entire file, including notes and other attorney work product relating to the services of Consultant. If the City chooses to take possession of the file, Consultant may copy all or any part of the file. If the City chooses not to take possession of the file, the Consultant will retain the file pursuant to its document storage policy stated above. City may request some or all of the file at any time during this ten (10) year document storage policy.

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 Best's Key Insurance 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), combined single limits, per occurrence. If such insurance contains a general aggregate limit, it shall apply separately to this Agreement or shall be twice the required occurrence limit.

(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 limits, per occurrence 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. The certificates of insurance shall be attached hereto as Exhibit "D" and incorporated herein by this reference.

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:

Everett Dorey LLP
18300 Von Karman Ave., Suite 900
Irvine, CA 92612
Tel: (949) 771-9244

IF TO CITY:

City of Costa Mesa
Jones & Mayer
3777 N. Harbor Blvd.
Fullerton, CA 92835

Attn: Seymour B. Everett

Tel: (714) 446-1400
Attn: Kimberly Hall Barlow

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 "E" and incorporated herein by reference. 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. In the event that 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. 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.

6.12. 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.

6.13. 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.

6.14. 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 6250 *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 6254.7, 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.

6.15. 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.

6.16. 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.

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

6.18. 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.

6.19. 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.

6.20. 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.

6.21. 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.

6.22. Construction. The parties have participated jointly in the negotiation and drafting of this Agreement. 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.

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

6.24. 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.

6.25. 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.

6.26. 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.

6.27. 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

Signature — Date: 2/27/19

Partner
[Name and Title]

[redacted]
Social Security or Taxpayer ID Number

CITY OF COSTA MESA

Tamara Letourneau — Date: 3/14/19
Tamara Letourneau
Acting City Manager

ATTEST:

Brenda Green 3/14/19
Brenda Green
City Clerk

APPROVED AS TO FORM:

Date: 3/13/19
Kimberly Hall Barlow
City Attorney

APPROVED AS TO INSURANCE:

Date: 3/11/19
Ruth Wang
Risk Management

APPROVED AS TO PURCHASING:

Date: 3/12/19
Kelly Telford
Finance Director

EXHIBIT A

SCOPE OF SERVICES

Provide joint legal representation with City Attorney's Office regarding federal lawsuits challenging implementation of City's Ordinances No. 13-04, 14-13, 15-06, 15-11, 17-05, and 17-06, nuisance abatement actions filed or proposed to be filed by the City under those ordinances, and related legal services.

EXHIBIT B

STAFFING PLAN

EXHIBIT B

STAFFING PLAN

Attorneys
(1) Seymour Everett, Partner. Mr. Everett will be the lead attorney.
(2) Samantha Dorey, Partner.
(3) Te'Aira Law, Associate.
(4) Kevin Hernandez, Associate
(5) Jonathan Cayton, Associate
(6) Bree Oswald, Associate
Paralegal
(1) Miriam Fernandez.

EXHIBIT C

FEE SCHEDULE

FEE SCHEDULE

A. Hourly rates for legal personnel

$265 Partners

$235 Associates

$120 Paralegals

B. Standard charges

Time to be charged in minimum increments of .1 hours (6 minutes).

Everett Dorey will charge the City for the services provided pursuant to the Agreement based on the amount of time (including travel) we devote to the matter at the hourly rates for the particular professionals involved.

C. Costs/Expenses

Everett Dorey will incur on the City's behalf various costs and expenses in performing legal services under the Agreement. The City agrees to pay for those costs and expenses, in addition to the hourly fees. Costs and expenses incurred on the City's behalf may include but are not limited to:

Process server fees	At cost
Filing fees or other fees fixed by law or assessed by public agencies	At cost
Meals	At cost
Parking	At cost
Travel expenses, including lodging, air fare, taxis, public transportation, car rental, and meals	At cost
Deposition costs	At cost
Experts, consultants, or investigators	At cost
Mileage	At the Internal Revenue Service's business mileage reimbursement guidelines
Messenger and other delivery fees	At cost

D. Outside Consultants/Other Vendors

In addition to the costs of the type set forth above, it may become necessary to hire persons or entities outside Everett Dorey, including but not limited to consultants, experts, investigators, co-counsel, or other professionals. We will select any consultants or investigators to be hired after notice to and consultation with, and approval of, the City and the City Attorney and the City agrees to honor the terms and conditions of any agreement that we enter into on the City's behalf with any such outside person or entity.

EXHIBIT D

CERTIFICATES OF INSURANCE

EXHIBIT E

CITY COUNCIL POLICY 100-5

AMENDMENT NUMBER ONE TO
PROFESSIONAL SERVICES AGREEMENT
WITH
EVERETT DOREY LLP

This Amendment Number One ("Amendment") is dated _____, 2025, ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City") and EVERETT DOREY LLP ("Consultant").

WHEREAS, City and Consultant entered into an agreement on February 19, 2019, for Consultant as an independent contractor to provide legal services to the City, (the "Agreement"); and

WHEREAS, City and Contractor now desire to update Exhibit "C" in the Agreement and increase the compensation reflected in Section 2 of the Agreement;

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The foregoing recitals in this Amendment are hereby declared to be true and correct and are incorporated as if fully set forth herein.

2. Section 2 and Exhibit "C" of the Agreement are amended to reflect the increase in hourly rates. Revised Exhibit "C" is attached to this Amendment.

3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement, as amended.

4. All other terms, conditions, and provisions of the Agreement, as amended, shall remain in full force and effect.

5. This Amendment 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.

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

CONSULTANT

_____ Date: _____
Seymour B. Everett

CITY OF COSTA MESA

_____ Date: _____
Cecilia Gallardo Daly
Interim City Manager

ATTEST:

_____ Date: _____
Brenda Green
City Clerk

APPROVED AS TO FORM:

_____ Date: _____
Kimberly Hall Barlow
City Attorney

APPROVED AS TO INSURANCE:

_____ Date: _____
Ruth Wang
Risk Management

PURCHASING APPROVAL:

_____ Date: _____
Carol Molina
Finance Director

REVISED EXHIBIT "C"

FEE SCHEDULE

A. Hourly rates for legal personnel

$365 Partners
$315 Associates
$140 Paralegals

B. Standard charges

Time to be charged in minimum increments of .1 hours (6 minutes).

Everett Dorey will charge the City for the services provided pursuant to the Agreement based on the amount of time (including travel) we devote to the matter at the hourly rates for the particular professionals involved.

C. Costs/Expenses

Everett Dorey will incur on the City's behalf various costs and expenses in performing legal services under the Agreement. The City agrees to pay for those costs and expenses, in addition to the hourly fees. Costs and expenses incurred on the City's behalf may include but are not limited to:

Process server fees	At cost
Filing fees or other fees fixed by law or assessed by public agencies	At cost
Meals	At cost
Parking	At cost
Travel expenses, including lodging, air fare, taxis, public transportation, car rental, and meals	At cost
Deposition costs	At cost
Experts, consultants, or investigators	At cost
Mileage	At the Internal Revenue Service's business mileage reimbursement guidelines
Messenger and other delivery fees	At cost

D. Outside Consultants/Other Vendors

In addition to the costs of the type set forth above, it may become necessary to hire persons or entities outside Everett Dorey, including but not limited to consultants, experts, investigators, co-counsel, or other professionals. We will select any consultants or investigators to be hired after notice to and consultation with, and approval of, the City and the City Attorney and the City agrees to honor the terms and conditions of any agreement that we enter into on the City's behalf with any such outside person or entity. to honor the terms and conditions of any agreement that we enter into on the City's behalf with any such outside person or entity.

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-524 **Meeting Date:** 10/7/2025

TITLE:

ACCEPTANCE AND ALLOCATION OF THE OPERATION STONEGARDEN (OPSG) FUNDS

DEPARTMENT: **POLICE DEPARTMENT**

PRESENTED BY: **JAMES BROWN, SERGEANT**

CONTACT INFORMATION: **JAMES BROWN (714) 754-5058**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the Agreement for the Operation Stonegarden (OPSG) Funds and authorize the City Manager, or designee, to execute the agreement for a period of performance from September 1, 2024 through May 31, 2027.

2. Adopt Resolution No. 2025-XX authorizing the acceptance of the OPSG Funds and authorizing the City Manager, or designee, to accept the funds in the amount of $170,000.

3. Approve revenue and expense appropriations in the amount of $170,000 for the OPSG Funds.

BACKGROUND:

Narcotics trafficking organizations continue to pose significant threats throughout the state of California, including the City of Costa Mesa. These organizations have become increasingly sophisticated and use counter surveillance, diversionary tactics, night vision devices, and secure communications while conducting operations. In addition, smugglers frequently utilize dangerous tactics such as failures to yield, wrong way driving and assaults on police officers to further narcotics trafficking throughout the United States. These narcotics are plaguing the streets of Costa Mesa, causing addiction and death to members of our community.

The mission of the Department of Homeland Security, states and local law enforcement agencies including the Costa Mesa Police Department operating in Riverside, Orange, and Los Angeles Counties will collaborate to disrupt and degrade transnational criminal organizations, enhance land/coastal detection and interdiction capabilities in the combating of sophisticated narcotics trafficking organizations, and expanding formal communication, intelligence protocols, and nontraditional intelligence/fusion opportunities to overcome the influx of deadly drugs and effectively stop these narcotic trafficking organizations for a safer community.

To help combat these criminal organizations, the California Office of Emergency Services on behalf of FEMA will award grant money to counties within California. FEMA provided grant money to the

Riverside Sheriffs' Department, and they will award subrecipients within Riverside and Orange Counties, including the City of Costa Mesa.

In March 2024, the Costa Mesa Police Department (CMPD) submitted a funding request from the California Office of Emergency Services on behalf of FEMA for $170,000 in funding for the purchase of a handheld x-ray imager, vehicle mileage reimbursement, and personnel operational overtime.

ANALYSIS:

In October of 2024, the California Office of Emergency Services on behalf of FEMA approved CMPD's request for the purchase of a handheld x-ray imager, vehicle mileage reimbursement and personnel operational overtime in the amount of $170,000. These funds will be dispersed to the City of Costa Mesa from the Riverside Sheriff's Department. The OPSG grant program period of performance is September 1, 2024 through May 31, 2027.

The Costa Mesa Police Department conducts proactive tactical narcotic enforcement operations to identify and dismantle drug trafficking organizations. These traffickers are involved in the smuggling and sales of illegal narcotics and firearms. It is common for narcotics traffickers to use hidden compartments to conceal their contraband. The handheld X-ray Imager will allow us to locate concealed contraband quickly and effectively in hidden compartments. This device will aid us in the identification, arrest, and seizure of narcotics with more accuracy. Additionally, it will enhance officer safety and improve the ability to conduct operations within the City of Costa Mesa and in surrounding cities within Orange County.

Costa Mesa Police Department's Special Investigations Unit will utilize OPSG overtime funding in order to support operations as follows: Continue collaborative operations with our local, state, and federal partners targeting organized narcotics criminal activity within the City of Costa Mesa and throughout Orange County; Multi-agency operations will include intelligence gathering and sharing amongst OPSG teams; Identifying and dismantling drug trafficking and money laundering organizations.

ALTERNATIVES:

The City Council may elect not to accept the Funds. However, this alternative is not recommended as alternative funding sources, such as the City's General Fund, would be necessary to fund the purchase of equipment, mileage reimbursement and operational overtime.

FISCAL REVIEW:

Upon approval and acceptance of the OPSG Funds, revenue and expense appropriations in the amount of $170,000 respectively will be established in the State Grants Fund (Fund 231).

LEGAL REVIEW:

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

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the following City Council Goal: Strengthen the Public's Safety and Improve the Quality of Life.

CONCLUSION:

Staff recommends the City Council:

1. Approve the Agreement for the Operation Stonegarden (OPSG) Funds and authorize the City Manager, or designee, to execute the agreement for a period of performance from September 1, 2024 through May 31, 2027.

2. Adopt Resolution No. 2025-XX authorizing the acceptance of the OPSG Funds and authorizing the City Manager, or designee, to accept the funds in the amount of $170,000.

3. Approve revenue and expense appropriations in the amount of $170,000 for the OPSG Funds.

AGREEMENT FOR FISCAL YEAR 2024 OPERATION STONEGARDEN (OPSG)

1. PARTIES TO THE AGREEMENT

This Agreement is between the COUNTY OF RIVERSIDE ("COUNTY"), COUNTY OF LOS ANGELES (“LAC”), CITY OF COSTA MESA, CITY OF HAWTHORNE, CITY OF HUNTINGTON BEACH, CITY OF LA HABRA, CITY OF NEWPORT BEACH, CITY OF SEAL BEACH (collectively the “CITIES”), and LA IMPACT (“LAI”), each a "PARTY” and collectively the "PARTIES", for support of the Operation Stonegarden ("OPSG") program.

1.1 Party Departments or Agencies Participating In The Agreement

1.1.1 For the COUNTY, participating agency is the Sheriff's Office ("SHERIFF").

1.1.2 For the CITIES, participating agencies are their respective police department.

1.1.3 For LAC, participating agency is their respective Sheriff's department.

1.1.4 For LAI, participating agency is Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force.

2. RECITALS

2.1 WHEREAS, COUNTY through SHERIFF applied for, and was awarded grant funds from the U. S. Department of Homeland Security (“DHS”) passed through the California Governor's Office of Emergency Services (“Cal OES”), under the Funding Year (FY) 2024 Operation Stonegarden (OPSG) grant program. As an applicant for the San Diego Border Patrol Sector, SHERIFF shall be the lead agency to manage the OPSG program.

2.2 WHEREAS, funds shall be used to support the OPSG program to enhance law enforcement preparedness and operational readiness along the land and water borders of the United States.

2.3 WHEREAS, Government Code §55632 authorizes COUNTY and PARTIES to contract for provision of joint law enforcement services.

2.4 WHEREAS, PARTIES desire to enter into an agreement with provisions concerning the nature and extent of OPSG collaboration, services rendered, and compensation.

2.5 WHEREAS, COUNTY, by action of the Board of Supervisors Minute Order 3.41 on June 04, 2024, approved the application, appropriation, and use of FY 2024 OPSG funds to reimburse PARTIES for program related overtime and fringe benefits; equipment purchases

and maintenance costs; fuel; mileage; flight; and management and administration costs incurred not to exceed the amounts described in Exhibit A – FY 2024 OPSG Budget Worksheet in paragraph 2.9 (a) below, during the period of performance (POP) September 1, 2024 through May 31, 2027 but, the operational project period for PARTIES shall be the date of FEMA's approval, April 10, 2025 through February 28, 2027.

2.6 WHEREAS, PARTIES shall retain documentation supporting all expenditures reimbursed from OPSG grant funds, ensure all expenditures are allowable under grant requirements, adhere to the federal procurement standards found in Title 2 of the Code of Federal Regulations, Part 200, Subpart D, Section §200.317-200.327, and comply with the Single Audit Act Amendments of 1996 and Title 2 of the Code of Federal Regulations, Part 200, Subpart F - Audit Requirements regarding organization-wide financial and compliance audit reports if $1,000,000 or more of OPSG federal funds are expended in a fiscal year.

2.6.1 Documentation shall be retained in accordance with the FEMA Preparedness Grants Manual and other OPSG grant requirements and shall be available for audit and inspection.

2.7 WHEREAS, PARTIES agree that this Agreement does not provide Federal authority to PARTIES to enforce immigration laws (Title 8 USC).

2.8 WHEREAS, PARTIES acknowledge the following information for the OPSG grant program:

(a) Federal Grantor Agency: U. S. Department of Homeland Security (DHS)
(b) Administrative Authority: Federal Emergency Management Agency (FEMA)
(c) Operational Oversight: U. S. Customs and Border Protection (CBP)
(d) State Administrative Agency (SAA) or Pass-Through Agency: California Governor's Office of Emergency Services (Cal OES)
(e) Program Title: Homeland Security Grant Program (HSGP) Operation Stonegarden (OPSG)
(f) Grant Identification Number: 2024-0088
(g) Federal CFDA Number: 97.067

2.9 WHEREAS, PARTIES agree and shall utilize and adhere to the following Exhibits attached hereto and/or available using the referenced link:

(a) Exhibit A - FY 2024 OPSG Budget Worksheet
(b) Exhibit B - FY 2024 OPSG Standard Assurances & Program Standard Assurances Addendum
(c) Exhibit C- FY 2024 OPSG Operations Order (CONFIDENTIAL, for Official Use Only/Law Enforcement Sensitive)
(d) Exhibit D - Title 2 of the Code of Federal Regulations Part 200,
(e) Exhibit E - Federal Contract Provisions
(language to be developed and incorporated within a contract)

(f) Exhibit F - FY 2024 Homeland Security Grant Program (HSGP) Notice of Funding Opportunity (NOFO)
(g) Exhibit G - FY 2024 Homeland Security Grant Program (HSGP) California Supplement to the Federal NOFO
(h) Exhibit H - FEMA Preparedness Grants Manual

Nothing in the Exhibits above shall limit the requirements of this Agreement.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, PARTIES jointly intend that COUNTY will reimburse, and PARTIES will provide, a level of OPSG services as set forth in this Agreement.

3. PURPOSE AND INTENT

The purpose of this Agreement is to satisfy the OPSG grant program proposal awarded by the DHS and passed through to the Cal OES, under the FY 2024 Operation Stonegarden grant program.

4. SCOPE OF SERVICES

4.1 Method of Service Delivery

SHERIFF shall manage the OPSG grant program, oversee the funding allocation of the PARTIES, and be administratively responsible for coordination of PARTIES' obligations under this Agreement. The SHERIFF's OPSG grant program team will be staffed as described in paragraph 6. STANDARDS OF SERVICE: OBLIGATIONS OF THE PARTIES.

4.2 Overview of Basic Services

PARTIES shall perform OPSG Operations ("Operations") by increasing law enforcement presence in each PARTY's designated jurisdiction and in coordination with other OPSG partner agencies to support the U. S. Customs and Border Protection (CBP) efforts to improve border security in the region. PARTIES will enforce local and state laws within their designated jurisdiction subject to the California Values Act (SB 54; Chapter 495) and shall not enforce or aid in the enforcement of immigration laws on behalf of U. S. Customs and Border Protection (CBP) and U. S. Border Patrol (BP). This Agreement does not provide Federal authority to PARTIES to enforce immigration laws (Title 8 USC).

5. TERM OF AGREEMENT

The OPSG grant program period of performance (POP) is September 1, 2024 through May 31, 2027, but the operational project period for PARTIES shall be the date of FEMA's approval, April 10, 2025 through February 28, 2027.

5.1 Initial Term

The term of this Agreement shall be retroactive to 12:01 a.m. on April 10, 2025 and shall continue in effect through and terminate at midnight on May 31, 2027; subject to the termination provision in paragraph 5.3.

5.2 Option to Extend

Renewal or extension of the Agreement beyond May 31, 2027 shall be subject to remaining grant funds and to a time extension approved by Cal OES. Any PARTY that does not agree to renew shall terminate its participation at the end of the term of this Agreement.

5.3 Termination

Subject to the applicable provisions of state law, each PARTY may terminate its participation in this Agreement upon ninety (90) days minimum written notice to the other PARTIES.

5.3.1 A PARTY may terminate its participation in this Agreement immediately upon written notice to the other PARTIES in the event it becomes ineligible to receive grant funds under this Agreement.

5.3.2 As the lead agency, SHERIFF, with approval from either FEMA, CBP, and/or Cal OES as needed, may require the termination of a PARTY's participation if it is determined that the PARTY has violated the provisions of this Agreement, including failure to provide the Anticipated Outcome set forth in section 6.3.

6. STANDARDS OF SERVICE: OBLIGATIONS OF THE PARTIES

6.1 Suspension and Debarment

SHERIFF will request, and PARTIES shall provide a copy of the SAM.gov report for their agency which shows their Active and Inactive Exclusions. Any PARTY with Active Exclusions at the onset of, or any time during, the term of this Agreement is not eligible to participate as set forth in Executive Orders 12549 and 12689, 2 CFR 200.214, and codified in 2 CFR Part 180, and shall terminate its participation in this Agreement as provided for in paragraph 5.3 Termination.

6.2 Byrd Anti-Lobbying Amendment

PARTIES that receive an award greater than $100,000 shall certify to SHERIFF on the Byrd Anti-Lobbying Certification Form attached hereto as Exhibit C, that it will not and has not used federally appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, officer or employee of Congress, or an employee of a Member of Congress in connection with obtaining any federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Each PARTY shall also disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from agency to agency up to the recipient who in turn will forward the certifications to the federal awarding agency.

6.3 Anticipated Outcome

The anticipated outcome of Operations to be performed by PARTIES under this Agreement is increased law enforcement presence in each PARTY's designated jurisdiction to support U. S. DHS and U. S. CBP efforts in the region to improve border security and reduce border related crime. The anticipated outcome will be reached by achieving the goals and accomplishing the missions set forth below by PARTIES and in Exhibit D – FY 2024 OPSG Operations Order.

6.3.1 PARTIES shall provide enhanced enforcement by increasing patrol presence in proximity to the border and/or routes of ingress from the border, including the water borders. In addition, PARTIES shall utilize their unique investigatory areas of expertise in operations.

6.3.2 Increase intelligence/information sharing among PARTIES, including but not limited to:

(a) Conducting bi-monthly meetings with a minimum of one representative from each PARTY.

(b) Increasing information sharing during operations.

6.3.3 Prior to Operations, PARTIES' Designated Operations Coordinator, in paragraph 6.4.3, shall submit an operational plan and schedule to the Integrated Planning Team (IPT) at least 72 hours prior to the operation.

6.3.3.1 The IPT is comprised of SHERIFF and CBP sworn personnel.

6.3.3.2 The role of the IPT is to provide support and guidance to the local, state, and federal law enforcement stakeholders within the grant.

6.3.4 Within 48 hours following the conclusion of each Operation:

6.3.4.1 Each PARTY shall complete a Daily Activity Report (DAR) form in Excel format, which will be submitted as supporting documentation for any reimbursement request. Information entered in the Narrative section of the DAR form shall include statistical data and report from Field Interviews (FIs), Arrest Reports, and/or Citations.

6.3.4.2 PARTIES' Designated Operations Coordinator in paragraph 6.4.3, or designee, shall enter and submit the same DAR information directly into DHS's Homeland Security Information Network (HSIN).

6.3.4.3 PARTIES' Designated Operations Coordinator or designee shall ensure DAR information entered in HSIN is correct and shall make necessary corrections until it is processed for approval.

6.4 Personnel Qualifications and Assignment

6.4.1 Qualifications

Each PARTY shall ensure that personnel assigned to perform Operations pursuant to this Agreement meet the minimum qualifications for their specific classification.

6.4.2 Management, Direction, and Supervision; Independent Contractors

The hiring, firing, management, direction, and supervision of each PARTY's personnel, the standards of performance, the discipline of each PARTY's personnel, and all other matters incident to the performance of such services, shall be performed by and be the responsibility of each PARTY in each PARTY's sole but reasonable judgment and in accord with the provisions of applicable labor agreements. Each PARTY shall be the appointing authority for all its personnel provided to OPSG by this Agreement. PARTIES shall have no liability for any direct payment of salary, wages, indemnity, or other compensation or benefit to any other PARTY's personnel.

Each PARTY and its respective officers, agents, and employees are independent contractors and are not officers, agents, and employees of any other PARTY. Each PARTY's personnel are under the direct and exclusive supervision of that PARTY, and each PARTY assumes full responsibility for the performance of its own personnel in connection with this Agreement. No PARTY has the authority to bind any other PARTY.

6.4.3 Designated Operations Coordinators

SHERIFF shall select a Designated Operations Coordinator, at the rank of Sheriff's Lieutenant or higher, who shall manage and direct OPSG operations. All other PARTIES shall select a Designated Operations Coordinator for their respective agency under this Agreement. The Designated Operations Coordinator for each PARTY shall serve as their agency contact and shall implement, as needed, appropriate procedures governing the performance of all requirements under this Agreement and shall be responsible for meeting and conferring in good faith to address any disputes which may arise concerning implementation of this Agreement.

6.4.4 Staffing for Basic Services

PARTIES shall ensure that adequate numbers of their qualified respective personnel are always provided to Operations during the term of this Agreement to meet the Basic Services, Scope of Services, and Standards of Service commitments set forth herein.

6.4.5 Equipment and Supplies

COUNTY will provide SHERIFF OPSG personnel with all supplies and/or prescribed safety gear, body armor, and/or standard issue equipment necessary to perform Operations. Similarly, all other PARTIES will provide their respective OPSG personnel with all supplies and/or prescribed safety gear, body armor, and/or standard issue equipment necessary to perform Operations unless otherwise specified in Exhibit D - FY 2024 OPSG Operations Order.

6.4.5.1 PARTIES are responsible for the procurement of their own equipment to be used in Operations.

6.4.5.2 PARTIES shall maintain an inventory list of all equipment purchased with OPSG funds and when practicable, equipment shall be labeled with: "*Purchased with funds provided by the U. S. Department of Homeland Security*".

7. COST OF SERVICES/CONSIDERATION

7.1 General

7.1.1 As full consideration for the satisfactory performance and completion by PARTIES of Operations set forth in this Agreement, COUNTY shall reimburse PARTIES for personnel assigned to perform Operations on the basis of claims and submittals as set forth hereunder. Such payments by COUNTY are dependent on the continued availability of funds from the DHS passed through the Cal OES.

7.1.2 PARTIES agree that awarded funds identified as allowable costs, as set forth in Exhibit G – FY 2024 Homeland Security Grant Program Notice of Funding Opportunity (HSGP NOFO), shall be expended only for approved Operations operating expenses, and equipment as detailed in Exhibit A – FY 2024 OPSG Budget Worksheet, and that unallowable costs are not reimbursable as set forth in Exhibit G – FY 2024 HSGP NOFO.

7.1.3 No reimbursement shall be made to a PARTY during any period of time within which that PARTY is in default on filing any informational or financial reports required by SHERIFF. SHERIFF shall make any necessary adjustments to PARTY claims to correct for overpayments, underpayments, or disallowances.

7.2 Project Costs/Rate of Compensation

SHERIFF shall reimburse PARTIES for overtime worked by personnel assigned to perform Operations and shall reimburse for costs approved in Exhibit D – FY 2024 OPSG Operations Order, based upon available funding and the actual costs incurred by PARTIES to provide Operations.

7.3 Method of Payment

PARTIES shall submit to SHERIFF, accurate and complete reimbursement forms, labor reports, timesheets, DARs, equipment and equipment maintenance invoices, procurement documents, purchase orders and/or contracts, and proof of payment, that represent amounts to be reimbursed under this Agreement within ninety (90) days from the date when expenditure was incurred. All requests for reimbursement shall be sent to:

Riverside County Sheriff's Office
Emily Long / Field Operations Fiscal Unit
4095 Lemon Street

Riverside, CA 92501

7.3.1 Reimbursement forms and invoices must have the signature of PARTY's Authorized Agent, certifying that the invoice and substantiating documentation, e.g., DARs, timesheets, payroll and labor reports, procurement documents, etc., are true and correct.

7.3.2 PARTIES shall provide payroll records for each person whose costs are reimbursable under this Agreement, to include, at a minimum, the person's name, classification, duty position, task, regular hourly rate, overtime hourly rate, overtime hours worked, date(s) overtime worked, and fringe benefit rate and cost.

> **7.3.2.1** PARTIES shall make available to SHERIFF for inspection, upon request, all payroll records and any other records that relate to the Basic Services provided under this Agreement.

7.3.3 PARTIES shall submit to SHERIFF, verifiable and complete supporting documentation to substantiate reimbursement requests for service maintenance and/or equipment purchase, to include the equipment inventory ledger, certified copies of invoice, purchase order, proof of payment to vendor and procurement documentation.

> **7.3.3.1** PARTIES shall provide procurement records that show proof of compliance to 2 CFR 200.317-200.327 requirements, and documents that substantiate full and open competition, to include but not limited to copies of solicitation (RFQ, RFB, RFP), rationale for the method of procurement, contract policy, basis for the contract type and price, purchase request, statement of work and other pre-solicitation documents, cost/price analysis (if applicable), profit negotiation (if applicable), purchase orders, federal contract provisions with required language incorporated within contracts under federal award (as directed herein by Exhibit F – Federal Contract Provision), notice of award, record of protest, performance or other bond documents, specialized endorsements, suspension and debarment listing, etc.
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> **7.3.3.2** PARTIES shall make available to SHERIFF for inspection and upon request, all procurement records that provide historical and background information to answer inquiries pertaining to the acquisition of service maintenance and/or equipment that may arise in a review or audit or until the grant record retention period expires.

7.3.4 PARTIES shall ensure awareness, understanding and compliance to all grant rules and procurement requirements. PARTIES shall be responsible in making sure that proper authorization are in place for any OPSG equipment purchase that require specialized endorsement or approvals, including waiver request forms or Environmental Planning and Historic Preservation (EHP) compliance.

7.3.5 Noncompetitive procurements of equipment exceeding the $250,000 simplified acquisition threshold established by Federal Acquisition Regulation (FAR) 48 CFR Subpart 2.1, in accordance with 41 U.S.C. 1908, will require prior written approval from Cal OES.

7.3.5.1 Prior to purchasing equipment determined to be noncompetitive, PARTIES shall provide SHERIFF by email a copy of their Purchasing Agent's approval for the noncompetitive procurement which SHERIFF will submit to Cal OES for approval.

7.3.6 PARTIES shall obtain a performance bond from vendors prior to procuring equipment items costing over $250,000, or any vehicle, aircraft, or watercraft, to be paid at the time of purchase, in order to ensure delivery of the equipment within ninety (90) days of the performance period end date.

7.3.6.1 Performance bond shall be included for reimbursement with invoice.

7.3.7 Within ninety (90) business days upon receipt of valid invoice and supporting documentation specified in subparagraphs under 7.3, SHERIFF will reimburse PARTIES for the Basic Services agreed to.

7.3.8 Each PARTY shall manage their allocation and track their claims to ensure they remain within their allocated amount as specified in Exhibit A – FY 2024 OPSG Budget Worksheet.

7.4 Reimbursement Disallowances

PARTIES not in compliance with procedures in paragraph 7.3 above risk having incurred expenditures disallowed for reimbursement by SHERIFF. PARTIES that fail to submit claims for reimbursement within ninety (90) days will be notified in writing by SHERIFF that the claim(s) is/are past due, and funds allocated to the PARTY for that time period may be redistributed among other PARTIES.

8. PROGRAM/FINANCIAL ADMINISTRATION

8.1 PARTIES shall use as the primary reference in all programmatic, financial, and grant administration matters and adhere to the policies and regulations in Exhibit E - Title 2 of the Code of Federal Regulations Part 200 (2 CFR Part 200), Exhibit G – FY 2024 HSGP NOFO, Exhibit H – FY 2024 HSGP CA Supplement to the NOFO, and Exhibit I – FEMA Preparedness Grants Manual, in conjunction with updates issued by the Office of Management and Budget (OMB), Grants & Training (G&T) information bulletins, and Cal OES policy, regulations, and statutes.

8.1.1 Contract Provisions

PARTIES shall ensure that *all* contracts adhere to all applicable contract provisions stated in 2 CFR 200.317–200.327 and found in Appendix II - Contract

Provisions for Non-Federal Entity Contracts under Federal Awards. Reimbursement claims associated with contracts that are found to be in noncompliance will be denied.

8.1.2 Methods of Procurement

PARTIES shall adhere to the procurement methods found in 2 CFR 200, Subpart D, Section 200.320.

9. REPAYMENT OF REIMBURSEMENTS

9.1 Any PARTY found through compliance assessments, audits, or monitoring site visits, to be out of compliance with paragraphs 7.3 and 8 above, shall retroactively repay SHERIFF, within ninety (90) days of notification, any reimbursement found out of compliance which was paid to PARTY during the term of, and even after the term, of this Agreement. This provision shall survive termination or expiration of this Agreement.

10. INDEMNIFICATION – WORKERS' COMPENSATION, EMPLOYMENT AND CLAIMS AND LIABILITY ISSUES

10.1 The COUNTY shall fully indemnify and hold harmless non-County PARTIES and their respective officers, employees and agents, from any claims, losses, fines, expenses (including attorneys' fees and court costs and/or arbitration costs), costs, damages or liabilities arising from or related to (1) any workers' compensation claim or demand or other workers' compensation proceeding arising from or related to, or claimed to arise from or relate to, employment which is brought by an employee of the COUNTY or any contract labor provider retained by the COUNTY, or (2) any claim, demand, suit, or other proceeding arising from or related to, or claimed to arise from or relate to, the status of employment (including without limitation, compensation, demotion, promotion, discipline, termination, hiring, work assignment, transfer, disability, leave or other such matters) which is brought by an employee of the COUNTY or any contract labor provider retained by the COUNTY.

10.2 Each non-County PARTY shall fully indemnify and hold harmless the COUNTY, its officers, employees, and agents, from any claims, losses, fines, expenses (including attorneys' fees and court costs or arbitration costs), costs, damages or liabilities arising from or related to (1) any workers' compensation claim or demand or other workers' compensation proceeding arising from or related to, or claimed to arise from or relate to, employment which is brought by an employee of that respective non-County PARTY or any contract labor provider retained by non-County PARTY, or (2) any claim, demand, suit, or other proceeding arising from or related to, or claimed to arise from or relate to, the status of employment (including without limitation, compensation, demotion, promotion, discipline, termination, hiring, work assignment, transfer, disability, leave or other such matters) which is brought by an employee of that respective non-County PARTY or any contract labor provider retained by the non-County PARTY.

10.3 Each non-County PARTY shall fully indemnify and hold harmless the other non-County PARTIES, its officers, employees, and agents, from any claims, losses, fines, expenses (including attorneys' fees and court costs or arbitration costs), costs, damages or

liabilities arising from or related to (1) any workers' compensation claim or demand or other workers' compensation proceeding arising from or related to, or claimed to arise from or relate to, employment which is brought by an employee of that respective non-County PARTY or any contract labor provider retained by non-County PARTY, or (2) any claim, demand, suit, or other proceeding arising from or related to, or claimed to arise from or relate to, the status of employment (including without limitation, compensation, demotion, promotion, discipline, termination, hiring, work assignment, transfer, disability, leave or other such matters) which is brought by an employee of that respective non-County PARTY or any contract labor provider retained by the non-County PARTY.

11. INDEMNIFICATION RELATED TO ACTS OR OMISSIONS; NEGLIGENCE

11.1 Claims Arising from Sole Acts or Omissions of a PARTY

Each PARTY to this Agreement hereby agrees to defend and indemnify the other PARTIES to this Agreement, their agents, officers, and employees, from any claim, action, or proceeding against the other PARTIES, arising solely out of its own acts or omissions in the performance of this Agreement. At each PARTY's sole discretion, each PARTY may participate at its own expense in the defense of any claim, action, or proceeding, but such participation shall not relieve any PARTY of any obligation imposed by this Agreement. PARTIES shall notify each other promptly of any claim, action, or proceeding and cooperate fully in the defense.

11.2 Claims Arising from Concurrent Acts or Omissions

The PARTIES hereby agree to defend themselves from any claim, action, or proceeding arising out of the concurrent acts or omissions of the PARTIES. In such cases, PARTIES agree to retain their own legal counsel, bear their own defense costs, and waive their right to seek reimbursement of such costs, except as provided in paragraph 11.4 below.

11.3 Joint Defense

Notwithstanding paragraph 11.2 above, in cases where PARTIES agree in writing to a joint defense, PARTIES may appoint joint defense counsel to defend the claim, action, or proceeding arising out of the concurrent acts or omissions of PARTIES. Joint defense counsel shall be selected by mutual agreement of PARTIES. PARTIES agree to share the costs of such joint defense and any agreed settlement in equal amounts, except as provided in paragraph 11.4 below. PARTIES further agree that no PARTY may bind the others to a settlement agreement without the written consent of the others.

11.4 Reimbursement and/or Reallocation

Where a trial verdict or arbitration award allocates or determines the comparative fault of the parties, PARTIES may seek reimbursement and/or reallocation of defense costs, settlement payments, judgments, and awards, consistent with such comparative fault.

12. GENERAL PROVISIONS

12.1 Notices

Any notice, request, demand, or other communication required or permitted hereunder shall be in writing and may be personally delivered or given as of the date of mailing by depositing such notice in the United States mail, first-class postage prepaid and addressed as follows, or, to such other place as each PARTY may designate by subsequent written notice to each other:

To SHERIFF:

Sheriff
Riverside County Sheriff's Office
4095 Lemon Street
Riverside, CA 92501

To Non-County PARTIES:

Chief of Police
Costa Mesa Police Department
99 Fair Drive
Costa Mesa, CA 92626

Chief of Police
Hawthorne Police Department
12501 Hawthorne Blvd
Hawthorne, CA 90250

Chief of Police
Huntington Beach Police Department
2000 Main Street
Huntington Beach, CA 92648

Chief of Police
La Habra Police Department
150 N Euclid Street
La Habra, CA 90631

Executive Director
LA IMPACT
5700 S. Eastern Avenue
Commerce, CA 90040

Chief of Police
Newport Beach Police Department
870 Santa Barbara Drive
Newport Beach, CA 92660

Chief of Police
Seal Beach Police Department
911 Seal Beach Blvd
Seal Beach, CA 90740

Sheriff
Los Angeles County Sheriff's Dept.
Special Enforcement Bureau
1060 North Eastern Avenue
Los Angeles, CA 90063

A notice shall be effective on the date of personal delivery if personally delivered before 5:00 p.m. on a business day or otherwise on the first business day following personal delivery; or two (2) business days following the date the notice is postmarked, if mailed; or on the first business day following delivery to the applicable overnight courier, if sent by overnight courier for next business day delivery and otherwise when received.

12.2 <u>Amendment; Assignment</u>

This Agreement may be modified or amended only by a written document signed by the COUNTY through SHERIFF and the affected PARTY or PARTIES, and no oral understanding or agreement shall be binding on any PARTY or PARTIES. No PARTY shall assign any of its rights or delegate any of its obligations hereunder without the prior written consent of the other PARTIES.

12.3 Entire Agreement

This Agreement constitutes the complete and exclusive statement of agreement between the COUNTY and non-County PARTIES with respect to the subject matter hereto. As such, all prior written and oral understandings are superseded in total by this Agreement.

12.4 Construction

This Agreement will be deemed to have been made and shall be construed, interpreted, governed, and enforced pursuant to, and in accordance with, the laws of the State of California. The headings and captions used in this Agreement are for convenience and ease of reference only and shall not be used to construe, interpret, expand, or limit the terms of the Agreement and shall not be construed against any one PARTY.

12.5 Waiver

A waiver by COUNTY or non-County PARTIES of a breach of any of the covenants to be performed by COUNTY or non-County PARTIES shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions, or conditions of this Agreement. In addition, the failure of any PARTY to insist upon strict compliance with any provision of this Agreement shall not be considered a waiver of any right to do so, whether for that breach or any subsequent breach. The acceptance by COUNTY or non-County PARTIES of either performance or payment shall not be considered a waiver of PARTY's preceding breach of this Agreement.

12.6 Authority to Enter Agreement

COUNTY and non-County PARTIES have all requisite power and authority to conduct their respective business and to execute, deliver, and perform the Agreement. Each PARTY warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective PARTY.

12.7 Cooperation

COUNTY through SHERIFF and Non-County PARTIES will cooperate in good faith to implement this Agreement.

12.8 Counterparts

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument. SHERIFF will provide each PARTY with a copy of this Agreement once fully executed.

12.9 Severability

This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any Court or other legal authority, or is agreed upon by the PARTIES, to be in conflict with any law or regulation, then the conflicting provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of this Agreement to any PARTY is lost, then the Agreement may be terminated at the option of the affected PARTY, with the notice as required in this Agreement. In all other cases, the remainder of this Agreement shall be severable and shall continue in full force and effect.

12.10 Legislative Changes

If any changes are made to regulations pursuant to which this Agreement is made or to any successor legislation or regulations, or if the DHS imposes any budget requirements or limitations applicable to this Agreement and the services to be provided hereunder, then (1) to the extent any of the changes are of mandatory application, such change(s) shall apply to the PARTIES in this Agreement, and this Agreement shall be deemed to be amended to be consistent with such changes(s) except to the extent that such change(s) alter(s) a material provision of this Agreement in which case such material provision shall be voidable and the PARTIES will negotiate in good faith to amend the Agreement as necessary, and (2) to the extent any of the changes are not of mandatory application, such change(s) shall not affect this Agreement or the right or obligations of COUNTY and non-COUNTY under this Agreement unless the PARTIES mutually agree to subject themselves to such changes(s).

12.11 Representation

Each PARTIES' Chief, and/or Sheriff, or their respective designee, shall represent its PARTY in all discussions pertaining to this Agreement. SHERIFF, or his or her designee, shall represent COUNTY in all discussions pertaining to this Agreement.

12.12 Dispute Resolution Concerning Services and Payment

In the event of any dispute concerning services and payment arising from this Agreement, representatives described in paragraph 12.11, will meet, and confer within ten (10) business days after receiving notice of the dispute to resolve the dispute.

12.13 Termination of Funding

If funding for reimbursement of costs related to Operations is terminated by the DHS, this Agreement in its entirety shall be considered null and void and COUNTY through SHERIFF and PARTIES shall no longer be required to provide Operations as described herein. In such event, PARTIES shall meet immediately, and if agreed upon by the PARTIES, mutually develop and implement within a reasonable time frame, a transition plan for the provision of Operations through alternate means.

12.14 Obligation

This Agreement shall be binding upon the successors of the PARTIES.

12.15 California Law

This Agreement is executed and delivered within the State of California and the rights and obligations of the PARTIES hereto shall be construed and enforced in accordance with, and governed by, the laws of the State of California.

IN WITNESS WHEREOF, the PARTIES hereto approve and agree to the terms of this Agreement, such Agreement being effective April 10, 2025, unless otherwise specified.

RIVERSIDE COUNTY SHERIFF'S OFFICE

_____
Chad Bianco
Sheriff-Coroner

Approved as to form and legality:
Minh C. Tran
OFFICE OF THE COUNTY COUNSEL COUNTY OF RIVERSIDE

_____
Amrit P. Dhillon
Deputy County Counsel

COSTA MESA POLICE DEPARTMENT

_____
Ronald Lawrence
Chief

HAWTHORNE POLICE DEPARTMENT

_____
Gary Tomatani
Chief

HUNTINGTON BEACH POLICE DEPARTMENT

_____
Eric G. Parra
Chief

LA HABRA POLICE DEPARTMENT

_____
Adam Foster
Chief

LOS ANGELES IMPACT

_____
Michael Burke
Executive Director

NEWPORT BEACH POLICE DEPARTMENT

_____
Dave Miner
Chief

SEAL BEACH POLICE DEPARTMENT

_____
Michael Henderson
Chief

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

_____
Robert G. Luna
Sheriff

Approved as to form:
DAWYN R. HARRISON
OFFICE OF THE COUNTY COUNSEL
COUNTY OF LOS ANGELES

_____
Michele Jackson
Principal Deputy County Counsel

EXHIBIT A

FY 2024 OPERATION STONEGARDEN
RIVERSIDE COUNTY SHERIFF'S OFFICE - SUB-RECIPIENT
SUMMARY

AGENCY NAME	Budget Narrative Category									TOTAL
	A	B	C	D	E	F	G	H	I	
	Operational OT	Fringe Benefits	Vehicle/Vessel Maint	Equip Maint	New/Replace Equip	Fuel Costs	Mileage	Flight Costs	M&A	
Riverside County Sheriff's Department	$ 256,169	$ 17,291	$ -	$ -	$ -	$ -	$ 28,140	$ -	$ 135,062	**$ 436,662**
Costa Mesa Police Department	$ 91,860	$ -	$ -	$ -	$ 50,000	$ -	$ 28,140	$ -	$ -	**$ 170,000**
Hawthorne Police Department	$ 188,188	$ -	$ -	$ -	$ -	$ -	$ -	$ 11,812	$ -	**$ 200,000**
Huntington Beach Police Department	$ 164,692	$ 2,388	$ 1,780	$ -	$ 32,000	$ -	$ -	$ 31,140	$ -	**$ 232,000**
La Habra Police Department	$ 63,466	$ 7,406	$ -	$ 2,520	$ 96,000	$ -	$ 1,608	$ -	$ -	**$ 171,000**
LA IMPACT	$ 205,000	$ -	$ -	$ -	$ -	$ -	$ -	$ 45,000	$ -	**$ 250,000**
Los Angeles County Sheriff's Department	$ 800,000	$ -	$ -	$ -	$ 120,000	$ -	$ -	$ -	$ -	**$ 920,000**
Newport Beach Police Department	$ 100,000	$ 1,580	$ -	$ -	$ 70,000	$ -	$ -	$ -	$ -	**$ 171,580**
Seal Beach Police Department	$ 143,101	$ 2,075	$ -	$ -	$ -	$ -	$ 4,824	$ -	$ -	**$ 150,000**
Grand Total Riverside County Region	**$ 2,012,476**	**$ 30,740**	**$ 1,780**	**$ 2,520**	**$ 368,000**	**$ -**	**$ 62,712**	**$ 87,952**	**$ 135,062**	**$ 2,701,242**

EXHIBIT B

Homeland Security Grant Program - Operation Stonegarden Grant (OPSG)
FY 2024 Standard Assurances & Program Standard Assurances Addendum
(All OPSG Participating Agencies)

Name of Agency: _____

Address: _____

City: _____ State: _____ Zip Code: _____

As the duly authorized representative of the Agency ("Agency") named above, I hereby certify that the Agency has the legal authority to apply for federal assistance and has the institutional, managerial, and financial capability (including funds sufficient to pay any non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application, within prescribed timelines.

I further acknowledge that the Agency is responsible for reviewing and adhering to all requirements within the:

(a) Applicable Federal Regulations (see below);
(b) Federal Program Notice of Funding Opportunity (NOFO);
(c) Federal Preparedness Grants Manual;
(d) California Supplement to the NOFO; and
(e) Federal and State Grant Program Guidelines.

Federal Regulations

Government cost principles, uniform administrative requirements, and audit requirements for federal grant programs are set forth in Title 2, Part 200 of the Code of Federal Regulations (C.F.R.) and adopted by the Department of Homeland Security (DHS) at 2 C.F.R. Part 3002.10. Updates are issued by the Office of Management and Budget (OMB) and can be found at http://www.whitehouse.gov/omb/.

In the event Cal OES determines that changes are necessary to the subaward after a subaward has been made, including changes to period of performance or terms and conditions, Agency will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate Agency acceptance of the changes to the subaward.

State and federal grant award requirements (some of which appear in the documents listed above) are set forth below. The Agency hereby agrees to comply with the following:

1. Proof of Authority

The Agency will obtain written authorization from the city council, governing board, or authorized body in support of this project. This written authorization must specify that the Agency and the city council, governing board or authorized body agree:

(a) To provide all matching funds required for said project and that any cash match will be appropriated as required;
(b) That any liability arising out of the performance of this agreement shall be the responsibility of the Agency and the city council, governing board or authorized body;
(c) That grant funds shall not be used to supplant expenditures controlled by the city council, governing board or authorized body;

(d) That the Agency is authorized by the city council, governing body, or authorized body to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project cost, if any, or to retroactively repay any reimbursement found out of compliance which was paid to Agency, for as long as the grant is active) to ensure proper planning, management and completion of the project described in this application; and

(e) That the official executing this agreement is, in fact, authorized to do so.

This Proof of Authority must be maintained on file and readily available upon request.

2. Period of Performance

The Agency is only authorized to perform allowable activities approved under the award, within the period of performance specified in the grant. Allowable activities may be initiated after approval of the award.

3. Lobbying and Political Activities

As required by Section 1352, Title 31 of the U.S. Code (U.S.C.), for persons entering into a contract, grant, loan or cooperative agreement from an agency or requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan, the Agency certifies that:

(a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all Agencies shall certify and disclose accordingly.

The Agency will also comply with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and §§7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.

Finally, the Agency agrees that federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation or policy without the express written approval from the California Governor's Office of Emergency Services (Cal OES) or the federal awarding agency.

4. Debarment and Suspension

As required by Executive Orders (EO) 12549 and 12689, and 2 C.F.R §200.213 and codified in 2 C.F.R Part 180, Debarment and Suspension, the Agency will provide protection against waste, fraud and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the federal government. The Agency certifies that it and its principals, contractors, or subcontractors:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements,

or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default.

Where the Agency is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

5. Non-Discrimination and Equal Employment Opportunity

The Agency will comply with all state and federal statutes relating to non-discrimination. These include, but are not limited to the following:

(a) Title VI of the Civil Rights Act of 1964 (Public Law (P.L.) 88-352 and 42 U.S.C. § 2000d et. seq.) which prohibits discrimination on the basis of race, color, or national origin and requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services;

(b) Title IX of the Education Amendments of 1972, (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex in any federally funded educational program or activity;

(c) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794), which prohibits discrimination against those with disabilities or access and functional needs;

(d) Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. § 12101et seq.), which prohibits discrimination on the basis of disability and requires buildings and structures be accessible to those with disabilities and access and functional needs;

(e) Age Discrimination Act of 1975, (42 U.S.C. §§ 6101-6107), whichprohibits discrimination on the basis of age;

(f) Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd—2), relating to confidentiality of patient records regarding substance abuse treatment;

(g) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), relating to nondiscrimination in the sale, rental or financing of housing as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units — i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators) — be designed and constructed with certain accessible features (See 24 C.F.R. § 100.201);

(h) Executive Order 11246, which prohibits federal contractors and federally assisted construction contractors and subcontractors, who do over $10,000 in Government business in one year from discriminating in employment decisions on the basis of race, color, religion, sex, sexual orientation, gender identification or national origin;

(i) Executive Order 11375, which bans discrimination on the basis of race, color, religion, sex, sexual orientation, gender identification, or national origin in hiring and employment in both the United States federal workforce and on the part of government contractors;

(j) California Public Contract Code § 10295.3, which prohibits discrimination based on domestic partnerships and those in same sex marriages;

(k) DHS policy to ensure the equal treatment of faith-based organizations, under which the Agency must comply with equal treatment policies and requirements contained in 6 C.F.R. Part 19;

(l) The California's Fair Employment and Housing Act (FEHA) (California Government Code §§12940-12957), as applicable. FEHA prohibits harassment and discrimination in employment because of ancestry, familial status, race, color, religious creed (including religious dress and grooming practices), sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, mental and physical disability, genetic information, medical condition,

age, pregnancy, denial of medical and family care leave, or pregnancy disability leave, military and veteran status, and/or retaliation for protesting illegal discrimination related to one of these categories, or for reporting patient abuse in tax supported institutions;

(m) Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and

(n) The requirements of any other nondiscrimination statute(s) that may apply to this application.

Civil Rights Policies for Program Beneficiaries and Subrecipients of DHS funding, pertaining to the following are available on the Cal OES website:

- Non-discrimination in Programs & Services
- Reasonable Accommodation for Program Beneficiaries
- Language Access Policy

6. Drug-Free Workplace

As required by the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.), the Agency certifies that it will maintain a drug-free workplace and a drug-free awareness program as outlined in the Act.

7. Environmental Standards

The Agency will comply with State and Federal environmental standards, including:

(a) The California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000-21177), to include coordination with the city or county planning agency;

(b) CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000-15387);

(c) The Federal Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.), which establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters;

(d) The Federal Clean Air Act of 1955 (42 U.S.C. § 7401) which regulates air emissions from stationary and mobile sources;

(e) Institution of environmental quality control measures under the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190); the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA; and Executive Order 12898 which focuses on the environmentaland human health effects of federal actions on minority and low-income populations with the goal of achieving environmental protection for all communities;

(f) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988;

(g) Executive Order 11514 which sets forth national environmental standards;

(h) Executive Order 11738 instituted to assure that each federal agency empowered to enter into contracts for the procurement of goods, materials, or services and each federal agency empowered to extend federal assistance by way of grant, loan, or contract shall undertake such procurement and assistance activities in a manner that will result in effective enforcement of the Clean Air Act and the Federal Water Pollution Control Act Executive Order 11990 which requires preservation of wetlands;

(i) The Safe Drinking Water Act of 1974, (P.L. 93-523);

(j) The Endangered Species Act of 1973, (P.L. 93-205);

(k) Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.);

(l) Conformity of Federal Actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); and

(m) The Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

The Agency shall not be: 1) in violation of any order or resolution promulgated by the State Air Resources Board or an air pollution district; 2) subject to a cease and desist order pursuant to § 13301 of the California Water Code for violation of waste discharge requirements or discharge prohibitions; or 3) determined to be in violation of federal law relating to air or water pollution.

8. Audits

For grant recipients expending $1,000,000 or more in federal grant funds annually, the Agency will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and Title 2 of the Code of Federal Regulations, Part 200, Subpart F Audit Requirements.

9. Access to Records

The Agency must cooperate with any compliance reviews or investigations conducted by DHS. In accordance with 2 C.F.R. § 200.337, the Agency will give the awarding agency, the Comptroller General of the United States and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award. The Agency will require any subrecipients, contractors, successors, transferees and assignees to acknowledge and agree to comply with this provision.

10. Conflict of Interest

The Agency will establish safeguards to prohibit the Agency's employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

11. Financial Management

False Claims for Payment - The Agency will comply with 31 U.S.C § 3729-3733 which sets forth that no subgrantee, recipient or subrecipient shall submit a false claim for payment, reimbursement or advance.

12. Reporting - Accountability

The Agency agrees to comply with applicable provisions of the Federal Funding Accountability and Transparency Act (FFATA) (P.L. 109-282), including but not limited to (a) the reporting of subawards obligating $30,000 or more in federal funds, and (b) executive compensation data for first-tier subawards as set forth in 2 C.F.R. Part 170, Appendix A. The Agency also agrees to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A.

13. Whistleblower Protections

The Agency must comply with statutory requirements for whistleblower protections at 10 U.S.C. § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. § 4304 and § 4310.

14. Human Trafficking

The Agency will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. § 7104) which prohibits the Applicant or its subrecipients from: (1) engaging in trafficking in persons during the period of time that the award is in effect; (2) procuring a commercial sex act during the period of time that the award is in effect; or (3) using forced labor in the performance of the award or subawards under the award.

15. Labor Standards

The Agency will comply with the following federal labor standards:

(a) The Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), as applicable, and the Copeland Act (40 U.S.C. § 3145 and 18 U.S.C. § 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally-assisted construction contracts or subcontracts, and

(b) (b) The Federal Fair Labor Standards Act (29 U.S.C. § 201 et seq.) as they apply to employees of institutes of higher learning (IHE), hospitals and other nonprofit organizations.

16. Worker's Compensation

The Agency must comply with provisions which require every employer to be insured to protect workers who may be injured on the job at all times during the performance of the work of this Agreement, as per the workers compensation laws set forth in California Labor Code §§ 3700 et seq.

17. Property-Related

If applicable to the type of project funded by this federal award, the Agency will:

(a) Comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchase;
(b) Comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires federal award subrecipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more;
(c) Assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), Executive Order 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. § 469a-1 et seq.); and
(d) Comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4831 and 24 CFR Part 35) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

18. Certifications Applicable Only to Federally Funded Construction Projects

For all construction projects, the Agency will:

(a) Not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project;
(b) Comply with the requirements of the awarding agency with regard to the drafting, review and approval of construction plans and specifications; and
(c) Provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

19. Use of Cellular Device While Driving is Prohibited

The Agency is required to comply with California Vehicle Code sections 23123 and 23123.5. These laws prohibit driving motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication. Drivers are also prohibited from the use of a wireless telephone without hands-free listening and talking, unless to make an emergency call to 911, law enforcement, or similar services

20. California Public Records Act and Freedom of Information Act

The Agency acknowledges that all information submitted in the course of applying for funding under this program, or provided in the course of an entity's grant management activities that are under Federal control, is subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the California Public Records Act, California Government Code §7920.000 et seq. The Agency should consider these laws and consult its own State and local laws and regulations regarding the release of information when reporting sensitive matters in the grant application, needs assessment, and strategic planning process.

21. Acknowledgement of Federal Funding from DHS

The Agency must acknowledge its use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

22. Activities Conducted Abroad

The Agency must coordinate with appropriate government authorities when performing project activities outside the United States and obtain all appropriate licenses, permits, or approvals.

23. Best Practices for Collection and Use of Personally Identifiable Information(PII)

DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. If the Agency collects PII, the Agency is required to have a publicly-available privacy policy that describes standards on the usage and maintenance of the PII they collect. The Agency may refer to the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as a useful resource.

24. Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 to any work first produced under federal awards and also include an acknowledgement that the work was produced under a federal award (including the federal award number and federal awarding agency). As detailed in 2 C.F.R. § 200.315, a federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes and to authorize others to do so.

25. Duplicative Costs

Agencies are prohibited from charging any cost to this federal award that will be included as a cost or used to meet cost sharing or matching requirements of any other federal award in either the current or a prior budget period. (See 2 C.F.R. § 200.403(f)). However, recipients may shift costs that are allowable under two or more federal awards where otherwise permitted by federal statutes, regulations, or the federal financial assistance award terms and conditions.

26. Energy Policy and Conservation Act

The Agency must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

27. Federal Debt Status

The Agency is required to be non-delinquent in its repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

28. Fly America Act of 1974

The Agency must comply with Preference for United States Flag Air Carriers: (a list of certified air carriers can be found at: Certificated Air Carriers List | US Department of Transportation, https://www.transportation.gov/policy/aviationpolicy/certificated-air-carriers-list) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

29. Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, the Agency must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. § 2225a.

30. Non-supplanting Requirement

If the Agency receives federal financial assistance awards made under programs that prohibit supplanting by law, the Agency must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non- federal sources.

31. Patents and Intellectual Property Rights

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq. and applicable regulations governing inventions and patents, including the regulations issued by the Department of Commerce at 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Awards, Contracts, and Cooperative Agreements) and the standard patent rights clause set forth at 37 C.F.R. § 401.14.

32. SAFECOM

If the Agency receives federal financial assistance awards made under programs that provide emergency communication equipment and its related activities, the Agency must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

33. Terrorist Financing

The Agency must comply with Executive Order 13224 and United States law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. The Agency is legally responsible for ensuring compliance with the Order and laws.

34. Reporting of Matters Related to Subrecipient Integrity and Performance

If the total value of the Agency's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds $10,000,000 for any period of time during the period of performance of this federal financial assistance award, the Agency must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

35. USA Patriot Act of 2001

The Agency must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.

36. Use of DHS Seal, Logo, and Flags

The Agency must obtain written permission from DHS prior to using the DHS seals, logos, crests, or reproductions of flags, or likenesses of DHS agency officials. This includes use of DHS component (e.g., FEMA, CISA, etc.) seals, logos, crests, or reproductions of flags, or likenesses of component officials.

37. Performance Goals

In addition to the Biannual Strategy Implementation Report submission requirements outlined in the Preparedness Grants Manual, the Agency must demonstrate how the grant-funded project addresses the core capability gap associated with each project. The capability gap reduction must be addressed in the Project Description of the BSIR for each project.

38. Applicability of DHS Standard Terms and Conditions to Tribes

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon the Agency and flow down to any of its subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

39. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

The Agency must comply with the "Build America, Buy America" Act (BABAA), enacted as part of the Infrastructure Investment and Jobs Act and Executive Order 14005. Agencies receiving a federal award subject to BABAA requirements may not use federal financial assistance funds for infrastructure projects unless:

(a) All iron and steel used in the project are produced in the United States – this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
(b) All manufactured products used in the project are produced in the United States – this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
(c) All construction materials are manufactured in the United States – this means that all manufacturing processes for the construction material occurred in the United States. The "Buy America" preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. It does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. Per section 70914(c) of BABAA, FEMA may waive the application of a Buy America preference under an infrastructure program in certain cases.

40. E.O. 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety

Recipient State, Tribal, local, or territorial law enforcement agencies must comply with the requirements of section 12(c) of E.O. 14074. Recipient State, Tribal, local, or territorial law enforcement agencies are also encouraged to adopt and enforce policies consistent with E.O. 14074 to support safe and effective policing.

IMPORTANT

The purpose of these assurances is to obtain federal and state financial assistance, including any and all federal and state grants, loans, reimbursement, contracts, etc. Agency recognizes and agrees that state financial assistance will be extended based on the representations made in these assurances. These assurances are binding on Agency, its successors, transferees, assignees, etc. as well as any of its subrecipients. Failure to comply with any of the above assurances may result in suspension, termination, or reduction of grant funds.

All appropriate documentation, as outlined above, must be maintained on file by the Agency and available for Cal OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Agency may be ineligible for award of any future grants if Cal OES determines that the Agency: (1) has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

All of the language contained within this document must be included in the award documents for all subawards at all tiers. Agencies are bound by the DHS Standard Terms and Conditions 2024, Version 2, hereby incorporated by reference, which can be found at: https://www.dhs.gov/publication/fy15-dhs- standard-terms-and-conditions.

PROGRAM STANDARD ASSURANCES ADDENDUM

As the duly authorized representative of the Agency, I hereby certify that the Agency will comply with all applicable local, state, and federal statutes, including but not limited to the following state and federal statutes prohibiting hate-based conduct:

(a) California Penal Code section 422.6(a);
(b) California Penal Code section 404.6;
(c) California Penal Code section 422(a);
(d) California Civil Code section 52.1;
(e) 18 U.S.C. § 249;
(f) 42 U.S.C. § 3631;

(g) 18 U.S.C. § 247; and
(h) 18 U.S.C. § 241, 245.

Additionally, Agency will not engage, and certifies that it will take steps to ensure that its representatives do not engage, in conduct contrary to the purposes of the grant program and/or that threatens the safety and security of Californians, including, but not limited to, acts of violence or unlawful intimidation on the basis of race, gender, religion, national origin, sexual orientation, or other protected classifications. Prohibited conduct includes, but is not limited to, violation of the federal and state laws identified herein.

The undersigned represents that he/she is authorized to enter into this Agreement for and on behalf of the above-named Agency. Agency understands that failure to comply with this Agreement and Addendum or any of the assurances may result in suspension, termination, reduction, or de-obligation of funding. Agency agrees to repay funds in the event there is a violation of grant assurances.

Name of Agency: _____

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title: _____ Date: _____

Email Address: _____

RESOLUTION 25-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING ACCEPTANCE OF FISCAL YEAR 2024 OPERATION STONEGARDEN (OPSG) FUNDS WHICH ARE TO BE USED TO DETER NARCOTICS TRAFFICKING

WHEREAS, narcotics trafficking organizations continue to pose significant threats in California, and in Costa Mesa; and

WHEREAS, federal grant funds have been allocated to the Riverside County Sheriff's Department; to issue to sub-grantees to help disrupt and degrade transnational criminal organizations involved in narcotics trafficking; and

WHEREAS, the Costa Mesa Police Department was allocated $170,000.00 for the purchase of a handheld x-ray imager, funding for vehicle mileage reimbursement and personnel operational overtime; and

WHEREAS, it is in the interest of the city to accept the grant funds to assist in deterring trans-national drug trafficking.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA RESOLVES:

1. In all respects, the above recitals are hereby incorporated by reference.

2. The City Manager or designee is authorized to approve all documents necessary to accept the fiscal year 2024 OPSG funds in the amount of $170,000.00.

PASSED AND ADOPTED by this 7th day of October, 2025.

AYES:
NOES:
ABSENT:

_____
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 7th day of October, 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 7th day of October, 2025.

_____
Brenda Green, City Clerk

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-519 **Meeting Date:** 10/7/2025

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, SENIOR PLANNER, (714) 754-4883**

RECOMMENDATION:

Staff recommends the City Council close the open public hearing and continue the project to a date uncertain.

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. The applicant subsequently requested that the project be continued to the September 2, 2025 City Council meeting and then to the October 7, 2025 City Council meeting. The applicant has requested that the project be continued to a date uncertain. (Attachment 1)

ANALYSIS:

The applicant requests that the project be continued to a date uncertain in order to allow for additional time to coordinate with the property owner. The City would republish and send out new noticing for any future agenda item related to the project.

ALTERNATIVES:

There are no recommended alternatives at this time.

FISCAL REVIEW:

The fiscal review will be included as part of the future agenda packet.

LEGAL REVIEW:

The legal review will be included as part of the future agenda packet.

CITY COUNCIL GOALS AND PRIORITIES:

The analysis of City Council goals and priorities will be included as part of the future agenda packet.

CONCLUSION:

The proposed project will be republished and the City will send out new noticing for any future agenda items related to the project.

From: Tim O"Brien
To: YEAGER, CHRISTOPHER
Cc: Matsler, Sean; Pam Sapetto
Subject: Hive Live
Date: Monday, September 15, 2025 1:40:03 PM
Attachments: image001.png

Chris- we would like to continue the Hive Live item to a date uncertain. If you need anything else from me, please let me know. Thank you. Tim

Timothy O'Brien
Senior Managing Director

tobrien@legacypartners.com

OUR NEW ADDRESS:
3337 Susan Street, Suite 250
Costa Mesa, CA 92626

949.241.7988 Cell
949.930.7700 Office
DRE Corp. License No. 01201696
DRE Broker License No. 00984019

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CITY OF COSTA MESA

Agenda Report

File #: 25-440 **Meeting Date:** 10/7/2025

TITLE:

APPEAL OF PLANNING APPLICATION 23-14 AND TENTATIVE PARCEL MAP 2023-117 FOR A RESIDENTIAL SMALL LOT SUBDIVISION TO CREATE TWO PARCELS, EACH CONTAINING A NEW TWO-STORY DETACHED SINGLE-FAMILY RESIDENCE AND AN ATTACHED TWO-CAR GARAGE AT 2308 SANTA ANA AVENUE

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTED BY: CAITLYN CURLEY, ASSISTANT PLANNER

CONTACT INFORMATION: CAITLYN CURLEY, ASSISTANT PLANNER, 714-754-5692

RECOMMENDATION:

Staff recommends the City Council:

1. Find that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions for the parcel map application, and Section 15303 (Class 3), New Construction or Conversion of Small Structures for the design review application.

2. Find the project statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.66.

3. Approve Parcel Map No. 2023-117 and Design Review PA-23-14 based on findings of fact and subject to conditions of approval.

Item #: 25-440 **Meeting Date: 10/07/2025**

TITLE: APPEAL OF PLANNING APPLICATION 23-14 AND TENTATIVE PARCEL MAP 2023-117 FOR A RESIDENTIAL SMALL LOT SUBDIVISION (SLO) TO CREATE TWO PARCELS, EACH CONTAINING A NEW TWO-STORY DETACHED SINGLE-FAMILY RESIDENCE AND AN ATTACHED TWO-CAR GARAGE AT 2308 SANTA ANA AVENUE

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTED BY: CAITLYN CURLEY, ASSISTANT PLANNER

CONTACT INFORMATION: CAITLYN CURLEY, ASSISTANT PLANNER, 714-754-5692

RECOMMENDATION:

Staff recommends the City Council:

1. Find that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions for the parcel map application, and Section 15303 (Class 3), New Construction or Conversion of Small Structures for the design review application.

2. Find the project statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.66.

3. Approve Parcel Map No. 2023-117 and Design Review PA-23-14 based on findings of fact and subject to conditions of approval.

BACKGROUND:

On August 11, 2025, by a vote of 7-0, the Planning Commission approved a design review and tentative parcel map for a residential small lot subdivision, with conditions, at the subject property. The motion adopted included an amendment to the staff recommendation for staff to work with the applicant to replace palm trees with more suitable alternatives and add screening vegetation along Parcel Two to address privacy concerns. On August 18, 2025, a timely appeal was filed by the adjacent residential neighbor.

The City Council's consideration of an appeal is considered *de novo,* which means that the City Council may exercise its independent judgment on the whole of the project rather than only for the reasons listed in the appeal. Further information regarding the standard of review is provided on Page 10 of this report.

BACKGROUND:

The subject property is located at 2308 Santa Ana Avenue. It is bounded by Santa Ana Avenue and single-family residences to the west; a multi-family development to the north and east; and single-family residential properties to the south. The site is designated “Medium Density Residential” by the Land Use Element of the General Plan and is zoned “Multifamily Residential, Medium Density” (R2-MD).

Figure 1: Vicinity Map

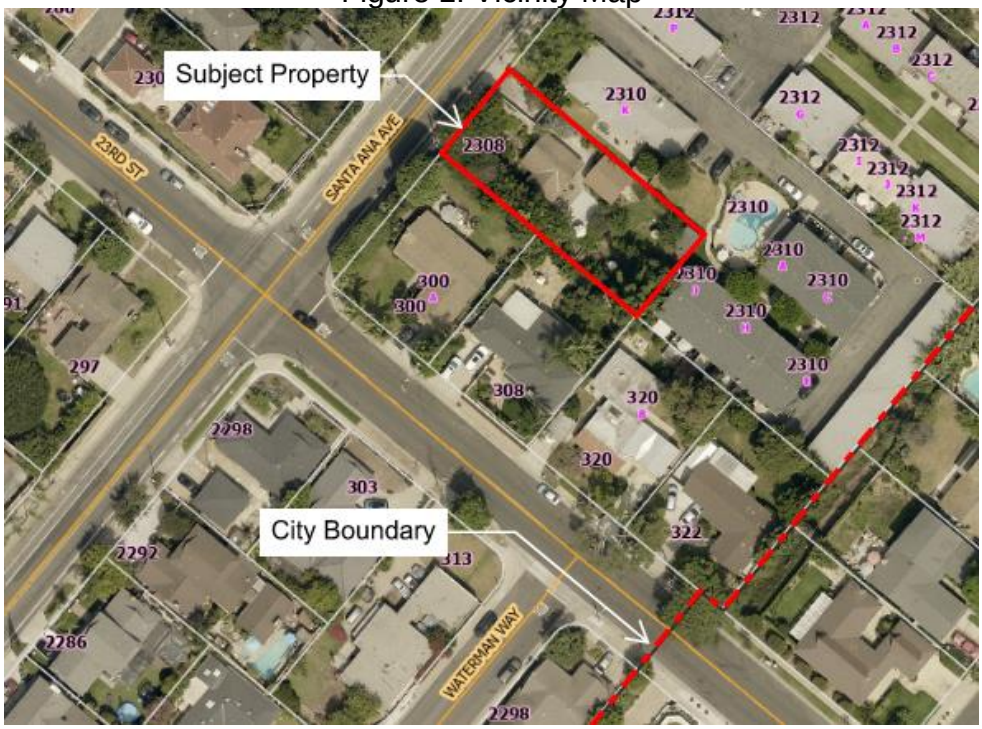
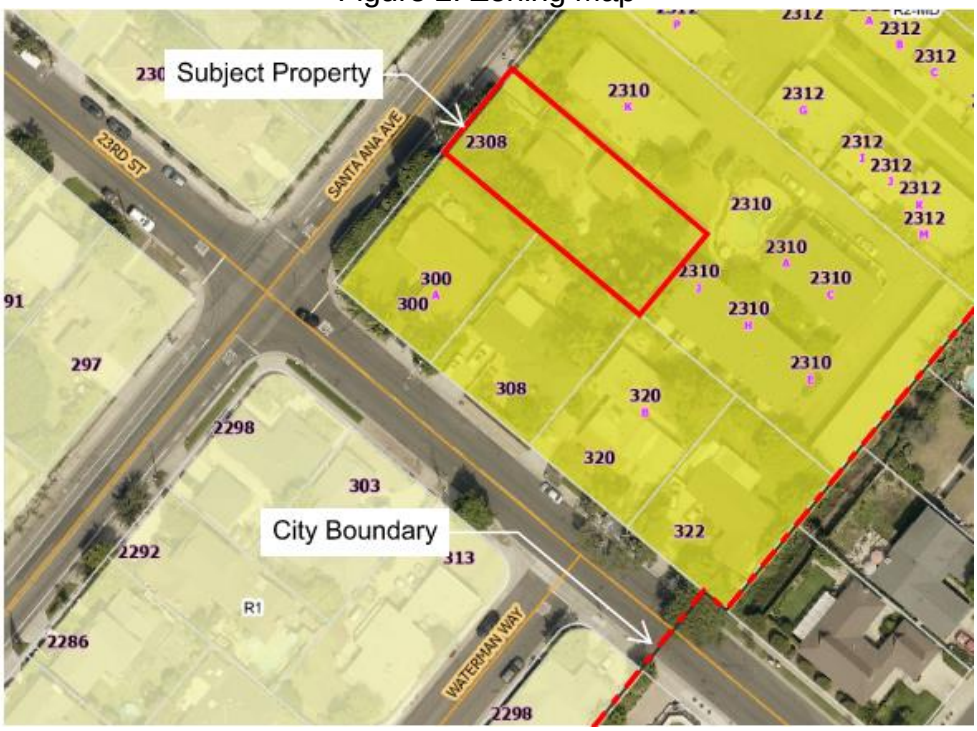


Figure 2: Zoning Map



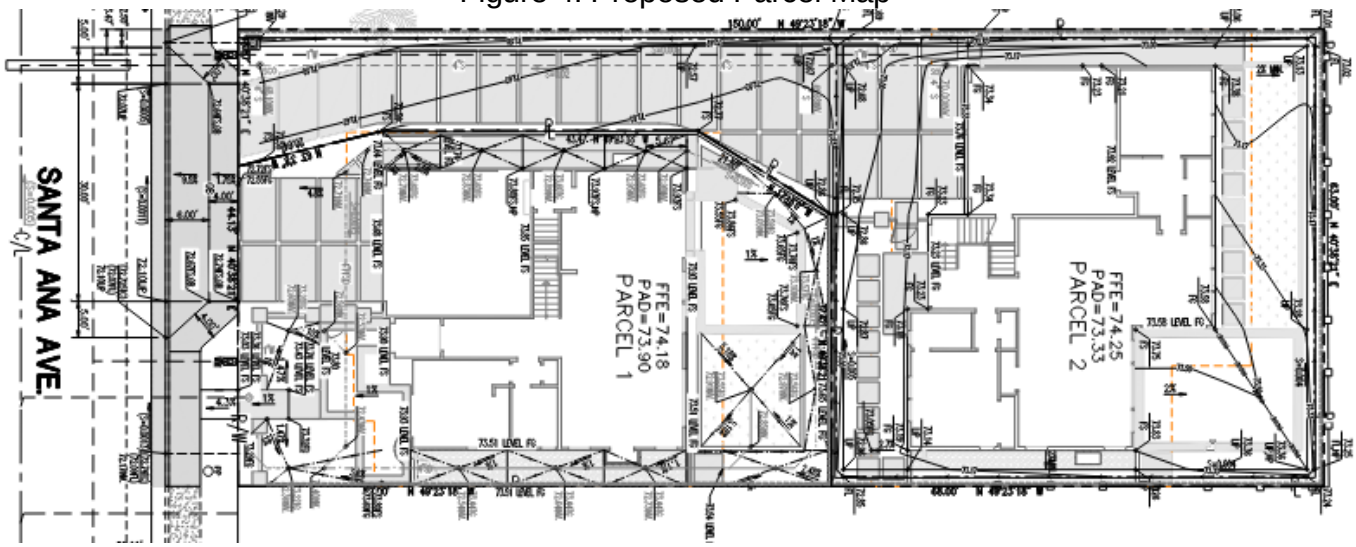
The subject property is approximately 9,450 square feet in size and is currently developed with a single-family residence and detached garage. The residence was constructed between 1938 and 1947, based on historic aerial photographs; there is no building permit on file with the City for the construction of the residence due to the age of the building.

Figure 3: Street View

REQUEST:

The applicant is requesting approval for a Small Lot Subdivision for the development of two two-story single-family residences and attached garages, each on its own parcel. Small Lot Subdivisions are allowed in the R2-MD zoning district pursuant to Costa Mesa Municipal Code (CMMC) Section 13-42, with the approval of a Tentative Parcel Map and Design Review applications. The front parcel, Parcel 1, will be approximately 3,862 square feet in area and is proposed to be roughly rectangular shaped with approximately 44 feet 1.5 inches of street frontage along Santa Ana Avenue. Parcel 2, is proposed to be approximately 5,588 square feet in area with approximately 18.75 feet of street frontage along Santa Ana Avenue in a flag log configuration. Figure 4 below illustrates the proposed site plan and parcel layout.

Figure 4: Proposed Parcel Map



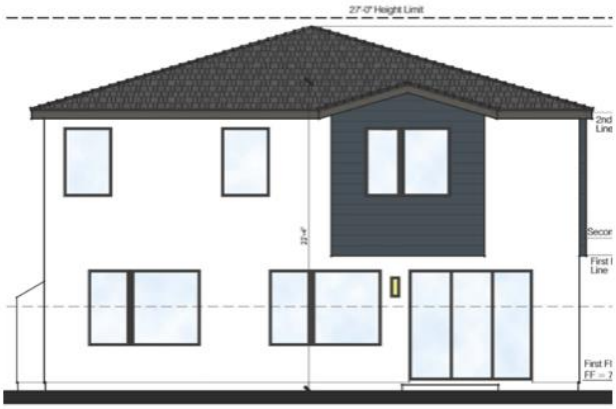
The project proposes a total of two four-bedroom (optional fifth bedroom), four-bathroom two-story single-family homes with attached two-car garages and two driveway parking spaces. Figures 5, 6, 7 and 8 provide the building elevations for the project. Each home is in compliance with the Zoning Code and Residential Development Standards. Table 1 outlines the unit characteristics for the proposed single-family homes in relation to the respective parcels.

Figure 5: Front/West Elevations

Parcel 1

Parcel 2

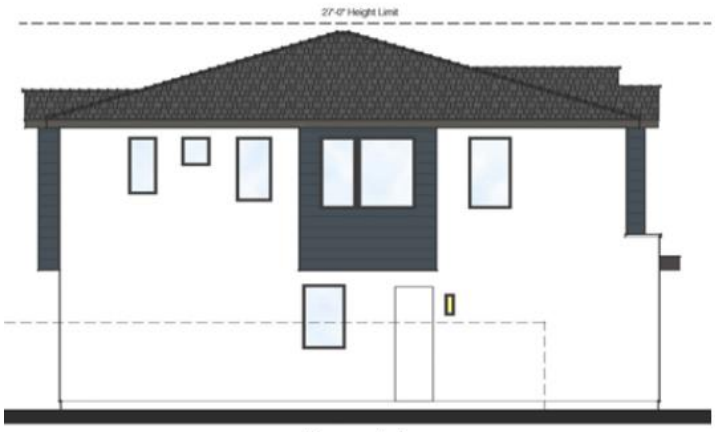
Figure 6: East/Rear Elevation



Parcel 1

Parcel 2

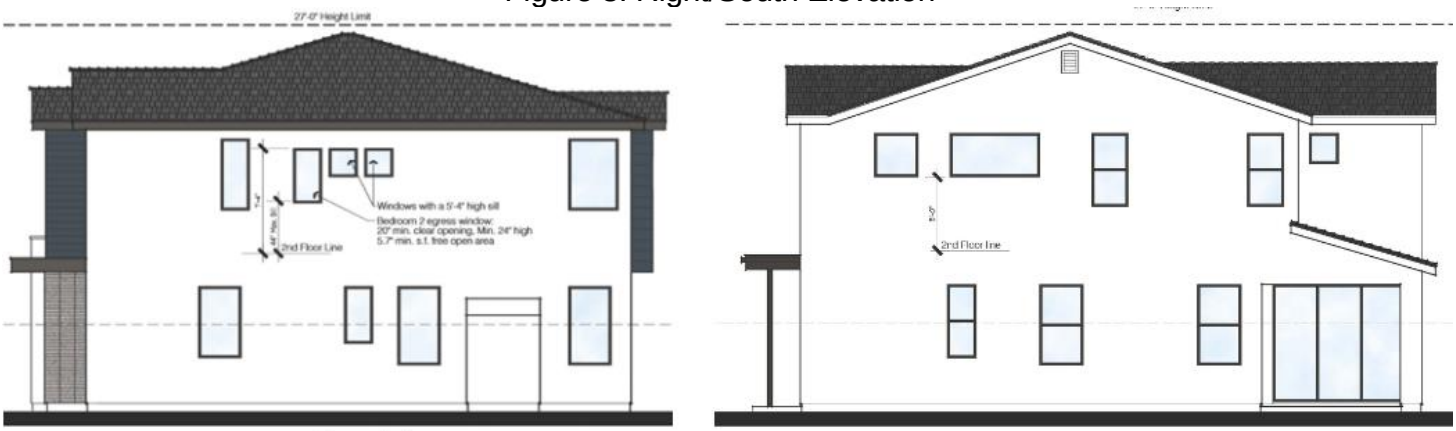
Figure 7: Left/North Elevation



Parcel 1

Parcel 2

Figure 8: Right/South Elevation



Parcel 1 Parcel 2

Table 1: Unit Characteristics by Parcel

Parcel No.	Lot Area	1st Floor Area	Garage Area	2nd Floor Area	Residential Floor Area Ratio
Parcel 1	3,862 SF	1,118 SF	434 SF	1,528 SF	0.985
Parcel 2	5,588SF	1,4442 SF	430 SF	1,618 SF	0.864

ANALYSIS:

Residential Small Lot Subdivision / Tentative Parcel Map

The CMMC requires that the maximum density of a small lot subdivision be consistent with the underlying zoning district (R2-MD, Multiple-Family Residential District, Medium Density), and required development standards are specified pursuant to CMMC Section 13-42.3(b)(1-6). Parcels greater than 7,260 square feet in area are allowed a density of 1 unit per 3,630 square feet of lot area. The project proposes two parcels, each with a minimum lot area greater than 3,630 square feet, and therefore complies with the density requirements. A comparison of the required development standards and the proposed project is provided above in the “Development Standards Comparison” table. As indicated in this table, the project is designed in compliance with the City’s standards. Additionally, the project has been reviewed by the Building Division, and conditions of approval have been included to ensure compliance with the California Building Code.

The existing 9,540 square-foot property is rectangularly shaped and is 150 feet deep and 63 feet wide. The Tentative Parcel Map application proposes the creation of two lots consisting of Parcel 1 (3,862 square feet) and Parcel 2 (5,588 square feet). Parcel 1 is proposed as rectangular shaped, abutting Santa Ana Avenue with approximately 45 feet of street frontage, and Parcel 2 is proposed to be located mostly behind Parcel 1, with the front property line extending to Santa Ana Avenue for driveway access. Parcel 2 has a street frontage of 18.75 inches on Santa Ana Avenue. The City’s Residential Small Lot Subdivision standards do not require a minimum lot size.

Design Review

The proposed development includes two new two-story single-family residences that are approximately 2,646 square feet (Unit 1) and 3,060 square feet (Unit 2), with attached two-car garages, and four bedrooms. The maximum height of the residences is proposed to be 26 feet 5 inches.

Pursuant to CMMC Section 13-42.2, a new residential small lot development project shall be processed according to the City's Design Review procedures (CMMC Section 13-29). The City's Design Review application process ensures that the proposed development complies with the Costa Mesa Zoning Code and meets the intent of the *Residential Design Guidelines*. See additional information below.

Residential Design Guidelines

The proposed development (as shown in Figures 5-8 above) meets the intent of the City's *Residential Design Guidelines* as follows:

- **Second-Story Design and Building Mass**: The City's Residential Design Guidelines recommend second-story floor areas (including balconies) to not exceed 100 percent of the first-story floor area (including attached garage areas). The second-story floor area of Unit 1 has been designed with an area of 98.5% of the first-story floor area, and Unit 2 has been designed with a floor area that is 86.4% of the first-story floor area. Each proposed residence has been designed with articulation and off-sets on the various elevations to avoid a boxy appearance. The elevations for the proposed development include multiple building planes and varied roof forms to soften the mass of the second story. The elevations also include varied facades and articulations with brick veneer and horizontal wood siding, and stucco.

- **Second-Story Setbacks**: According to the *Residential Design Guidelines*, "the second-story interior side building elevation should be set back an average of 10 feet but shall be no closer than five feet from the side property line." However, the *Guidelines* specify that only a five-foot second-story setback is required for units less than 2,700 square feet of living area. Unit 1 is proposed at 2,646 square feet and is therefore exempt from the second-story setback requirements. Unit 2 has a floor area of 3,060 square feet and has been designed with 10-foot average side setbacks to meet this standard.

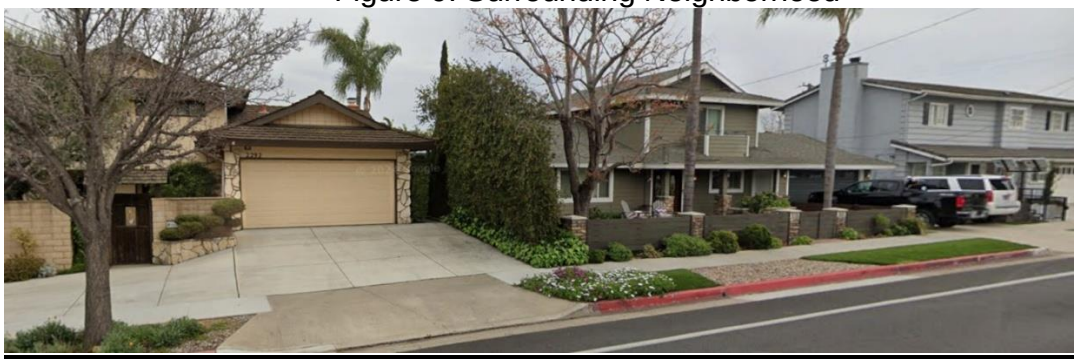
- **Elevation Treatments**: All units feature a variety of projections and include articulation on each wall, varying roof types and materials. Building materials include brick veneer and horizontal wood siding, white stucco, and composite shingle roofing.

- **Window Placement**: Consideration for design and privacy has been provided in locating the windows on the property. The applicant provided a "line of sight study" which demonstrates that the second-story windows facing north and south are located without direct views into the neighboring structures. Windows with direct views into usable side and rear yards provide privacy with either glazing or by utilizing a five-foot sill height. One window in Bedroom 2 of Unit 1 is required to meet egress requirements for the California Building Code. In this case, the window has been designed to meet the minimum size required by the Building Code to meet egress requirements in order to mitigate privacy impacts to the neighboring backyard. The first-story windows are located behind the proposed six-foot block wall. The block wall is proposed to be

constructed on the property line between the neighboring properties, which would further eliminate privacy impacts for the existing neighboring properties.

- **Consistency in Architectural Design**: The proposed design includes California Coastal Modern architecture with materials and finishes that remain durable and require minimal maintenance. In addition, each façade features a variety of overhangs, materials, and roof forms, which provides visual interest and façade articulation. Additionally, the immediately surrounding neighborhood features a diverse collection of architectural styles including other residences with modern and eclectic influences, and residences with craftsman features, eclectic styles and traditional styles (see the below Figure 9). The varying use of materials ranging from stucco and brick veneer to wood siding and the use of articulation and off-sets for two-story residences are common throughout the neighborhood which would be compatible with the proposed design.

Figure 9. Surrounding Neighborhood



Open Space

The CMMC requires that each unit be provided a minimum of 200 square feet of open space, with no dimension being smaller than 10 feet. The units are proposed to be constructed to comply with the CMMC required private open space. Unit 1 provides 1,213 square feet of private open space with a minimum of 10 feet in depth, and Unit 2 provides 1,598 square feet of private open space with a minimum of 10 feet in depth. Pursuant to the CMMC, each unit will also provide adequate space outside of each unit for three trash containers without encroaching into the garage space and without being visible from the public right of way.

Parking and Circulation

Pursuant to the City's Small Lot Subdivision Standards and as provided by the project, units proposed with four bedrooms require two garages and two open parking spaces for each parcel (see Table 2 below).

Table 2. Parking Requirements

	Requirement	Proposed
Garage Parking Spaces	4 spaces (2 per unit)	4 spaces
Open Parking	4 spaces (2 per unit for 3 or more bedroom units)	4 spaces

Pursuant to the Residential Small Lot Subdivision standards, driveway width is required to be 10 feet. The project complies with a 17-foot-wide driveway on Parcel 1 and a 10-foot-wide driveway on Parcel 2. Each driveway provides access to the respective unit's two-car garage and two open-parking spaces located on each driveway. Both the City's Fire and Rescue Department and Public Works Department have reviewed the project access design for conformance with minimum safety and access criteria. As required by the CMMC and as conditioned, all parking and driveways shall consist of decorative concrete, pavers, or other material subject to review by the Development Services Director.

Fences and Walls

Pursuant to CMMC Section 13-75, the project requires the installation of a six-foot-tall masonry wall around the perimeter of the proposed development lot. The final design of the walls will be reviewed as part of the building permit submittal. Any future modifications to the site walls and fencing are subject to review and approval of the Planning Division and may require building permits to be issued prior to installation. The heights and locations of walls and fences shall comply with the CMMC requirements as well as applicable visibility standards for traffic safety.

Landscaping and Lighting

Per CMMC Section 13-106, all required landscape areas shall consist of drought tolerant plant material and shall meet the minimum number of plant types based on the total landscape square footage. The project proposes a total of 2,428 square feet of landscaping with a mixture of usable and decorative landscaping. The number of plants and trees required and proposed is provided in Table 3 below.

Table 3. Landscaping Requirements

	Requirement	**Proposed**
Tree Count	15 (one 15-gallon tree or larger per 200 square feet of landscape area)	16
Shrub Count	305 (one shrub for every 25 square feet of landscape area)	305
Groundcover coverage	70% with the remaining area to incorporate uncontaminated compost/mulch	70%

As part of the building permit plan check review, landscape plans will be prepared and certified by a California licensed landscape architect, confirming compliance with the CMMC and water efficiency landscape guidelines, which show the proposed landscape plans for Parcels 1 and Parcel 2. The applicant has provided a conceptual landscaping plan for review, which shows compliance with the landscaping requirements (Attachment 3).

Utilities

The CMMC requires that new construction provide undergrounding of all utilities on site, including existing utility poles. As required, all new and existing utilities will be installed underground. Conditions of approval require that any new backflow preventers or related equipment be installed outside of the front landscape setback and be screened from view from any location on- or off-site. As required by the CMMC, all utility meters shall be screened from view of the public right-of-way and neighboring properties. Conditions of approval will require that, prior to building permit approval, the applicant shall submit for approval of a comprehensive utilities plan to ensure that the water and sewer mains are adequate, and utility upgrades will be required if the existing infrastructure is not adequate. The plan will be reviewed by both the City's Building Division and Public Works Department at the time of building permit submittal.

Planning Commission Review

In its review of the project, the Planning Commission considered the application for a design review and tentative parcel map. During deliberations, the Planning Commission inquired about concerns regarding privacy impacts, the inclusion of palm trees in the project, and noticing timelines. Staff and the applicant responded to the inquiries and informed the Commission that Condition of Approval No. 3 was cited as addressing the Planning Commission's privacy concerns regarding the second-story windows.

Prior to the public hearing, one public comment was received regarding this project from the neighbor residing at 300 23rd Street (also the appellant). The public comment expressed concerns, including noticing and review periods, privacy impacts of second-floor windows, current drainage and sewer problems on the property, protection of existing trees, lighting impacts, plan inconsistencies, and tree locations.

Five (5) speakers provided public comments at the Planning Commission hearing and noted their concerns about noticing and review periods, traffic, circulation, noise, drainage and sewer impacts, privacy impacts of second-floor windows, impacts on the neighborhood character, the proposed palm trees, solar panels, and air conditioning unit locations.

The Planning Commission unanimously approved the project, subject to conditions of approval, and adopted Resolution No. PC-2025-05 (Attachment 4). As part of its motion, the Commission required an additional Condition of Approval to remove a majority of the proposed palm trees from the project and install trees along the southern property line of Parcel 2 to screen the proposed development from neighboring properties for added privacy. This special condition is included within the adopted resolution as Condition No. 14.

A detailed description of the improvements to the property are described in the August 11, 2025 Planning Commission staff report (also provided as Attachment 5) and attachments, linked below:
https://costamesa.legistar.com/View.ashx?M=A&ID=1330212&GUID=926CA0B9-452E-41DD-8714-4665BA14F287

The Planning Commission meeting public comments and minutes are provided as Attachments 6 and 7 to this report and the meeting video is linked below:
https://costamesa.granicus.com/player/clip/4291?view_id=14&redirect=true

Appeal of Planning Commission's Approval

On August 18, 2025 an appeal of Planning Commission's approval of the project was filed by the resident of an adjacent property, 300 23rd Street. In summary, the application for appeal noted the following topics/areas of concern:

- Timeline for public noticing and reviews
- Evidence and assumptions regarding the Commission's decision
- Adverse impacts on neighboring properties
- Vague conditions of approval

The submitted appeal and justification are provided as Attachment 2 to this report.

City Council "De Novo" Hearing

Pursuant to CMMC Chapter 9, Appeal and Review Procedures, the City Council shall conduct a new or "de novo" review of the matter. The City Council may exercise its independent judgment and discretion in making a decision, and the appeal hearing is not limited to the grounds stated for the review or the evidence that was previously presented to the Planning Commission. The City Council's decision on the matter is the final decision.

Staff has attached a draft City Council resolution for approval based on the Planning Commission's August 11, 2025, decision. Notwithstanding this, should the City Council determine to overturn the Planning Commission's decision, staff requests that the City Council articulate its reasons for denial based on the required findings so staff can incorporate these into a resolution that will return for City Council consideration at a future hearing.

Pursuant to the Costa Mesa Municipal Code (CMMC), approval of each of the project's applications must be based on evidence in the administrative record that substantially supports the following review criteria and findings:

Revised Landscaping Plans

Staff have met with the applicant to discuss modifications to the project design to mitigate privacy impacts. The applicant has provided an updated landscaping plan in an effort to comply with Conditions Nos. 3 and 14. No window changes are proposed at this time; however, the applicant has revised the planting plan (Attachment 3) to include additional trees to screen proposed windows and structure. The revised plan shows Yew Pines to be planted along the south side of the property, and the wind palms were replaced with Zuni Crape Myrtle and Icee Blue Podocarpus trees to provide additional screening. Since this is a *de novo* project review, staff requests that the City Council review the proposed plans, conditions of approval, and determine if changes should be made to the project to further mitigate privacy impacts to neighboring properties.

Findings:

The Planning Commission approved a SLO Tentative Parcel Map (TPM 2023-117) and Design Review (PA-23-14). When granting an application for these planning applications, the final review authority shall find that the evidence presented in the administrative record substantially meets any required conditions pursuant to Title 13, Chapter 13-29(g)(13) and (14). Below are the findings adopted by the Planning Commission on August 11, 2025.

Tentative Parcel Map Findings (Title 13, Section 3-29(g)(13))

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

  The project complies with this finding in that the Medium Density Residential General Plan land use designation establishes a maximum allowable density of 12 units per acre. The subject parcel is 9,450 square feet in area. The parcel map would allow for a new residential project that would be consistent with the General Plan land use designation of Medium Density Residential and the R2-MD zone that allows for one unit per 3,630 square feet of lot area. The project design also complies with the applicable development standards for a residential small lot subdivision. The proposed parcel map is consistent with General Plan Land Use Objectives LU-1A and LU-2A, in that the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City, and the parcel map would allow for redevelopment of an existing parcel which would improve and maintain quality of the neighborhood by improved architecture, aesthetics, and landscaping.

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

  The project complies with this finding in that the subject property has a General Plan land use designation of Medium Density Residential, which allows multi-family residential uses at a maximum of 12 dwelling units per acre. The subject parcel is 9,450 square feet in area. The Parcel Map proposes a residential use that would not exceed the maximum density allowed per the General Plan. In addition, the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City, and the parcel map would allow for redevelopment of an existing parcel, which would improve and maintain quality of the neighborhood by improved architecture, aesthetics, and landscaping, pursuant to General Plan Land Use Objectives LU-1A and LU-2A.

- *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 project complies with this finding as the property is relatively flat regarding topography, located within an established residential neighborhood, currently improved with residential development and suitable to accommodate two residential units. The size of the lot is also suitable, since the proposed development meets all applicable development standards including, setbacks, parking, and open space. The parcel map proposes to subdivide a parcel into two lots that does not exceed the minimum R2-MD maximum density of one dwelling unit for 3,630 square-feet of lot area. Adequate infrastructure exists to serve the proposed project and the project will not result in the

loss of any habitat, result in a negative impact on the environment as a whole or require extensive infrastructure improvements to provide service to the site.

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

  The project complies with this finding in that it provides 45.8 percent open space for the overall development and each unit will have at least 200 square feet of private open space area. The open space will accommodate landscaping that can be provided throughout the site with adequate setbacks for airflow, and trees for site shading. The project is proposed to include operable windows and will be fully insulated as required by the building code.

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

  The project complies with this finding as it has been reviewed by the Public Works Department and there are no conflicts with the City's or other utility agencies' rights-of-way or easements.

- *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 project complies with this finding in that the lot currently has connections to the public sewer system for the existing residential unit. The parcel map would allow for a residential project that would not include physical changes to the lot that would result in discharge into the public sewer system in violation of State requirements. Furthermore, the applicant will be required to comply with the regulations set forth by the Costa Mesa Sanitation District and Mesa Water District. Compliance with the Costa Mesa Sanitation District and Mesa Water District involves the implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities, which will specify the "best management practices" (BMPs) that the project will be required to implement during construction activities to ensure that all potential pollutants of concern (including sediment) are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property.

  As indicated above, the project complies with above findings to approve the Tentative Parcel Map. In addition, pursuant to the Subdivision Map Act, Government Code section 66474, a parcel map must be denied if one or more findings are made:

- *That the proposed map is not consistent with applicable general and specific plans as specified in section 65451;*

  This finding cannot be made as the proposed subdivision map is consistent with the goals, objectives, policies, and land use designations of the applicable General Plan and any relevant Specific Plans adopted for the area. The project complies with all applicable land use, circulation, and development standards and furthers the intent of the City's planning documents.

- *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*

  This finding cannot be made as the design and proposed improvements of the subdivision, including lot configuration, access, and infrastructure, conform with applicable General and Specific Plan policies and standards. Improvements are consistent with the planned infrastructure network and development pattern anticipated in the area.

- *That the site is not physically suitable for the type of development;*

  This finding cannot be made as the site is physically suitable for the type of development proposed. The topography, existing conditions, and lack of physical constraints such as flood zones or geologic hazards allow for safe and feasible development. Necessary utilities and infrastructure can be provided to support the proposed use.

- *That the site is not physically suitable for the proposed density of development;*

  This finding cannot be made as the proposed density of development is consistent with zoning regulations and the land use designation for the site. The site can adequately accommodate the proposed number of lots or units without resulting in overcrowding or unsafe conditions. Adequate access, open space, and public services are available to support the proposed density.

- *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;*

  This finding cannot be made as the design of the subdivision and associated improvements will not cause substantial environmental damage or significantly and avoidably impact fish or wildlife habitat in that there are no environmentally sensitive areas within or around the site.

- *That the design of the subdivision or type of improvements is likely to cause serious public health problems; and*

  This finding cannot be made as the design of the subdivision and proposed improvements will not result in any serious public health problems. The project will comply with all applicable building codes, health regulations, and safety standards. Required public services, including fire protection, water, and wastewater infrastructure, are available and sufficient to serve the development.

- *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.*

This finding cannot be made as the subdivision does not conflict with any public easements for access or use. All existing public easements of record have been identified and appropriately preserved, or alternate easements of substantially equivalent utility will be provided where necessary. The proposed map ensures continued public access and utility connectivity as required.

Design Review Findings (Title 13, Section 3-29(g)(14))

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

  The project complies with this finding in that it proposes a maximum density of one dwelling unit per 3,630 square feet of lot area, which is consistent with the maximum allowable density for the R2-MD Zone and the Medium Density Residential land use designation. The project complies with all other applicable Zoning Code standards, including setbacks, parking, and open space. The project design incorporates elevations with varied roof forms and projections, including eaves and overhangs to provide visual interest as viewed from the street. The exterior materials include brick veneer and horizontal wood siding, white stucco and composite shingle roofing. The architecture of the homes includes varying roof forms, wall planes, and exterior materials, which allow it to avoid a boxy two-story design. Landscaping throughout the project meets code requirements and the project would introduce 22 new trees on-site. 11 of which are palms. The project will not result in privacy impacts to the surrounding residences based on the proposed window fenestration patterns and the proposed setbacks from the neighboring properties.

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

  The project complies with this finding in that the surrounding neighborhood includes a mixture of one and two-story residential properties consisting of apartments, duplexes, condos, and single-family residences. The abutting property to the northeast consists of an apartment complex and the two abutting properties to the southeast consist of detached single-family residences. The second-story design proposes a second-floor area that will not exceed the floor area of the first floor, which complies with the design guidelines.

- *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 project complies with this finding in that the application does not include an affordable multi-housing development component and therefore, the requirement to include an affordability covenant is not applicable to the project.

RESPONSES TO ISSUES RAISED ON APPEAL:

As noted above, the application for appeal (Attachment 2) noted the following topics/areas of concern:

- Timeline for public noticing and reviews
- Evidence and assumptions regarding the Commission's decision
- Adverse impacts on neighboring properties
- Vague conditions of approval

Below is a response to each of the appeal contentions.

Timeline for Public Noticing and Reviews

The project was noticed as required by the CMMC 13-29(d), which requires the following public noticing procedures:

- CMMC 13-29(d)(1): *Mailed notice required.* Notices of the hearing shall be mailed to all property owners and occupants within a 500 foot radius of the project site… The notice shall be mailed no less than 10 days prior to the hearing or determination on the application.

- CMMC 13-29(d)(2): *On-site posting required.* Additional notice shall be provided by posting a notice on each street frontage of the project site, no less than 10 days prior to the date set for the hearing or determination on the application.

- CMMC 13-29(d)(3): *Newspaper publication.* When a public hearing is required, notice shall also be published once in the city in a newspaper of general circulation, no less than 10 days prior to the date set for the public hearing.

The Planning Commission meeting was held on August 11, 2025. Therefore, all noticing was required by August 1, 2025. For this project, notices were mailed out on July 30, 2025, posted on-site on July 31, 2025, and published in the Daily Pilot newspaper on August 1, 2025. These noticing dates comply with CMMC 13-29(d).

The Brown Act requires an agenda be posted, which contains a brief general description of each item to be transacted or discussed at the meeting at least 72 hours (or 3 full days) prior to a regular meeting. The meeting agenda, project agenda report and corresponding attachments for the August 11, 2025, Planning Commission meeting were posted on the City's website in the mid-morning of August 7, 2025, over 4 days prior to the meeting and in compliance with the Brown Act.

Insufficient Evidence and Incorrect Assumptions Regarding the Commission's Decision

The Planning Commission was presented with all relevant materials related to the project during the hearing. This included an agenda report detailing the project and Staff's analysis of the application, a draft resolution which included Staff's detailed facts in support of the required findings and recommended conditions of approval, a project description supplied by the applicant and the project plans, which included architecture, civil and landscape plans, as well as a second story privacy analysis. The Planning Commission was provided with a summary of the application during the hearing in the form of a PowerPoint presentation provided by Staff. The Planning Commission reviewed the materials provided

by the applicant and Staff's analysis, and made an informed and deliberate decision to approve the project, subject to revised conditions of approval (described previously). Public Correspondence received prior to the hearing was provided to the Commission, and public comments were made during the public hearing.

Adverse Impacts on Neighboring Properties

The appellant did not provide specific concerns regarding adverse impacts on neighboring properties. Therefore, a detailed response to his objections is difficult to provide. During the hearing, the Planning Commission reviewed the project for potential adverse impacts on neighboring properties, reviewed the letter submitted by the appellant and the public comments provided. As noted above, the testimony received voiced concerns with noticing and review periods, traffic, circulation, noise, drainage and sewer impacts, privacy impacts of second floor windows, impacts on the neighborhood character, the proposed palm trees, solar panels and air conditioning unit locations.

After holding a public hearing, the Commission discussed concerns regarding the privacy of the neighboring backyards to the south of the subject property. Window placement and additional tree screening was discussed.

During the hearing, the Planning Commission determined that further steps should be taken to protect the privacy of neighboring backyards. The Commission emphasized Condition of Approval No. 3, which states, "…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." Additionally, the Planning Commission added Condition of Approval No. 14, which requires the installation of trees along the south property line of Parcel 2 to screen the new development from neighboring properties.

As noted above, staff have met with the applicant to discuss modifications to the project design to mitigate privacy impacts. The applicant has provided an updated landscaping plan (Attachment 3) in an effort to comply with Conditions Nos. 3 and 14. No window changes are proposed at this time. Staff requests that the City Council review the proposed plans, conditions of approval, and determine if changes should be made to the project to further mitigate privacy impacts to neighboring properties. Additionally, if the Council believes that the privacy impacts are minimized, staff suggests amending Condition No. 3 to eliminate the need for an additional window placement study.

Vague Conditions of Approval

All conditions of approval provided as part of Staff recommendation and approved by the Planning Commission, with the exception of Condition 14, which was added by the Commission, are standard conditions of approval utilized for similar projects processed throughout the City. These conditions of approval have been applied and enforced in the past without substantial issues on the part of the City or applicants. Additionally, the Planning Commission adopted Condition No. 14 for additional landscaping.

ALTERNATIVES:

The City Council has the following alternatives:

1. Approve the request. The City Council may adopt the attached Resolution upholding the Planning Commission's decision and approve the request as proposed; or

2. Approve the request with modifications. The City Council may uphold the Planning Commission's decision and approve the request with specific changes that are necessary to address concerns; or

3. Continue the item. The City Council may continue the item to a future meeting to allow for modifications or additional analysis; or

4. Deny the request. If the City Council believes that there are insufficient facts to support the findings for approval, the City Council may deny the request. A similar application could not be submitted for at least six months.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions for the parcel map application, and Section 15303 (Class 3), New Construction or Conversion of Small Structures for the design review application. In addition, this project is statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.66

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

- The project is located within the City of Costa Mesa and is consistent with the R2-MD Zoning Designation and the Medium Density Residential General Plan Designation because it proposes lot areas and development in compliance with zoning requirements, and proposes a density allowed by the General Plan Land Use Density;

- The project site is serviceable by all utilities and is accessible to the public right of way;

- The parcel has not been involved in a previous subdivision in the previous two years; and

- The parcel has been previously graded, is relatively flat and has an average slope less than 20 percent.

Additionally, under Section 15303 (Class 3), a project is exempt from the provisions of CEQA if it includes the construction or conversion of less than three new single-family residences in an urbanized area. The proposed project meets this requirement in that it includes the replacement of one existing single-family residences with two new single-family residences in an urban area. Lastly, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Specifically, the project would not result in a cumulative environmental impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.

FISCAL REVIEW:

The residential dwelling (home) was built between 1938 to 1947 on the plot of land, which would be torn down, and two new single-family homes would be constructed on the subdivided plot. Allowing the subdivision and construction would ultimately result in a net increase of property taxes for the City. It is likely that given the age of the current home on the property, the taxes are being assessed at a much lower value compared to current market rates.

When the old home is torn down to build two new homes, the entire value of the new structures would be reassessed and the City would not only gain more taxes due to the current assessed values, but it would get taxes for two newly assessed properties. Based on this assessment, it is estimated that the County property tax for the subdivided parcel would be assessed at $25,000 to $35,000 more than the single parcel. The City's share of property tax assessed by the County is $0.15 for every dollar collected. The approval of this item would have an estimated net positive impact of between $3,750 to $5,250 annually to the City in the General Fund (Fund 101).

LEGAL REVIEW:

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

PUBLIC NOTICE:

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

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site on September 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 each street frontage of the project site on September 25, 2025.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on September 26, 2025.

Any public comments received prior to the October 7, 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's goal to:

- Diversify, stabilize, and increase housing to reflect community needs.

CONCLUSION:

Staff supports the applicant's request to develop a Residential Small Lot Subdivision because the proposed development is consistent with the City's R2-MD zoning designation and the General Plan. The project would provide homeownership opportunities to improve the balance between rental and ownership housing in the City. In addition, the proposed development is in compliance with the City's Subdivision and Development Review standards and complies with the City's Residential Design Guidelines. Lastly, the State's Housing Accountability Act (Government Code section 65589.5) applies to this project and generally requires that cities approve housing projects that are consistent with the General Plan and zoning, unless the City can make specific State mandated findings for denial.

RESOLUTION NO. 2025-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA TO UPHOLD THE PLANNING COMMISSION'S DECISION AND APPROVE DESIGN REVIEW PLANNING APPLICATION (PA) 23-14 AND TENTATIVE PARCEL MAP 2023-117 TO CREATE TWO PARCELS EACH CONTAINING A NEW TWO-STORY DETACHED SINGLE-FAMILY RESIDENCE WITH AN ATTACHED TWO-CAR GARAGE IN THE MULTIPLE-FAMILY RESIDENTIAL, MEDIUM DENSITY (R2-MD) ZONE FOR PROPERTY AT 2308 SANTA ANA AVENUE

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY FINDS AND DECLARES AS FOLLOWS:

WHEREAS, Planning Application PA-23-14 and Tentative Parcel Map 2023-117 was filed by Ali Sedghi, the property owner, requesting approval of the following: Tentative Parcel Map and Design Review for a residential small lot subdivision project consisting of two, two-story, detached single family dwelling units with attached two-car garages;

WHEREAS, a duly noticed public hearing held by the Planning Commission on August 11, 2025, with all persons having the opportunity to speak for and against the proposal; and

WHEREAS, after holding a duly noticed public hearing, the Planning Commission approved the project, with conditions on August 11, 2025;

WHEREAS, on August 18, 2025, a timely appeal was filed by the property owner of 300 23rd Street, Costa Mesa, pursuant to CMMC13-III-29(j);

WHEREAS, a duly noticed public hearing was held by the City Council on October 7, 2025, with all persons having the opportunity to speak for and against the appeal; and

WHEREAS, on October 7, 2025, after holding a duly noticed public hearing, the City Council denied the appeal and upheld the Planning Commission's approval of the project;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15315 (Class 15) Minor Division of Land, and Section 15303 (Class 3) New Construction or Conversion of Small Structures. In addition, this project is

statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.66.

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgement of the City of Costa Mesa.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES as follows:

BE IT RESOLVED that based on the evidence in the record and the findings contained in Exhibit A, the City Council hereby approves Planning Application PA-23-14 and Tentative Parcel Map 2023-117 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa 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 Planning Application PA-23-14 and Tentative Parcel Map 2023-117 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance with 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 7th day of October, 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 ___day of _____, 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 ___day of _____, 2025.

_____
Brenda Green, City Clerk

EXHIBIT A

FINDINGS

A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(13) and (14):

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

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

Facts in Support of Findings: The Medium Density Residential General Plan land use designation establishes a maximum allowable density of 12 units per acre. The subject parcel is 9,450 square feet in area. The parcel map would allow for a new residential project that would be consistent with the General Plan land use designation of Medium Density Residential and the R2-MD zone that allows for one unit per 3,630 square feet of lot area. The project design also complies with the applicable development standards for a residential small lot subdivision. The proposed parcel map is consistent with General Plan Land Use Objectives LU-1A and LU-2A, in that the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City, and the parcel map would allow for redevelopment of an existing parcel which would improve and maintain quality of the neighborhood by improved architecture, aesthetics, and landscaping.

Finding: *The proposed use of the subdivision is compatible with the General Plan*

Facts in Support of Finding: The subject property has a General Plan land use designation of Medium Density Residential, which allows multi-family residential uses at a maximum of 12 dwelling units per acre. The subject parcel is 9,450 square feet in area. The Parcel Map proposes a residential use that would not exceed the maximum density allowed per the General Plan. In addition, the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City, and the parcel map would allow for redevelopment of an existing parcel which would improve and maintain quality of the neighborhood by improved architecture, aesthetics, and landscaping, pursuant to General Plan Land Use Objectives LU-1A and LU-2A.

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 property is relatively flat regarding topography, located within an established residential neighborhood, currently improved with residential development and suitable to accommodate two residential units. The size of the lot is also suitable since the proposed development meets all applicable development standards including, setbacks, parking, and open space. The parcel map proposes to subdivide a parcel into two lots that does not exceed the minimum R2-MD maximum density of one dwelling unit for 3,630 square-feet of lot area. Adequate infrastructure exists to serve the proposed project and the project will not result in the loss of any habitat, result in a negative impact on the environment as a whole or require extensive infrastructure improvements to provide service to the site.

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 Findings: The project provides 45.8 percent open space for the overall development and each unit will have at least 200 square feet of private open space area. The open space will accommodate landscaping that can be provided throughout the site with adequate setbacks for airflow, and trees for site shading. The project is proposed to include operable windows and will be fully insulated as required by the building code.

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 project has been reviewed by the Public Works Department and there are no conflicts with the City's or other utility agencies' rights-of-way or easements.

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 lot currently has connections to the public sewer system for the existing residential unit. The parcel map would allow for a residential project that would not include physical changes to the lot that would result in discharge into the public sewer system in violation of State requirements. Furthermore, the applicant will be required to comply with the regulations set forth by the Costa Mesa Sanitation District and Mesa Water District. Compliance with the Costa Mesa Sanitation District and Mesa Water District involves the implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities, which will specify the "best management practices" (BMPs) that the project will be required to implement during construction activities to ensure that all potential pollutants of concern

(including sediment) are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property.

As indicated above, the project complies with above findings to approve the Tentative Parcel Map. In addition, pursuant to the Subdivision Map Act, Government Code Section 66474, a parcel map must be denied if one or more findings are made:

Finding: *That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451;*

Facts in Support of Findings: The proposed subdivision map is consistent with the goals, objectives, policies, and land use designations of the applicable General Plan and any relevant Specific Plans adopted for the area. The project complies with all applicable land use, circulation, and development standards and furthers the intent of the City's planning documents. Therefore, this finding cannot be made.

Finding: *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*

Facts in Support of Findings: The design and proposed improvements of the subdivision, including lot configuration, access, and infrastructure, conform with applicable General and Specific Plan policies and standards. Improvements are consistent with the planned infrastructure network and development pattern anticipated in the area. Therefore, this finding cannot be made.

Finding: *That the site is not physically suitable for the type of development;*

Facts in Support of Findings: The site is physically suitable for the type of development proposed. The topography, existing conditions, and lack of physical constraints such as flood zones or geologic hazards allow for safe and feasible development. Necessary utilities and infrastructure can be provided to support the proposed use. Therefore, this finding cannot be made.

Finding: *That the site is not physically suitable for the proposed density of development;*

Facts in Support of Findings: The proposed density of development is consistent with zoning regulations and the land use designation for the site. The site can adequately accommodate the proposed number of lots or units without resulting in overcrowding or unsafe conditions. Adequate access, open space, and public services are available to support the proposed density. Therefore, this finding cannot be made.

Finding: *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;*

> **Facts in Support of Findings:** The design of the subdivision and associated improvements will not cause substantial environmental damage or significantly and avoidably impact fish or wildlife habitat in that there are no environmentally sensitive areas within or around the site. Therefore, this finding cannot be made.

Finding: *That the design of the subdivision or type of improvements is likely to cause serious public health problems; and*

> **Facts in Support of Findings:** The design of the subdivision and proposed improvements will not result in any serious public health problems. The project will comply with all applicable building codes, health regulations, and safety standards. Required public services, including fire protection, water, and wastewater infrastructure, are available and sufficient to serve the development. Therefore, this finding cannot be made.

Finding: *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision."*

> **Facts in Support of Findings:** The subdivision does not conflict with any public easements for access or use. All existing public easements of record have been identified and appropriately preserved, or alternate easements of substantially equivalent utility will be provided where necessary. The proposed map ensures continued public access and utility connectivity as required. Therefore, this finding cannot be made.

Pursuant to the proposed subdivision design, none of the above findings for denial can be made or associated with the proposed project.

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

Finding: *The project complies with the City of Costa Mesa Zoning Code and meets the purpose and intent of the residential design guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping,*

appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.

Facts in Support of Findings: The project proposes a maximum density of one dwelling unit per 3,630 square feet of lot area, which is consistent with the maximum allowable density for the R2-MD Zone and the Medium Density Residential land use designation. The project complies with all other applicable Zoning Code standards including setbacks, parking, and open space. The project design incorporates elevations with varied roof forms and projections including eaves and overhangs to provide visual interest as viewed from the street. The exterior materials include brick veneer and horizontal wood siding, white stucco and composite shingle roofing. The architecture of the homes includes varying roof forms, wall planes, and exterior materials which allow it to avoid a boxy two-story design. Landscaping throughout the project meets code requirements and the project would introduce 22 new trees on-site. 11 of which are palms. The project will not result in privacy impacts to the surrounding residences based on the proposed window fenestration patterns and the proposed setbacks from the neighboring properties.

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

Facts in Support of Finding: The neighborhood includes a mixture of one and two-story residential properties consisting of apartments, duplexes, condos, and single-family residences. The abutting property to the northeast consists of an apartment complex and the two abutting properties to the southeast consist of detached single-family residences. The second story design proposes a second-floor area that will not exceed the floor area of the first floor which complies with the design guidelines.

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 application does not include an affordable multi-housing development component and therefore, the requirement to include an affordability covenant is not applicable to the project.

B. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions for the parcel map application, and Section 15303

(Class 3), New Construction or Conversion of Small Structures for the design review application.

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

- The project is located within the City of Costa Mesa and is consistent with the R2-MD Zoning Designation and the Medium Density Residential General Plan Designation because it proposes lot areas and development in compliance with zoning requirements, and proposes a density below the allowed General Plan Land Use Density (12 units per acre);
- The project site is serviceable by all utilities and is accessible to the public right of way;
- The parcel has not been involved in a previous subdivision in the previous two years; and
- The parcel has been previously graded, is relatively flat and has an average slope less than 20 percent.

Under Class 3, a project is exempt from the provisions of CEQA if it includes the construction or conversion of less than three new single-family residences in an urbanized area. The proposed project meets this requirement in that it includes the replacement of existing two single-family residences with two new single-family residences in an urban area. Lastly, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Specifically, the project would not result in a cumulative environmental impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.

C. The project 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 B

CONDITIONS OF APPROVAL

Plng.

1. Approval of Design Review PA-23-14 and Tentative Parcel Map No. 2023-117 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. The conditions of approval for Design Review PA-23-14 and Tentative Parcel Map No. 2023-117 shall be blueprinted on the face of the site plan as part of the plan check submittal package. 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.
3. 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.
4. The final subdivision map shall be recorded with the County prior to the issuance of grading permits or building permits for the proposed development.
5. The applicant shall install a six-foot high decorative block wall around the perimeter of the proposed development lot pursuant to the CMMC. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screen by trees and landscaping.
6. Prior to building permit final, the developer shall construct decorative block walls or wood fencing on the interior property lines of the development lot pursuant to the CMMC. Any future modifications to the fencing on the interior property lines after project completion shall be first reviewed and approved by the Development Services Director and any

required permits obtained prior to installation. The location and height of walls and fences shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress.

7. 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. Elevations shall not be modified unless otherwise approved by Development Services Director as consistent with the architectural design and features of the proposed development. 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 in the requirement to modify the construction to reflect the approved plans.
8. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.
9. 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 residential uses to the fullest extent that is reasonable and practicable. The plan shall show undisrupted access to other properties and shall ensure that trash facilities are accessible. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption to residents 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 be estimated by the developer and subject to approval by the Development Services Director or Transportation Services Manager.
10. Any ground floor exterior decks/patios shall not be built higher than six inches above natural grade.
11. Backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
12. 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.

13. The landscaping of this project shall comply with the City's landscaping requirements and any applicable guidelines (i.e. Water Efficient Landscape Guidelines). A final landscape plan shall be submitted with the plan check submittal.
14. The applicant shall work with staff to remove as many palm trees as possible on Parcel 2 from the scope of work and include trees along the southern side property line of Parcel 2 to sufficiently screen the project from the abutting property.
15. All driveways and parking areas shall be finished with decorative stamped concrete or pervious pavers. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
16. Prior to the issuance of building permits, the applicant shall provide a Maintenance Agreement. The Maintenance Agreement must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's Office. The Maintenance Agreement shall include, but not limited to:
    a. Restrictions requiring residents to park vehicles in 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 at the number of which the garage was originally designed and to allow for inspections by the association to verify compliance with this condition.
    b. Restrictions that require that any subsequent revisions to the Maintenance Agreement related to these provisions must be reviewed and approved by the City Attorney's Office and the Development Services Director before they become effective.
    c. Restrictions prohibiting the outside storage of any boats, trailers, Recreational Vehicles, and similar vehicles.
    d. A plan or manner of permanent care and maintenance of any project open spaces such as the shared landscaping between driveways, pedestrian sidewalk, recreational areas and commonly used areas/facilities.
    e. Requirements for the disclosure of general and specific information to buyers of issues regarding the property and its surroundings.

17. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
18. The applicant shall contact the Planning Division to arrange a 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.
19. Prior to issuance of Certificate of Occupancy (C of O) the applicant shall provide a scaled and dimensioned digital site plan(s) for the project site, digital format, 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.
20. A precise grading plan shall be submitted and clearly identify the lowest and highest elevation 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.
21. 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.
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.

Bldg.

23. Maximum area of exterior wall openings shall be determined in accordance with the applicable provisions of California Residential Code R302.1(2).
24. All new residential construction shall have solar system install prior to final building inspection.
25. 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 (714) 708-1910 for information.
26. All new residential construction shall have electrical appliances ready.

Eng.

27. The Parcel shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (CMMC), 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.
28. 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.

29. The Final Parcel Map shall be submitted to the Engineering Division for checking. Map check fee shall be paid per C.C.M.M.C. Section 13-231.3.
30. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Parcel Map.
31. 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.
32. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of Final Parcel Map.
33. 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 Parcel Map. Cross lot drainage shall not occur.
34. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information. Water system improvements shall meet the approval of Mesa Water District; call (949) 631-1200 for information.
35. Prior to recordation of a Final Parcel 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.
36. Prior to recordation of a Final Parcel 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.
37. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
38. The elevations shown on all plans shall be on Orange County benchmark datum (NAVD 88).
39. Prior to recordation of a Final Parcel Map, submit required cash deposit or surety bond to guarantee monumentation. Deposit amount to be determined by the City Engineer.
40. Prior to occupancy, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File, reproducible mylar of the recorded Parcel Map, and approved off-site plan and nine copies of the recorded Parcel Map.

Fire
41. Residential fire sprinklers (NFPA 13D) are required for new residential units. Install NFPA 13D Fire Protection System's with interconnected smoke detectors inside each home.

Trans.
42. The applicant shall submit a Traffic Impact Fee to the Transportation Division prior to issuance of building permits. 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 with consideration of standardized trip generation ratios for proposed uses and includes credits for existing uses. NOTE: The estimated Traffic Impact Fee for this application is $2,052.00. The fee will be calculated at the time of issuance of building permits and based upon the prevailing schedule of charges in effect at that time.

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. 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.
2. The location and height of walls, fences, and landscaping shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress.
3. 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.
4. Development shall comply with all requirements of Section 13-32 and Article 2.5, Title 13, of the Costa Mesa Municipal Code relating to development standards for residential projects.
5. Prior to the 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.
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, suits, building, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
7. All on-site utility services shall be installed underground.
8. 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.
9. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
10. Two sets of detailed landscape and irrigation plans, which meet the

requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines, 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.

11. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
12. A minimum 20-foot by 20-foot clear inside dimension shall be provided for the two-car garages, with minimum garage door width of 16 feet and automatic garage door openers. The proposed garages shall be used for parking as required by code as it is not habitable space; further excess storage which prevents parking the required number of vehicles is prohibited.

Bldg.

13. Comply with the requirements of the most recent 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.
14. 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.
15. 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.
16. Construction/ improvements that encroach within Public Utility Easements shall require written approvals from the utility companies associated with that easement.
17. Comply with the requirements of the following adopted codes Code, 2022 California Building Code, 2022 California Electrical code, 2022 California Mechanical code , 2022 California Plumbing code , 2022 California Green Building Standards Code and 2022 California Energy Code (or the applicable adopted, California Building code California Electrical code, California Mechanical code California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2022 California Building Code.
18. 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

19. Provide a plan to the County of Orange Health Dept. for review and approval.
20. 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. 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.
21. Submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans.
22. The ground adjacent immediately to the foundation shall be slopes 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 2019 California Building Code sec. 1808.7.4 i- 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 Residential Code CRC 403.1.7.3 ii- Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet. CRC R401.3

Fire

23. Comply with the requirements of the 2022 California Fire Code, including the reference standards, as adopted and amended by Costa Mesa Fire & Rescue.

Water

24. Project will require a Plan Check and permit from Mesa Water District. 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.

Sani.	25.	It is recommended that the developer contact the Costa Mesa Sanitary District at (949) 645-8400 for current district requirements.
School	26.	Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits.

Costa Mesa

City of Costa Mesa

RESERVE FOR FILING STAMP

ATTACHMENT 2

RECEIVED
CITY CLERK

25 AUG 18 PM 4:08

☒ Appeal of Planning Commission Decision:
$1,220.00 (Tier 1)[1]
$3,825.00 (Tier 2)[2]

☐ Appeal of Non-Planning Commission Decision:
$690.00 (Tier 1)[1]
$3,825.00 (Tier 2)[2]

CITY OF COSTA MESA
BY ST

File with: City Clerk
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626
714-754-5225

APPLICATION FOR APPEAL OR REVIEW

Applicant Name* MIKE CZAJKOWSKI AND JING ZHANG CZAJKOWSKI
Address 300 23RD. ST., COSTA MESA, CA 92627
Phone 949-244-4423

REQUEST FOR: ☒ **APPEAL** ☐ **REVIEW****

Decision of which appeal or review is requested: (give application number, if applicable, and the date of the decision, if known.)

PA-23-14
2308 SANTA ANA AVE.

Decision by: PLANNING COMMISSION

Reasons for requesting appeal or review:

- NOT ENOUGH TIMEFRAME OF NOTICE ABOUT THE PROPOSED PROJECT.
- THE PLANNING COMMISSIONS DECISION LACKS SUFFICIENT EVIDENCE OR RELIED ON INCORRECT ASSUMPTIONS.
- INCOMPLETE STUDY OF THE PROJEC'S ADVERSE EFFECTS ON MY PROPERTY.
- VAGUE CONDITIONS OF APPROVAL.

8/18/2025

Date: Signature:

*If you are serving as the agent for another person, please identify the person you represent and provide proof of authorization.
**Review may be requested only by Planning Commission, Planning Commission Member, City Council, or City Council Member

For office use only – do not write below this line

SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF:
If appeal or review is for a person or body other than City Council/Planning Commission, date of hearing of appeal or review

Updated September 2023

[1] Includes owners and/or occupants of a property located within 500 feet of project site (excluding owners and/or occupants of the project site).

[2] Includes the project applicant, owners and/or occupants of the project site, and owners and/or occupants of a property located greater than 500 feet from the project site.

Turf Grass

Supplier: West Cost Turf — Sod — 0.6 — 507 SF
Variety: Santa Ana
Drought tolerant water saving Bermudagrass sod cultivated for warmer areas.

Synthetic Turf

Symbol	Description
1	Install synthetic turf edging per turf contractor and manufacturer's recommendations. *Select turf color to match 'Santa Ana' natural turf planed per this plan.
2	Install synthetic turf between concrete pads. Total - 190 S.F.

Note: All synthetic turf at edges of driveway shall be tucked under at edge per manufacturer's recommendations or use an edging specific for synthetic turf. .

Trees

Magnolia 'Litte Gem'
LITTLE GEM MAGNOLIA

Podocarpus macrophyllus
YEW PINE

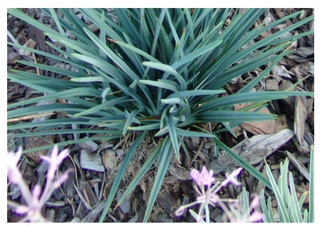
Lagerstroemia indica x fauriei 'Zuni'
ZUNI CRAPE MYRTLE

Shrubs and Groundcovers

B Buxus microphylla 'Green Beauty'
GREEN BEAUTY BOXWOOD

Cal Callistemon viminalis 'CV01' PP #24,444
SLIM BOTTLE BRUSH

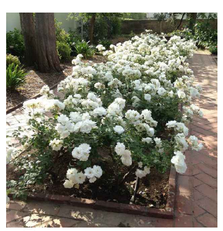
C Cordyline x 'JURred'
FESTIVAL BURGUNDY CORDYLINE


Dia Dianella revoluta 'Baby Bliss'
BABY BLISS FLAX LILY

R Podocarpus elongatus 'Monmal'
ICEE BLUE PODOCARPUS

L Lavandula stoechas 'Otto Quast'
SPANISH LAVENDER

M Myoporum parvifolium 'Pink'
PINK AUSTRALIAN RACER


R Rosa 'Iceberg'
ICEBERG ROSE

S Sansevieria trifasciata 'Laurentii'
Striped Mother-in Law's Tongue

D Distictis 'Rivers'
ROYAL TRUMPET VINE

PLANTING LEGEND

TREES

Total Trees Required 15
Total Trees on Plan 16

Symbol	Botanical / Common Name	Container	Kc	Qty	Height / Width
△	Magnolia 'Litte Gem' LITTLE GEM MAGNOLIA	24" Box	0.5	3	20'-25' / 10'-15'
●	Podocarpus macrophyllus YEW PINE	15 Gallon (Size restriction - wall footing)	0.5	7	20'-25' / 10'-15'
✳	Lagerstroemia indica x fauriei 'Zuni' ZUNI CRAPE MYRTLE	24" Box	0.5	6	9'-12' / 8'-10'

SHRUBS

Total Srubs 305
(Required) 60% 5 Gallon 183
Total 5 Gallons on Plan 194

Note: All planters shall receive a 3" layer of shredded bark mulch or Mexican Beach Pebbles per owner's approval.

Symbol	Botanical / Common Name	Container	Kc	Qty	Height / Width
P	Podocarpus elongatus 'Monmal' ICEE BLUE PODOCARPUS	5 Gallon	0.5	12	15'-20' / 6'-15'
B	Buxus microphylla 'Green Beauty' GREEN BEAUTY BOXWOOD (@ 18" On Center)	5 Gallon	0.5	31	4'-6' (Hedged)
Cal	Callistemon viminalis 'CV01' PP #24,444 SLIM BOTTLE BRUSH	5 Gallon	0.3	39	8'-10' / 3'-4'
C	Cordyline x 'JURred' FESTIVAL BURGUNDY CORDYLINE	5 Gallon	0.5	9	3' / 3'
Dia	Dianella revoluta 'Baby Bliss' BABY BLISS FLAX LILY	1 gallon	0.3	81	1'-2' / 1'-2'
L	Lavandula stoechas 'Otto Quast' SPANISH LAVENDER	1 gallon	0.3	32	2' / 2'
R	Rosa 'Iceberg' ICEBERG ROSE	5 Gallon	0.5	50	3' / 4'
S	Sansevieria trifasciata 'Laurentii' STRIPED MOTHER-IN LAW'S TONGUE	5 Gallon	0.5	43	3'-4' / Clumping

VINES

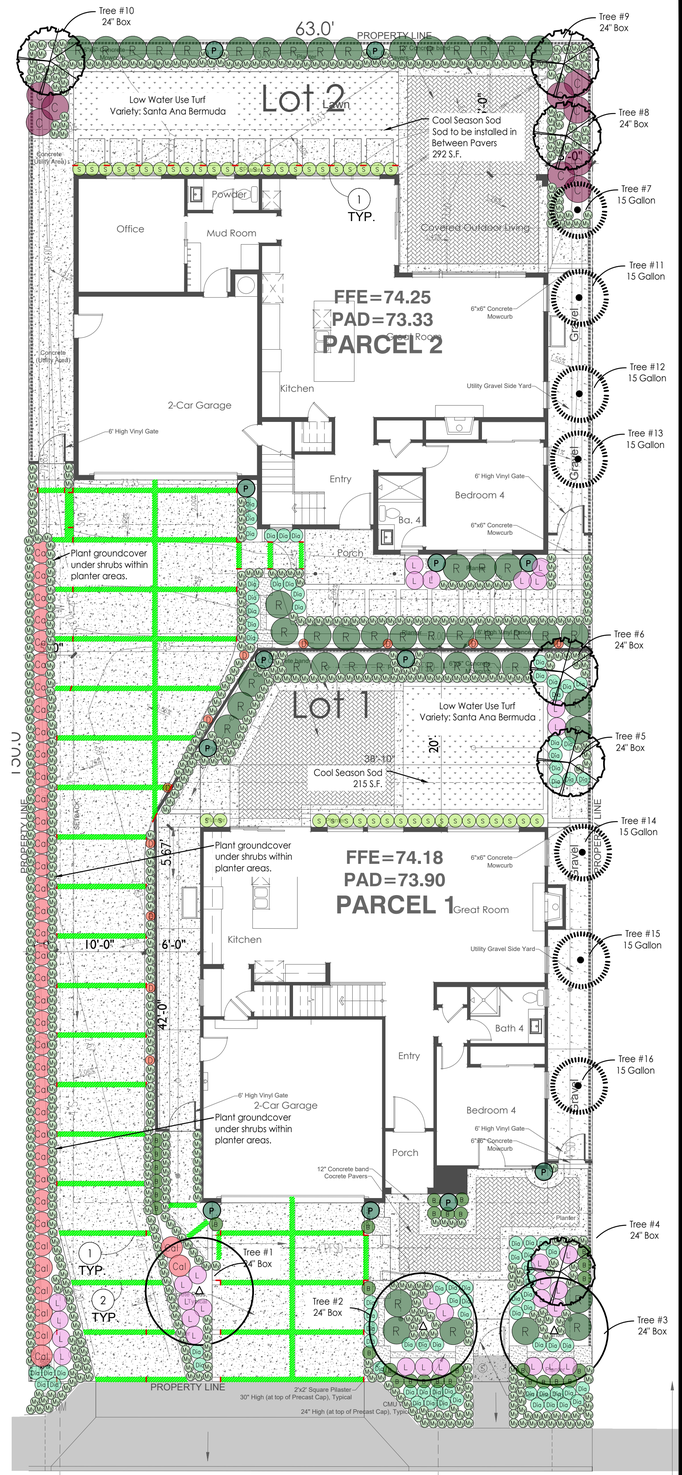
Symbol	Botanical / Common Name	Container	Kc	Qty	Height / Width
D	Distictis 'Rivers' ROYAL TRUMPET VINE	5 Gallon	0.3	11	25'-30' long

GROUNDCOVER

Symbol	Botanical / Common Name	Container	Kc	Qty	Height / Width
M	Myoporum parvifolium 'Pink' PINK AUSTRALIAN RACER	Rooted Cuttings From Flats	0.3	727	Less than 12" / 6'

Groundcover 70% Coverage Note:
Additional Myoporum rooted cuttings (groundcover) are to be installed as required by the city landscape inspector to achieve the targeted 70% under-planting in shrub areas. Groundcovers shall be installed where the stem and canopy height of the primary shrub plant material allows such installations and where the installation of groundcover will not be detrimental the the health and growth of the primary shrub plant material. Understory groundcover planting of shrub areas shall be completed to achieve 70% groundcover coverage.

ATTACHMENT 3



PLANTING PLAN

0' 8'
SCALE: 1"=8'
north

Ecosystem Urban UES Solutions
LandscapeDynamics.net
URBAN | ECOSYSTEM | SOLUTIONS
A division of Landscape Dynamics
Landscape Architecture - Consulting
Water Management - Certified Arboriculture
(951) 264-4839

DESIGN PROJECT MANAGER
Greg Zoll
gregzoll@landscapedynamics.net
(951) 264-4839

Landscape Architectural Plans
Eastside Coastal, LLC
2308 Santa Ana Avenue. Costa Mesa Ca 92627

DIGALERT
DIAL TOLL FREE
1-800-227-2600
AT LEAST THREE DAYS BEFORE YOU DIG
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

LICENSED LANDSCAPE ARCHITECT
Gregory Paul Zoll
5204
April 30, 2026 Renewal Date
September 3, 2025 Date
STATE OF CALIFORNIA

PLANTING PLAN

September 3, 2025

DESCRIPTION L7
JOB NO. 582
SHEET 7 of 8

PLOT DATE: 9/3/2025 10:43 AM

RESOLUTION NO. PC-2025-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING DESIGN REVIEW PLANNING APPLICATION (PA) 23-14 AND TENTATIVE PARCEL MAP 2023-117 TO CREATE TWO PARCELS EACH CONTAINING A NEW TWO-STORY DETACHED SINGLE-FAMILY RESIDENCE WITH AN ATTACHED TWO-CAR GARAGE IN THE MULTIPLE-FAMILY RESIDENTIAL, MEDIUM DENSITY (R2-MD) ZONE FOR PROPERTY AT 2308 SANTA ANA AVENUE

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, Planning Application PA-23-14 and Tentative Parcel Map 2023-117 was filed by Ali Sedghi, the property owner, requesting approval of the following: Tentative Parcel Map and Design Review for a residential small lot subdivision project consisting of two, two-story, detached single family dwelling units with attached two-car garages;

WHEREAS, a duly noticed public hearing held by the Planning Commission on August 11, 2025 with all persons having the opportunity to speak for and against the proposal; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15315 (Class 15) Minor Division of Land, and Section 15303 (Class 3) New Construction or Conversion of Small Structures. In addition, this project is statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.66.

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgement of the City of Costa Mesa.

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application PA-23-14 and Tentative Parcel Map No. 2023-117 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon

the activity as described in the staff report for Planning Application PA-23-14 and Tentative Parcel Map No. 2023-117 and upon applicant's compliance with each and all of the conditions in Exhibit B, 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 11th day of August, 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-2025-15 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on August 11, 2025 by the following votes:

AYES: Harlan, Zich, Andrade, Dickson, Klepack, Martinez, Rojas

NOES: None

ABSENT: None

ABSTAIN: None

Carrie Tai, Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(13) and (14):

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

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

Facts in Support of Findings: The Medium Density Residential General Plan land use designation establishes a maximum allowable density of 12 units per acre. The subject parcel is 9,450 square feet in area. The parcel map would allow for a new residential project that would be consistent with the General Plan land use designation of Medium Density Residential and the R2-MD zone that allows for one unit per 3,630 square feet of lot area. The project design also complies with the applicable development standards for a residential small lot subdivision. The proposed parcel map is consistent with General Plan Land Use Objectives LU-1A and LU-2A, in that the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City, and the parcel map would allow for redevelopment of an existing parcel which would improve and maintain quality of the neighborhood by improved architecture, aesthetics, and landscaping.

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

Facts in Support of Finding: The subject property has a General Plan land use designation of Medium Density Residential, which allows multi-family residential uses at a maximum of 12 dwelling units per acre. The subject parcel is 9,450 square feet in area. The Parcel Map proposes a residential use that would not exceed the maximum density allowed per the General Plan. In addition, the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City, and the parcel map would allow for redevelopment of an existing parcel which would improve and maintain quality of the neighborhood by improved architecture, aesthetics, and landscaping, pursuant to General Plan Land Use Objectives LU-1A and LU-2A.

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 property is relatively flat regarding topography, located within an established residential neighborhood, currently improved with residential development and suitable to accommodate two residential units. The size of the lot is also suitable since the proposed development meets all applicable development standards including, setbacks, parking, and open space. The parcel map proposes to subdivide a parcel into two lots that does not exceed the minimum R2-MD maximum density of one dwelling unit for 3,630 square-feet of lot area. Adequate infrastructure exists to serve the proposed project and the project will not result in the loss of any habitat, result in a negative impact on the environment as a whole or require extensive infrastructure improvements to provide service to the site.

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 Findings: The project provides 45.8 percent open space for the overall development and each unit will have at least 200 square feet of private open space area. The open space will accommodate landscaping that can be provided throughout the site with adequate setbacks for airflow, and trees for site shading. The project is proposed to include operable windows and will be fully insulated as required by the building code.

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 project has been reviewed by the Public Works Department and there are no conflicts with the City's or other utility agencies' rights-of-way or easements.

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 lot currently has connections to the public sewer system for the existing residential unit. The parcel map would allow for a residential project that would not include physical changes to the lot that would result in discharge into the public sewer system in violation of State requirements. Furthermore, the applicant will be required to comply with the regulations set forth by the Costa Mesa Sanitation District and Mesa Water District. Compliance with the Costa Mesa Sanitation District and Mesa Water District involves the implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities, which will specify the "best management practices" (BMPs) that the project will be required to implement during construction activities to ensure that all potential pollutants of concern (including sediment) are

prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property.

As indicated above, the project complies with above findings to approve the Tentative Parcel Map. In addition, pursuant to the Subdivision Map Act, Government Code Section 66474, a parcel map must be denied if one or more findings are made:

Finding: *That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451;*

Facts in Support of Findings: The proposed subdivision map is consistent with the goals, objectives, policies, and land use designations of the applicable General Plan and any relevant Specific Plans adopted for the area. The project complies with all applicable land use, circulation, and development standards and furthers the intent of the City's planning documents. Therefore, this finding cannot be made.

Finding: *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*

Facts in Support of Findings: The design and proposed improvements of the subdivision, including lot configuration, access, and infrastructure, conform with applicable General and Specific Plan policies and standards. Improvements are consistent with the planned infrastructure network and development pattern anticipated in the area. Therefore, this finding cannot be made.

Finding: *That the site is not physically suitable for the type of development;*

Facts in Support of Findings: The site is physically suitable for the type of development proposed. The topography, existing conditions, and lack of physical constraints such as flood zones or geologic hazards allow for safe and feasible development. Necessary utilities and infrastructure can be provided to support the proposed use. Therefore, this finding cannot be made.

Finding: *That the site is not physically suitable for the proposed density of development;*

Facts in Support of Findings: The proposed density of development is consistent with zoning regulations and the land use designation for the site. The site can adequately accommodate the proposed number of lots or units without resulting in overcrowding or unsafe conditions. Adequate access, open space, and public services are available to support the proposed density. Therefore, this finding cannot be made.

Finding: *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;*

Facts in Support of Findings: The design of the subdivision and associated improvements will not cause substantial environmental damage or significantly and avoidably impact fish or wildlife habitat in that there are no environmentally sensitive areas within or around the site. Therefore, this finding cannot be made.

Finding: *That the design of the subdivision or type of improvements is likely to cause serious public health problems; and*

Facts in Support of Findings: The design of the subdivision and proposed improvements will not result in any serious public health problems. The project will comply with all applicable building codes, health regulations, and safety standards. Required public services, including fire protection, water, and wastewater infrastructure, are available and sufficient to serve the development. Therefore, this finding cannot be made.

Finding: *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision."*

Facts in Support of Findings: The subdivision does not conflict with any public easements for access or use. All existing public easements of record have been identified and appropriately preserved, or alternate easements of substantially equivalent utility will be provided where necessary. The proposed map ensures continued public access and utility connectivity as required. Therefore, this finding cannot be made.

Pursuant to the proposed subdivision design, none of the above findings for denial can be made or associated with the proposed project.

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

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

Facts in Support of Findings: The project proposes a maximum density of one dwelling unit per 3,630 square feet of lot area, which is consistent with the maximum allowable density for the R2-MD Zone and the Medium Density Residential land use designation. The project complies with all other applicable Zoning Code standards including setbacks, parking, and open space. The project design incorporates elevations with varied roof forms and projections including eaves and overhangs to provide visual interest as viewed from the street. The exterior materials include brick veneer and horizontal wood siding, white stucco and composite shingle roofing. The architecture of the homes includes varying roof forms, wall planes, and exterior materials which allow it then to avoid a boxy two-story design. Landscaping throughout the project meets code requirements and the project would introduce 22 new trees on-site, 11 of which are palms. The project will not result in privacy impacts to the surrounding residences based on the proposed window fenestration patterns and the proposed setbacks from the neighboring properties.

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

Facts in Support of Finding: The neighborhood includes a mixture of one and two-story residential properties consisting of apartments, duplexes, condos, and single-family residences. The abutting property to the northeast consists of an apartment complex and the two abutting properties to the southeast consist of detached single-family residences. The second story design proposes a second-floor area that will not exceed the floor area of the first floor which complies with the design guidelines.

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 application does not include an affordable multi-housing development component and therefore, the requirement to include an affordability covenant is not applicable to the project.

B. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions for the parcel map application, and Section 15303 (Class 3), New Construction or Conversion of Small Structures for the design review application.

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

- The project is located within the City of Costa Mesa and is consistent with the R2-MD Zoning Designation and the Medium Density Residential General Plan Designation because it proposes lot areas and development in compliance with zoning requirements, and proposes a density below the allowed General Plan Land Use Density (12 units per acre);
- The project site is serviceable by all utilities and is accessible to the public right of way;
- The parcel has not been involved in a previous subdivision in the previous two years; and
- The parcel has been previously graded, is relatively flat and has an average slope less than 20 percent.

Under Class 3, a project is exempt from the provisions of CEQA if it includes the construction or conversion of less than three new single-family residences in an urbanized area. The proposed project meets this requirement in that it includes the replacement of existing two single-family residences with two new single-family residences in an urban area. Lastly, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Specifically, the project would not result in a cumulative environmental impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.

C. The project 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 B

CONDITIONS OF APPROVAL

Plng.

1. Approval of Design Review PA-23-14 and Tentative Parcel Map No. 2023-117 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. The conditions of approval for Design Review PA-23-14 and Tentative Parcel Map No. 2023-117 shall be blueprinted on the face of the site plan as part of the plan check submittal package. 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.
3. 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.
4. The final subdivision map shall be recorded with the County prior to the issuance of grading permits or building permits for the proposed development.
5. The applicant shall install a six-foot high decorative block wall around the perimeter of the proposed development lot pursuant to the CMMC. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screen by trees and landscaping.
6. Prior to building permit final, the developer shall construct decorative block walls or wood fencing on the interior property lines of the development lot pursuant to the CMMC. Any future modifications to the fencing on the interior property lines after project completion shall be first reviewed and approved by the Development Services Director and any required permits obtained prior to installation. The location and height of walls and fences shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress.
7. 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. Elevations shall not be modified unless otherwise approved by Development Services Director as consistent with the architectural design and features of the proposed development. 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 in the requirement to modify the construction to reflect the approved plans.

8. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.
9. 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 residential uses to the fullest extent that is reasonable and practicable. The plan shall show undisrupted access to other properties and shall ensure that trash facilities are accessible. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption to residents 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 be estimated by the developer and subject to approval by the Development Services Director or Transportation Services Manager.
10. Any ground floor exterior decks/patios shall not be built higher than six inches above natural grade.
11. Backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
12. 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.
13. The landscaping of this project shall comply with the City's landscaping requirements and any applicable guidelines (i.e. Water Efficient Landscape Guidelines). A final landscape plan shall be submitted with the plan check submittal.
14. The applicant shall work with staff to remove as many palm trees as possible on Parcel 2 from the scope of work and include trees along the southern side property line of Parcel 2 to sufficiently screen the project from the abutting property.
15. All driveways and parking areas shall be finished with decorative stamped concrete or pervious pavers. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.

16. Prior to the issuance of building permits, the applicant shall provide a Maintenance Agreement. The Maintenance Agreement must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's Office. The Maintenance Agreement shall include, but not limited to:
    a. Restrictions requiring residents to park vehicles in 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 at the number of which the garage was originally designed and to allow for inspections by the association to verify compliance with this condition.
    b. Restrictions that require that any subsequent revisions to the Maintenance Agreement related to these provisions must be reviewed and approved by the City Attorney's Office and the Development Services Director before they become effective.
    c. Restrictions prohibiting the outside storage of any boats, trailers, Recreational Vehicles, and similar vehicles.
    d. A plan or manner of permanent care and maintenance of any project open spaces such as the shared landscaping between driveways, pedestrian sidewalk, recreational areas and commonly used areas/facilities.
    e. Requirements for the disclosure of general and specific information to buyers of issues regarding the property and its surroundings.
17. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
18. The applicant shall contact the Planning Division to arrange a 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.
19. Prior to issuance of Certificate of Occupancy (C of O) the applicant shall provide a scaled and dimensioned digital site plan(s) for the project site, digital format, 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.
20. A precise grading plan shall be submitted and clearly identify the lowest and highest elevation 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.
21. 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.
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.

Bldg. 23. Maximum area of exterior wall openings shall be determined in accordance with the applicable provisions of California Residential Code R302.1(2).

24. All new residential construction shall have solar system install prior to final building inspection.
25. 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 (714) 708-1910 for information.
26. All new residential construction shall have electrical appliances ready.

Eng.

27. The Parcel shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (CMMC), 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.
28. 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.
29. The Final Parcel Map shall be submitted to the Engineering Division for checking. Map check fee shall be paid per C.C.M.M.C. Section 13-231.3.
30. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Parcel Map.
31. 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.
32. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of Final Parcel Map.
33. 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 Parcel Map. Cross lot drainage shall not occur.
34. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information. Water system improvements shall meet the approval of Mesa Water District; call (949) 631-1200 for information.
35. Prior to recordation of a Final Parcel 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.
36. Prior to recordation of a Final Parcel 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.
37. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
38. The elevations shown on all plans shall be on Orange County benchmark datum (NAVD 88).
39. Prior to recordation of a Final Parcel Map, submit required cash deposit or surety bond to guarantee monumentation. Deposit amount to be determined by the City Engineer.
40. Prior to occupancy, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File, reproducible mylar of the recorded Parcel Map, and approved off-site plan and nine copies of the recorded Parcel Map.

Fire 41. Residential fire sprinklers (NFPA 13D) are required for new residential units. Install NFPA 13D Fire Protection System's with interconnected smoke detectors inside each home.

Trans. 42. The applicant shall submit a Traffic Impact Fee to the Transportation Division prior to issuance of building permits. 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 with consideration of standardized trip generation ratios for proposed uses and includes credits for existing uses. NOTE: The estimated Traffic Impact Fee for this application is $2,052.00. The fee will be calculated at the time of issuance of building permits and based upon the prevailing schedule of charges in effect at that time.

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. 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.

2. The location and height of walls, fences, and landscaping shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress.

3. 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.

4. Development shall comply with all requirements of Section 13-32 and Article 2.5, Title 13, of the Costa Mesa Municipal Code relating to development standards for residential projects.

5. Prior to the 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.

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, suits, building, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.

7. All on-site utility services shall be installed underground.

8. 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.

9. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.

10. Two sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines, 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.

11. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
12. A minimum 20-foot by 20-foot clear inside dimension shall be provided for the two-car garages, with minimum garage door width of 16 feet and automatic garage door openers. The proposed garages shall be used for parking as required by code as it is not habitable space; further excess storage which prevents parking the required number of vehicles is prohibited.

Bldg.

13. Comply with the requirements of the most recent 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.
14. 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.
15. 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.
16. Construction/ improvements that encroach within Public Utility Easements shall require written approvals from the utility companies associated with that easement.
17. Comply with the requirements of the following adopted codes Code, 2022 California Building Code, 2022 California Electrical code, 2022 California Mechanical code , 2022 California Plumbing code , 2022 California Green Building Standards Code and 2022 California Energy Code (or the applicable adopted, California Building code California Electrical code, California Mechanical code California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2022 California Building Code.
18. 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
19. Provide a plan to the County of Orange Health Dept. for review and approval.
20. 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. 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.

21. Submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans.

22. The ground adjacent immediately to the foundation shall be slopes 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 2019 California Building Code sec. 1808.7.4 i- 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 Residential Code CRC 403.1.7.3 ii- Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet. CRC R401.3

Fire 23. Comply with the requirements of the 2022 California Fire Code, including the reference standards, as adopted and amended by Costa Mesa Fire & Rescue.

Water 24. Project will require a Plan Check and permit from Mesa Water District. 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.

Sani. 25. It is recommended that the developer contact the Costa Mesa Sanitary District at (949) 645-8400 for current district requirements.

School 26. Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits.

PLANNING COMMISSION AGENDA REPORT

MEETING DATE: AUGUST 11, 2025 **ITEM NUMBER: PH-1**

SUBJECT: **DESIGN REVIEW (PA-23-14) AND TENTATIVE PARCEL MAP 2023-117 REQUEST FOR A RESIDENTIAL SMALL LOT SUBDIVISION TO CREATE TWO PARCELS, EACH CONTAINING A NEW TWO-STORY DETACHED SINGLE-FAMILY RESIDENCE AND AN ATTACHED TWO-CAR GARAGE AT 2308 SANTA ANA AVENUE**

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

PRESENTATION BY: **CAITLYN CURLEY, ASSISTANT PLANNER**

FOR FURTHER INFORMATION CONTACT: **CAITLYN CURLEY**
714-754-5692
Caitlyn.Curley@costamesaca.gov

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the staff presentation is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15) Minor Divisions of Land, and Section 15303 (Class 3) New Construction or Conversion of Small Structures. In addition, this project is statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.66; and

2. Approve Parcel Map No. 2023-117 and Design Review PA-23-14 based on findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT:

The applicant and authorized agent is the property owner, Ali Sedghi of Eastside Coastal LLC.

PLANNING APPLICATION SUMMARY

Location:	2308 Santa Ana Avenue	Application Number:	PA-23-14
Request:	Parcel Map and Design Review for a residential small lot subdivision project consisting of two, two-story, detached single family dwelling units with attached two-car garages.		

SUBJECT PROPERTY:		**SURROUNDING PROPERTY:**	
Zone:	R2-MD (Multi-Family Residential, Medium Density)	North:	R2-MD
General Plan:	Medium Density Residential	South:	R2-MD
Lot Dimensions:	63' x 150'	East:	R2-MD
Lot Area:	9,450 SF	West (across Santa Ana Ave):	R1
Existing Development:	One single-story, single-family dwelling with a detached, nonconforming two-car garage.		

DEVELOPMENT STANDARDS COMPARISON

Development Standard	Small Lot Standards	Proposed/Provided	Code Compliant?
Lot Size			
Lot Width/Depth	No Standard	Parcel 1: 44 FT 1.5 IN / 82 FT Parcel 2: 63 FT / 150 FT	Yes
Lot Area	3,630 SF	Parcel 1: 3,862 SF Parcel 2: 5,588 SF	Yes
Density/Intensity			
DUs Per Acre (Residential)	1 DU / 3,630 SF of Lot Area 2 units maximum allowed	Total of two units	Yes
Building Height			
	2 Stories / 27 FT	2 stories / 26 FT 5 IN	Yes
Open Space			
Overall Open Space	35% of development area	4,333 SF (46%)	Yes
Private Open Space	200 SF / Min. 10 FT	Parcel 1: 1,213 SF Parcel 2: 1,598 SF	Yes
Residential Guidelines			
2nd Floor to 1st Floor Ratio	Maximum 100%	Parcel 1: 98.5% Parcel 2: 86.4%	Yes
Development Lot Building Setbacks			
Front	20 FT	20 FT 1 IN	Yes
Side (left)	5 FT	5 FT 1 IN	Yes
Side (right	5 FT	5 FT 1 IN	Yes
Rear	15 FT	15 FT 1 IN	Yes
Distance Between Main Buildings	6 FT	30 FT 4 IN	Yes
Parking			
Garage	2-car garage per unit	2-car garage/unit (4 spaces)	Yes
Open	2 spaces per unit	2 spaces/unit (4 spaces)	Yes

Total Parking	8 spaces	8 spaces	Yes
CEQA Review	Exempt per CEQA Guidelines Section 15315 (Minor Division of Land) and Section 15303 (New Construction or Conversion of Small Structures)		
Final Action	Planning Commission		

EXECUTIVE SUMMARY

The applicant is requesting Planning Commission approval of a small two-lot residential subdivision project for the development of two new parcels, each with a two-story, detached single-family residence and an attached two-car garage. The proposed subdivision would allow for individual ownership of the units. Staff supports the request because the proposed small lot subdivision project is consistent with applicable goals, objectives, and policies of the General Plan, complies with applicable provisions of the Zoning Ordinance and respective findings, and would be compatible with surrounding residential development.

BACKGROUND

The project site is located on the northeastern side of Santa Ana Avenue, near the intersection of Santa Ana Avenue and 23rd Street, in eastside Costa Mesa. The project site is an interior lot located on a level, rectangularly shaped 9,450 square foot parcel.

The property has a General Plan Land Use designation of Medium Density Residential (MDR) and is zoned Multi-Family Residential District, Medium Density (R2-MD). The project site is surrounded by residential development that consists of multi- and single-family residences. Properties abutting the project site to the north, east and south are designated under the R2-MD zone. The properties to the west, across Santa Ana Avenue, are designated under the R1 zone.

Current development on the property consists of one vacant single-family residence constructed between 1938 and 1947, based on historic aerial photographs. There is no permit on file with the City for the construction of the residence due to the age of the building. The residence has a driveway with access from Santa Ana Avenue that leads to a two-car garage. The residence has been owner occupied for more than five years and it therefore not a protected unit. This structure would be demolished to allow for the proposed project.

Exhibit 1 Project Location

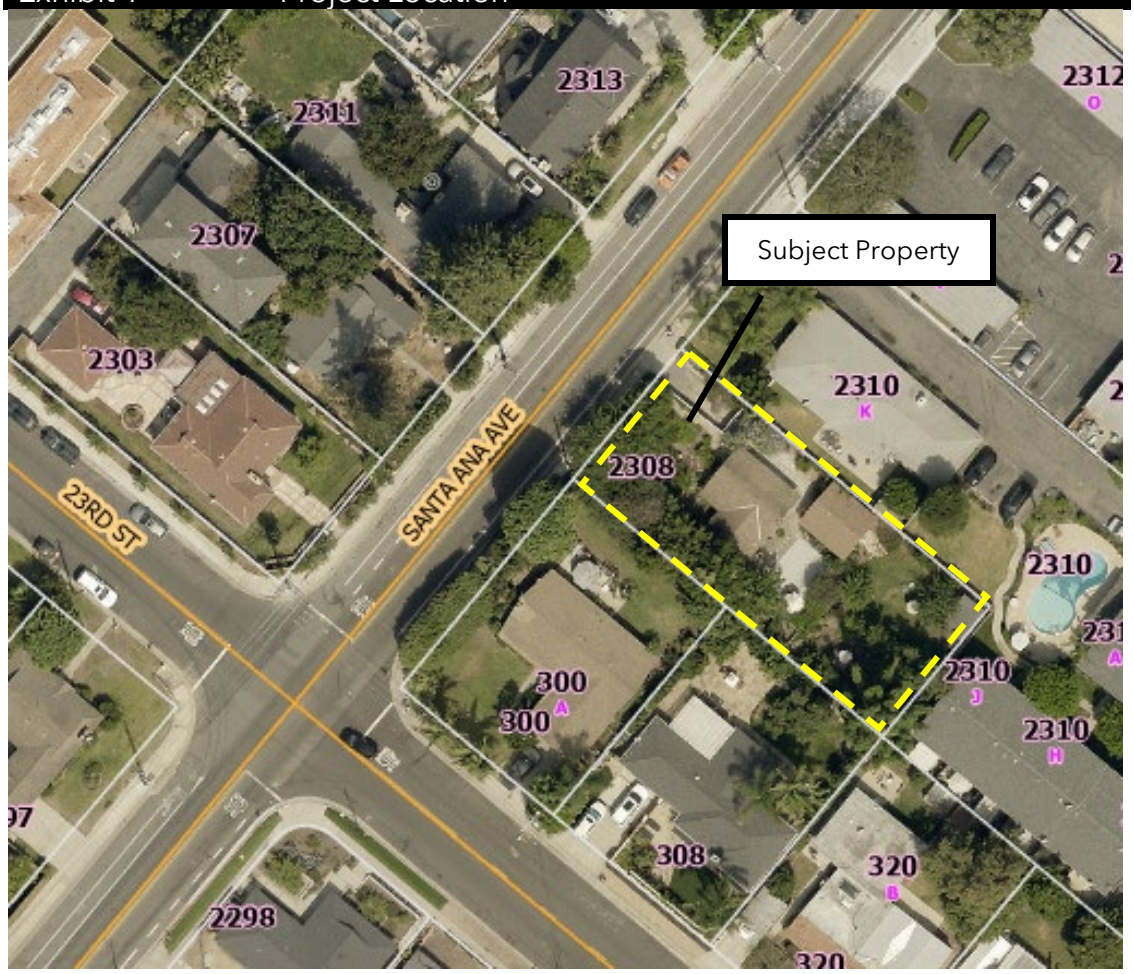


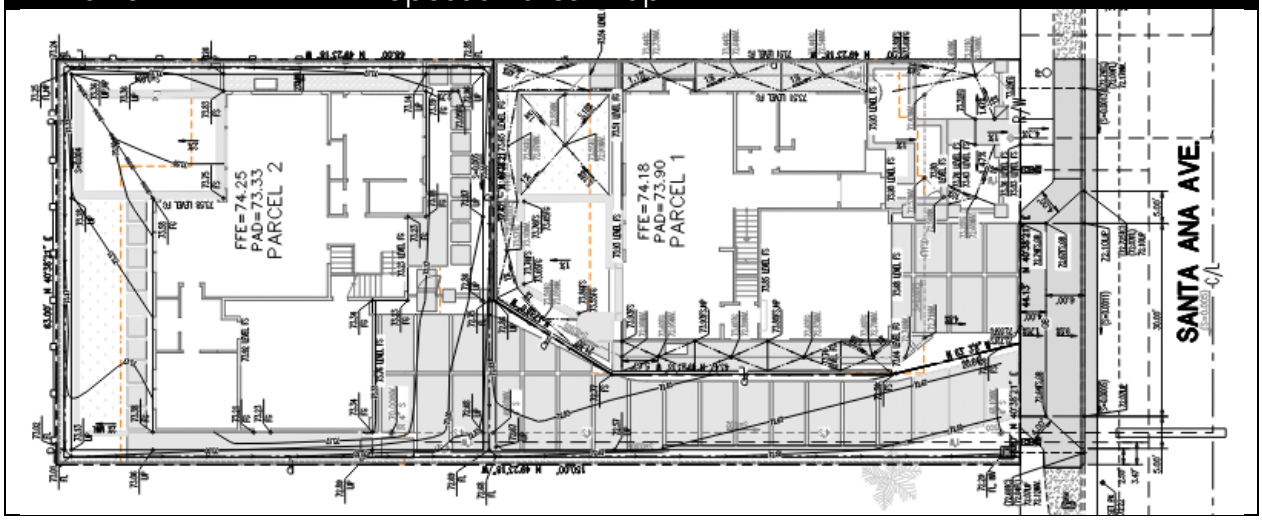
Exhibit 2 Existing Street View of 2308 Santa Ana Avenue

REQUEST

The applicant is requesting approval for a Small Lot Subdivision for the development of two single family residences and attached garages. Small Lot Subdivisions are allowed in the R2-MD zoning district pursuant to Costa Mesa Municipal Code (CMMC) Section 13-42, with the approval of a Tentative Parcel Map and Design Review applications. This project does not qualify for a regular subdivision because the resultant lots and structures do not meet the standards required for subdivisions and new construction in the R2-MD zone without the allowances of the Small Lot Subdivision requirements.

The proposed development, as shown in Exhibit 3 below, will subdivide the 9,540-square-foot parcel into two parcels. Parcel 1 is proposed to be 3,862 square feet and Parcel 2 is proposed to be 5,588 square feet. Each parcel proposes a two-story single-family residence with an attached two-car garage that will be oriented towards Santa Ana Avenue.

Exhibit 3 Proposed Parcel Map



ANALYSIS

Residential Small Lot Subdivision / Tentative Parcel Map

The CMMC requires that the maximum density of a small lot subdivision be consistent with the underlying zoning district (R2-MD, Multiple-Family Residential District, Medium Density) and required development standards are specified pursuant to CMMC Section 13-42.3(b)(1-6). Parcels greater than 7,260 square feet in area are allowed a density of 1 unit per 3,630 square feet of lot area. The project proposes two parcels each with a minimum lot area greater than 3,630 square feet and therefore complies with the density requirements. A comparison of the required development standards and the proposed project is provided above in the "Development Standards Comparison" table. As indicated in this table, the project is designed in compliance with the City's standards.

Additionally, the project has been reviewed by the Building Division and conditions of approval have been included to ensure compliance with the California Building Code.

The existing 9,540 square-foot property is rectangularly shaped and is 150 feet deep and 63 feet wide. The Tentative Parcel Map application proposes the creation of two lots consisting of Parcel 1 (3,862 square feet) and Parcel 2 (5,588 square feet). Parcel 1 is proposed as rectangular shaped abutting Santa Ana Avenue with 44 feet 1.5 inches of street frontage, and Parcel 2 is proposed to be located mostly behind Parcel 1 with the front property line extending to Santa Ana Avenue for driveway access. Parcel 2 has a street frontage of 18 feet 10.5 inches on Santa Ana Avenue. The City's Residential Small Lot Subdivision standards do not require a minimum lot size.

Design Review

The proposed development includes two new two-story single-family residences that are approximately 2,646 square feet (Unit 1) and 3,060 square feet (Unit 2), with attached two car garages, and four bedrooms. The maximum height of the residences is proposed to be 26 feet 5 inches.

Pursuant to CMMC Section 13-42.2, a new residential small lot development project shall be processed according to the City's Design Review procedures (CMMC Section 13-29). The City's Design Review application process ensures that the proposed development complies with the Costa Mesa Zoning Code and meets the intent of the *Residential Design Guidelines*. Table 1 below provides a summary of the residential development proposed on each Parcel.

Table 1	Unit Characteristics							
	1st Floor Area	Garage	2nd Floor Area (including balcony)	2nd Floor / 1st Floor Ratio	Bed-room Count	Bath-rooms (Full/Half)	Parking Spaces (Garage /Open)	Lot Area
Unit 1	1,118 SF	434 SF	1,528 SF	0.985	4	4 Full	2/2	3,862 SF
Unit 2	1,4442 SF	430 SF	1,618 SF	0.864	4	4 Full/ 1 Half	2/2	5,588SF

Residential Design Guidelines

The proposed development, as shown in Exhibit 4 below, meets the intent of the City's *Residential Design Guidelines* as follows:

- **Second-Story Design and Building Mass**: The City's Residential Design Guidelines recommend second-story floor areas (including balconies) to not exceed 100 percent of the first-story floor area (including attached garage areas). The second-story floor area of Unit 1 has been designed with an area of 98.5% of the first-story floor area and Unit 2 has been designed with a floor area that is 86.4% of the first-story floor area. Each proposed residence has been designed with articulation and off-sets on the various elevations to avoid boxy appearances. The elevations for the proposed development include multiple building planes and varied roof forms to soften the mass of the second story. The elevations also include varied facades and articulations with brick veneer and horizontal wood siding and stucco.

- **Second-Story Setbacks**: According to the *Residential Design Guidelines*, "the second-story interior side building elevation should be set back an average of 10 feet but shall be no closer than five feet from the side property line". However, the *Guidelines* specify that only a five-foot second-story setback is required for units less than 2,700 square feet of living area. Unit 1 is proposed at 2,646 square feet and is therefore exempt from the second-story setback requirements. Unit 2 has a floor area of 3,060 square feet and has been designed with 10-foot average side setbacks to meet this standard.

- **Elevation Treatments**: All units feature a variety of projections and include articulation on each wall, varying roof types and materials. Building materials include brick veneer and horizontal wood siding, white stucco and composite shingle roofing.

- **Window Placement**: Consideration for design and privacy has been provided in locating the windows on the property. The applicant provided a "line of sight study" which demonstrates that the second-story windows facing north, and south are located without direct views into the neighboring structures. Windows with direct views into usable side and rear yards provide privacy with either glazing or by utilizing a five-foot sill height. One window in Bedroom 2 of Unit 1 is required to meet egress requirements for the California Building Code. In this case, the window has been designed to meet the minimum size required by the Building Code to meet egress requirements in order to mitigate privacy impacts to the neighboring backyard. The first-story windows are located behind the proposed six-foot block wall. The block wall is proposed to be constructed on the property line between the neighboring properties, which would further eliminate privacy impacts for the existing neighboring properties.

- **Consistency in Architectural Design**: The proposed design includes California Coastal Modern architecture with materials and finishes that remain durable and require minimal maintenance. In addition, each façade features a variety of

overhangs, materials, and roof forms, which provides visual interest and façade articulation (see the below Exhibit 4).

Exhibit 4 Colored Elevations

Front Elevation
Unit 1

Front Elevation
Unit 2

The immediately surrounding neighborhood features a diverse collection of architectural styles including other residences with modern and eclectic influences, and residences with craftsman features, eclectic styles and traditional styles (see the below Exhibit 5). The varying use of materials ranging from stucco and brick veneer to wood siding and the use of articulation and off-sets for two-story residences are common throughout the neighborhood which would be compatible with the proposed design.

Exhibit 5 Neighboring Property Street View Examples

Open Space

The CMMC requires that each unit be provided a minimum of 200 square feet of open space with no dimension being smaller than 10 feet. The units are proposed to be constructed to comply with the CMMC required private open space. Unit 1 provides 1,213 square feet of private open space with a minimum of 10 feet in depth and Unit 2 provides 1,598 square feet of private open space with a minimum of 10 feet in depth. Pursuant to the CMMC, each unit will also provide adequate space outside of each unit for three trash containers without encroaching into the garage space and without being visible from the public right of way.

Parking and Circulation

Pursuant to the City's Small Lot Subdivision Standards and as provided by the project, units proposed with four bedrooms require two garage and two open parking spaces for each parcel (see Table 2 below).

Table 2 Parking Requirements		
	Requirement	Proposed
Garage Parking Spaces	4 spaces (2 per unit)	4 spaces
Open Parking	4 spaces (2 per unit for 3 or more bedroom units)	4 spaces

Pursuant to the Residential Small Lot Subdivision standards, driveway width is required to be 10 feet. The project complies with a 17-foot-wide driveway on Parcel 1 and a 10-foot-wide driveway on Parcel 2. Each driveway provides access to the respective unit's two-car garage and two open-parking spaces located on each driveway. Both the City's Fire Department and Public Works Department have reviewed the project access design for conformance with minimum safety and access criteria. As required by the CMMC and as conditioned, all parking and driveways shall consist of decorative concrete, pavers, or other material subject to review by the Development Services Director.

Fences and Walls

Pursuant to CMMC Section 13-75, the project requires the installation of a six-foot tall masonry wall around the perimeter of the proposed development lot. The final design of the walls will be reviewed as part of the building permit submittal. Any future modifications to the site walls and fencing are subject to review and approval of the Planning Division and may require building permits to be issued prior to installation. The heights and locations of walls and fences shall comply with the CMMC requirements as well as applicable visibility standards for traffic safety.

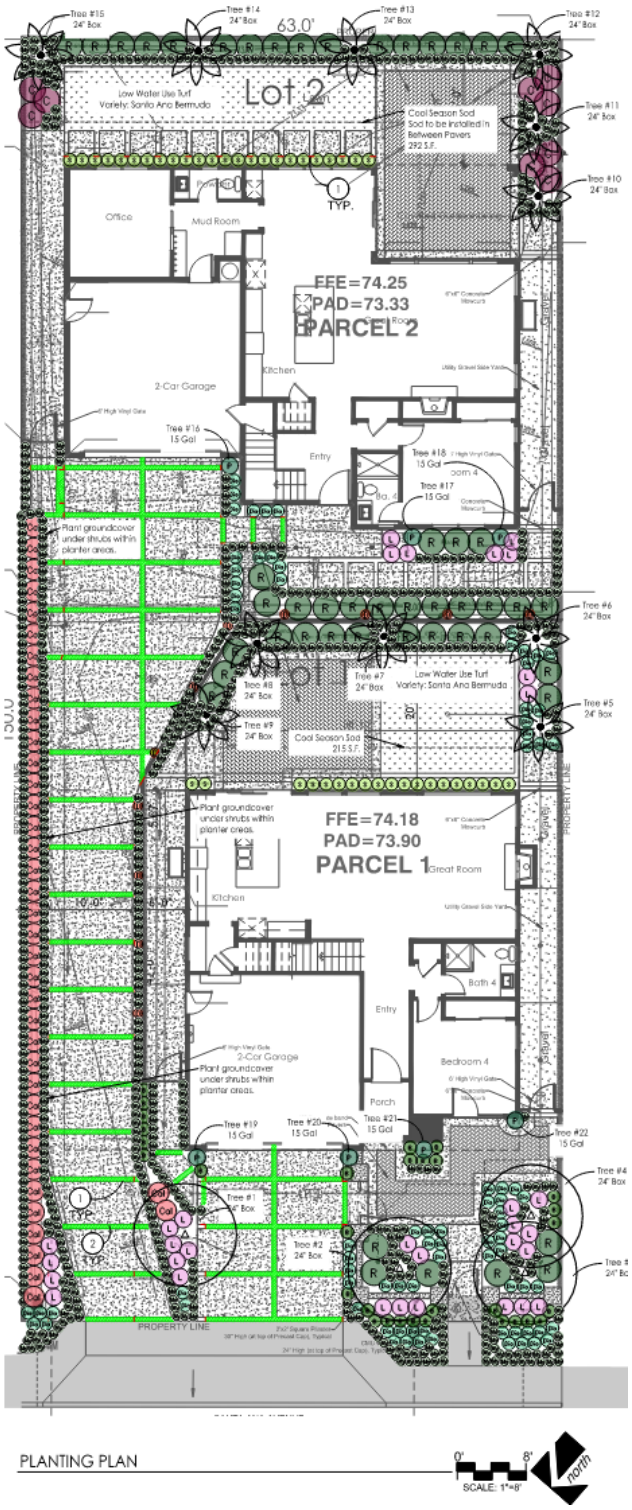
Landscaping and Lighting

Per CMMC Section 13-106, all required landscape areas shall consist of drought tolerant plant material and shall meet the minimum number of plant types based on the total landscape square footage. The project proposes a total of 2,428 square feet of landscaping with a mixture of usable and decorative landscaping. The number of plants and trees required and proposed is provided in Table 3 below.

Table 3 Landscaping Requirements		
	Requirement	**Proposed**
Tree Count	15 (one, 15-gallon tree or larger per 200 square feet of landscape area)	16.5[1]
Shrub Count	305 (one shrub for every 25 square feet of landscape area)	305
Groundcover coverage	70% with the remaining area to incorporate uncontaminated compost/mulch	70%
[1] The project proposes 11 palm trees, which each count as one-half of a tree for the purposes of meeting the Landscaping Standards.		

As part of the building permit plan check review, landscape plans will be prepared and certified by a California licensed landscape architect confirming compliance with the CMMC and water efficiency landscape guidelines (see Exhibit 6 which shows the proposed landscape plans for Parcels 1 and Parcel 2).

Exhibit 6 Conceptual Landscape Plans



Utilities

The CMMC requires that new construction provide undergrounding of all utilities on site, including existing utility poles. As required, all new and existing utilities will be installed underground. Conditions of approval require that any new backflow preventers or related equipment be installed outside of the front landscape setback and be screened from view from any location on- or off-site. As required by the CMMC, all utility meters shall be screened from view from the public right of way and neighboring properties. Conditions of approval will require that prior to building permit approval, the applicant shall submit for approval of a comprehensive utilities plan to ensure that the water and sewer mains are adequate, and utility upgrades will be required if the existing infrastructure is not adequate. The plan will be reviewed by both the City's Building Division and Public Works Department at time of building permit submittal.

GENERAL PLAN CONFORMANCE

The following analysis further evaluates the proposed project's consistency with specific policies and objectives of the 2015-2035 General Plan.

1. **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."

   Consistency: The proposed project is in conformance with General Plan Policy LU-1.3 in that the proposed scope of work consists of demolishing one single-family dwelling and one detached garage located on a multi-family zoned parcel (R2-MD) and to construct two, two-story detached ownership single-family dwelling units with attached garages on separate parcels, which will maximize the ownership opportunities of a residential property.

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

   Consistency: The project site is surrounded by single- and multi-family zoned parcels featuring various types of single and multi-family development. The proposed project complies with General Plan Objective LU-2A in that the proposed multi-unit development is consistent with the types of development within the surrounding neighborhood and contributes to architectural design that complies with the residential design standards in the neighborhood.

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

   Consistency: The project would not negatively affect surrounding residential properties as privacy impacts have been considered in the development of the project and the proposed development will generally improve neighborhood and streetscape aesthetics. The project would be located in an established residential neighborhood and would increase the total opportunities for individual housing ownership in the City.

FINDINGS

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

Tentative Parcel Map Findings – Costa Mesa Municipal Code Section 13-29(g)(13)

The creation of the subdivision and related improvements is consistent with the General Plan, any applicable specific plan, and the Zoning Code.

The Medium Density Residential General Plan land use designation establishes a maximum allowable density of 12 units per acre. The subject parcel is 9,450 square feet in area. The parcel map would allow for a new residential project that would be consistent with the General Plan land use designation of Medium Density Residential and the R2-MD zone that allows for one unit per 3,630 square feet of lot area. The project design also complies with the applicable development standards for a residential small lot subdivision. The proposed parcel map is consistent with General Plan Land Use Objectives LU-1A and LU-2A, in that the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City, and the parcel map would allow for redevelopment of an existing parcel which would improve and maintain quality of the neighborhood by improved architecture, aesthetics, and landscaping.

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

The subject property has a General Plan land use designation of Medium Density Residential, which allows multi-family residential uses at a maximum of 12 dwelling units per acre. The subject parcel is 9,450 square feet in area. The Parcel Map proposes a residential use that would not exceed the maximum density allowed per

the General Plan. In addition, the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City, and the parcel map would allow for redevelopment of an existing parcel which would improve and maintain quality of the neighborhood by improved architecture, aesthetics, and landscaping, pursuant to General Plan Land Use Objectives LU-1A and LU-2A.

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 property is relatively flat regarding topography, located within an established residential neighborhood, currently improved with residential development and suitable to accommodate two residential units. The size of the lot is also suitable since the proposed development meets all applicable development standards including, setbacks, parking, and open space. The parcel map proposes to subdivide a parcel into two lots that does not exceed the minimum R2-MD maximum density of one dwelling unit for 3,630 square-feet of lot area. Adequate infrastructure exists to serve the proposed project and the project will not result in the loss of any habitat, result in a negative impact on the environment as a whole or require extensive infrastructure improvements to provide service to the site.

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

The project provides 45.8 percent open space for the overall development and each unit will have at least 200 square feet of private open space area. The open space will accommodate landscaping that can be provided throughout the site with adequate setbacks for airflow, and trees for site shading. The project is proposed to include operable windows and will be fully insulated as required by the building code.

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

The project has been reviewed by the Public Works Department and there are no conflicts with the City's or other utility agencies' rights-of-way or easements.

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

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

As indicated above, the project complies with above findings to approve the Tentative Parcel Map. In addition, pursuant to the Subdivision Map Act, Government Code Section 66474, a parcel map must be denied if one or more findings are made:

That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451;

The proposed subdivision map is consistent with the goals, objectives, policies, and land use designations of the applicable General Plan and any relevant Specific Plans adopted for the area. The project complies with all applicable land use, circulation, and development standards and furthers the intent of the City's planning documents. Therefore, this finding cannot be made.

That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;

The design and proposed improvements of the subdivision, including lot configuration, access, and infrastructure, conform with applicable General and Specific Plan policies and standards. Improvements are consistent with the planned infrastructure network and development pattern anticipated in the area. Therefore, this finding cannot be made.

That the site is not physically suitable for the type of development;

The site is physically suitable for the type of development proposed. The topography, existing conditions, and lack of physical constraints such as flood zones or geologic hazards allow for safe and feasible development. Necessary utilities and infrastructure

can be provided to support the proposed use. Therefore, this finding cannot be made.

That the site is not physically suitable for the proposed density of development;

The proposed density of development is consistent with zoning regulations and the land use designation for the site. The site can adequately accommodate the proposed number of lots or units without resulting in overcrowding or unsafe conditions. Adequate access, open space, and public services are available to support the proposed density. Therefore, this finding cannot be made.

That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

The design of the subdivision and associated improvements will not cause substantial environmental damage or significantly and avoidably impact fish or wildlife habitat in that there are no environmentally sensitive areas within or around the site. Therefore, this finding cannot be made.

That the design of the subdivision or type of improvements is likely to cause serious public health problems; and

The design of the subdivision and proposed improvements will not result in any serious public health problems. The project will comply with all applicable building codes, health regulations, and safety standards. Required public services, including fire protection, water, and wastewater infrastructure, are available and sufficient to serve the development. Therefore, this finding cannot be made.

That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision."

The subdivision does not conflict with any public easements for access or use. All existing public easements of record have been identified and appropriately preserved, or alternate easements of substantially equivalent utility will be provided where necessary. The proposed map ensures continued public access and utility connectivity as required. Therefore, this finding cannot be made.

Pursuant to the proposed subdivision design, none of the above findings for denial can be made or associated with the proposed project.

Design Review Findings – Costa Mesa Municipal Code Section 13-29(g)(14)

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

The project proposes a maximum density of one dwelling unit per 3,630 square feet of lot area, which is consistent with the maximum allowable density for the R2-MD Zone and the Medium Density Residential land use designation. The project complies with all other applicable Zoning Code standards including setbacks, parking, and open space. The project design incorporates elevations with varied roof forms and projections including eaves and overhangs to provide visual interest as viewed from the street. The exterior materials include brick veneer and horizontal wood siding, white stucco and composite shingle roofing. The architecture of the homes includes varying roof forms, wall planes, and exterior materials which allow it to avoid a boxy two-story design. Landscaping throughout the project meets code requirements and the project would introduce 22 new trees on-site. 11 of which are palms. The project will not result in privacy impacts to the surrounding residences based on the proposed window fenestration patterns and the proposed setbacks from the neighboring properties.

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

The neighborhood includes a mixture of one and two-story residential properties consisting of apartments, duplexes, condos, and single-family residences. The abutting property to the northeast consists of an apartment complex and the two abutting properties to the southeast consist of detached single-family residences. The second story design proposes a second-floor area that will not exceed the floor area of the first floor which complies with the design guidelines.

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 application does not include an affordable multi-housing development component and therefore, the requirement to include an affordability covenant is not applicable to the project.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions for the parcel map application, and Section 15303 (Class 3), New Construction or Conversion of Small Structures for the design review application. In addition, this project is statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.66

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

- The project is located within the City of Costa Mesa and is consistent with the R2-MD Zoning Designation and the Medium Density Residential General Plan Designation because it proposes lot areas and development in compliance with zoning requirements, and proposes a density allowed by the General Plan Land Use Density;
- The project site is serviceable by all utilities and is accessible to the public right of way;
- The parcel has not been involved in a previous subdivision in the previous two years; and
- The parcel has been previously graded, is relatively flat and has an average slope less than 20 percent.

Additionally, under Section 15303 (Class 3), a project is exempt from the provisions of CEQA if it includes the construction or conversion of less than three new single-family residences in an urbanized area. The proposed project meets this requirement in that it includes the replacement of two existing single-family residences with two new single-family residences in an urban area. Lastly, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Specifically, the project would not result in a cumulative environmental impact; would not have a significant effect on the environment due to unusual circumstances;

would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.

ALTERNATIVES

As an alternative to the recommended action, the Planning Commission may:

Approve the project with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.

Deny the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months. However, because this project is subject to the Housing Accountability Act (Government Code Section 65589.5), if the Planning Commission denies the housing project, and the development is determined to be consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, the Planning Commission must make the following written findings:

- The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density; and

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

LEGAL REVIEW

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

PUBLIC NOTICE

Pursuant to CMMC Section 13-29(d) three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site on July 30, 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 July 31, 2025.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on August 1, 2025.

As of the completion date of this report, no written public comments have been received. Any public comments received prior to the August 11, 2025, Planning Commission meeting will be provided separately.

CONCLUSION

Staff supports the applicant's request to develop a Residential Small Lot Subdivision because the proposed development is consistent with the City's R2-MD zoning designation and the General Plan. The project would provide homeownership opportunities to improve the balance between rental and ownership housing in the City. In addition, the proposed development is in compliance with the City's Subdivision and Development Review standards and complies with the City's Residential Design Guidelines. Lastly, the State's Housing Accountability Act (Government Code Section 65589.5) applies to this project and generally requires that cities approve housing projects that are consistent with the General Plan and zoning, unless the City can make specific State mandated findings for denial (further discussed in the "Alternatives" section of this report).

PARTIDA, ANNA

From: Mike Czajjowski <jzmc@sbcglobal.net>
Sent: Sunday, August 10, 2025 8:46 PM
To: PC Public Comments
Cc: ALFONSO BUITRAGO-JIMENEZ
Subject: 2308 Santa Ana Ave., PA-23-14_ Planning Commission Public Hearing_ August 11, 2025

Good morning,

I am writing in reference to the proposed two-story development adjacent to our private backyard at 300 23rd St. Below are our main concerns and objections regarding this project:

1. Public Hearing Notice and Insufficient Time for Review

We received the city's notice regarding the public hearing but no project documents less than one week before the scheduled date. Additionally, the project information—over 100 pages of reports, drawings, and other documents—was posted online less than 24 work hours before the hearing. We were given only a half-day to review these materials on our phones (while out of town), which made it extremely difficult to fully study, understand, and respond to the proposal.

The development reports and drawings have likely been in the works for at least a year. Yet, we as the owners of the affected property were given only one day to review everything. This is unreasonable, and we respectfully demand that the hearing be continued to allow sufficient time for us to consult and respond adequately.

2. Concerns About the Proposed Development

A) Inconsistent Layout Impacting Privacy

The proposed layout does not follow the established development pattern of the area. The existing two homes at 2308 Santa Ana are located closer to the northern property line, near the side yard of the multi-unit neighbors, leaving our property's backyard private. However, the new homes are planned to be positioned directly adjacent to our backyard, significantly affecting our privacy.

We request that the layout be adjusted so that the development follows the existing pattern, with the homes situated further away from our back yard property line to minimize the impact on the privacy of the single-story residences on 23rd Street.

B) Window Placement and Privacy Concerns

The design of the second-story bedrooms includes windows facing our backyard, which raises serious privacy concerns. These bedrooms already feature other windows facing the front and rear yards, which should be sufficient for natural light. The side-facing windows seem to exist solely to overlook our private backyard.

We demand that these windows, including the large hallway window, be eliminated. Prior to seeing the drawings, we spoke with Ms. Caitlyn Curley, the planner in charge, who assured us that any windows facing our backyard would be at least 5 feet above the floor and feature obscured glass. However, the drawings show otherwise.

The proposed Great Room has multiple windows and a sliding glass door facing its backyard, with two more large windows overlooking our property. This is a blatant disregard for neighborly privacy. The view lines shown in the drawings also misrepresent the layout of our house, further exacerbating the issue.

C) Drainage and Sewer Concerns

The proposed grading and drainage plan does not seem to adequately address the known drainage issues at 2308 Santa Ana. The property has a history of flooding and sewer overflow during rainstorms. It is unclear whether the new grades will exacerbate these issues by diverting stormwater onto our property.

The 1% slope with a 5-foot setback is insufficient to prevent stormwater runoff from reaching us. We insist that the proposed drainage system be reviewed by our engineering consultant to ensure it properly mitigates these risks and protects our property from flooding and sewer issues.

D) Protection of Existing Trees

We are also concerned about how the installation of the footing for the proposed block wall and trenches for the sewer lines will affect the existing trees on our property. We are particularly worried that the roots of these trees may be damaged or undermined, potentially leading to their death. We are reminded of a tragic incident several years ago on Irvine Ave. and 17th St., where the roots of a tree were compromised during curb installation, leading to the tree's collapse and the tragic death of a driver.

We request that a specific plan is developed insuring special care be taken to avoid damaging or undermining the trees on our property during construction.

E) Lighting and Glare

The drawings do not include any information regarding the proposed lighting design for the subdivision areas. We are concerned about the potential glare from this lighting and how it could affect the privacy and comfort of our home and backyard. We request clarification on this matter.

Conclusion

There are many unanswered questions and unresolved issues regarding this project, particularly concerning safety and privacy. We, the owners of the adjacent property, respectfully request that the hearing be continued so that the developer can address these concerns. Additionally, we ask for more time to study the changes and respond appropriately.

Thank you for your attention to these matters.

Sincerely,

Mike and Jing Czajkowski

949-254-4423

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PARTIDA, ANNA PH-1

From: Mike Czajjowski <jzmc@sbcglobal.net>
Sent: Monday, August 11, 2025 5:06 AM
To: PC Public Comments
Cc: ALFONSO BUITRAGO-JIMENEZ
Subject: Re: 2308 Santa Ana Ave., PA-23-14_ Planning Commission Public Hearing_ August 11, 2025

Dear Board Members,

In addition to the points below, I have several more major concerns and objections regarding the proposed development:

1. The property line and limits depicted in the drawings encroach upon my property, as they do not match the surveying map of my property, which I have in my possession. I request that the surveying maps be verified by an independent consultant.
2. The proposed building height exceeds the 27-foot height limit, as the finished grade is being incorrectly referenced, rather than the existing grade elevation.
3. The proposed development does not show a single tree to be planted along the two-story building side that faces our back yard and which is located just 5 feet from our backyard (less than 5 feet at the chimney).

These are serious legal and privacy concerns that should be thoroughly verified and properly addressed before the next hearing.

Thank you again for your attention to this matter.

Mike and Jing Czajkowski

949-244-4423

Sent from my iPhone

On Aug 10, 2025, at 11:45 PM, Mike Czajjowski <jzmc@sbcglobal.net> wrote:

Good morning,

I am writing in reference to the proposed two-story development adjacent to our private backyard at 300 23rd St. Below are our main concerns and objections regarding this project:

1. Public Hearing Notice and Insufficient Time for Review

We received the city's notice regarding the public hearing but no project documents less than one week before the scheduled date. Additionally, the project information—over 100 pages of reports, drawings, and other documents—was posted online less than 24 work hours before the hearing. We were given only a half-day to review these materials on our phones (while out of town), which made it extremely difficult to fully study, understand, and respond to the proposal.

The development reports and drawings have likely been in the works for at least a year. Yet, we as the owners of the affected property were given only one day to review everything. This is unreasonable, and we respectfully demand that the hearing be continued to allow sufficient time for us to consult and respond adequately.

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A) Inconsistent Layout Impacting Privacy

The proposed layout does not follow the established development pattern of the area. The existing two homes at 2308 Santa Ana are located closer to the northern property line, near the side yard of the multi-unit neighbors, leaving our property's backyard private. However, the new homes are planned to be positioned directly adjacent to our backyard, significantly affecting our privacy.

We request that the layout be adjusted so that the development follows the existing pattern, with the homes situated further away from our back yard property line to minimize the impact on the privacy of the single-story residences on 23rd Street.

B) Window Placement and Privacy Concerns

The design of the second-story bedrooms includes windows facing our backyard, which raises serious privacy concerns. These bedrooms already feature other windows facing the front and rear yards, which should be sufficient for natural light. The side-facing windows seem to exist solely to overlook our private backyard.

We demand that these windows, including the large hallway window, be eliminated. Prior to seeing the drawings, we spoke with Ms. Caitlyn Curley, the planner in charge, who assured us that any windows facing our backyard would be at least 5 feet above the floor and feature obscured glass. However, the drawings show otherwise.

The proposed Great Room has multiple windows and a sliding glass door facing its backyard, with two more large windows overlooking our property. This is a blatant disregard for neighborly privacy. The view lines shown in the drawings also misrepresent the layout of our house, further exacerbating the issue.

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flooding and sewer overflow during rainstorms. It is unclear whether the new grades will exacerbate these issues by diverting stormwater onto our property.

The 1% slope with a 5-foot setback is insufficient to prevent stormwater runoff from reaching us. We insist that the proposed drainage system be reviewed by our engineering consultant to ensure it properly mitigates these risks and protects our property from flooding and sewer issues.

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We are also concerned about how the installation of the footing for the proposed block wall and trenches for the sewer lines will affect the existing trees on our property. We are particularly worried that the roots of these trees may be damaged or undermined, potentially leading to their death. We are reminded of a tragic incident several years ago on Irvine Ave. and 17th St., where the roots of a tree were compromised during curb installation, leading to the tree's collapse and the tragic death of a driver.

We request that a specific plan is developed insuring special care be taken to avoid damaging or undermining the trees on our property during construction.

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The drawings do not include any information regarding the proposed lighting design for the subdivision areas. We are concerned about the potential glare from this lighting and how it could affect the privacy and comfort of our home and backyard. We request clarification on this matter.

Conclusion

There are many unanswered questions and unresolved issues regarding this project, particularly concerning safety and privacy. We, the owners of the adjacent property, respectfully request that the hearing be continued so that

the developer can address these concerns. Additionally, we ask for more time to study the changes and respond appropriately.

Thank you for your attention to these matters.

Sincerely,

Mike and Jing Czajkowski

949-254-4423

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REGULAR PLANNING COMMISSION
MONDAY, AUGUST 11, 2025 - MINUTES

CALL TO ORDER - The Regular Planning Commission Meeting was called to order by Chair Jeffrey Harlan at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Commissioner Martinez led the Pledge of Allegiance.

ROLL CALL

Present: Chair Jeffrey Harlan, Vice Chair Jon Zich, Commissioner Angely Andrade, Commissioner Robert Dickson, Commissioner Karen Klepack, Commissioner David Martinez, Commissioner Johnny Rojas

Absent: None

ANNOUNCEMENTS AND PRESENTATIONS: None.

PUBLIC COMMENTS - MATTERS NOT LISTED ON THE AGENDA: None.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Dickson commented on the recent "Neighborhoods Where We Belong" event held at the Senior Center. He suggested that future events could incorporate more of a town hall format to allow for general audience questions. He noted that community members he spoke with expressed interest in having that type of opportunity.

Commissioner Martinez commented on the "Neighborhoods Where We Belong" rezoning initiative and noted his attendance at the recent meeting at the Norma Herzog Community Center. He expressed appreciation for the event and the participation of council members and commissioners. He encouraged community members to attend upcoming meetings, including the session on August 21 at 6:00 p.m. at City Hall regarding Harbor Boulevard and Newport Boulevard, and the Westside walking tour on August 23 at 10:00 a.m. at the Senior Center. He also highlighted additional community events.

Vice Chair Zich reiterated his request for staff to include in the regular commission meeting packets a list of all active planning applications with their associated property addresses. He noted that staff had previously committed to providing this information once resources allow. He also reiterated his request for a list of SB-9 projects and their associated addresses, emphasizing his continued interest in receiving both items.

Chair Harlan reported on his attendance at the recent housing rezoning workshop. He emphasized the importance of providing clearer context to the public regarding the outcomes of the process, including zoning code changes, revisions to the land use map, and amendments to the General Plan and Housing Element. He cautioned against vague questions that could risk disengaging participants and suggested offering more direct information on deliverables. He also recommended exploring additional outreach methods, including informal community settings, to broaden participation.

CONSENT CALENDAR:

1. JULY 28, 2025 UNOFFICIAL MEETING MINUTES

MOVED/SECOND: MARTINEZ/ DICKSON
MOTION: to approve Consent Calendar.
The motion carried by the following roll call vote:
Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas
Nays: None
Absent: None
Recused: None
Motion carried: 7-0

ACTION:
Planning Commission approved consent calendar items.

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

PUBLIC HEARINGS:

1. DESIGN REVIEW (PA-23-14) AND TENTATIVE PARCEL MAP 2023-117 REQUEST FOR A RESIDENTIAL SMALL LOT SUBDIVISION TO CREATE TWO PARCELS, EACH CONTAINING A NEW TWO-STORY DETACHED SINGLE-FAMILY RESIDENCE AND AN ATTACHED TWO-CAR GARAGE AT 2308 SANTA ANA AVENUE

Presentation by Assistant Planner Caitlyn Curley.

Ali Sedghi stated he read and agreed to the conditions if approval.

Public comments:

Santa Bob expressed support for the project. He stated he had no objections to the proposal, noting only his dislike of the palm trees included in the plan.

Dave Prosek expressed concern about the limited time provided to review project documents. He highlighted privacy impacts from second-story windows overlooking his property, potential drainage issues affecting neighboring yards, and gaps in landscaping that could worsen privacy and noise concerns.

Blake Garner expressed concerns regarding the project's impact on neighborhood character and quality of life. He noted that the property had been left unattended for years and questioned the applicant's readiness to proceed. He cited concerns about increased traffic, parking, and potential strain on public services, as well as the scale and height of the proposed development compared to surrounding single-level homes. He also raised questions regarding compliance with solar requirements and minimum lot size standards.

Kelly Prosek expressed concerns regarding privacy impacts, the use of palm trees for screening, and potential safety issues from falling debris that could affect children and pets. She noted ongoing maintenance issues, including overgrowth and bamboo from the property damaging her yard and drainage system. Additional concerns included the placement of solar panels and air conditioning units, as well as the limited time provided to review project materials.

Alfonso Jimenez spoke on behalf of property owners Mike and Gene Tchaikovsky who were unable to attend. He stated that the owners submitted written objections to the Planning Commission and expressed concern about the limited time provided to review project materials. He requested a continuance of the hearing to allow additional time for review and consultation. Specific concerns included the project's layout and proximity to the backyard of 323 23rd Street, windows overlooking private yards, and existing issues with stormwater flooding and sewer overflows.

Motion Discussion:

During discussion, Commissioners expressed overall support for the project but raised broader concerns regarding processing timeframes, public notification, drainage concerns, and privacy impacts. Commissioner Martinez suggested reorganizing conditions of approval for clarity and commented on the unusual number of palm trees required by code, while Vice Chair Zich emphasized the need for adequate public review time and cautioned against approving projects solely because they provide housing. Commissioner Dickson highlighted Condition of

Approval No. 3 as addressing privacy concerns and supported the project with that safeguard in place. Commissioner Andrade supported the project and encouraged consideration of opportunities for first-time homebuyers. Commissioners further debated the proposed landscaping, with several expressing concerns about palm trees providing little privacy. A friendly amendment was accepted to direct staff to work with the applicant to replace as many palms as feasible with alternative trees, particularly along Parcel Two adjacent to neighboring lots, and to consider additional screening vegetation.

MOVED/SECOND: MARTINEZ/ ZICH
MOTION: To approve staff recommendation with an amendment directing staff to work with the applicant to replace palm trees with more suitable alternatives and add screening vegetation along Parcel Two to address privacy concerns, while noting the importance of clear conditions of approval and improved public review processes.
The motion carried by the following roll call vote:
Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas
Nays: None
Absent: None
Recused: None
Motion carried: 7-0

ACTION:
The Planning Commission adopted a resolution to:

1. Find that the staff presentation is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15) Minor Divisions of Land, and Section 15303 (Class 3) New Construction or Conversion of Small Structures. In addition, this project is statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.66; and
2. Approve Parcel Map No. 2023-117 and Design Review PA-23-14 based on findings of fact and subject to conditions of approval, with an amendment directing staff to work with the applicant to replace palm trees with more suitable alternatives and add screening vegetation along Parcel Two to address privacy concerns.

OLD BUSINESS: None.

NEW BUSINESS:

1. STUDY SESSION REGARDING POTENTIAL ZONING CODE AMENDMENTS

Presentation by Contract Planning Manager Amber Gregg.

The Commission discussed prioritization of proposed zoning code amendments, focusing on which categories would have the greatest impact on staff efficiency, project processing, and community development. Staff noted that use, standards, and definitions categories are the most common sources of ambiguity and clarifying them would save time and streamline reviews. Commissioners emphasized the importance of addressing inconsistencies with state law, correcting ambiguities, and distinguishing between technical amendments and policy-related items. Parking standards, drive-through uses, and floor area ratio were identified as higher priorities, along with coordination with other city bodies such as the Arts Commission and Active Transportation Committee where relevant.

Public Comments:

Mark Vuksevich expressed support for the proposed zoning code updates, particularly the removal of arbitrary parking minimums, citing the example of Neat Coffee on 19th Street, which nearly could not open due to parking requirements. He emphasized that landowners and business owners should have flexibility in determining their parking needs. He also voiced agreement with Commissioner Martinez on limiting drive-throughs, citing circulation and property tax concerns, and noted additional issues such as setbacks, floor area ratio standards, and the prohibition of hookah lounges.

Motion Discussion:

During discussion on the motion, the Commission agreed to receive and file the report and supported staff's proposal to return with a reorganized list of zoning code amendments that distinguishes between technical updates and policy issues, and prioritizes items needed to address state law compliance and code ambiguities. Commissioners expressed differing views on whether to tackle easier items first or to focus on more complex, policy-driven amendments, and suggested grouping related items for efficiency. Additional comments touched on topics such as green space, parking standards, drive-through uses, and potential fiscal impacts.

MOVED/SECOND: DICKSON/ ZICH
MOTION: To move staff recommendation.
The motion carried by the following roll call vote:
Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas
Nays: None
Absent: None
Recused: None
Motion carried: 7-0

ACTION:
The Planning Commission received and filed.

REPORT - PUBLIC WORKS - None.

REPORT - DEVELOPMENT SERVICES - Ms. Tai reported that City Council approved the residential development at 3150 Bear Street with modifications, including removal of a pedestrian gate to Olympic Avenue, incorporation of pedestrian safety features in the new signal at Bear Street, and direction to monitor parking impacts in adjacent neighborhoods. The rezoning portion of the project is scheduled for second reading on September 2. Staff also thanked the public for participating in the "Neighborhoods Where We All Belong" workshop and noted that the Fair Housing workshop originally scheduled for August 14 has been rescheduled to October 9 due to a conflict with the fair.

REPORT - ASSISTANT CITY ATTORNEY - None.

ADJOURNMENT AT 8:29 p.m.

Submitted by:

CARRIE TAI, SECRETARY
COSTA MESA PLANNING COMMISSION

2308 Santa Ana Ave
Costa Mesa, CA

Vicinity Map:

Notes:

1. Setbacks are to be measured from the face of finish.
2. The subject property's ultimate finish grade level may not be filled/raised in excess of 30 inches above the finished grade of any abutting property.
3. Fences, hedges, and walls shall not exceed a height of 3 feet within the first 10' of the front property line (adjacent to Santa Ana Ave) and no more than 6 feet for the remainder of the lots.
4. First level decks and patios shall not be raised more than 6 inches above natural grade.
5. Fire sprinklers NFPA 13D are required for the new units and will be a deferred submittal.
6. Project to comply with the 2022 California Fire Code, including the reference standards, as adopted and amended by Costa Mesa Fire and Rescue. Residential fire sprinklers (NFPA 13D) are required for the new units. Install NFPA 13D Fire Protection Systems with interconnected smoke detectores inside each home.
7. 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 removal or excavation. Call CDFA at (714)708-1910 for information.
8. Prior to the Building Div. (AQMD) issuing a demo 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 at http://costamesaca.gov/modules/showdocument.aspx?documentid=23381. The Building Division will not issue a demolition permit until an Identification no. is provided by AQMD.
9. All new residential construction shall have solar system install prior to final building inspection.
10. Maximum area of exterior wall openings shall be determined in accordance with the applicable provisions of California Residential Code R302.1(2).
11. Submit approved plan from OC Health Department. All new residential construction shall have electrical appliances ready.
12. Construction ducuments shall be preopared under the supervision of a gegistered California Architect or Engineer. Plan shall be stamped and signed by the registered California Architect of Engineer.

Project Data:

Scope: Demolish existing improvements and construct two new 2-story SFR's using City's Small Lot Ordinance

Address: 2308 Santa Ana Ave

APN: 119-332-08
Legal: Tract 300, Lot 102

Total Lot Area: 9,450 s.f.
Proposed Area: Lot 1 = 3,862 s.f.
Lot 2 = 5,588 s.f.

Zoning: R-2, MD Small Lot Subdivision
Land Use Cat: MDR

Minimum open space - 35% or 3,307.5 s.f.

Open space provided:
Note: Floor areas for this calculation include the exterior materials.
(House and garage footprints, covered patios and porches and vehicular driveways)

Lot 1 First Floor	1,118
Lot 1 Garage	434
Lot 2 First Floor	1,4442
Lot 2 Garage	430
Driveways	1,693
total	5,117 s.f.

9,450 - 5,117 = 4,333 / 9,450 = 45.8% open space

Setbacks:

Front	20'
Side	5'
Rear	15'

Second Story Area Limit:
Note: Floor areas for this calculation include the exterior materials.

Plan 1
First floor & Garage= 1,552 s.f.
Second floor= 1,528 s.f. / 1,552 = 98.5%

Plan 2
First floor & Garage= 1,872 s.f.
Second floor = 1,618 s.f. / 1,872 = 86.4%

Building Codes:

Project to comply with the requirements of the adopted, 2022 California Residential Code or the California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Code, California Energy code (or most recent applicable adopted) and all current City of Costa Mesa regulations.

Owner:

Eastside Costal, LLC
1024 Bayside Drive, Suite 340
Newport Beach, CA 92660
(949)636-2666
Contact: Ali Sedghi

Architect:

Mark Gross & Associates, Inc
8881 Research Drive
Irvine, CA 92618
(949) 387-3800
Contact: Doug McBeth

Landscape Architect:

Landscape Dynamics
(951)264-8195
Contact: Greg Zoll

Civil Engineer:

Coast Engineering Designs, Inc.
1500 Adams Ave, suite 303
Costa Mesa, CA 92626
(714)593-0337
Contact: Farhad Rezai

Sheet Index:

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A-1	Site Plan
A-2	Plan 1 Floor Plan
A-3	Plan 1 Elevations
A-4	Plan 2 Floor Plan
A-5	Plan 2 Elevations
A-6	Plan 1 & 2 Roof Plans
C1	Grading General Notes and Details
C2	Topo and Demolition Plan
C3	Precise Grading Plan
C-4	Erosion Control and Utility Plan
TPM	Tentative PM
1-1	Street Improvement Plan
L1	Landscape Cover Sheet
L2	Fence and Wall Conceptual Plan
L3	Irrigation Plan
L4	Hydrozone Plan
L5	Irrigation Details
L6	Irrigation Details
L7	Planting Plan
L8	Planting Details

Mark Gross & Associates, Inc.
8881 Research Drive, Irvine, California 92618
(949) 387-3800 Fax (949) 387-7800

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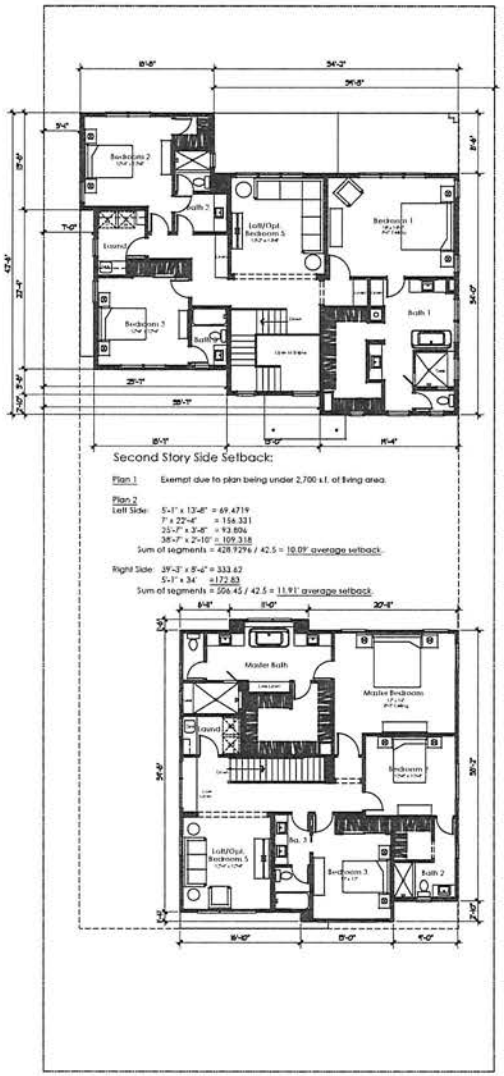
Eastside Coastal, LLC
2308 Santa Ana Ave, Costa Mesa, CA

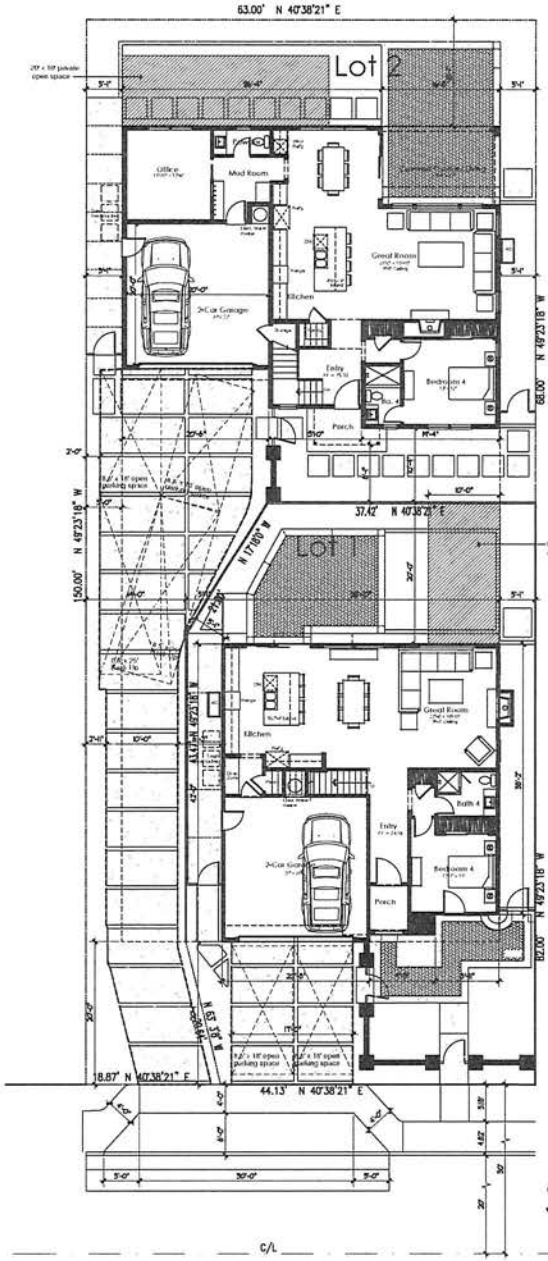
Title
Cover Sheet

Date
July 5, 2023
Project Number
4465
Scale
1/4" = 1'-0"
Revision

12-14-2023	Planning
6-3-2024	Planning
11-1-2024	Planning
1-22-2025	Planning
2-25-2025	Planning

Sheet No.
A





First Floor Plan Plan 2

First Floor	1,430 sq. ft.
Second Floor	1,601 sq. ft.
Total:	3,031 sq. ft.
3-Car Garage:	427 sq. ft.
Porch:	39 sq. ft.
Covered Patio:	183 sq. ft.

First Floor Plan Plan 1

First Floor	1,118 sq. ft.
Second Floor	1,515 sq. ft.
Total:	2,633 sq. ft.
2-Car Garage:	430 sq. ft.
Porch:	39 sq. ft.

Site Plan

NORTH

Project Data:

Scope:	Demolish existing improvements and construct two new 2-story SFR's using City's Small Lot Ordinance
Address:	2308 Santa Ana Ave
APN:	119-332-08
Total Lot Area:	9,450 s.f.
Proposed Area:	Lot 1 = 3,862 s.f. Lot 2 = 5,588 s.f.
Zoning:	R-2, MD Small Lot Subdivision

Minimum open space - 35% or 3,307.5 s.f.

Open space provided:
Note: Floor areas for this calculation include the exterior materials.
(House and garage footprints, covered patios and porches and vehicular driveways)

Lot 1 First Floor	1,118
Lot 1 Garage	434
Lot 2 First Floor	1,4442
Lot 2 Garage	430
Driveways	1,693
total	5,117 s.f.

9,450 - 5,117 = 4,333 / 9,450 = 45.8% open space

Setbacks:

Front	20'
Side	5'
Rear	15'

Second Story Area Limit:
Note: Floor areas for this calculation include the exterior materials.

Plan 1
First floor & Garage= 1,552 s.f.
Second floor= 1,528 s.f. / 1,552 = 98.5%

Plan 2
First floor & Garage= 1,872 s.f.
Second floor = 1,618 s.f. / 1,872 = 86.4%

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Eastside Coastal, LLC

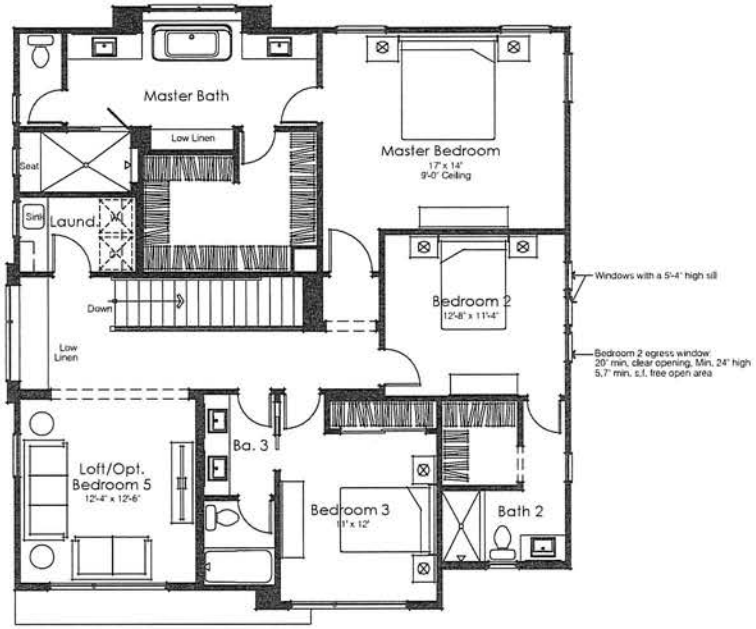
2308 Santa Ana Ave, Costa Mesa, CA

Title: Conceptual Site Plan

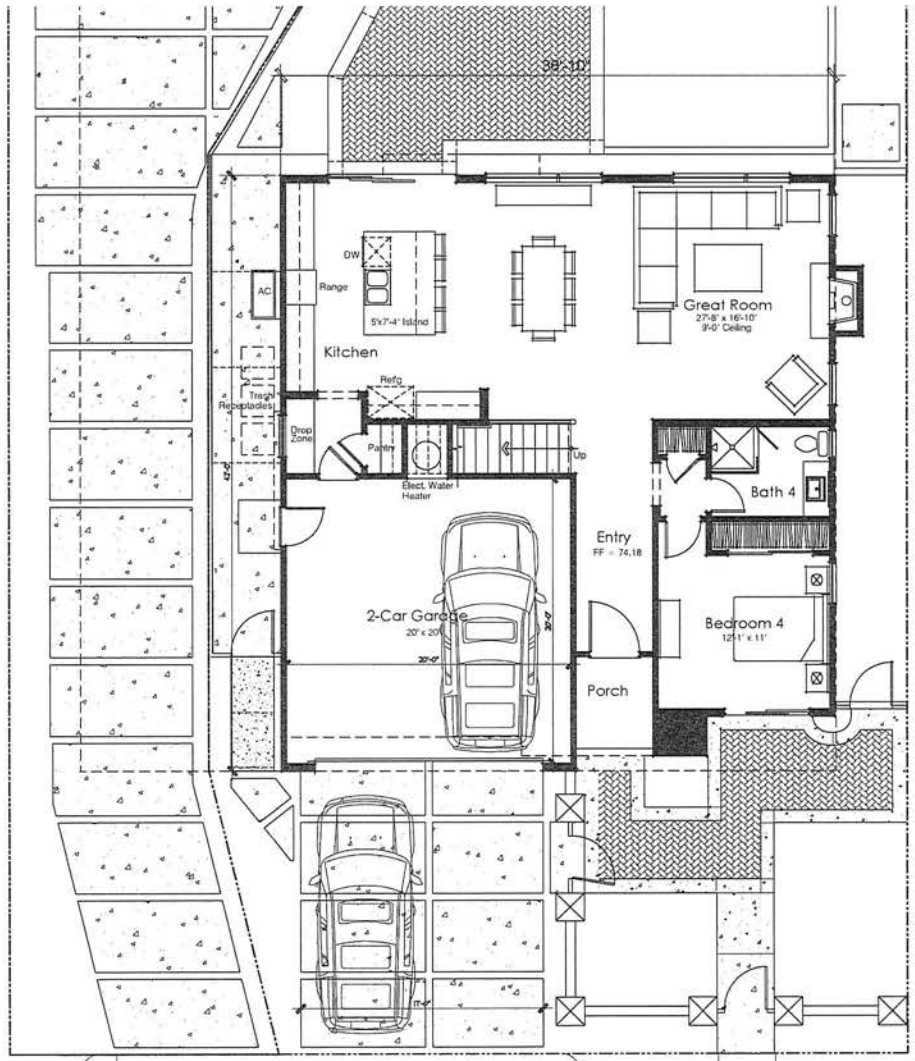
Date: June 12, 2023
Project Number: 4465
Scale: 1/8" = 1'-0"

Revision:
12-14-2023 Planning
6-3-2024 Planning
11-1-2024 Planning
2-25-2025 Planning

Sheet No: A-1



Second Floor Plan



First Floor Plan Plan 1

First Floor	1,108 sq. ft.
Second Floor	1,515 sq. ft.
Total:	2,623 sq. ft.
2-Car Garage	430 sq. ft.
Porch	39 sq. ft.

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2308 Santa Ana Ave, Costa Mesa, CA

Plan 1
Floor Plan

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July 5, 2023
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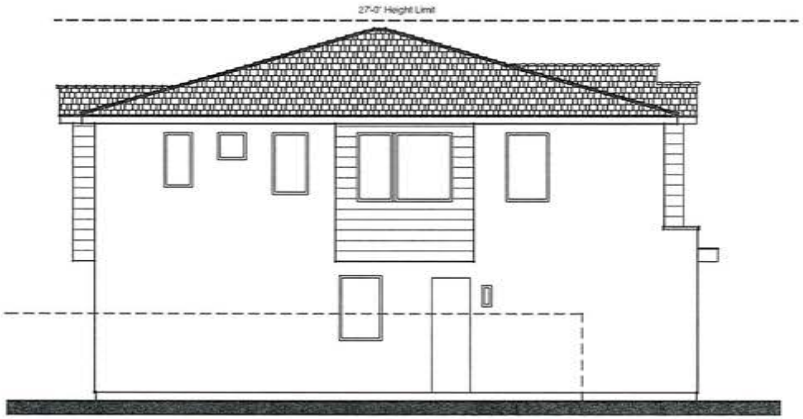

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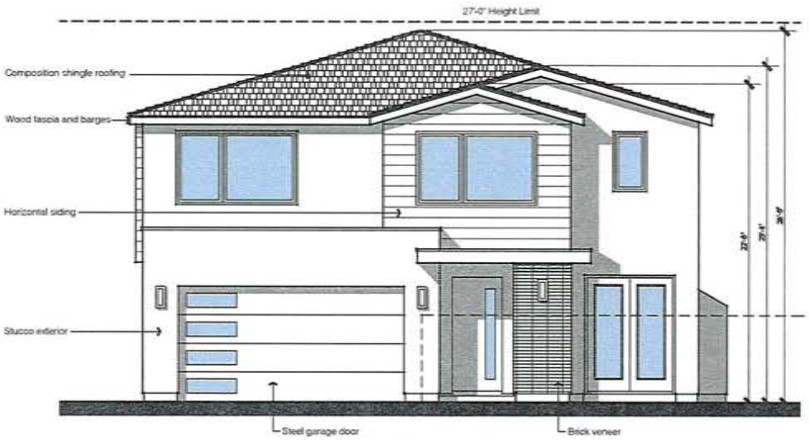

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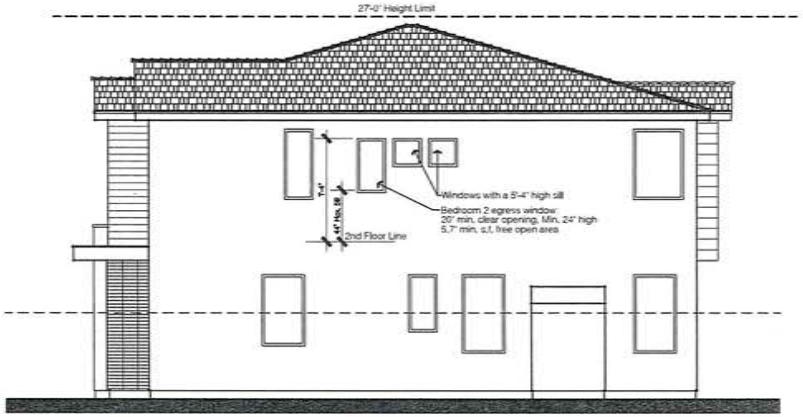

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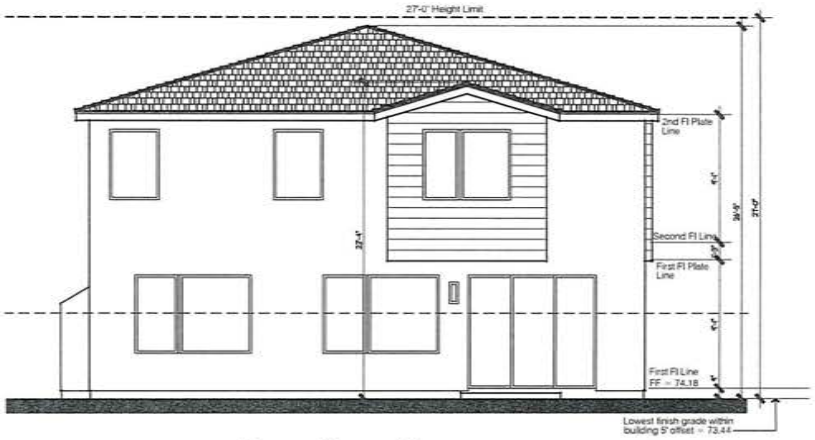

Rear Elevation

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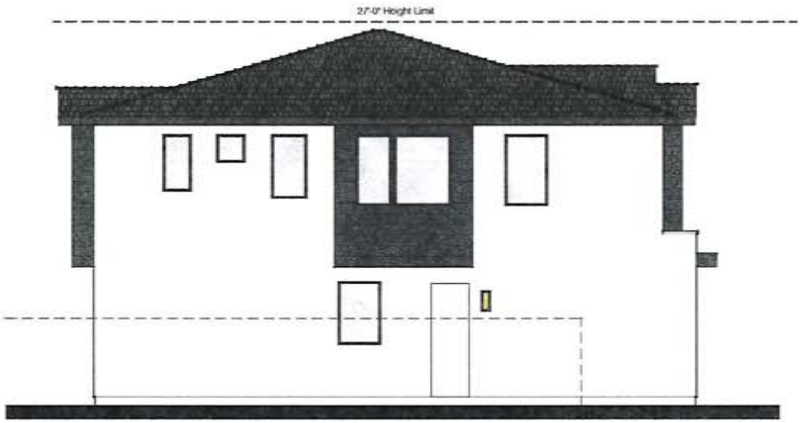

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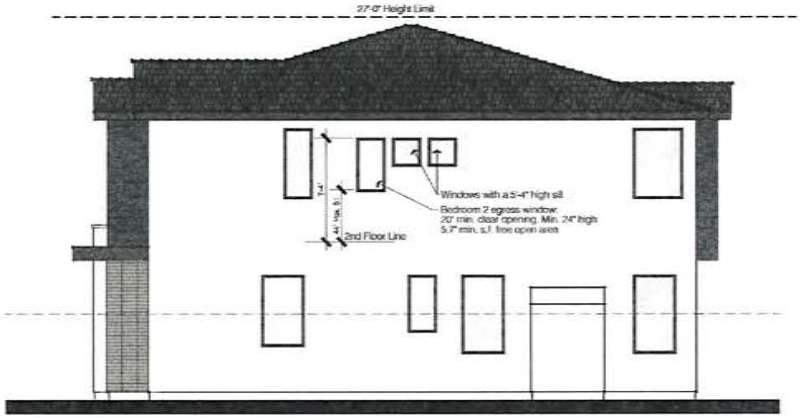
Front Elevation



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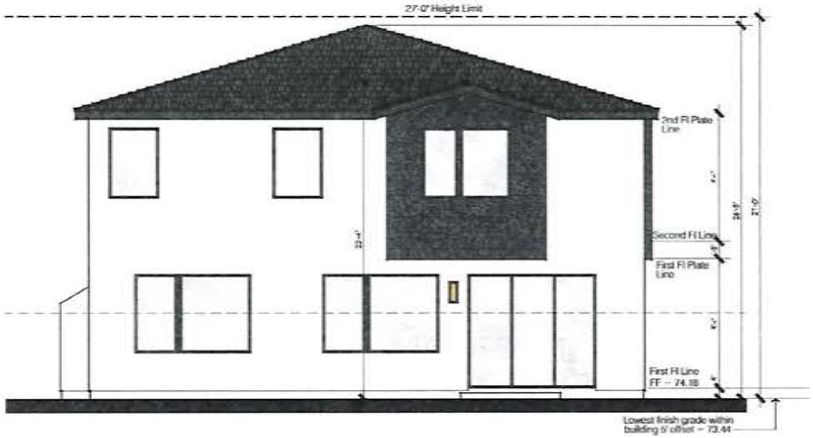

Rear Elevation

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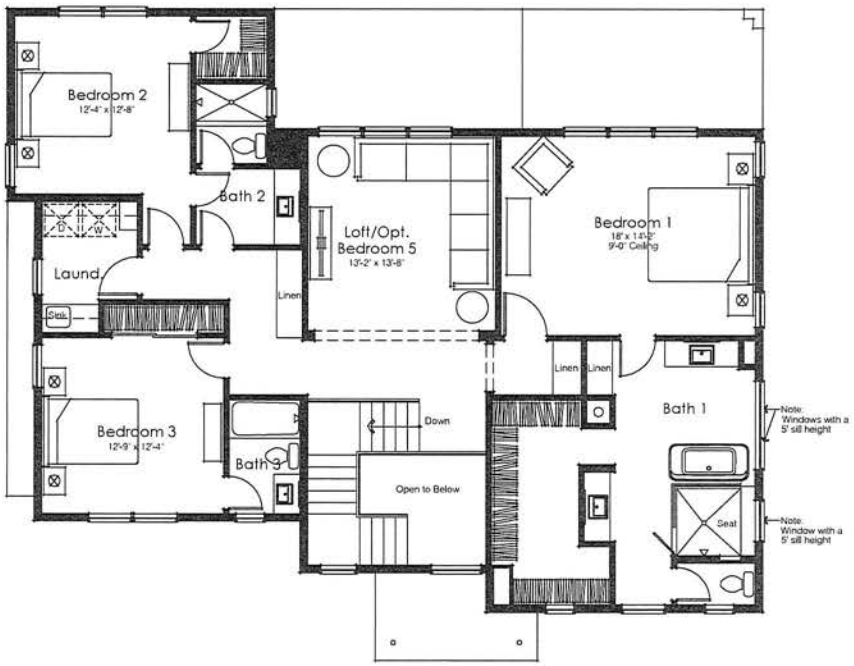
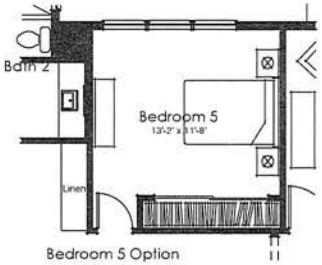
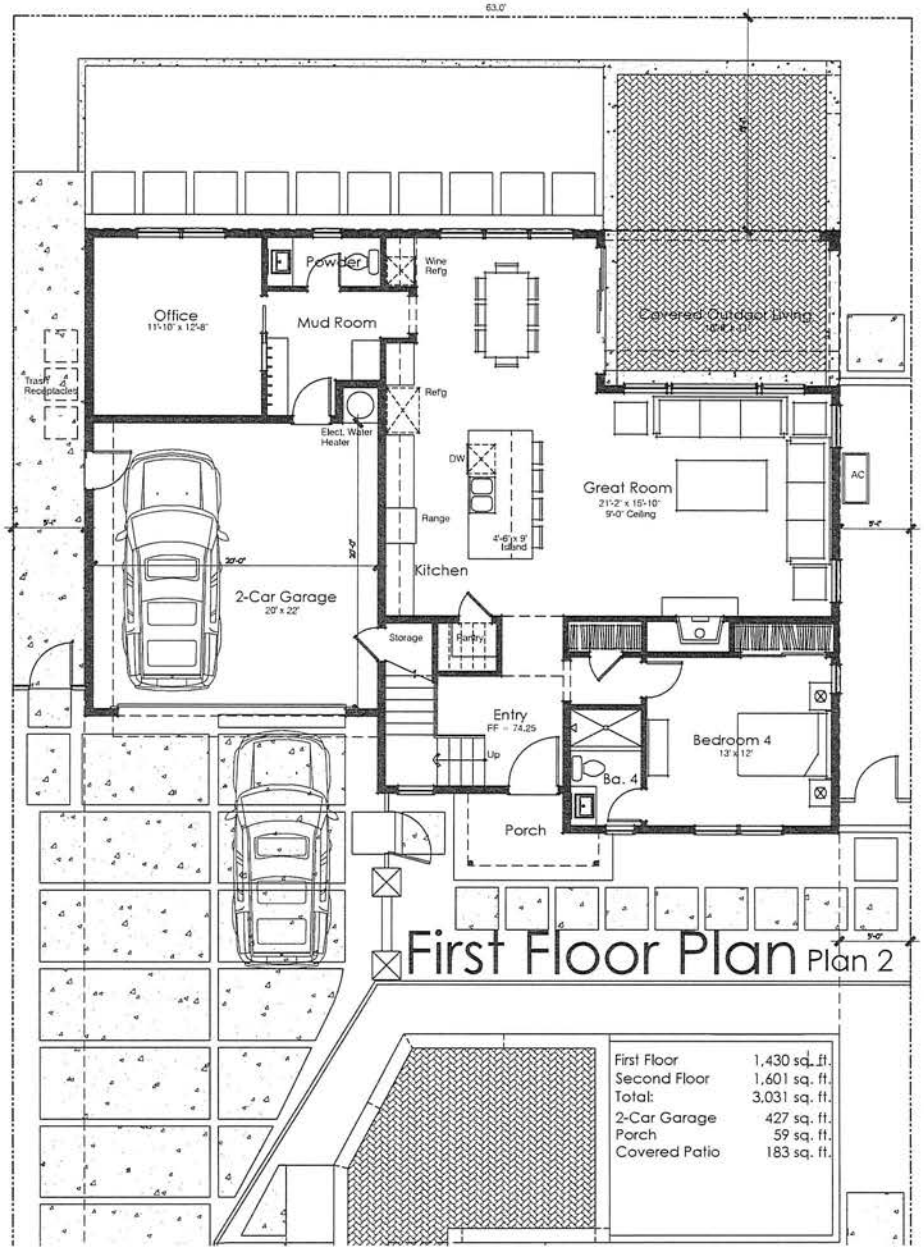




Bedroom 5 Option

Second Floor Plan



First Floor Plan Plan 2

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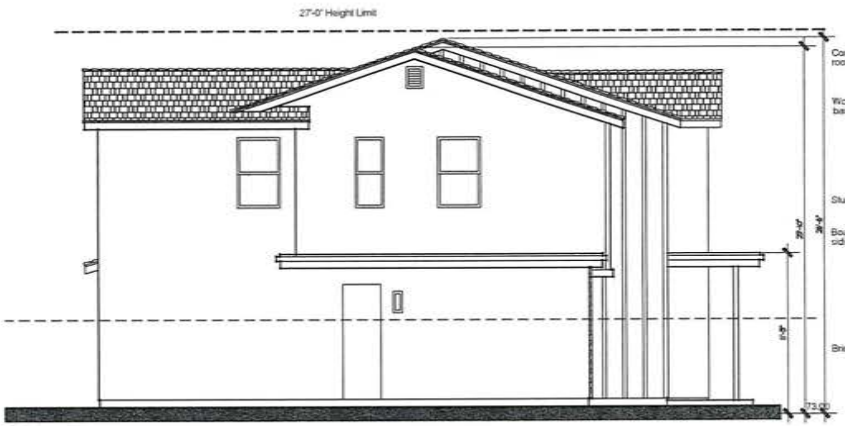

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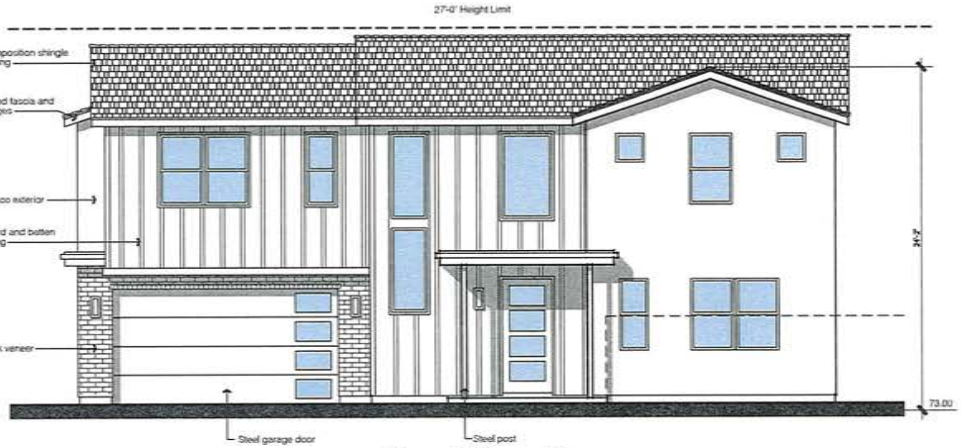
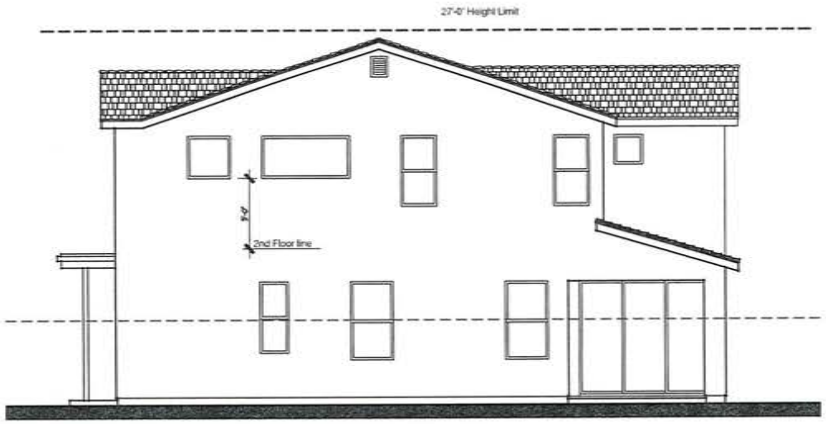


Front Elevation



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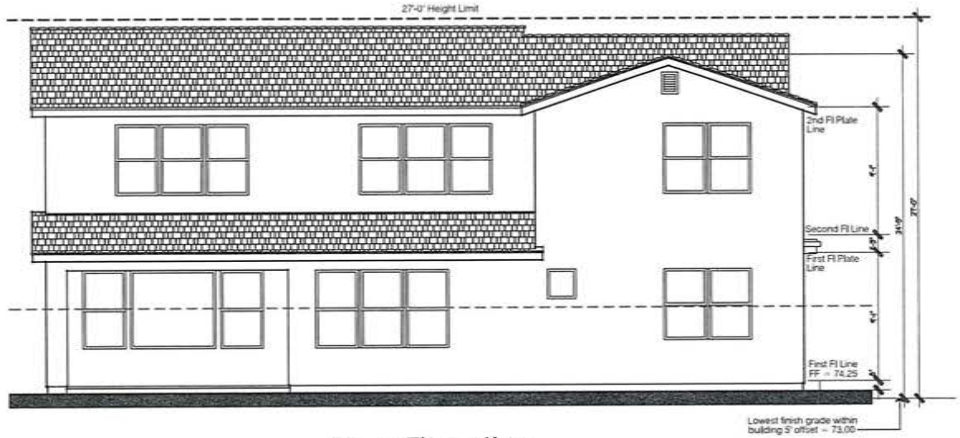

Rear Elevation

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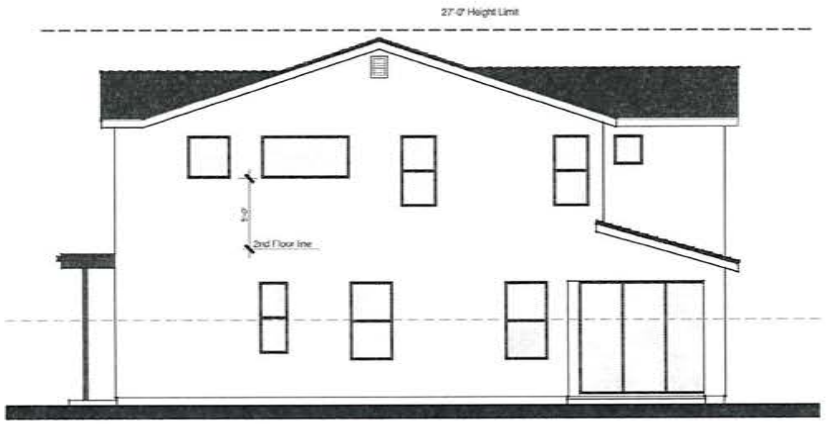
Left Elevation

Front Elevation



Right Elevation

Rear Elevation

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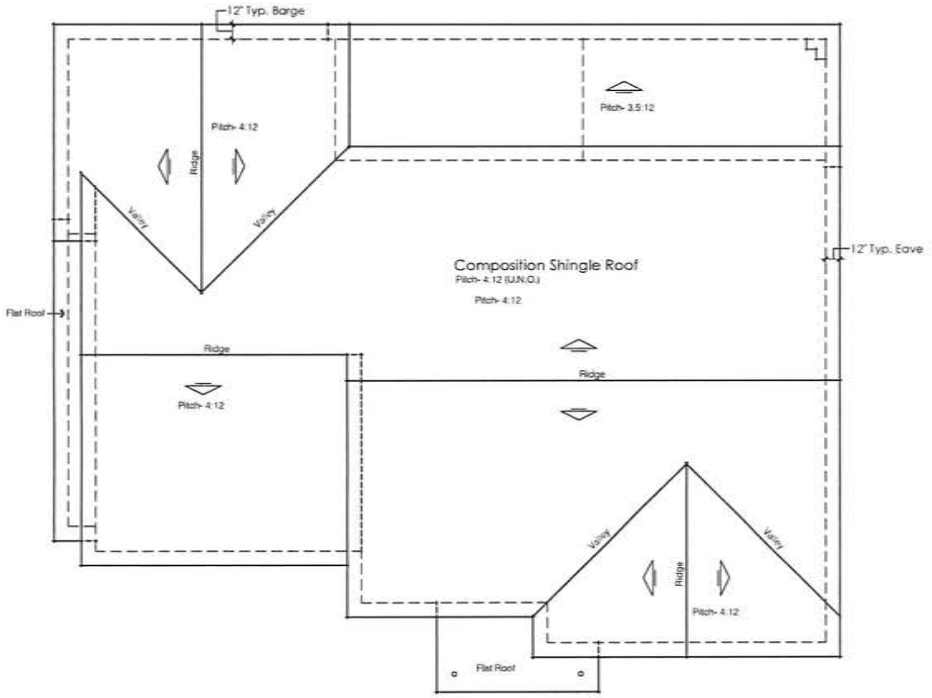
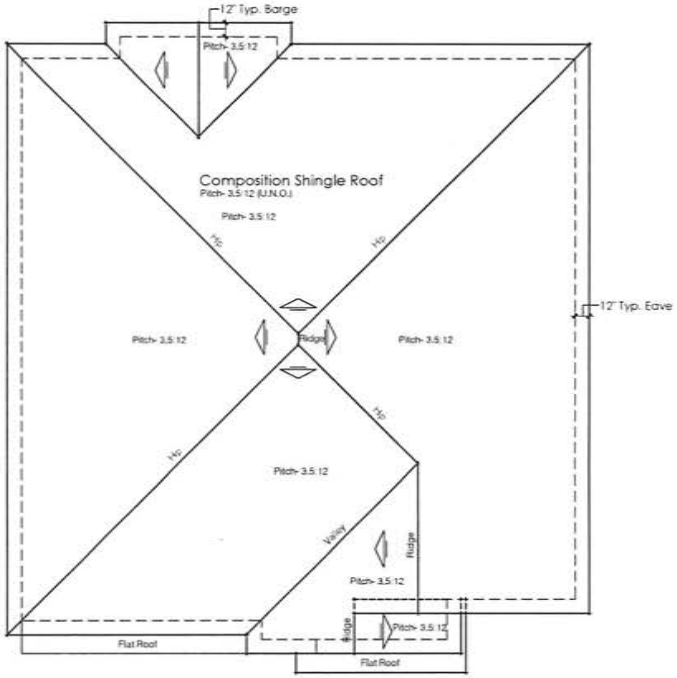


Roof Plan - Plan 2



Roof Plan - Plan 1

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PRECISE GRADING PLAN

2308 SANTA ANA AVE

COSTA MESA, CA 92627

GENERAL NOTES

1. ALL OFF-SITE WORK EMBRACED HEREIN SHALL BE DONE IN ACCORDANCE WITH "STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION EDITION:" TOGETHER WITH THE CITY OF COSTA MESA AMENDMENTS TO SAID SPECIFICATIONS, WITH THE AMERICAN PUBLIC WORKS ASSOCIATIONS STANDARD PLANS AND WITH THE CITY OF COSTA MESA STANDARD PLANS. ALL AS MOST RECENTLY ADOPTED BY THE CITY.
2. REMOVAL, ADJUSTMENT OR RELOCATION OF UTILITIES OR ANY WORK ON THE AREA OF THEIR RECORDED EASEMENTS SHALL BE DONE ONLY WITH APPROVAL OF THE UTILITY OWNERS, OBTAINED BEFORE STARTING THE WORK.
3. WITHIN 72 HOURS AFTER FINAL SURFACING IS PLACED, ALL MANHOLES AND VALVE BOX FRAMES AND COVERS SHALL BE ADJUSTED BY THE CONTRACTOR TO FINISH GRADE EXCEPT THOSE OWNED BY THE GAS DEPARTMENT, ALL AT CONTRACTOR'S EXPENSE.
4. GRADING WORK SHALL BE DONE IN ACCORDANCE WITH THE UNIFORM BUILDING CODE AS MOST RECENTLY ADOPTED BY THE CITY OF COSTA MESA.
5. RECOMMENDATIONS FOR PAVEMENT REPLACEMENT SECTIONS WERE PROVIDED BY THE PROJECT CONTRACTOR.
6. THE CONTRACTOR SHALL OBTAIN A PERMIT FROM CALIFORNIA DIVISION OF INDUSTRIAL SAFETY FOR THE CONSTRUCTION OF TRENCHES OR EXCAVATIONS WHICH ARE FIVE FEET OR DEEPER, SHEETING, SHORING, AND BRACING FOR THE TRENCH EXCAVATION SHALL CONFORM TO THE REQUIREMENTS OF "CONSTRUCTION SAFETY ORDERS" TITLE 8, DIVISION OF INDUSTRIAL SAFETY, STATE OF CALIFORNIA.
7. A COPY OF THE GRADING PERMIT AND APPROVED GRADING PLANS MUST BE IN THE POSSESSION OF A RESPONSIBLE PERSON AND AVAILABLE AT THE SITE AT ALL TIMES.
8. ALL PROPERTY CORNERS SHALL BE CLEARLY DELINEATED/FENCED IN THE FIELD PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION/GRADING.
9. DUST SHALL BE CONTROLLED BY WATERING OR OTHER APPROVED METHODS.
10. OFF-SITE DISPOSAL OF EXCAVATION MATERIAL IS THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE INCLUDED IN ITS BID.
11. WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL PROVISIONS OF THE BUILDING CODE (EXCAVATION AND FILLS).
12. FILL PLACEMENT AREAS SHALL BE INSPECTED AND APPROVED BY THE CONSULTANT GEOLOGIST AND SOILS ENGINEER PRIOR TO PLACEMENT OF ANY FILL.
13. GRADING SHALL BE DONE UNDER THE SUPERVISION OF A COMPETENT SOILS ENGINEER WHO SHALL CERTIFY THAT ALL FILL HAS BEEN PROPERLY PLACED AND WHO SHALL SUBMIT A FINAL COMPACTION REPORT FOR ALL FILLS OVER 1 FOOT DEEP.
14. SANITARY FACILITIES SHALL BE MAINTAINED ON THE SITE FROM BEGINNING TO COMPLETION OF GRADING OPERATION.
15. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE THE OWNER WITH A COMPLETE, CLEAN SET OF REPRODUCIBLE "AS-BUILT" DRAWINGS OF ALL WORK PERFORMED UNDER THIS CONTRACT, AS SHOWN WITHIN THESE CONSTRUCTION DRAWINGS. ALL FIELD CHANGES SHALL BE SHOWN IN DETAIL ON THE "AS-BUILT" DRAWINGS AND SHALL INCORPORATE AS A MINIMUM, NEW ELEVATIONS, GRADES, AND ALIGNMENT OF UNDERGROUND FACILITIES WITH DIMENSIONAL TIES TO BUILDINGS OR OTHER VISIBLE IMPROVEMENTS.
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MONUMENTS AND OTHER SURVEY MARKERS DURING CONSTRUCTION. ALL SUCH MONUMENTS OR MARKERS DESTROYED DURING CONSTRUCTION SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
17. THE CONTRACTOR SHALL EXCAVATE INSPECTION HOLES (POT HOLES) AND DETERMINE THE LOCATION AND DEPTH OF ALL UNDERGROUND STRUCTURES AND UTILITIES THAT ARE BEING JOINED WITH NEW IMPROVEMENTS, ARE IN THE VICINITY OF, OR THAT MAY BE AFFECTED BY THE PROPOSED WORK. THIS INSPECTION/VERIFICATION SHALL BE PERFORMED PRIOR TO THE START OF ANY CONSTRUCTION WORK WHICH COULD DAMAGE OR CONFLICT WITH SAID STRUCTURES OR UTILITIES.
18. ADJACENT LANDSCAPED AND IRRIGATION AREAS DAMAGED OR DISTURBED BY THE CONTRACTOR AS PART OF THIS PROJECT SHALL BE REPAIRED BY THE CONTRACTOR PRIOR TO PROJECT COMPLETION AT NO EXTRA COST TO THE OWNER.
19. CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THE PROJECT.

DIGALERT

DIAL TOLL FREE
1-800-422-4133
AT LEAST TWO DAYS
BEFORE YOU DIG

UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

"CAUTION": REMEMBER THAT THE USA CENTER NOTIFIES ONLY THOSE UTILITIES BELONGING TO THE CENTER. THERE COULD BE OTHER UTILITIES PRESENT AT THE WORK SITE. THE CENTER WILL INFORM YOU OF WHOM THEY WILL NOTIFY.

GRADING NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE GRADING CODE OF THE COUNTY OF ORANGE AND ANY SPECIAL REQUIREMENTS OF THE PERMIT. A COPY OF THE GRADING CODE AND MANUAL SHALL BE RETAINED ON THE JOB SITE WHILE WORK IS IN PROGRESS, WHEN REFERENCED ON THE PLANS. A COPY OF PFRD STANDARD PLANS SHALL ALSO BE RETAINED ON THE SITE.
2. GRADING SHALL NOT BE STARTED WITHOUT FIRST NOTIFYING THE DISTRICT GRADING INSPECTOR. A PRE-GRADING MEETING ON THE SITE IS REQUIRED BEFORE START OF GRADING WITH THE FOLLOWING PEOPLE PRESENT: OWNER, GRADING CONTRACTOR, DESIGN CIVIL ENGINEER, SOIL ENGINEER, ENGINEERING GEOLOGIST, DISTRICT GRADING INSPECTOR AND WHEN REQUIRED THE ARCHAEOLOGIST AND PALEONTOLOGIST.
3. ISSUANCE OF A GRADING PERMIT DOES NOT ELIMINATE THE NEED FOR PERMITS FROM OTHER AGENCIES WITH REGULATORY RESPONSIBILITIES FOR CONSTRUCTION ACTIVITIES ASSOCIATED WITH THE WORK AUTHORIZED ON THIS PLAN.
4. THE GRADING PERMIT AND AN APPROVED COPY OF THE GRADING PLAN SHALL BE ON THE PERMITTED SITE WHILE WORK IS IN PROGRESS.
5. PRELIMINARY SOIL AND GEOLOGY REPORTS AND ALL SUBSEQUENT REPORTS AS APPROVED BY PFRD, GRADING SECTION, ARE CONSIDERED A PART OF THE APPROVED GRADING PLAN.
6. THE SOIL ENGINEER AND ENGINEERING GEOLOGIST SHALL PERFORM SUFFICIENT INSPECTIONS AND BE AVAILABLE DURING GRADING AND CONSTRUCTION TO VERIFY COMPLIANCE WITH THE PLANS, SPECIFICATIONS AND THE CODE WITHIN THEIR PURVIEW.
7. THE CIVIL ENGINEER SHALL BE AVAILABLE DURING GRADING TO VERIFY COMPLIANCE WITH THE PLANS, SPECIFICATIONS, CODE AND ANY SPECIAL CONDITIONS OF THE PERMIT WITHIN THEIR PURVIEW.
8. THE SOIL ENGINEER AND ENGINEERING GEOLOGIST SHALL, AFTER CLEARING AND PRIOR TO THE PLACEMENT OF FILL IN CANYONS, INSPECT EACH CANYON FOR AREAS OF ADVERSE STABILITY AND TO DETERMINE THE PRESENCE OR ABSENCE OF SUBSURFACE WATER OR SPRING FLOW. IF NEEDED, SUBDRAINS SHALL BE DESIGNED AND CONSTRUCTED PRIOR TO THE PLACEMENT OF FILL IN EACH RESPECTIVE CANYON.
9. SUBDRAIN OUTLETS SHALL BE COMPLETED AT THE BEGINNING OF THE SUBDRAIN CONSTRUCTION.
10. THE EXACT LOCATION OF THE SUBDRAINS SHALL BE SURVEYED IN THE FIELD FOR UNDERGRADE AND SHOWN ON AS-GRADED PLANS.
11. AREAS TO RECEIVE FILL SHALL BE PROPERLY PREPARED AND APPROVED IN WRITING BY THE SOIL ENGINEER AND THE BUILDING OFFICIAL PRIOR TO PLACING FILL.
12. FILLS SHALL BE BENCHED INTO COMPETENT MATERIAL PER PFRD STANDARD PLAN NO. 132.
13. ALL EXISTING FILLS SHALL BE APPROVED BY THE BUILDING OFFICIAL OR REMOVED PRIOR TO PLACING ADDITIONAL FILLS.
14. FILLS SHALL BE COMPACTED THROUGHOUT TO A MINIMUM OF 90% RELATIVE COMPACTION, AGGREGATE BASE FOR ASPHALTIC AREAS SHALL BE COMPACTED TO A MINIMUM OF 95% RELATIVE COMPACTION, MAXIMUM DENSITY SHALL BE DETERMINED BY UNIFORM BUILDING CODE STANDARD NO. 70-1 OR APPROVED EQUIVALENT AND FIELD DENSITY BY UNIFORM BUILDING CODE STANDARD NO. 70-2 OR APPROVED EQUIVALENT
15. CUT AND FILL SLOPES SHALL BE NO STEEPER THAN 2-FOOT HORIZONTAL TO 1-FOOT VERTICAL (2:1) EXCEPT WHERE SPECIFICALLY APPROVED OTHERWISE.
16. ALL CUT SLOPES SHALL BE INVESTIGATED BOTH DURING AND AFTER GRADING BY THE ENGINEERING GEOLOGIST TO DETERMINE IF ANY SLOPE STABILITY PROBLEM EXISTS. SHOULD EXCAVATION DISCLOSE ANY GEOLOGICAL HAZARDS OR POTENTIAL GEOLOGICAL HAZARDS, THE ENGINEERING GEOLOGIST SHALL SUBMIT RECOMMENDED TREATMENT TO THE BUILDING OFFICIAL FOR APPROVAL.
17. WHERE SUPPORT OR BUTTRESSING OF CUT AND NATURAL SLOPES IS DETERMINED TO BE NECESSARY BY THE ENGINEERING GEOLOGIST AND SOIL ENGINEER, THE SOIL ENGINEER SHALL SUBMIT DESIGN LOCATIONS AND CALCULATIONS TO THE BUILDING OFFICIAL PRIOR TO CONSTRUCTION. THE ENGINEERING GEOLOGIST AND SOIL ENGINEER SHALL INSPECT AND CONTROL THE CONSTRUCTION OF THE BUTTRESSING AND CERTIFY TO THE STABILITY OF THE SLOPE AND ADJACENT STRUCTURES UPON COMPLETION.
18. WHEN CUT PADS ARE BROUGHT TO NEAR GRADE, THE ENGINEERING GEOLOGIST SHALL DETERMINE IF THE BEDROCK IS EXTENSIVELY FRACTURED OR FAULTED AND WILL READILY TRANSMIT WATER. IF CONSIDERED NECESSARY BY THE ENGINEERING GEOLOGIST AND SOIL ENGINEER, A CONCRETE FILL BLANKET WILL BE PLACED.
19. ALL TRENCH BACKFILL SHALL BE TESTED AND APPROVED BY THE SOIL ENGINEER PER THE GRADING CODE.
20. ANY EXISTING IRRIGATION LINES AND CISTERNS SHALL BE REMOVED OR CRUSHED IN PLACE AND APPROVED BY THE BUILDING OFFICIAL AND SOIL ENGINEER.
21. ANY EXISTING WATER WELLS SHALL BE ABANDONED IN COMPLIANCE WITH THE SPECIFICATIONS APPROVED BY ORANGE COUNTY, HEALTH CARE AGENCY, AND DIVISION OF ENVIRONMENTAL HEALTH.
22. ANY EXISTING CESSPOOLS AND SEPTIC TANKS SHALL BE ABANDONED IN COMPLIANCE WITH THE UNIFORM PLUMBING CODE TO THE APPROVAL OF PFD/BUILDING INSPECTION.
23. STOCKPILING OF EXCESS MATERIAL SHALL BE APPROVED BY THE BUILDING OFFICIAL PRIOR TO EXCAVATION.
24. EXPORT SOIL MUST BE TRANSPORTED TO A LEGAL DUMP OR TO A PERMITTED SITE APPROVED BY THE DISTRICT GRADING INSPECTOR.
25. THE PERMITTEE SHALL COMPLY WITH THE GRADING CODE REQUIREMENTS FOR HAUL ROUTES WHEN AN EXCESS OF 1,000 CUBIC YARDS OF EARTH IS TRANSPORTED TO OR FROM A PERMITTED SITE ON PUBLIC ROADWAYS.
26. THE PERMITTEE IS RESPONSIBLE FOR DUST CONTROL MEASURES.
27. THE PERMITTEE SHALL GIVE REASONABLE NOTICE TO THE OWNER OF ADJOINING LANDS AND BUILDINGS PRIOR TO BEGINNING EXCAVATIONS WHICH MAY AFFECT THE LATERAL AND SUBJACENT SUPPORT OF THE ADJOINING PROPERTY. THE NOTICE SHALL STATE THE INTENDED DEPTH OF EXCAVATION AND WHEN THE EXCAVATION WILL COMMENCE. THE ADJOINING OWNER SHALL BE ALLOWED AT LEAST 20 DAYS AND NO MORE THAN 30 DAYS TO EXAMINE HIS PROPERTY TO PROTECT HIS STRUCTURE, IF HE SO DESIRES, UNLESS OTHERWISE PROTECTED BY LAW.
28. ALL CONCRETE STRUCTURES THAT COME IN CONTACT WITH THE ON-SITE SOILS SHALL BE CONSTRUCTED WITH TYPE V CEMENT UNLESS DEEMED UNNECESSARY BY SOLUBLE SULFATE-CONTENT TESTS CONDUCTED BY THE SOIL ENGINEER.
29. SLOPES EXCEEDING 3 FEET IN HEIGHT SHALL BE PLANTED WITH AN APPROVED PLANT MATERIAL. IN ADDITION, SLOPES EXCEEDING 15 FEET IN HEIGHT SHALL BE PROVIDED WITH AN APPROVED IRRIGATION SYSTEM, UNLESS OTHERWISE APPROVED BY THE BUILDING OFFICIAL.
30. ALL EXISTING DRAINAGE COURSES THROUGH THIS SITE SHALL REMAIN OPEN UNTIL FACILITIES TO HANDLE STORMWATER ARE APPROVED AND FUNCTIONAL. HOWEVER, IN ANY CASE, THE PERMITTEE SHALL BE HELD LIABLE FOR ANY DAMAGE DUE TO OBSTRUCTING NATURAL DRAINAGE PATTERNS.
31. SANITARY FACILITIES SHALL BE MAINTAINED ON THE SITE.
32. THE LOCATION AND PROTECTION OF ALL UTILITIES IS THE RESPONSIBILITY OF THE PERMITTEE.
33. APPROVED PROTECTIVE MEASURES AND TEMPORARY DRAINAGE PROVISIONS SHALL BE USED TO PROTECT ADJOINING PROPERTIES DURING GRADING.
34. GRADING OPERATIONS INCLUDING MAINTENANCE OF EQUIPMENT WITHIN ONE-HALF MILE OF A HUMAN OCCUPANCY SHALL NOT BE CONDUCTED BETWEEN THE HOURS OF 9 P.M. AND 7 A.M. DAILY, ON SUNDAY OR ON A FEDERAL HOLIDAY.
35. GRADING AND EXCAVATION SHALL BE HALTED DURING PERIODS OF HIGH WINDS, ACCORDING TO AQMD MEASURE F-4, HIGH WINDS ARE DEFINED AS 20 MPH OR GREATER, THIS LEVEL OCCURS ONLY UNDER UNUSUALLY EXTREME CONDITIONS, SUCH AS SANTA ANA WIND CONDITIONS.
36. ASPHALT SECTIONS MUST BE PER CODE, PARKING STALLS = 3" AC OVER 6" AB, DRIVES 3" AC OVER 10" CCMW (1/2" IRON STRAP), OR PRIOR TO ROUGH GRADE RELEASE FOR BUILDING PERMITS BY THE DISTRICT GRADING INSPECTOR, THE SOILS ENGINEER SHALL SUBMIT FOR APPROVAL, PAVEMENT SECTION RECOMMENDATIONS BASED ON 'R' VALUE ANALYSIS OF THE SUBGRADE SOILS, AND EXPECTED TRAFFIC INDICES.
37. ASPHALT CONCRETE SHALL BE CONSTRUCTED PER THE REQUIREMENTS OF PFRD STANDARD PLAN NO. 1005.
38. AGGREGATE BASE SECTION SHALL BE CONSTRUCTED PER PFRD STANDARD NO. 1004.
39. ROOF GUTTERS SHALL BE INSTALLED TO PREVENT ROOF DRAINAGE FROM FALLING ON MANUFACTURED SLOPES.
40. THE CIVIL ENGINEER, AS A CONDITION OF ROUGH GRADE APPROVAL, SHALL PROVIDE A BLUE TOP WITH ACCOMPANYING WITNESS STAKE, SET AT THE CENTER OF EACH PAD REFLECTING THE PAD ELEVATION FOR PRECISE PERMITS AND A BLUE TOP WITH WITNESS STAKE SET AT THE DRAINAGE SWALE HIGH-POINT REFLECTING THE HIGH POINT ELEVATION FOR PRELIMINARY PERMITS.
41. PRIOR TO FINAL APPROVAL, THE CIVIL ENGINEER SHALL CERTIFY TO, THE BUILDING OFFICIAL THE AMOUNT OF EARTH MOVED DURING THE GRADING OPERATION.
42. THE ENGINEERING GEOLOGIST SHALL PERFORM PERIODIC INSPECTIONS AND SUBMIT A COMPLETE REPORT AND MAP UPON COMPLETION OF THE ROUGH GRADING.
43. THE GRADING CONTRACTOR SHALL SUBMIT A STATEMENT OF COMPLIANCE TO THE APPROVED GRADING PLAN PRIOR TO FINAL APPROVAL.
44. THE COMPACTION REPORT AND APPROVAL FROM THE SOILS ENGINEER SHALL INDICATE THE TYPE OF FIELD TESTING PERFORMED, THE METHOD OF OBTAINING THE IN-PLACE DENSITY SHALL BE IDENTIFIED WHETHER SAND CONE, DRIVE RING, OR NUCLEAR, AND SHALL BE NOTED FOR EACH TEST SUFFICIENT MAXIMUM DENSITY DETERMINATIONS SHALL BE PERFORMED TO VERIFY THE ACCURACY OF THE MAXIMUM DENSITY CURVES USED BY THE FIELD TECHNICIAN.
45. IN THE EVENT THAT SOIL CONTAMINATION IS DISCOVERED DURING EXCAVATION AND REMOVAL OF AN EXISTING TANK, PIPELINE, OR PROPPED UNTIL A SITE ASSESSMENT AND MITIGATION PLAN HAS BEEN PREPARED, SUBMITTED AND APPROVED BY HCA/ENVIRONMENTAL HEALTH AND PFD/GRADING.

EROSION CONTROL

46. IN THE CASE OF EMERGENCY, CALL HAMIT WASEFT HOME PHONE, (949) 957-4226 WORK PHONE (949) 697-4220 ET. EQUIPMENT AND WORKS FOR EMERGENCY WORK SHALL BE MADE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON. NECESSARY MATERIALS SHALL BE AVAILABLE ON SITE AND STOCKPILED AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF TEMPORARY DEVICES WHEN RAIN IS IMMINENT.
47. EROSION CONTROL DEVICES SHALL NOT BE MOVED OR MODIFIED WITHOUT THE APPROVAL OF THE BUILDING OFFICIAL.
48. ALL REMOVABLE EROSION PROTECTIVE DEVICES SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN THE 5-DAY RAIN PROBABILITY FORECAST EXCEEDS 40%.
49. AFTER A RAINSTORM, ALL SILT AND DEBRIS SHALL BE REMOVED FROM STREETS, CHECK BERMS AND BASINS.
50. GRADED AREAS ON THE PERMITTED AREA PERIMETER MUST DRAIN AWAY FROM THE FACE OF SLOPES AT THE CONCLUSION OF EACH WORKING DAY, DRAINAGE IS TO BE DIRECTED TOWARD DESILTING FACILITIES.
51. THE PERMITTEE AND CONTRACTOR SHALL BE RESPONSIBLE AND SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT PUBLIC TRESPASS ONTO AREAS WHERE IMPOUNDED WATER CREATES A HAZARDOUS CONDITION.
52. THE PERMITTEE AND CONTRACTOR SHALL INSPECT THE EROSION CONTROL WORK AND INSURE THAT THE WORK IS IN ACCORDANCE WITH THE APPROVED PLANS.

ENVIRONMENTAL NOTES

53. THE PERMITTEE SHALL NOTIFY ALL GENERAL CONTRACTORS, SUBCONTRACTORS, MATERIAL SUPPLIERS, LESSEES, AND PROPERTY OWNERS THAT DUMPING OF CHEMICALS INTO THE STORM DRAIN SYSTEM OR THE WATERSHED IS PROHIBITED.
SEPARATE APPROVAL AND PERMIT SHALL BE REQUIRED FOR THE FOLLOWING ITEMS:
A. WATER CONNECTION
B. SEWER CONNECTION
54. PERMITTEE SHALL MAINTAIN CONSTRUCTION SITE IN SUCH A CONDITION THAT AN ANTICIPATED STORM DOES NOT CARRY WASTES OR POLLUTANTS OFF THE SITE. POTENTIAL POLLUTANTS INCLUDE BUT ARE NOT LIMITED TO: SOLID OR LIQUID CHEMICAL SPILLS, WASTES FROM PAINTS, STAINS, SEALANTS, GLUES, LIMES, PESTICIDES, HERBICIDES, WOOD PRESERVATIVES AND SOLVENTS, ASBESTOS FIBERS, PAINT FLAKES OR STUCCO FRAGMENTS, FUELS, OILS, LUBRICANTS, AND HYDRAULIC, RADIATOR OR BATTERY FLUIDS, FERTILIZERS, VEHICLE/EQUIPMENT WASH WATER AND CONCRETE WASH WATER, CONCRETE, DETERGENT OR FLOATABLE WASTES. WASTES FROM ANY ENGINE/EQUIPMENT STEAM CLEANING OR CHEMICAL DEGREASING AND SUPERCHLORINATED POTABLE WATER LINE FLUSHING, DURING CONSTRUCTION. PERMITTEE SHALL DISPOSE OF SUCH MATERIALS AS SPECIFIED AND CONTROLLED TEMPORARY AREA ON-SITE, PHYSICALLY SEPARATED FROM POTENTIAL STORMWATER RUNOFF, WITH ULTIMATE DISPOSAL IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL REQUIREMENTS.
55. PERMITTEE MAY DISCHARGE MATERIAL OTHER THAN STORMWATER ONLY WHEN NECESSARY FOR PERFORMANCE AND COMPLETION OF CONSTRUCTION PRACTICES AND WHERE THEY DO NOT CAUSE OR CONTRIBUTE TO A VIOLATION OF ANY WATER QUALITY STANDARD, CAUSE OR THREATEN TO CAUSE POLLUTION, CONTAMINATION, OR NUISANCE, OR CONTAIN A HAZARDOUS SUBSTANCE IN A QUANTITY REPORTABLE UNDER FEDERAL REGULATIONS 40 CFR PARTS 117 AND 302.
56. DEWATERING OF CONTAMINATED GROUNDWATER, OR DISCHARGING CONTAMINATED SOILS VIA SURFACE EROSION IS PROHIBITED. DEWATERING OF NON-CONTAMINATED GROUNDWATER REQUIRES A NATIONAL POLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FROM THE RESPECTIVE STATE REGIONAL WATER QUALITY CONTROL BOARD.

SPECIAL NOTES

58. "SURVEY MONUMENTS SHALL BE PRESERVED AND REFERENCED BEFORE CONSTRUCTION AND REPLACED AFTER CONSTRUCTION PURSUANT TO SECTION 8771 OF THE BUSINESS AND PROFESSIONS CODE." SURVEYOR OR ENGINEER/LICENSE NO. SELOW 33,990, SHALL MONUMENT PROPERTY CORNER BEFORE STARTING GRADING, EITHER WITH PERMANENT MONUMENTS OF TEMPORARY 1 FT LONG 1/2" DIAMETER METAL RODS DRIVEN INTO THE GROUND TO NEAR FLUSH AND MARKED WITH PAINT."

GEO REPORT RECOMMENDATIONS

THE FOLLOWING SECTIONS DISCUSS THE PRINCIPLE GEOTECHNICAL CONCERNS WHICH SHOULD BE CONSIDERED FOR PROPER SITE RE-DEVELOPMENT.

EARTHWORK
GRADING AND EARTHWORK SHOULD BE PERFORMED IN ACCORDANCE WITH THE FOLLOWING RECOMMENDATIONS AND THE GENERAL EARTHWORK AND GRADING GUIDELINES INCLUDED IN APPENDIX C. IT IS OUR UNDERSTANDING THAT THE MAJORITY OF GRADING WILL BE LIMITED TO THE RE-GRADING OF THE BUILDING PAD FOR THE PROPOSED CONSTRUCTION. IN GENERAL, IT IS ANTICIPATED THAT THE REMOVAL OF THE UPPER 3 FEET WITHIN THE BUILDING FOOTPRINT (SLAB- ON-GRADE PORTION) WILL REQUIRE REMOVAL AND RECOMPACTION TO PREPARE THE SITE FOR CONSTRUCTION. WE RECOMMEND A 5 FT ENVELOPE BE EXCAVATED FOR THE BUILDING PAD, WHERE FEASIBLE. THE REMOVALS SHOULD BE ACCOMPLISHED SO THAT ALL FILL AND BACKFILL EXISTING AS PART OF THE PREVIOUS SITE USE AND DEMOLITION OPERATIONS ARE REMOVED; CARE SHOULD BE TAKEN TO PROTECT THE ADJACENT PROPERTY IMPROVEMENTS. A MINIMUM ONE FOOT THICK FILL BLANKET SHOULD BE PLACED THROUGHOUT THE EXTERIOR IMPROVEMENTS (APPROACHES, PARKING AND PLANTER AREAS). THE FILL BLANKET WILL BE ACHIEVED BY RE WORKING (SCARIFYING) THE UPPER 12 INCHES OF THE EXISTING GRADE.

SITE PREPARATION
PRIOR TO EARTHWORK OR CONSTRUCTION OPERATIONS, THE SITE SHOULD BE CLEARED OF SURFACE STRUCTURES AND SUBSURFACE OBSTRUCTIONS AND STRIPPED OF ANY VEGETATION IN THE AREAS PROPOSED FOR DEVELOPMENT. REMOVED VEGETATION AND DEBRIS SHOULD THEN BE DISPOSED OF OFF-SITE.
A MINIMUM OF 3 FEET OF THE SOILS BELOW EXISTING GRADE WILL REQUIRE REMOVAL AND RECOMPACTION IN THE AREAS TO RECEIVE BUILDING PAD FILL. FOLLOWING REMOVAL, THE EXCAVATED SURFACE SHOULD BE INSPECTED BY THE SOILS ENGINEER OR HIS DESIGNATED REPRESENTATIVE PRIOR TO THE PLACEMENT OF ANY FILL IN FOOTING TRENCHES. HOLES OR POCKETS OF UNDOCUMENTED FILL RESULTING FROM REMOVAL OF BURIED OBSTRUCTIONS DISCOVERED DURING THIS INSPECTION SHOULD BE FILLED WITH SUITABLE COMPACTED FILL.

FILLS
THE ON-SITE SOILS ARE SUITABLE FOR REUSE AS COMPACTED FILL, PROVIDED THEY ARE FREE OF ORGANIC MATERIALS, DEBRIS, AND MATERIALS LARGER THAN FOUR (4) INCHES IN DIAMETER. AFTER REMOVAL OF ANY LOOSE, COMPRESSIBLE SOILS, ALL AREAS TO RECEIVE FILL AND/OR OTHER SURFACE IMPROVEMENTS SHOULD BE SCARIFIED TO A MINIMUM DEPTH OF 12 INCHES, BROUGHT TO AT LEAST 2 PERCENT OVER OPTIMUM MOISTURE CONDITIONS AND COMPACTED TO AT LEAST 90 PERCENT RELATIVE COMPACTION (BASED ON ASTM D 1557), IF NECESSARY, IMPORT SOILS FOR NEAR-SURFACE FILLS SHOULD BE PREDOMINATELY GRANULAR, POSSESS A LOW OR VERY LOW EXPANSION POTENTIAL, AND BE APPROVED BY THE GEOTECHNICAL ENGINEER.
LIFT THICKNESSES WILL BE DEPENDENT ON THE SIZE AND TYPE OF EQUIPMENT USED. IN GENERAL, FILL SHOULD BE PLACED IN UNIFORM LIFTS NOT EXCEEDING 8 INCHES. PLACEMENT AND COMPACTION OF FILL SHOULD BE IN ACCORDANCE WITH LOCAL GRADING ORDINANCES UNDER THE OBSERVATION AND TESTING OF THE GEOTECHNICAL CONSULTANT. WE RECOMMEND THAT FILL SOILS BE PLACED AT MOISTURE CONTENTS AT LEAST 2 PERCENT OVER OPTIMUM (BASED ON ASTM D 1557).
WE RECOMMEND THAT OVERSIZE MATERIALS (MATERIALS OVER 4 INCHES) SHOULD THEY BE ENCOUNTERED, BE STOCKPILED AND REMOVED FROM THE SITE.

TRENCH EXCAVATIONS AND BACKFILL
SHALLOW EXCAVATIONS TO 10 FEET AT THE PROJECT SITE CAN BE EXCAVATED WITH A MODERATE EFFORT USING CONVENTIONAL CONSTRUCTION EQUIPMENT IN GOOD OPERATING CONDITION. BASED UPON THE WEATHERED NATURE OF THE SUBSURFACE SOILS AND TO SATISFY OSHA REQUIREMENTS FOR WORKMEN'S SAFETY, IT WILL BE NECESSARY TO SHORE EXCAVATIONS DEEPER THAN 5 FEET, OR SLOPE BACK THE SIDES OF THE EXCAVATION AT AN INCLINATION OF 1:1 (HORIZONTAL TO VERTICAL) IF WORKERS ARE TO ENTER SUCH EXCAVATIONS. THE GEOTECHNICAL CONSULTANT SHOULD BE PRESENT DURING THE EXCAVATION PHASE OF THE PROJECT TO OBSERVE THE SOIL CONDITIONS AND MAKE ADDITIONAL RECOMMENDATIONS IF NECESSARY.

THE ON-SITE SOILS MAY BE USED AS TRENCH BACKFILL PROVIDED THEY ARE SCREENED OF ROCK SIZES OVER 6 INCHES IN DIMENSION AND ORGANIC MATTER. TRENCH BACKFILL SHOULD BE COMPACTED IN UNIFORM LIFTS (NOT EXCEEDING 8 INCHES IN COMPACTED THICKNESS) BY MECHANICAL MEANS TO AT LEAST 90 PERCENT RELATIVE COMPACTION (ASTM D 1557).

VICINITY MAP

PLANNING DEPARTMENT NOTES

1. EXCEPT AS NECESSARY FOR DRAINAGE, EXISTING GRADES AT PROPERTY LINES SHALL BE MAINTAINED.
2. PRIOR TO THE ISSUANCE OF PERMITS, THE DEVELOPER SHALL VERIFY THAT THERE ARE NO EASEMENTS (I.E., WATER, SEWER, OR UTILITY) OR OTHER ENCUMBRANCES WHICH AFFECT OR RESTRICT THE LOCATION OF THE BUILDING OR OTHER IMPROVEMENTS AS SHOWN ON THE PROPOSED PLANS.
3. MAINTAIN THE PUBLIC RIGHT OF WAY IN A "WET-DOWN" CONDITION TO PREVENT EXCESSIVE DUST AND PROMPTLY REMOVE ANY SPILLAGE FROM THE PUBLIC RIGHT OF WAY BY SWEEPING OR SPRINKLING.
4. ALL ON SITE UTILITY SERVICES SHALL BE INSTALLED UNDERGROUND.
5. LIGHTING SHALL COMPLY WITH ALL REQUIREMENTS OF COSTA MESA MUNICIPAL CODE SECTION 13-83(D). ALL EXTERIOR LIGHTING SHALL BE SHIELDED AND/OR DIRECTED AWAY FROM THE ADJACENT MOBILE HOME PARK.
6. CONSTRUCTION, GRADING, MATERIALS DELIVERY, EQUIPMENT OPERATION, AND OTHER NOISE-GENERATING CONSTRUCTION ACTIVITY SHALL BE LIMITED TO THE HOURS OF 7 A.M. TO 6 P.M., MONDAY THROUGH FRIDAY, AND 9 A.M. TO 7 P.M. SATURDAY, SUNDAY, AND FEDERAL HOLIDAYS. EXCEPTIONS MAY BE MADE FOR ACTIVITIES THAT WILL NOT GENERATE NOISE AUDIBLE FROM OFF-SITE, SUCH AS PAINTING AND OTHER QUIET INTERIOR WORK.

NPDES REQUIREMENTS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) REQUIREMENTS

1. OWNER SHALL KEEP CONSTRUCTION AREA SUFFICIENTLY DAMPENED TO CONTROL DUST CAUSED BY GRADING AND CONSTRUCTION. GRAVEL SHALL AT ALL TIMES, PROVIDE REASONABLE CONTROL OF DUST CAUSED BY WIND.
2. THE EXPORT OR IMPORT MATERIAL IN EACH TRUCKLOAD SHALL BE KEPT LOW ENOUGH TO PREVENT SPILLAGE AND SHALL BE SUFFICIENTLY WET DOWN TO PREVENT DUST.
3. A STAGING AREA SHALL BE DESIGNATED WHERE EACH TRUCK IS PREPARED FOR LOAD TRAVEL AND ALL EXCESS MATERIAL REMOVED. ANY SUBSTANCE TO DROP OR FALL FROM THE BODY, TIRES, OR WHEELS OF THE VEHICLE UPON THE PUBLIC RIGHT OF WAY SHALL BE REMOVED IMMEDIATELY.
4. EROSION CONTROL MEASURES SHALL BE IN PLACE FROM NOVEMBER 15 THROUGH APRIL 15.

CODE COMPLIANCE

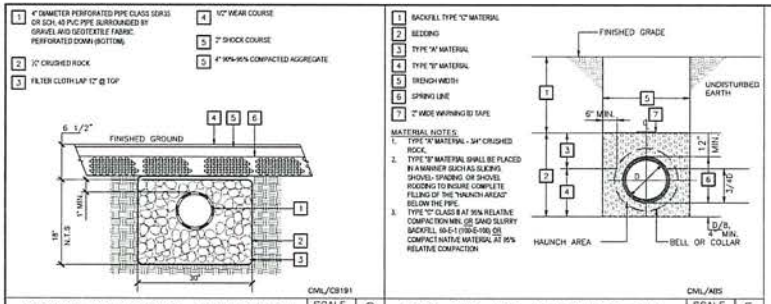
THIS PROJECT SHALL COMPLY WITH THE FOLLOWING CODES
2022 CBC
2022 CPC
2022 CMC
2022 CEC
COSTA MESA MUNICIPAL CODE

PLAN INDEX SHEET

	SHEET
NOTES, GENERAL INFORMATION, AND VICINITY MAP	C 1
TOPO AND DEMOLITION PLAN, DETAILS AND LEGEND	C 2
GRADING PLAN	C 3
UTILITY PLAN	C 4

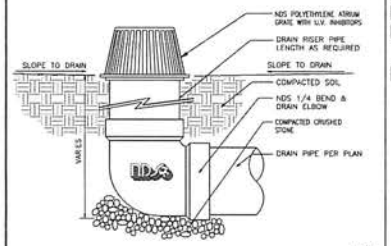
LEGAL DESCRIPTION

THE SOUTHWESTERLY 93 FEET OF THE NORTHEASTERLY 536 FEET OF THE NORTHWESTERLY 150 FEET OF LOT 102 OF TRACT NO. 306, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORN

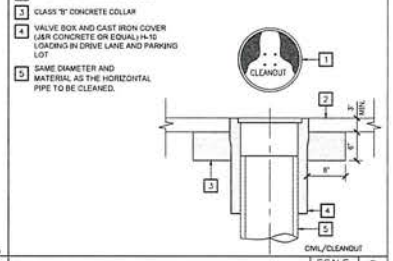


GROUND INFILTRATION / PIPE DETAIL | SCALE NONE | 2

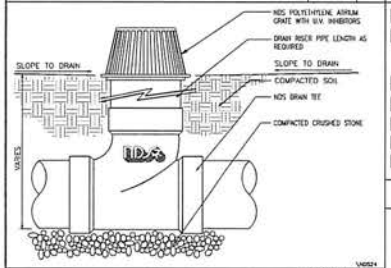
SDR AND PVC BEDDING DETAIL | SCALE NONE | 5



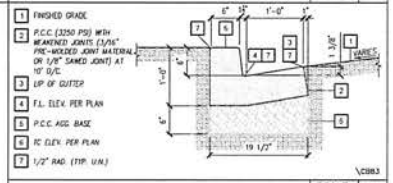
NDS ATRIUM GRATE | SCALE NONE | 3



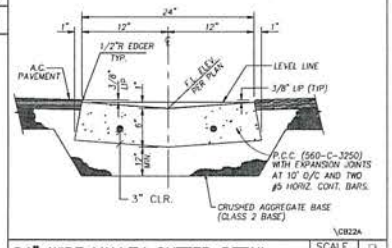
STANDARD CLEAN-OUT | SCALE NONE | 6



NDS ATRIUM GRATE | SCALE NONE | 4



6" CONC. C & G DETAIL AT L.S. | SCALE NONE | 7



24" WIDE VALLEY GUTTER DETAIL | SCALE NONE | 8

DIGALERT

DIAL TOLL FREE
1-800-422-4133
AT LEAST TWO DAYS BEFORE YOU DIG

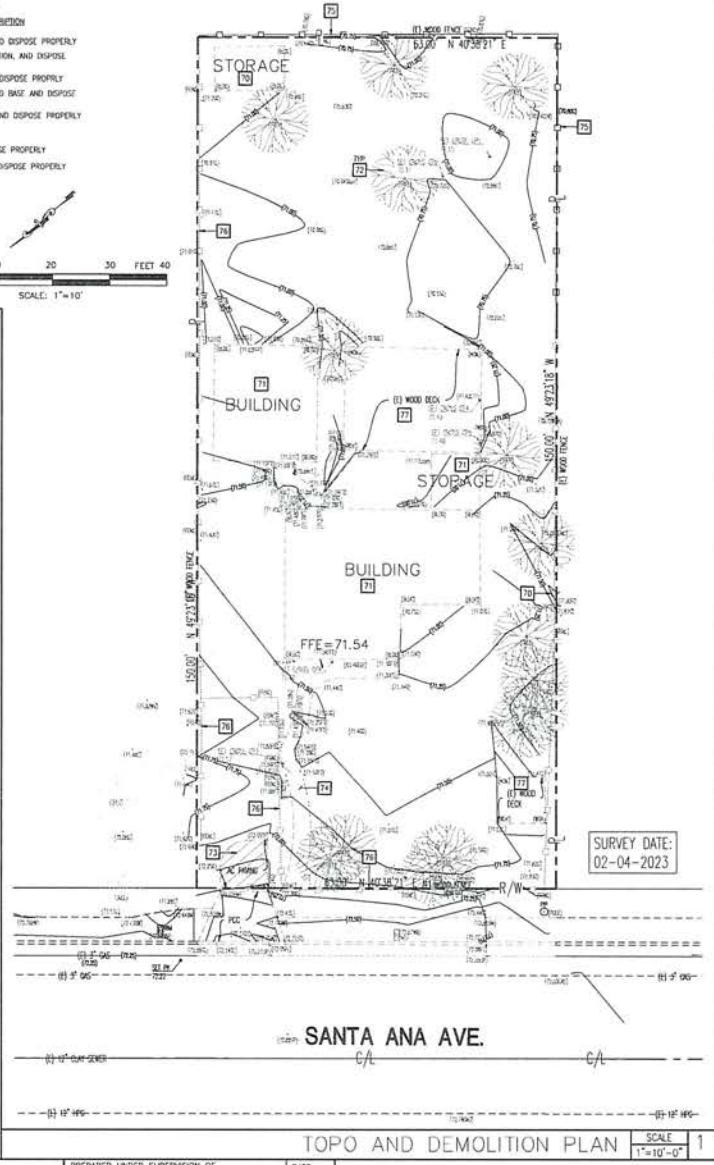
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

"CAUTION": REMEMBER THAT THE USA CENTER NOTIFIES ONLY THOSE UTILITIES BELONGING TO THE CENTER. THERE COULD BE OTHER UTILITIES PRESENT AT THE WORK SITE. THE CENTER WILL INFORM YOU OF WHOM THEY WILL NOTIFY.

DEMOLITION NOTES:

	DESCRIPTION
70	REMOVE STORAGE SHED AND DISPOSE PROPERLY
71	REMOVE BUILDING, FOUNDATION, AND DISPOSE PROPERLY
72	REMOVE TREE, ROOT, AND DISPOSE PROPERLY
73	REMOVE A/C PAVEMENT AND BASE AND DISPOSE PROPERLY
74	REMOVE CONCRETE WALK AND DISPOSE PROPERLY
75	PROTECT IN PLACE
76	REMOVE FENCE AND DISPOSE PROPERLY
77	REMOVE WOOD DECK AND DISPOSE PROPERLY

0 10 20 30 FEET 40
SCALE: 1"=10'



TOPO AND DEMOLITION PLAN | SCALE 1"=10'-0" | 1

LEGEND

AMERICAN PUBLIC WORKS ASSOCIATION	APWA
ASPHALT CONCRETE	AC
BACK OF WALK	BW
BLOCK WALL	
BOTTOM	BOT.
BUILDING	BLDG
CATCH BASIN	C.B., CBSIN
CHAIN LINK FENCE	-0-0-
COMMUNICATION BOX	COM. BX.
COMMUNICATION VAULT	COM. V.T.
CONCRETE	CONC
CONSTRUCT	CONST
CORNER BUILDING	CB
CORNER CONCRETE	CC
CRUSHED AGGREGATE BASE	CAB
CURB FACE, CURB BACK	CF, CB
DOUBLE DETECTOR CHECK VALVE	DDCV
DOWN SPOUT	DS
ELECTRICAL BOX, ELECTRICAL CABINET	ELEC BOX, ELEC CAB
EXISTING	EX, EXIST.
EXISTING CONTOUR	(145.6)
EXISTING DRIVEWAY APPROACH	
EXISTING ELEVATION	(71.5)
FIRE HYDRANT	FH, FHY
FINISH FLOOR ELEVATION	FFE
FINISH GRADE	FG
FINISH SURFACE	FS
GAS LINE	G
GOLDEN STATE WATER COMPANY	-
GRADE BREAK	GB
HIGH POINT	HP
INVERT	INV
IRRIGATION BOX, IRRIGATION VALVE	IRRBX, IRRVLV
LANDSCAPING, PLANTER AREA	L.S., P.A.
LIGHT POLE	LIPOLE
LIP OF GUTTER, GUTTER EDGE	LIP
LOW POINT	LP
NEW CONTOUR	XX.XX
ON CENTER	O/C, O.C.
ORANGE COUNTY ENVIRONMENTAL MANAGEMENT AGENCY	OCEMA
ORANGE COUNTY FIRE AUTHORITY	OCFA
OVER HEAD LINES	OHL
PLANTING AREA	PA
PORTLAND CEMENT CONCRETE	PCC
POWER POLE	PP
PRESSURE TREATED	PT
PROPERTY LINE	
PROPOSED ELEVATION	72.0
PULL BOX	PBX
QUANTITY	QTY.
ROOF DOWN SPOUTS AND SPLASH BLOCK RD	SP
SANITARY SEWER	S
SANITARY SEWER HOUSE CONNECTION	S
SANITARY SEWER MANHOLE	SSMH
SEWER CLEANOUT	SCO
SITE LIGHT BASE	
STORM DRAIN	SD
STORM DRAIN MAN HOLE	SDMH
STREET	ST.
STREET LIGHT	STLT
STREET LIGHT PULL BOX	SLPB
TELEPHONE BOX	TBX
TOP OF BRICK	TB
TOP OF CONCRETE	TC
TOP OF CURB, FLOW LINE	TC, FL
TOP OF GRATE	TG
TOP OF PAVING	TP
TOP OF WALL, TOP OF FOOTING	TW, TF
TRAFFIC SIGNAL PULL BOX	TSPB
VITRIFIED CLAY PIPE	V.C.P.
WATER LINE	W
WATER METER	WM
WATER SERVICE LINE	W
WATER VALVE	WV

REVISION	BY	DATE	APP'D. BY	APP'D. DATE
△				
△				
△				

PREPARED BY:
COAST ENGINEERING DESIGNS, INC.
1500 ADAMS AVE., SUITE 303
COSTA MESA, CA 92626
PH. (714) 593-0337
CIVIL AND STRUCTURAL ENGINEERS
J.N. 08-2023

Coast Engineering Designs Inc. Civil and Structural Engineers

REGISTERED PROFESSIONAL ENGINEER FARHAD REZAI No. 39868 12-31-2026 CIVIL STATE OF CALIFORNIA
4/30/2025

OWNER INFORMATION:
ALI SEDGHI
1024 BAYSIDE DR. STE. 340
NEWPORT BEACH, CA 92660
949-636-2666

PREPARED UNDER SUPERVISION OF: FARHAD REZAI R.C.E. 39868 — DATE: 4/30/2025
DRAWN:
CHECKED BY:
RECOMMENDED:
APPROVED:

2308 SANTA ANA AVE
COSTA MESA, CA 92627

TOPO & DEMOLITION PLAN, LEGEND, AND DETAILS

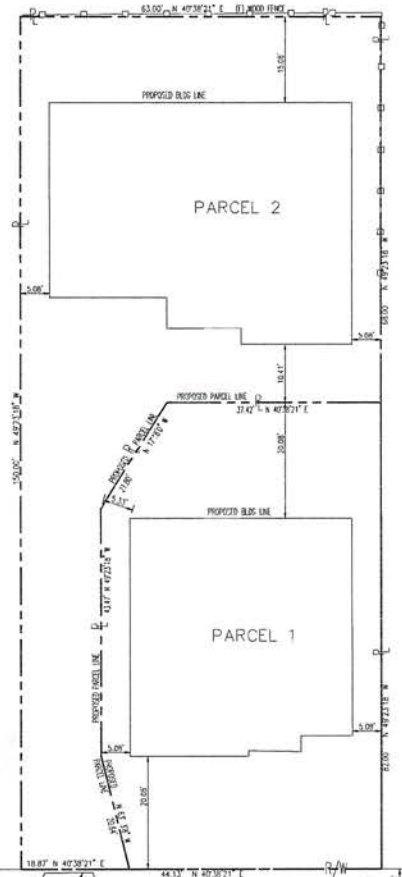
C-2
SHEET OF

VICINITY MAP
N.T.S.

EASEMENTS:

1. AN EASEMENT RECORDED SEPTEMBER 13, 1922 IN BOOK 437, PAGE 231, DEEDS (NON PLOTTABLE)
   FOR : DITCH TO CARRY OFF AND DRAIN WATER THAT NATURALLY COLLECTS ON AND FLOWS, AND ROADS, HIGHWAY, PIPELINES, TELEPHONE, TELEGRAPH, POWER AND ELECTRIC RAILWAY LINES AND INCIDENTAL PURPOSES

   AN INSTRUMENT DECLARING A MODIFICATION THEREOF WAS RECORDED 8/21/1980 IN BOOK 5298, PAGE 239, OFFICIAL RECORDS
2. AN EASEMENT RECORDED JANUARY 31, 1927 IN BOOK 9, PAGE 418, OFFICIAL RECORDS (NON PLOTTABLE)
   FOR : INSTALL, MAINTAIN AND OPERATE, REPAIR AND REPLACE WELLS, PUMPING PLANT, AND THE PURPOSE OF INSTALLING, MAINTAINING, REPLACING, REPAIRING, WATER PIPE LINES, DITCHES OR OTHER CONDUITS FOR THE DISTRIBUTION OF WATER AND INCIDENTAL PURPOSES



LEGAL DESCRIPTION

THE SOUTHWESTERLY 63 FEET OF THE NORTHEASTERLY 530 FEET OF THE NORTHWESTERLY 150 FEET OF LOT 102 OF TRACT NO. 300, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 14, PAGES 11 AND 12 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ASSESSOR'S PARCEL NUMBER:

119-332-08

SITE ADDRESS:

2308 SANTA ANA AVE.
COSTA MESA, CA 92627

OWNER/SUBDIVIDER:

EASTSIDE COASTAL LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
1024 BAYSIDE DRIVE, SUITE 340
NEWPORT BEACH, CA 92660
ATTENTION: ALI SEDGHI

AREA SUMMARY:

EXISTING PARCEL: 9450 S.F. (0.217 ACRES)

PROPOSED PARCELS:

PARCEL 1: 3862 S.F. (0.089 ACRES)
PARCEL 2: 5588 S.F. (0.128 ACRES)

EXISTING LAND USE:

ONE PARCEL OF SINGLE STORY HOUSE AND DETACHED GARAGE

EXISTING SURROUNDING PROPERTY LAND USE:

REAR: R2 - MD MULTI-FAMILY RESIDENTIAL
FRONT: R2 - MD MULTI-FAMILY RESIDENTIAL
LEFT: R2 - MD MULTI-FAMILY RESIDENTIAL
RIGHT: R2 - MD MULTI-FAMILY RESIDENTIAL

PROPOSED LAND USE

SMALL LOT SUBDIVISION - SINGLE FAMILY RESIDENTIAL

WATER RESOURCES:

THERE ARE NO WATERCOURSE CROSSING THE SITE OR ADJOINING PROPERTIES, LAND IS NOT SUBJECT TO OVERFLOW.

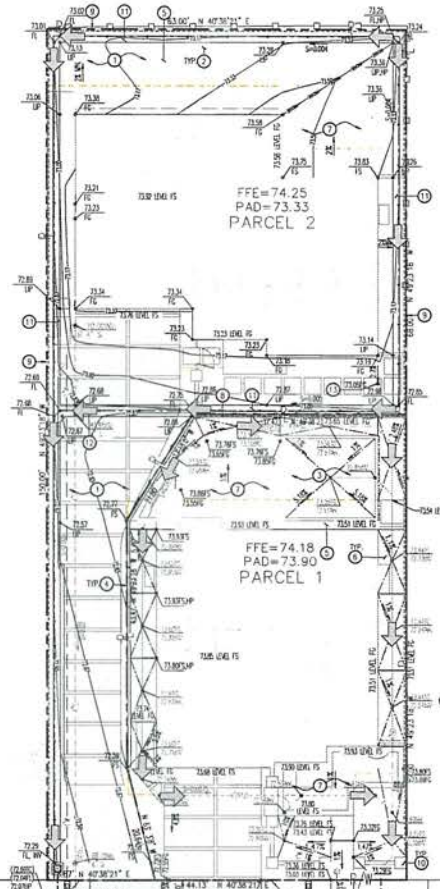
WATER RESOURCES:

FEMA FIRM FLOOD ZONE = X, MAP NUMBER 06059C0269K
EFFECTIVE DATE, 03/21/2019

LEGEND

SITE SETBACK
CURB
PROPERTY LINE

0 10 20 30 FEET 40
SCALE: 1"=10'



ON SITE CONSTRUCTION NOTES:

	DESCRIPTION
1	CONSTRUCT CONCRETE WALK PER LANDSCAPING PLANS
2	CONC. MOW STRIP PER LANDSCAPING PLAN
3	CONSTRUCT TURF PER LANDSCAPING PLANS
4	CONSTRUCT FENCE PER LANDSCAPING PLANS
5	PLANTER PER LANDSCAPING PLANS
6	GRAVEL PER LANDSCAPING PLANS
7	CONSTRUCT PAVER PER LANDSCAPING PLANS
8	CONCRETE CURB RETAINING WALL WITH FENCE ON TOP PER LANDSCAPING PLANS (BY SEPARATE PERMIT)
9	RETAINING WALL AND FENCE ON TOP PER LANDSCAPING PLANS (BY SEPARATE PERMIT)
10	CONSTRUCT DECORATIVE WALL PER LANDSCAPING PLANS (BY SEPARATE PERMIT)
11	CONSTRUCT CONC. CURB & GUTTER PER DETAIL 7/C-2
12	CONSTRUCT CONC. V-GUTTER PER DETAIL 8/C-2
13	LOWEST FINISH GRADE WITHIN 5' BUILDING LINE

BUILDING CODE SEC. 1909.7.4
TOP OF EXTERIOR FOUNDATION = FFE-5 INCH SLAB THICKNESS TOP OF EXT. FOUNDATION FRONT BUILDING = 74.18-0.42=73.76 =73.22
TOP OF EXT. FOUNDATION REAR BUILDING = 74.25-0.42=73.83 =73.27
STREET GUTTER ELEVATION AT POINT OF DISCHARGE = 72.97
72.97+1+0.82(19') = 73.27

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UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA
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PRECISE GRADING PLAN — SCALE 1"=10'-0" — 1

REVISION	BY	DATE	APP'D BY	APP'D DATE
△				
△				
△				

PREPARED BY:
COAST ENGINEERING DESIGNS, INC.
1500 ADAMS AVE., SUITE 303
COSTA MESA, CA 92626
PH. (714) 593-0337
CIVIL AND STRUCTURAL ENGINEERS
J.N. 08-2023

Coast Engineering Designs Inc. — Civil and Structural Engineers

REGISTERED PROFESSIONAL ENGINEER — FARHAD REZAI — No. 39868 — 12.31.2026 — CIVIL — STATE OF CALIFORNIA
4/30/2025

OWNER INFORMATION:
ALI SEDGHI
1024 BAYSIDE DR. STE. 340
NEWPORT BEACH, CA 92660
949-636-2666

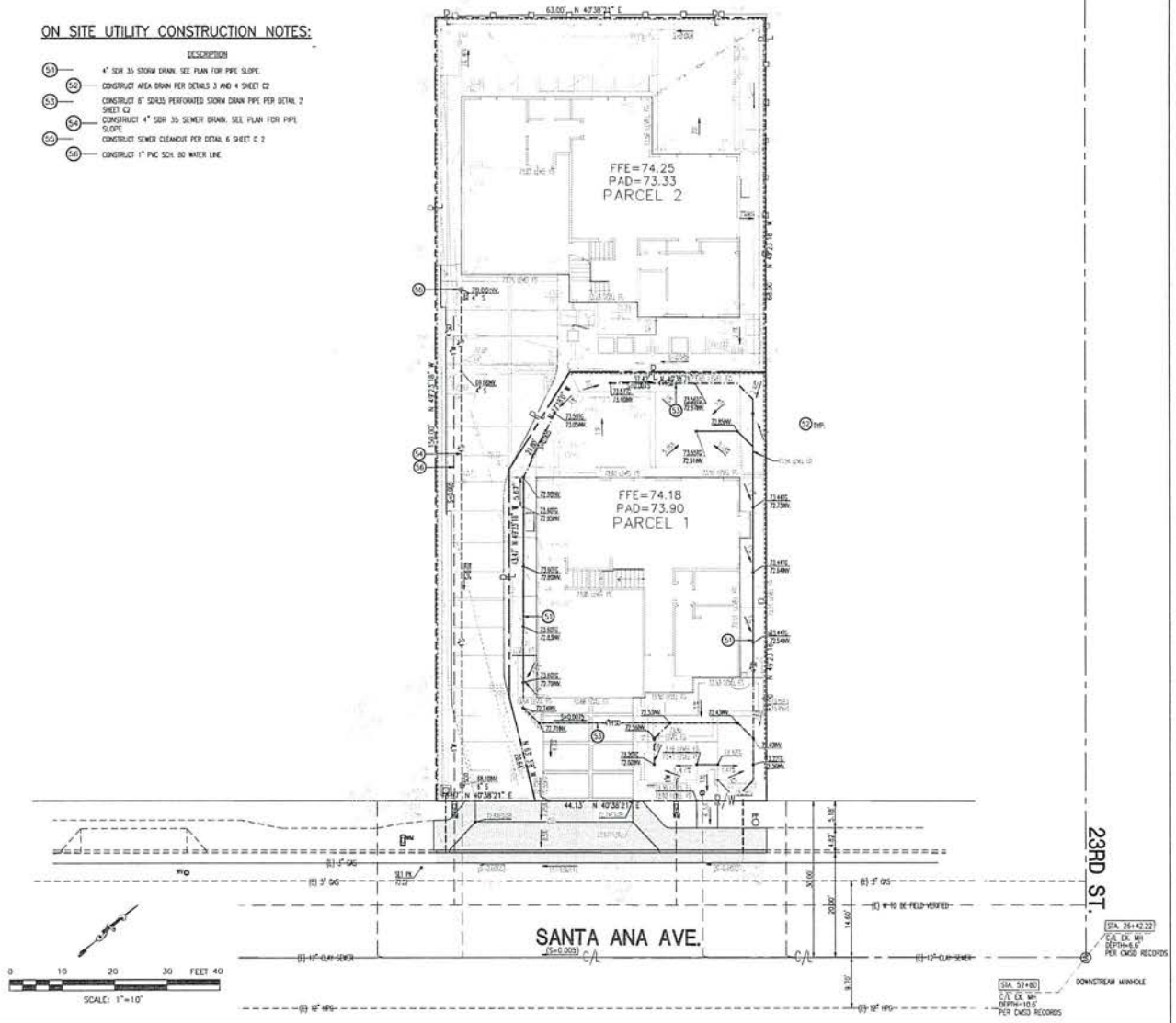
PREPARED UNDER SUPERVISION OF	DATE
FARHAD REZAI R.C.E. 39868	4/30/2025
DRAWN:	
CHECKED BY:	
RECOMMENDED:	
APPROVED:	

2308 SANTA ANA AVE
COSTA MESA, CA 92627
PRECISE GRADING PLAN

C-3
SHEET OF

ON SITE UTILITY CONSTRUCTION NOTES:

	DESCRIPTION
S1	4" SDR 35 STORM DRAIN. SEE PLAN FOR PIPE SLOPE.
S2	CONSTRUCT AREA DRAIN PER DETAILS 3 AND 4 SHEET C2
S3	CONSTRUCT 6" SDR35 PERFORATED STORM DRAIN PIPE PER DETAIL 2 SHEET C2
S4	CONSTRUCT 4" SDR 35 SEWER DRAIN. SEE PLAN FOR PIPE SLOPE
S5	CONSTRUCT SEWER CLEANOUT PER DETAIL 6 SHEET C 2
S6	CONSTRUCT 1" PVC SCH. 80 WATER LINE



UTILITY PLAN — SCALE 1"=10'-0" — 1

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CIVIL AND STRUCTURAL ENGINEERS

J.N. 08-2023

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4/30/2025

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PREPARED UNDER SUPERVISION OF FARHAD REZAI R.C.E. 39868 — DATE 4/30/2025
DRAWN:
CHECKED BY
RECOMMENDED:
APPROVED

2308 SANTA ANA AVE
COSTA MESA, CA 92627

UTILITY PLAN

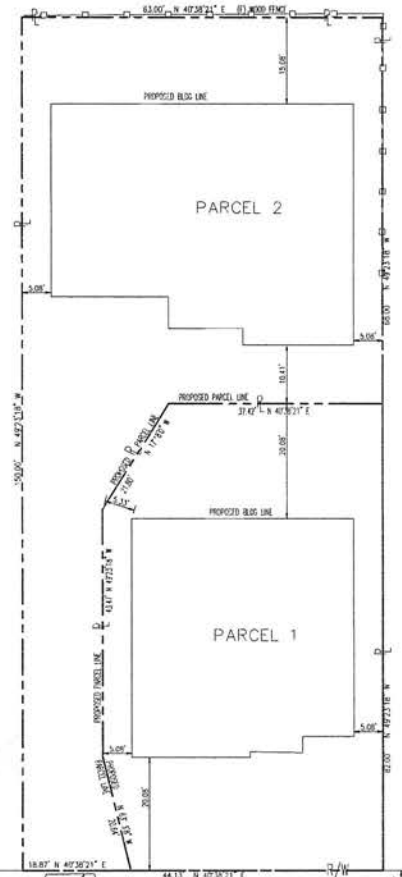
C-4
SHEET OF

VICINITY MAP
N.T.S.

EASEMENTS:

1. AN EASEMENT RECORDED SEPTEMBER 13, 1922 IN BOOK 437, PAGE 231, DEEDS (NON PLOTTABLE)
   FOR : DITCH TO CARRY OFF AND DRAIN WATER THAT NATURALLY COLLECTS ON AND FLOWS, AND ROADS, HIGHWAY, PIPELINES, TELEPHONE, TELEGRAPH, POWER AND ELECTRIC RAILWAY LINES AND INCIDENTAL PURPOSES

   AN INSTRUMENT SECURING A MODIFICATION THEREOF WAS RECORDED 6/21/1960 IN BOOK 5286, PAGE 239, OFFICIAL RECORDS
2. AN EASEMENT RECORDED JANUARY 31, 1927 IN BOOK 9, PAGE 416, OFFICIAL RECORDS (NON PLOTABLE)
   FOR : INSTALL, MAINTAIN AND OPERATE, REPAIR AND REPLACE WELLS, PUMPING PLANT, AND THE PURPOSE OF INSTALLING, MAINTAINING, REPLACING, REPAIRING, WATER PIPE LINES, DITCHES OR OTHER CONDUITS FOR THE DISTRIBUTION OF WATER AND INCIDENTAL PURPOSES



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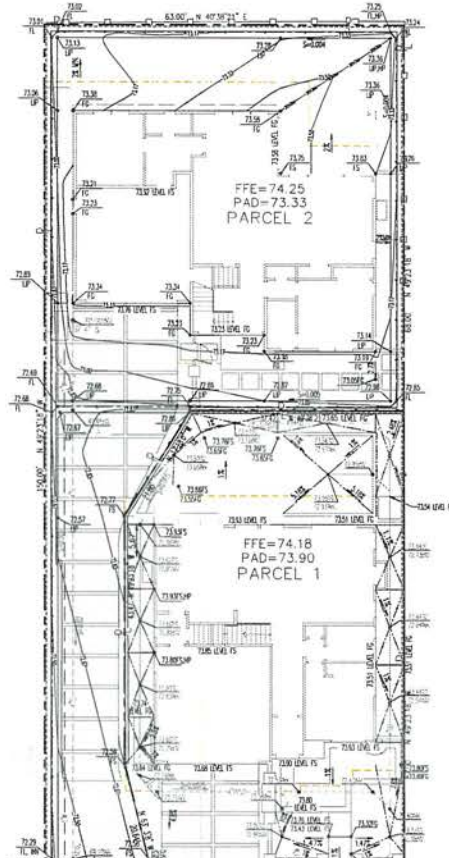
FEMA FIRM FLOOD ZONE = X, MAP NUMBER 06059C0269K
EFFECTIVE DATE, 03/21/2019

LEGEND

SITE SETBACK
CURB
PROPERTY LINE

0 10 20 30 FEET 40
SCALE: 1"=10'

4/30/2025



BUILDING CODE SEC. 1908.7.4
TOP OF EXTERIOR FOUNDATION = FFE-6 INCH SLAB THICKNESS TOP OF EXT. FOUNDATION FRONT BUILDING = 74.19-0.42=73.78 >73.27
TOP OF EXT. FOUNDATION REAR BUILDING = 74.25-0.42=73.83 >73.27
STREET GUTTER ELEVATION AT POINT OF DISCHARGE = 72.87
72.87+1+0.02(15') = 73.27

SANTA ANA AVE.
C/L
23RD ST.
(E) 3" GAS
(E) 12" CLAY SEWER
(E) 12" HPG
(E) 4"-10 BE FIELD VERIFIED

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TENTATIVE PM | SCALE 1"=10'-0" | 1

REVISION	BY	DATE	APP'D. BY	APP'D. DATE
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4/30/2025

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NEWPORT BEACH, CA 92660
949-636-2686

PREPARED UNDER SUPERVISION OF: FARHAD REZAI R.C.E. 39868 — DATE: 4/30/2025
DRAWN:
CHECKED BY:
RECOMMENDED:
APPROVED

2308 SANTA ANA AVE
COSTA MESA, CA 92627

TENTATIVE PARCEL MAP NO 2023-117

SHEET 2 OF

LEGEND

REMOVE A/C PAVING
EXISTING P.C.C.
NEW PATCH AC
NEW P.C.C. PAVING
REMOVE P.C.C.

OFF SITE CONSTRUCTION NOTES:

NOTES:
1. SEPARATE PUBLIC WORKS DEPARTMENT ENCROACHMENT PERMITS ARE REQUIRED IN PUBLIC RIGHT OF WAY.
2. ALL WORK IN THE PUBLIC RIGHT OF WAY SHALL BE DONE PER CITY STANDARDS.

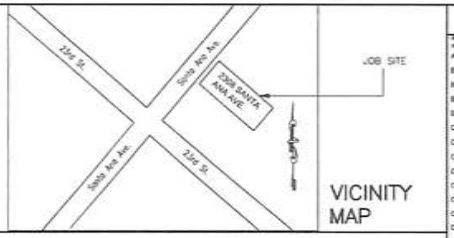
20 — REMOVE EXISTING CURB AND GUTTER BY SAWCUTTING THE EDGE, SIDEWALK, AND CONSTRUCT TYPE I DRIVEWAY APPROACH PER CITY OF COSTA MESA STANDARD DRAWING NO. considerable 205 OVER 6" CMB AND MODIFIED THIS DRAWING TO COMPLY WITH A.D.A. REGULATIONS. W=32.50', X=5' AND REPLACE CAG (TYPE C-8) AND SIDEWALK PER CITY STANDARDS 312 AND 412.
21 — REMOVE 3' MIN. A/C FOR MATCH-UP PAVING TO NEW GUTTER
22 — MATCH-UP PAVING TO NEW GUTTER
23 — REMOVE EXISTING DRIVEWAY
24 — CONSTRUCT PARKWAY DRAIN PER CITY OF COSTA MESA STANDARD DRAWING NO. 418, CASE 1 INLET. (1) 4" PIPES
25 —

COSTA MESA SANITARY DISTRICT SEWER CONSTRUCTION NOTES:

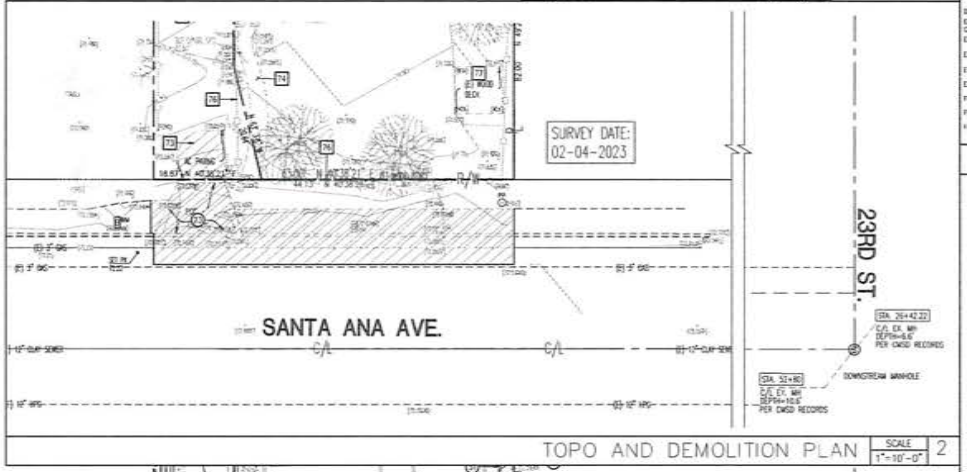
30 — FURNISH AND INSTALL 6" V.C.P. SEWER LATERAL TYPE "C" PER DRAWING S-104-C
32 — CONTRACTOR TO CCTV INTERIOR OF EXIST 6" VCP SEWER LATERAL AND PROVIDE VIDEO TO CMSD PRIOR TO RE-USE OF LATERAL. ANY DEFICIENCIES IN LATERAL SHALL BE REPAIRED.
33 — CONST. C.O. PER CMSD STD S-107 AND 4" PVC SDR 35 SEWER LATERAL PER CMSD STDS. TO NEW RESIDENCE.

IRWD WATER CONSTRUCTION NOTES:

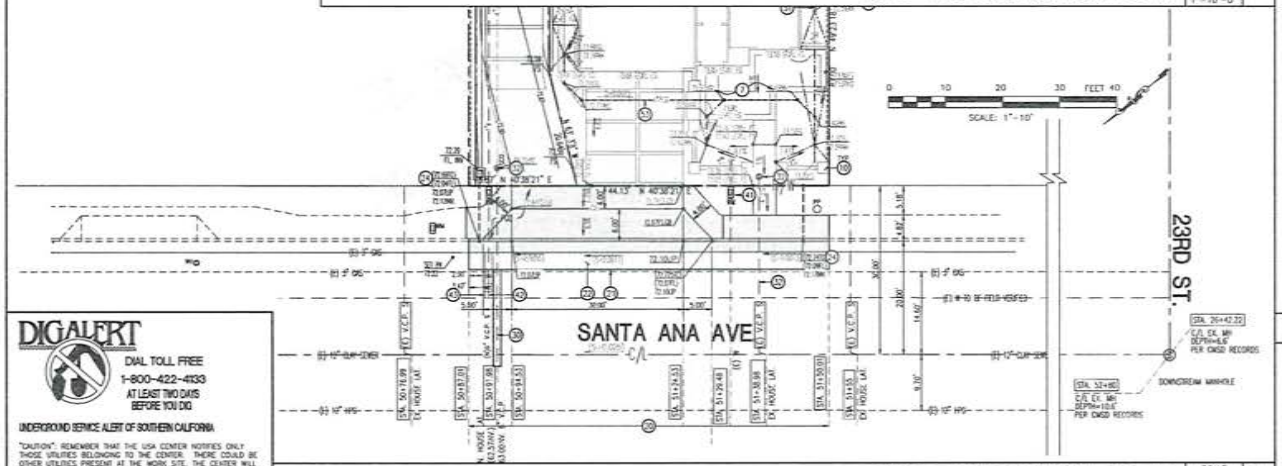
41 — EXISTING 1" SERVICE LINE. UPGRADE WATER METER TO ONE INCH
42 — INSTALL 1" WATER SERVICE AND 1" METER PER IRWD STANDARD DRAWING W-4
43 — WATER TRENCH LINE PER IRWD STANDARD DRAWING W-17



VICINITY MAP



TOPO AND DEMOLITION PLAN — SCALE 1"=10'-0" — 2



STREET IMPROVEMENT PLAN — SCALE 1"=10'-0" — 1

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LEGEND

AMERICAN PUBLIC WORKS ASSOCIATION	APWA	FINISH SURFACE	FS	SANITARY SEWER	S
ASPHALT CONCRETE	AC	GAS LINE	G	SANITARY SEWER HOUSE CONNECTION	S
BACK OF WALK	BW	GRADE BREAK	GB	SANITARY SEWER MANHOLE	SSMH
BLOCK WALL		HIGH POINT	HP	SEWER CLEANOUT	SCO
BOTTOM	BOT.	INVERT	INV.	SITE LIGHT BASE	LT
BUILDING	BLDG.	LANDSCAPING, PLANTER AREA	L.S., P.A.	STORM DRAIN	SD
CATCH BASIN	C.B., CBSH	LIGHT POLE	LP/SLE	STORM DRAIN MAN HOLE	SDMH
CHAIN LINK FENCE		LIP OF GUTTER, GUTTER EDGE	LIP	STREET	ST
CONCRETE	CONC.	LOW POINT	LP	STREET LIGHT	STLT
CONSTRUCT	CONST.	NEW CONTOUR	83.333	STREET LIGHT PULL BOX	SLPB
CORNER BUILDING	CB	ON CENTER	O/C, O.C.	TELEPHONE BOX	TB
CORNER CONCRETE	CC	ORANGE COUNTY ENVIRONMENTAL MANAGEMENT AGENCY	OCEMA	TOP OF BRICK	TB
CRUSHED AGGREGATE BASE	CAB	ORANGE COUNTY FIRE AUTHORITY	OCFA	TOP OF CONCRETE	TC
CURB FACE, CURB BACK	CF, CB	OVER -HEAD LINES	OHL	TOP OF CURB, FLOW LINE	TC, FL
DOWN SPOUT	DS	PLANTING AREA	PA	TOP OF GRATE	TG
ELECTRICAL BOX, ELECTRICAL CABINET	ELEC BOX, ELEC CAB	PORTLAND CEMENT CONCRETE	PCC	TOP OF PAVING	TP
EXISTING	EX, EXIST.	POWER POLE	PP	TOP OF WALL, TOP OF FOOTING	TW, TF
EXISTING CONTOUR	53.55	PRESSURE TREATED	PT	VITRIFIED CLAY PIPE	V.C.P.
EXISTING DRIVEWAY APPROACH		PROPERTY LINE		WATER LINE	W
EXISTING ELEVATION	(71.5)	PROPOSED ELEVATION	72.0	WATER METER	WM
FIRE HYDRANT	FH, FHY	PULL BOX	PB	WATER SERVICE LINE	W
FINISH FLOOR ELEVATION	FFE	ROOF DOWN SPOUTS AND SPLASH BLOCK	RD	WATER VALVE	WV
FINISH GRADE	FG				

GENERAL NOTES FOR OFFSITE/STREET IMPROVEMENT PLAN

1. ALL WORK AND MATERIALS WITHIN THE PUBLIC RIGHT-OF-WAY SHALL CONFORM TO THE CITY OF COSTA MESA STANDARD DRAWINGS.
2. ALL WORK SHALL BE PERFORMED AND ALL MATERIALS SHALL BE IN ACCORDANCE WITH CITY OF COSTA MESA STANDARD DRAWINGS AND THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, (GREEN BOOK) CURRENT EDITION.
3. CONTRACTOR SHALL FURNISH AND INSTALL ALL SIGNS, LIGHTS, BARRICADES, FLASHING ARROW BOARD AND ANY OTHER TRAFFIC CONTROL OR WARNING DEVICES INCLUDING FLAGMEN AS MAY BE REQUIRED BY THE CITY ENGINEER. ALL ITEMS MENTIONED SHALL BE IN CONFORMANCE WITH THE CURRENT REQUIREMENTS AS SPECIFIED IN THE LATEST EDITION OF THE "CONSTRUCTION SAFETY ORDERS" AND W.A.T.C.H. FAILURE TO DO WILL BE CITED UNDER APPLICABLE SECTION OF THE C.V.C. AND CORRECTIVE COSTS TO THE CITY WILL BE CHARGED.
4. LANE CLOSURES: ARTERIALS - NO LANE CLOSURES ALLOWED DURING HOLIDAY PERIOD STARTING THE WEEK OF THANKSGIVING THROUGH THE WEEK OF NEW YEARS UNLESS BY SPECIAL PERMISSION FROM THE PUBLIC SERVICES DIRECTOR. LOCALS - NO LANE CLOSURES ALLOWED DURING WEEKS OF THANKSGIVING, CHRISTMAS, OR NEW YEARS UNLESS BY SPECIAL PERMISSION FROM THE PUBLIC SERVICES DIRECTOR.
5. CONTRACTOR SHALL OBTAIN A PUBLIC SERVICES DEPARTMENT CONSTRUCTION ACCESS AND ENCROACHMENT PERMITS PRIOR TO THE START OF ANY ON-SITE CONSTRUCTION OR WITHIN PUBLIC RIGHT-OF-WAY AND REQUEST INSPECTION 24 HOURS IN ADVANCE OF PERFORMING ANY WORK. TELEPHONE (714) 754-5343. THE CONTRACTOR SHALL MAINTAIN A COPY OF PERMITS AND SIGNED PLANS ON THE JOB SITE.
6. PERMITS WILL BE REQUIRED FROM MESA CONSOLIDATED WATER DISTRICT, IRVINE RANCH WATER DISTRICT, ORANGE COUNTY WATER DISTRICT, ORANGE COUNTY SANITATION DISTRICT, OR COSTA MESA SANITARY DISTRICT FOR CONSTRUCTION OR MODIFICATION OF WATER AND SEWER IMPROVEMENTS TO THEIR FACILITIES. THE CONTRACTOR SHALL NOTIFY EACH 48 HOURS PRIOR TO BEGINNING CONSTRUCTION. CONSTRUCTION WITHIN CAL-TRANS RIGHT-OF-WAY WILL REQUIRE PERMITS AND PLAN APPROVAL FROM CAL-TRANS AS WELL AS THE CITY OF COSTA MESA. LOCATE AND PROTECT ALL EXISTING UTILITIES IN PLACE.
7. PLANS APPROVED BY SOUTHERN CALIFORNIA EDISON, PACIFIC BELL, OR SOUTHERN CALIFORNIA GAS COMPANY IS REQUIRED PRIOR TO ISSUANCE OF ENCROACHMENT PERMITS RELATED TO THEIR FACILITIES.
8. THE CONTRACTOR SHALL PAY FOR ALL SOIL AND MATERIALS TESTS DEEMED NECESSARY AS DETERMINED BY THE CITY ENGINEER.
9. PAVEMENT AND BASE THICKNESS AS SHOWN ARE BASED ON A PRELIMINARY "R" VALUE. DURING CONSTRUCTION A SOILS TEST MAY BE REQUESTED BY THE CITY TO DETERMINE THE ACTUAL "R" VALUE AND THE THICKNESS WILL BE ADJUSTED ACCORDINGLY. TESTS SHALL BE MADE BY A LICENSED SOILS ENGINEER AND APPROVED BY THE CITY ENGINEER.
10. ALL EXISTING DRAINAGE COURSES ON THE PROJECT MUST CONTINUE TO FUNCTION, ESPECIALLY DURING STORM CONDITIONS, AND APPROVED PROTECTIVE MEASURES AND TEMPORARY DRAINAGE PROVISIONS MUST BE USED TO PROTECT ADJOINING PROPERTIES DURING THE GRADING PROJECT, IN ALL CASES. THE CONTRACTOR AND/OR DEVELOPER SHALL BE HELD LIABLE FOR ANY DAMAGES DUE TO OBSTRUCTION OF NATURAL DRAINAGE PATTERNS. IF THE FOREGOING CANNOT BE COMPLIED WITH, A FULLY EXECUTED, NOTARIZED, AND RECORDED AGREEMENT BETWEEN THE AFFECTED PARTIES WILL BE REQUIRED. ALL HAUL ROUTES MUST BE APPROVED BY THE MANAGER OF TRANSPORTATION SERVICES.
11. THE PROJECT SITE SHALL BE MAINTAINED IN A "WET-DOWN" CONDITION TO PREVENT EXCESSIVE DUST. SPILLAGE AND DUST SHALL BE REMOVED FROM THE PUBLIC RIGHT-OF-WAY BY SWEEPING OR SPRINKLING. HOWEVER, WATERING THAT RESULTS IN MUD ON PUBLIC STREETS IS NOT PERMITTED AS A SUBSTITUTE FOR OTHER CLEANING METHODS.
12. ALL UTILITY TRENCH BACKFILL MATERIAL AND COMPACTION SHALL CONFORM TO CITY OF COSTA MESA STANDARD DRAWING NO. W13. BORE UNDER EXISTING IMPROVEMENTS-TUNNELING IS NOT ALLOWED. NO OPEN EXCAVATIONS WILL BE ALLOWED OVERNIGHT-BACKFILL OR PLATE.
13. ALL PCC AND AC TO BE JOINED SHALL BE SAWCUT IN A CLEAN, STRAIGHT LINE AS APPROVED BY THE CITY ENGINEER.
14. ALL OBSTRUCTIONS, WITHIN THE PUBLIC SIDEWALK SUCH AS POWER POLES, STREET LIGHTS, FIRE HYDRANTS UTILITY PEDESTALS, MAILBOXES, AND STREET SIGNS SHALL HAVE MINIMUM OF 4' OF CLEAR SIDEWALK PLACED BEHIND THEM.
15. IF REQUESTED, "AS BUILT" DRAWINGS SHALL BE SUBMITTED TO THE CITY ENGINEERING DIVISION UPON COMPLETION OF IMPROVEMENTS AS SHOWN ON THE APPROVED PLANS.
16. NO REMOVAL OF TREES FROM THE PUBLIC RIGHT-OF-WAY WILL BE PERMITTED WITHOUT SPECIFIC APPROVAL FROM THE PARKS AND RECREATION COMMISSION AND COMPLIANCE WITH MITIGATION MEASURES AS DETERMINED BY THE COMMISSION TO RELOCATE THE TREES AND/OR TO COMPENSATE THE CITY FOR THE LOSS OF TREES FROM THE PUBLIC RIGHT-OF-WAY. CONDITIONS OF THE PARKS AND RECREATION COMMISSION MUST BE INCORPORATED ONTO THESE PLANS PRIOR TO PLAN APPROVAL.
17. PLANTING OF PARKWAY TREES AND INSTALLATION OF IRRIGATION LINES INSTALLED, INCLUDING RISERS, HEADS, VALVES, AND METERS AS DIRECTED AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE PUBLIC SERVICES DEPARTMENT.
18. ALL CONSTRUCTION STAKING SHALL BE DONE BY A LICENSED LAND SURVEYOR OR ENGINEER, CERTIFIED IN WRITING AS TO LINE AND GRADE PER APPROVED PLANS, AND SUBMITTED TO THE CITY ENGINEER.
19. NO WORK SHALL BE DONE ON ADJACENT PROPERTIES OR ADJACENT OWNERS IMPROVEMENTS WITHOUT OBTAINING WRITTEN PERMISSION FROM THE OWNERS OF THE ADJACENT PROPERTIES, AND SUBMITTING A COPY THEREOF TO CITY ENGINEERING DIVISION.
20. WORK ONCE BEGAN SHALL BE PROCEED TO COMPLETION IMMEDIATELY TO PROVIDE MINIMUM INCONVENIENCE TO ADJACENT PROPERTY OWNERS AND THE TRAVELING PUBLIC.
21. ALL STREET STATIONING REFERS TO THE CENTER LINE OF THE STREET AND CURB DATA REFERS TO THE FACE OF CURB.
22. FOR ALL ASPHALT CONCRETE MATERIAL TO BE PLACED WITHIN THE PUBLIC RIGHT-OF-WAY, PRIOR TO THE START OF THE PAVING OPERATION, PERMITTEE SHALL SUBMIT A MIX DESIGN TO THE CITY FOR APPROVAL. THE PAVING OPERATION SHALL NOT START UNTIL THE MIX DESIGN HAS BEEN APPROVED BY THE CITY ENGINEER.
23. ALL UNDERGROUND WORK SHALL BE COMPLETE PRIOR TO ANY SURFACE WORK IN THE PUBLIC RIGHT-OF-WAY.
24. WHERE DRIVEWAY DEPRESSIONS ARE CONSTRUCTED, THE DRIVEWAY APPROACHES SHALL BE CONSTRUCTED TO PROPERTY LINE PER CITY OF COSTA MESA STANDARD PLANS. LOCATION, TYPE AND WIDTH ARE TO BE APPROVED BY THE CITY TRANSPORTATION SERVICE MANAGER.
25. CRUSH ROCK/CLEAN SAND MAY BE USED UNDER VALVES, CURBS, AND GUTTERS IN LIEU OF CRUSHED AGGREGATE BASE.
26. ANY LOT CORNER OR COUNTY OF ORANGE BENCH MARK, MONUMENT, OR TIE DESTROYED OR DISPLACED SHALL BE RESTORED TO ITS ORIGINAL POSITION BY A LICENSED ENGINEER OR SURVEYOR. ANY CHANGE IN LOCATION OR ELEVATION SHALL BE REPORTED TO THE CITY ENGINEER AND COUNTY OF ORANGE. COMPLY WITH ALL CITY AND COUNTY RESURVEY REQUIREMENTS FOR REPLACEMENT.
27. GEOLOGIC AND/OR SOILS REPORTS PREPARED BY APPLIED GEOTECHNICAL, INC. AND DATED FEBRUARY 9, 2011, HAVE BEEN REVIEWED AND APPROVED BY THE BUILDING OFFICIAL INCLUDING ALL SUPPLEMENTS, ADDENDA, AND AMENDMENTS THERETO ARE INCLUDED BY REFERENCE. COPIES OF THESE REPORTS ARE ON FILE AT THE BUILDING DIVISION. ALL RECOMMENDATIONS CONTAINED THEREIN MUST BE FOLLOWED.

CMSD STANDARD SEWER NOTES

1. THE SEWER SYSTEM SHALL CONFORM TO THE STANDARDS OF THE COSTA MESA SANITARY DISTRICT.
2. CONTRACTOR SHALL REQUEST INSPECTION FROM THE OFFICE OF THE DISTRICT ENGINEER 48 HOURS PRIOR TO COMMENCEMENT OF WORK. TELEPHONE (949) 631-1731.
3. ANY WORK PERFORMED WITHOUT INSPECTION FROM THE DISTRICT SHALL BE CONSIDERED UNACCEPTABLE.
4. CONTRACTOR SHALL OBTAIN CMSD SEWER PERMIT PRIOR TO COMMENCEMENT OF WORK FROM THE COSTA MESA SANITARY DISTRICT. TELEPHONE (949) 645-8400 EXT. 229.
5. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS THAT MAY BE REQUIRED BY THE LOCAL GOVERNING AGENCY.
6. CLAY PIPE JOINTS SHALL BE TYPE "O" MECHANICAL COMPRESSION JOINTS FOR MAIN LINE SEWER. TYPE "O" JOINTS, SAND-SEAL OF APPROVED EQUAL, ARE APPROVED FOR LATERALS AND REPAIR WORK ONLY.
7. ALL TRENCH EXCAVATION AND PIPE BEDDING SHALL BE DONE PER STD. DWG. NO. S-412.

NOTE: ALL ON-SITE PLUMBING SHALL COMPLY WITH 2022 CPC.

REVISION	BY	DATE	APP'D. BY	APP'D. DATE
△				
△				
△				

PREPARED BY:
COAST ENGINEERING DESIGNS, INC.
1500 ADAMS AVE., SUITE 303
COSTA MESA, CA 92626
PH: (714) 593-0337
CIVIL AND STRUCTURAL ENGINEERS
J.N. 08-2023

Coast Engineering Designs Inc. Civil and Structural Engineers

REGISTERED PROFESSIONAL ENGINEER FARHAD REZAI No. 39858 CIVIL STATE OF CALIFORNIA
4/30/2025

OWNER INFORMATION:
ALI SEDGHI
1024 BAYSIDE DR. STE. 340
NEWPORT BEACH, CA 92660
949-636-2666

PREPARED UNDER SUPERVISION OF
FARHAD REZAI R.C.E. 39858 — DATE 4/30/2025
DRAWN:
CHECKED BY:
RECOMMENDED:
APPROVED:

2308 SANTA ANA AVE
COSTA MESA, CA 92627

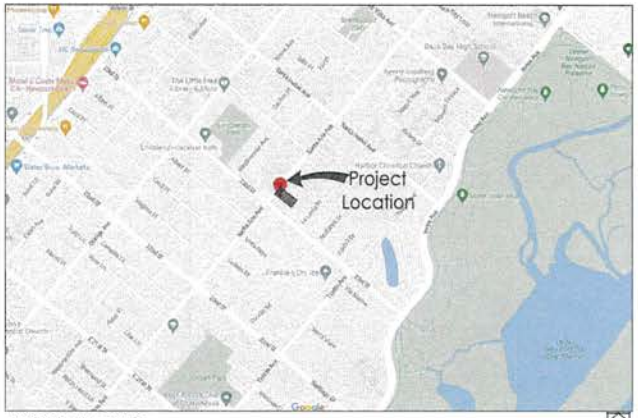
STREET IMPROVEMENT AND OFFSITE UTILITY PLAN

SHEET 1 OF 1

Landscape Plans

Eastside Coastal, LLC
2308 Santa Ana Avenue
Costa Mesa, CA 92627

VICINITY MAP



PROJECT SITE

Project Information:
Type: New Landscape Installation
Irrigation Water Source: Potable

Total Landscape Area - 2,428 S.F.

Applicant:
Landscape Dynamics, Greg Zoll
(951) 264-8195
gregzoll@landscapedynamics.net

Owner:
Eastside Coastal, LLC

Sheet List Table

Sheet No.	Sheet Title
L1	Coversheet
L2	Fence and Wall Conceptual Plan
L3	Irrigation Plan
L4	Hydrozone Plan
L5	Irrigation Details
L6	Irrigation Details
L7	Planting Plan
L8	Planting Details

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COVER SHEET

April 28, 2025

L1

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CITY DIRECTED SITE WALL CONSTRUCTION REQUIREMENTS

I. All exterior property lines of the master development lot shall have solid masonry walls that conform to the city's walls, fences and landscaping standards in respect to height and location as well as the following standards. The final review authority shall approve the wall location, height, masonry materials, and finish.

(i) Only one type of wall design with the appropriate mix of masonry materials and finishes shall be permitted for the development lot.

(ii) Wall materials such as uncolored cinder block shall be treated with a decorative finish that complements and enhances the project and surrounding neighborhood.

(iii) Exceptions to the requirements stated in subsections (2)(i) through (2)(ii) may be approved by the final review authority. These exceptions may include, but are not limited to, combination masonry walls with vinyl fencing, stained/treated wood, wrought iron fencing, green wall, and green sustainable composite materials.

(iv) The development services director shall review and approve any future additions to the exterior walls, after project completion, which shall be constructed of materials which are either identical and/or compatible with the original wall.

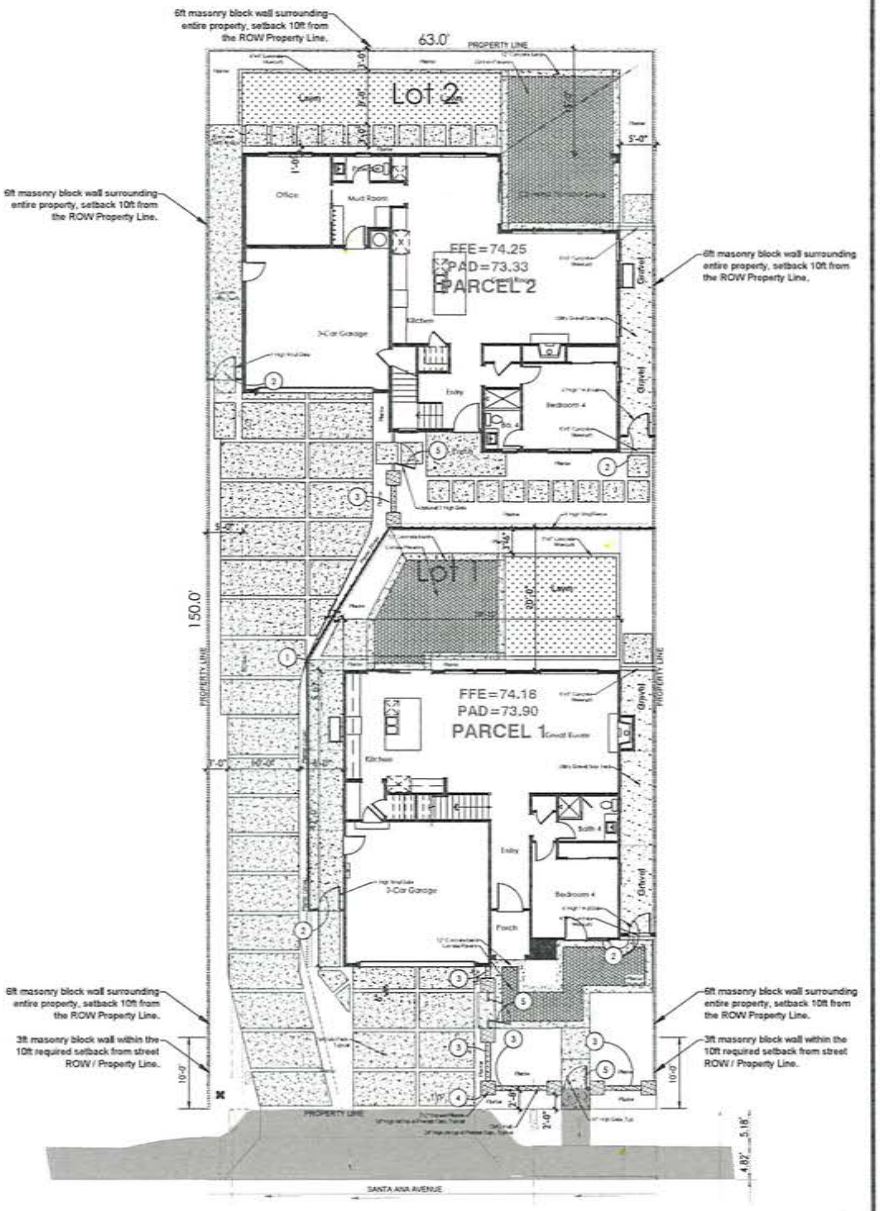
HARDSCAPE LEGEND

Symbol	Description
1	6' High Vinyl Fence, Color: White
2	6' High x 3' Wide Vinyl Gate
3	2' High CMU Wall with Precast Concrete Cap & Stucco Finish
4	30" High(Max.) x 2' Square CMU Pilaster with Precast Concrete Cap. Finish shall be ledger stone or stucco per owners direction.
5	28" High x 36" Wide Wrought Iron Gate. Color and design to match existing residence amenities.

Exterior Wall on Exterior Property Line Notes
1. Masonry block walls finish to be in either stucco or a decorative split face block on the interior side of property. Where block wall is visible from street, both the exterior and interior side will be finished in either stucco or use of a decorative split face block.

Vinyl Fence with Gate

Pilaster with Low Wall
Pilasters and Gate
(No Lights or Planters on Top)



FENCE AND WALL CONCEPTUAL PLAN

SCALE 1"=8'

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FENCE AND WALL CONCEPTUAL PLAN

April 28, 2025

L2

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IRRIGATION EQUIPMENT LEGEND

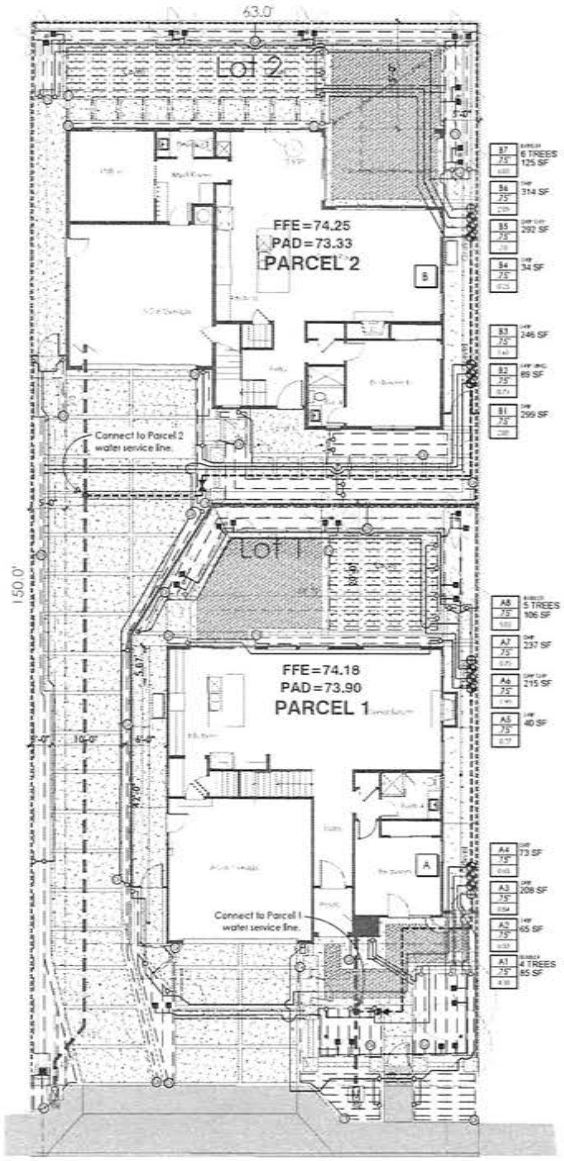
SYM.	MANF.	DESCRIPTION
A B	Rainbird	12 station Rainbird Controller with Rain Sensor and Wifi Remote Control Module Model: ESP-12 , LNKWIFI, WR2-48
M		Assumed Water Meter Location
	Nibco	Line Size Brass ball valve T580-A Installed in 10" Round Box
	RainBird	3/4" Anti-Siphon Drip Irrigation control valve with Pressure Regulating Filter (For Drip Areas) Model: 075-ASVF with PRF-075-RBY
	RainBird	3/4" Anti-Siphon Drip Irrigation control valve (For Tree Bubblers) Model: 075-ASVF

VALVE LEGEND

Valve Label — Zone Description
79 SF — Valve Size
GPM

SYM.	MANF.	DESCRIPTION
	Netafim (Turf)	Techline CV Drippeline .60 gph emitters spaced at 12" O.C. & lines spaced at 12". Model: TLCV6-12 Bury dripline evenly 4" below grade throughout entire zone.
	Netafim (Shrubs)	Techline CV Drippeline .90 gph emitters spaced at 18" O.C. & lines spaced at 18". Model: TLCV6-18 Install on-grade in planters and place mulch over dripline.
	Netafim	PVC Thread to Drip Tubing Connection (3/4" or 1/2") TLDSOMA
	RainBird	Drip System Operation Indicator Model: OPERIND (with yellow cap)
	RainBird	Roof Water System - 0.5 GPM PER RWS Model: RWS-B-C-1402 with RWS-SOCK & RWSGRATE

Existing Water Supply Feed to Residence
Irrigation Mainline to be SCH 40, Size 1"
Laterals SCH 40 pvc pipe, Size 3/4" (all Laterals)
SCH 40 PVC Sleeve. All pipes that cross under pavement and structures are installed in a SCH 40 sleeve 2 times the pipe diameter.



IRRIGATION PLAN

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IRRIGATION PLAN

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L3

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Water Efficient Landscape Worksheet

Reference Evapotranspiration (ETo): 45.6

Hydrozone # /Planting Description[a]	Plant Factor (PF)	Irrigation Method[b]	Irrigation Efficiency (IE)[c]	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU)[d]
Regular Landscape Areas							
A1-TREES	0.4	DRIP	0.81	0.49	85	42	1,187
A2-FRONTAGE	0.2	DRIP	0.81	0.25	148	37	1,033
A3-COURTYARD	0.4	DRIP	0.81	0.49	208	103	2,904
A4-HEDGE	0.4	DRIP	0.81	0.49	73	36	1,019
A5-FOUNDATION	0.2	DRIP	0.81	0.25	40	10	279
A6-TURF	0.7	DRIP	0.81	0.86	215	186	5,253
A7-PLANTER	0.4	DRIP	0.81	0.49	237	117	3,309
A8-PALM	0.4	DRIP	0.81	0.49	106	52	1,480
B1-FRONTAGE	0.2	DRIP	0.81	0.25	305	75	2,129
B2-FENCELINE	0.2	DRIP	0.81	0.25	89	22	621
B3-FRONT DOOR	0.4	DRIP	0.81	0.49	246	121	3,435
B4-FOUNDATION	0.2	DRIP	0.81	0.25	34	8	237
B5-TURF	0.7	DRIP	0.81	0.86	292	252	7,134
B6-PLANTER	0.4	DRIP	0.81	0.49	314	155	4,384
B7-PALMS	0.4	DRIP	0.81	0.49	125	62	1,745
				Totals	(A) 2,517	(B) 1,279	
						ETWU Total	36,150
						Maximum Allowed Water Allowance (MAWA)[e]	37,894

[a]Hydrozone #/Planting Description
E.g.
1.) front lawn
2.) low water use plantings
3.) medium water use planting

[b]Irrigation Method
Overhead spray, drip or bubbler

[c]Irrigation Efficiency
0.75 for spray head
0.81 for drip, bubbler

[d]ETWU (Annual Gallons Required) = Eto x 0.62 x ETAF x Area
where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year. Complete ETWU for each hydrozone

[e]MAWA (Annual Gallons Allowed) =
(Eto) (0.62) [(ETAF x TLA) + ((1-ETAF) x SLA)]
where 0.62 is a conversion factor, TLA is the total landscape area in square feet, SLA is the total special landscape area in square feet, and ETAF is .55 for residential areas and 0.45 for non-residential areas.

ETAF Calculations

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

Regular Landscape Areas

Total ETAF x Area	(B)	1,279
Total Area	(A)	2,517
Average ETAF	**B ÷ A**	0.51

All Landscape Areas

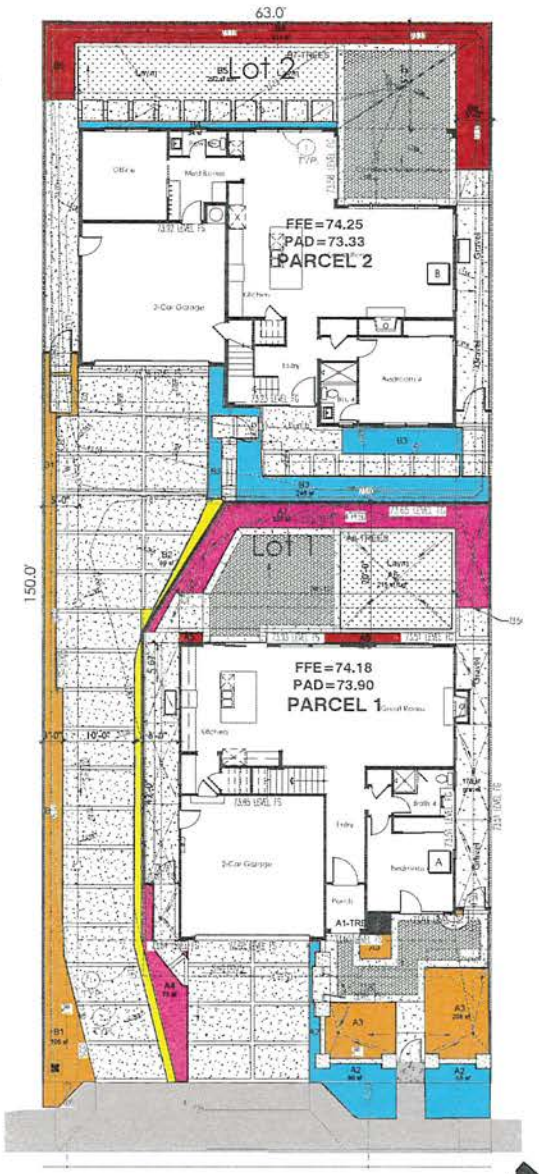
Total ETAF x Area	(B+D)	1,279
Total Area	(A+C)	2,517
Site wide ETAF	**(B+D) ÷ (A+C)**	0.51

Hydrozone Descriptions

Total Landscape Area - 2,437 sf

Lot 1
Controller A
Front Yard
A1 - 4 Trees - Moderate, 85 sf
A2 - Frontange and Dianella - Low, 148 sf
A3- Roses in Courtyard - Moderate, 208 sf
A4 - Frontage - Low, 73 sf
Backyard -
A5 - Foundation Sansevieria - Low, 40 sf
A6 - Turf - High, 215 sf
A7- Planter - Moderate, 237 sf
A8 - (5) Palm Trees - Moderate, 106 sf

Lot 2
Controller B
Front Yard
B1 - Hedge at Property & Frontage - Low, 305 sf
B2 - Vines on Fence - Low, 89 sf
B3- Roses at Front Door - Moderate, 246 sf
Backyard
B4- Foundation Sansevieria - Low, 34 sf
B5- Turf - High, 292 sf
B6 - Planter - Moderate, 314 sf
B7- (6) Palm Trees - Moderate, 125 sf



HYDROZONE PLAN

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HYDROZONE PLAN

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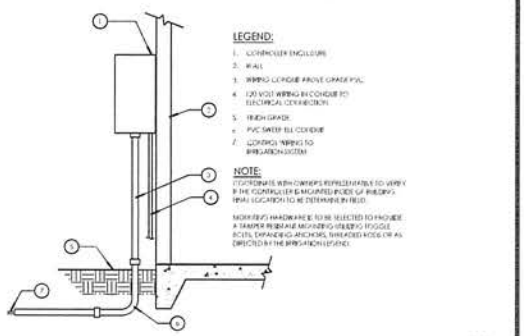
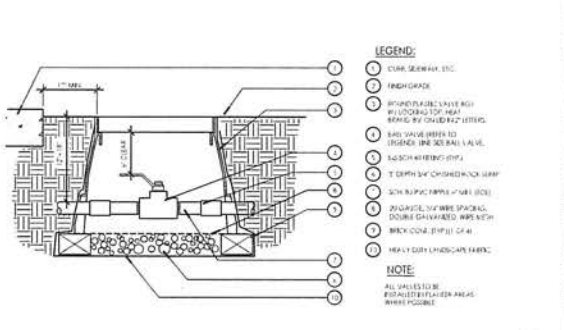


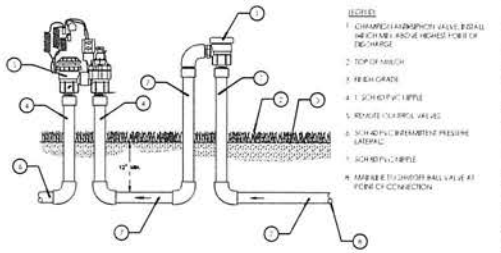
IRRIGATION CONTROLLER

1



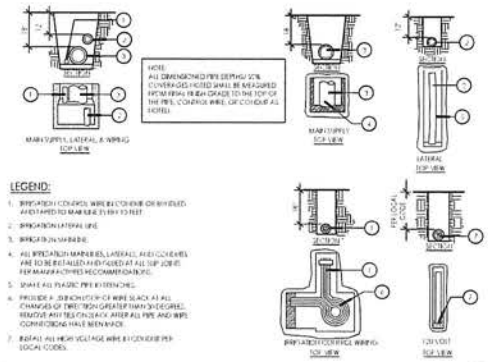
BALL VALVE

2



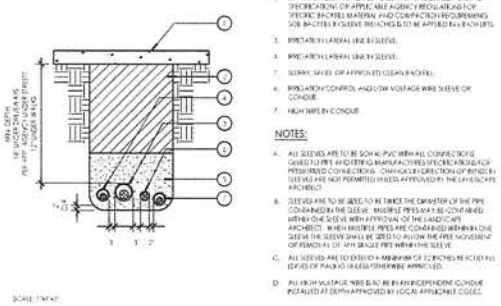
RESIDENTAIL BACKFLOW DEVICE

3



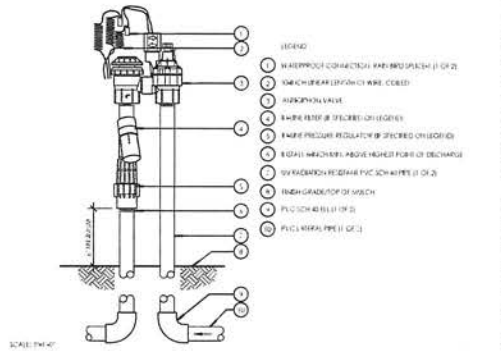
TRENCHING

4



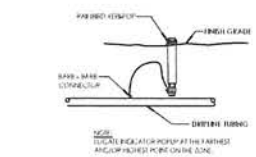
SLEEVING

5



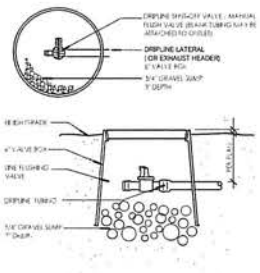
ANTI SIPHON VALVE DRIP CONTROL ZONE

6



POP-UP SPRAY HEAD / DRIP ZONE INDICATOR SPRAY

7



MANUAL FLUSH VALVE

8

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IRRIGATION DETAILS

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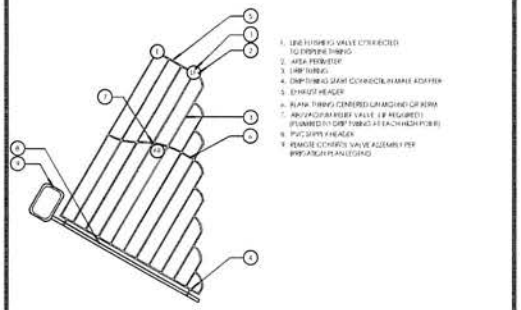
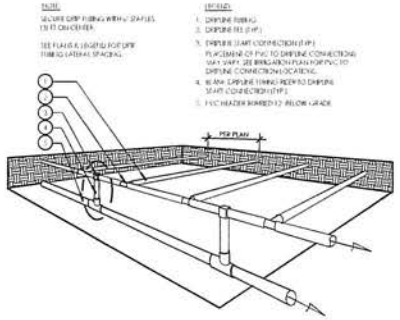


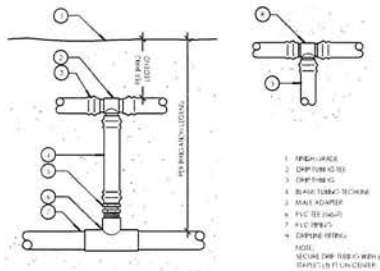
TYPICAL DRIPPER LINE ZONE LAYOUT

1



TYPICAL DRIPPER LINE ZONE DIAGRAM AND LAYOUT

2



TYPICAL DRIPPER LINE FITTING INSTALLATION / PVC CONNECTION

3

IRRIGATION NOTES

General

1. IT IS THE INTENT OF THESE DRAWINGS TO INDICATE A COMPLETE AND OPERATIVE IRRIGATION SYSTEM FOR 100% FULL COVERAGE AND READY FOR USE BY THE OWNER. THE DRAWINGS ARE BASED ON LANDSCAPE AND GRADING DRAWINGS IN EFFECT AT THE TIME THESE DRAWINGS WERE MADE. ANY DISCREPANCIES, CONFLICTS, ERRORS, ETC. ON THESE DRAWINGS OR ON SITE CHANGES, DO NOT AND SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO PROVIDE A COMPLETE SYSTEM AS SHOWN. IF NECESSARY, THE CONTRACTOR MAY, WHERE CHANGES OCCUR, ADD OR DELETE SPRINKLERS, REROUTE PIPE, ETC. TO ASSURE ADEQUATE AND FULL COVERAGE.
2. IRRIGATION SYSTEM SHALL CONFORM TO STATE AND LOCAL CODES.
3. THE SYSTEM SHALL BE FULLY OPERATIONAL FOR A PERIOD OF ONE YEAR. ANY DEFECTIVE MATERIAL OR POOR WORKMANSHIP SHALL BE REPLACED OR CORRECTED BY THE IRRIGATION CONTRACTOR AT NO COST TO THE OWNER.
4. IRRIGATION SYSTEM IS STRICTLY DIAGRAMMATIC. THEREFORE, CONTRACTOR MAY MAKE ADJUSTMENTS IN THE FIELD TO ENSURE ADEQUATE COVERAGE.
5. LOCATE ALL VALVES WITH PLANTING AREAS WHEN PRACTICALLY POSSIBLE.
6. FINAL LOCATION OF AUTOMATIC CONTROLLER AND THE BACKFLOW PREVENTER SHALL BE DETERMINED BY OWNER'S AUTHORIZED REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT.

Existing Site Conditions

1. IRRIGATION CONTRACTOR SHALL VERIFY ALL PRESSURES ON SITE PRIOR TO CONSTRUCTION.
2. LOCATION OF P.O.C. IS SHOWN DIAGRAMMATIC. LOCATION MUST BE VERIFIED IN FIELD.
3. DO NOT WILLFULLY BYPASS THE SYSTEM AS DESIGNED WHERE EXISTING IN THE FIELD THAT GRANDTOWN OBSERVED SIGNS OF GRADE DIFFERENCES EXIST THAT WERE NOT KNOWN DURING THE DESIGN PROCESS. SUCH CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S AUTHORIZED REPRESENTATIVE. OTHERWISE, THE IRRIGATION CONTRACTOR MUST ASSUME FULL RESPONSIBILITY FOR ANY AND ALL NECESSARY REVISIONS.
4. FIELD ADJUST IRRIGATION SYSTEM WHEN VERTICAL OBSTRUCTIONS (FIRE HYDRANT, STREET LIGHTS, TREES, SIGNAGE, ETC.) OCCUR WHICH THE IRRIGATION SPRAY PATTERN. THE CONTRACTOR SHALL INSTALL QUARTER OF HALF CIRCLE OUTREACH SIDE OF THE OBSTRUCTION TO PROVIDE PROPER IRRIGATION COVERAGE. ALL ADJUSTMENT SHALL BE MADE AT NO ADDITIONAL COST TO THE OWNER, TYPICAL.

Controller Power / Controller Wiring

1. 120 VOLT ELECTRICAL POWER SOURCE FOR CONTROLLERS SHALL BE PROVIDED AS NOTED. IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HOOK-UP FROM OUTLET / JUNCTION BOX TO CONTROLLER.
2. ALL WIRE FROM CONTROLLER TO ELECTRIC CONTROL VALVES SHALL BE COPPER UP #14 DIRECT BURIAL. USE BLACK FOR HOT, WHITE FOR COMMON. COMMON WIRE SHALL BE CONTINUOUS WIRE. INSTALL #1 COMMON WIRE IN WATERTIGHT PIPING WHERE POSSIBLE.
3. THE CONTRACTOR SHALL STUB OUT A MINIMUM OF 2 (TWO) EXTRA SPARE VALVE WIRES (OF AS SHOWN ON IRRIGATION PLANS) AND 1 (ONE) COMMON WIRE FROM IRRIGATION CONTROLLER TO EACH END OF A MAINLINE RUN. THE SPARE WIRES SHALL BE LOOPED INSIDE THE FARTHEST VALVE BOX AT EACH END OF MAINLINE RUN.

Irrigation Piping

1. PROVIDE MINIMUM 18" COVER OVER ALL PRESSURE MAINLINE PIPING, AND 12" OVER ALL NON-PRESSURE LATERAL LINE PIPING. ALL PIPE UNDER PAVED VEHICULAR TRAFFIC AREAS ARE TO BE INSTALLED IN 4" PVC SCH. 40 SLEEVE WITH 36" MIN. COVER. SLEEVE LOCATIONS TO BE AS SHOWN ON PLANS. DEPTH REQUIREMENTS FOR PIPE SUPERSEDE ALL THE ABOVE-LISTED NOTES.
2. MAINLINE FEEDER BETWEEN POINT OF CONNECTION, MASTER AND BACKFLOW PREVENTER TO BE OF MATERIAL AS REQUIRED BY CURRENT WATER DISTRICT.
3. POLYETHYLENE PIPE TO BE BURIED NO DEEPER THAN 4" BELOW SURFACE.
4. IN ADDITION TO THE SLEEVES SHOWN ON THE PLANS, THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ADDITIONAL SLEEVES OF SUFFICIENT SIZE UNDER ALL PAVED AREAS PRIOR TO PAVING (SUBJECT TO APPROVAL OF THE OWNER'S REPRESENTATIVE, IF REQUIRED) TO OVERALL SYSTEM.
5. ALL SLEEVES ARE TO TERMINATE 6" BEYOND PAVING EDGES. CONNECTIONS TO SLEEVED PIPING AND CONDUIT ARE TO BE MADE TO FROM END OF SLEEVE. CONNECTIONS TO MULTIPLE PIPES AND CONDUIT ARE TO MADE IN SUCH A WAY SO THAT WORK AT USE PAIRS CAN BE MADE ON THE SYSTEM AND DISCONNECTING WITHOUT PUNCHING MULTIPLE FITTINGS. MULTIPLE PIPES OR CONDUIT CAN BE PULLED INTO A LONE SLEEVE EACH PIPE IS CAPABLE OF MOVING FREELY WITHOUT THE REMOVAL OR MOVEMENT OF OTHER PIPES OR CONDUIT IN THE SLEEVE.

Dripline Layout

1. PVC TO DRIPLINE PRESSURE SIDE CONNECTIONS SHOULD BE MADE AT THE HIGHEST ELEVATION OF THE ZONE AS PRACTICALLY POSSIBLE.
2. FINAL DRIPLINE CONNECTIONS SHOULD BE MADE UNDER PRESSURE TO ASSURE PROPER FLUSHING OF THE SYSTEM.
3. INSTALL FLUSHING CAPS PER DETAIL AT A MINIMUM, WHERE TUBING SURFACES TO SOIL SURFACE DURING NORMAL OPERATION. ADDITIONAL CAPS ARE REQUIRED.
4. ALL PVC TO DRIPLINE CONNECTIONS MADE BY MADE 6" BELOW THE SOIL SURFACE.

Final Field Adjustments

1. FLUSH AND ADJUST ALL SPRINKLER HEADS FOR OPTIMUM PERFORMANCE AND TO PREVENT OVERSPRAY ONTO SIDEWALKS, WALLS/FENCES, ELECTRICAL BOXES, ETC. AS MUCH AS POSSIBLE.
2. CONTRACTOR SHALL INSTALL CHECK VALVES BY ALL HEADS IN WHICH LOW HEAD DRAINAGE OCCURS.

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LandscapeDynamics.net

Landscape Architectural Plans
Eastside Coastal, LLC
2308 Santa Ana Avenue. Costa Mesa Ca 92627

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UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

IRRIGATION DETAILS

April 28, 2025

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Synthetic Turf

Symbol	Description
1	Install synthetic turf edging per turf contractor and manufacturer's recommendations. *Select turf color to match 'Santa Ana' natural turf planed per this plan.
2	Install synthetic turf between concrete pads. Total - 190 S.F.

Note: All synthetic turf at edges of driveway shall be tucked under at edge per manufacturer's recommendations or use an edging specific for synthetic turf. .

Trees

Podocarpus elongatus 'Monmal'
ICEE BLUE PODOCARPUS

Magnolia 'Litte Gem'
LITTLE GEM MAGNOLIA

Trachycarpus fortunei
WINDMILL PALM

Shrubs and Groundcovers

Buxus microphylla 'Green Beauty'
GREEN BEAUTY BOXWOOD

Callistemon viminalis 'CV01' PP #24,444
SLIM BOTTLE BRUSH

Cordyline x 'JURred'
FESTIVAL BURGUNDY CORDYLINE

Dianella revoluta 'Baby Bliss'
BABY BLISS FLAX LILY

Lavandula stoechas 'Otto Quast'
SPANISH LAVENDER

Myoporum parvifolium 'Pink'
PINK AUSTRALIAN RACER

Rosa 'Iceberg'
ICEBERG ROSE

Sansevieria trifasciata 'Laurentii'
Striped Mother-in Law's Tongue

Distictis 'Rivers'
ROYAL TRUMPET VINE

PLANTING LEGEND

TREES — Total Trees Required 15; Total Trees on Plan 16.5 *(2) Palms = 1 Tree

Symbol	Botanical / Common Name	Container	Kc	Qty	Height / Width
	Magnolia 'Litte Gem' LITTLE GEM MAGNOLIA	24" Box	0.5	4	20'-25' / 10'-15'
	Trachycarpus fortunei WINDMILL PALM	24" Box	0.5	11	25'-30' / 8'-10'
P	Podocarpus elongatus 'Monmal' ICEE BLUE PODOCARPUS	15 Gallon	0.5	7	

SHRUBS — Total Shrubs 305; (Required) 60% 5 Gallon 183; Total 5 Gallons on Plan 194

Note: All planters shall receive a 3" layer of shredded bark mulch or Mexican Beach Pebbles per owner's approval.

Symbol	Botanical / Common Name	Container	Kc	Qty	Height / Width
B	Buxus microphylla 'Green Beauty' GREEN BEAUTY BOXWOOD (@ 18" On Center)	5 Gallon	0.5	31	4'-6' (Hedged)
CW	Callistemon viminalis 'CV01' PP #24,444 SLIM BOTTLE BRUSH	5 Gallon	0.3	39	8'-10' / 3'-4'
C	Cordyline x 'JURred' FESTIVAL BURGUNDY CORDYLINE	5 Gallon	0.5	9	3' / 3'
BB	Dianella revoluta 'Baby Bliss' BABY BLISS FLAX LILY	1 gallon	0.3	81	1'-2' / 1'-2'
L	Lavandula stoechas 'Otto Quast' SPANISH LAVENDER	1 gallon	0.3	32	2' / 2'
R	Rosa 'Iceberg' ICEBERG ROSE	5 Gallon	0.5	50	3' / 4'
S	Sansevieria trifasciata 'Laurentii' Striped Mother-in Law's Tongue	5 Gallon	0.5	43	3'-4' / Clumping

VINES

Symbol		Container	Kc	Qty	
DR	Distictis 'Rivers' ROYAL TRUMPET VINE	5 Gallon	0.3	11	25'-30' long

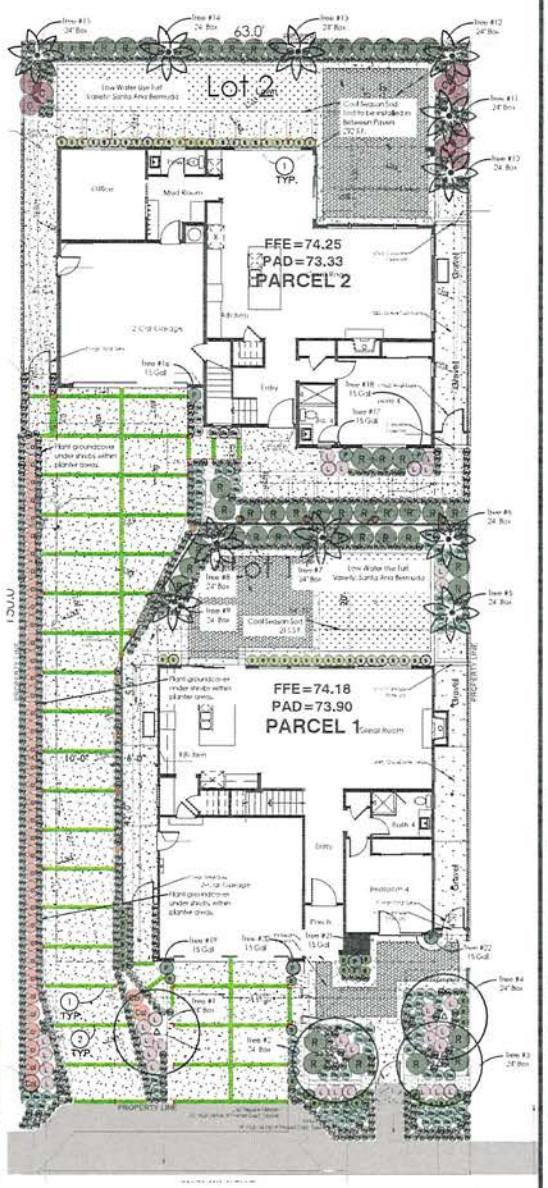
GROUNDCOVER

Symbol		Container	Kc	Qty	
M	Myoporum parvifolium 'Pink' Pink Australian Racer	Rooted Cuttings From Flats	0.3	727	Less than 12" / 6'

Groundcover 70% Coverage Note:
Additional Myoporum rooted cuttings (groundcover) are to be installed as required by the city landscape inspector to achieve the targeted 70% under-planting in shrub areas. Groundcovers shall be installed where the stem and canopy height at the primary shrub plant material allows such installations and where the installation of groundcover will not be detrimental the the health and growth of the primary shrub plant material. Understory groundcover planting of shrub areas shall be completed to achieve 70% groundcover coverage.

Turf Grass

Supplier: West Coast Turf Variety: Santa Ana Drought tolerant water saving Bermudagrass sod cultivated for warmer areas.	Sod	0.6	507 SF	



PLANTING PLAN

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PLANTING PLAN

April 28, 2025

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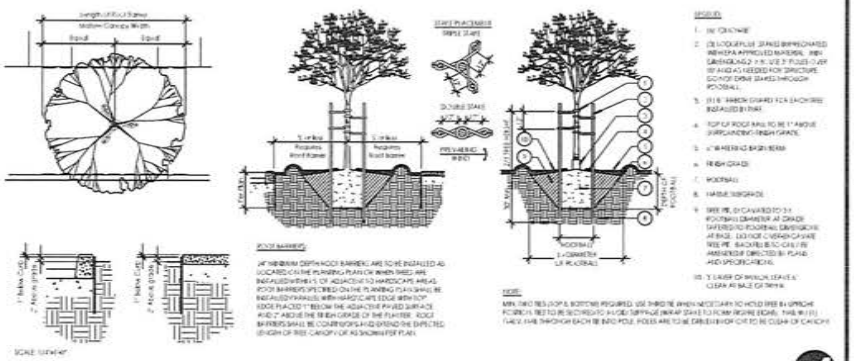
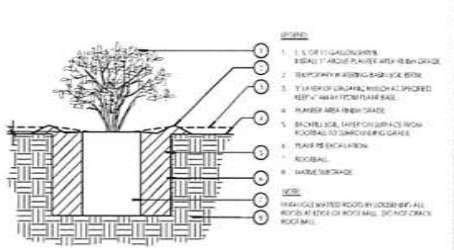
Intended to be superseded by revised plans (Attachment 8)



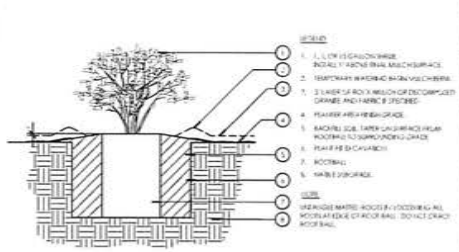
TREE PLANTING, ROOT BARRIER INSTALLATION, AND STAKING

1



CONTAINER PLANTING IN ORGANIC MULCH AREA

2



CONTAINER PLANTING IN ROCK MULCH AREAS

3

PALM TREE PLANTING

4

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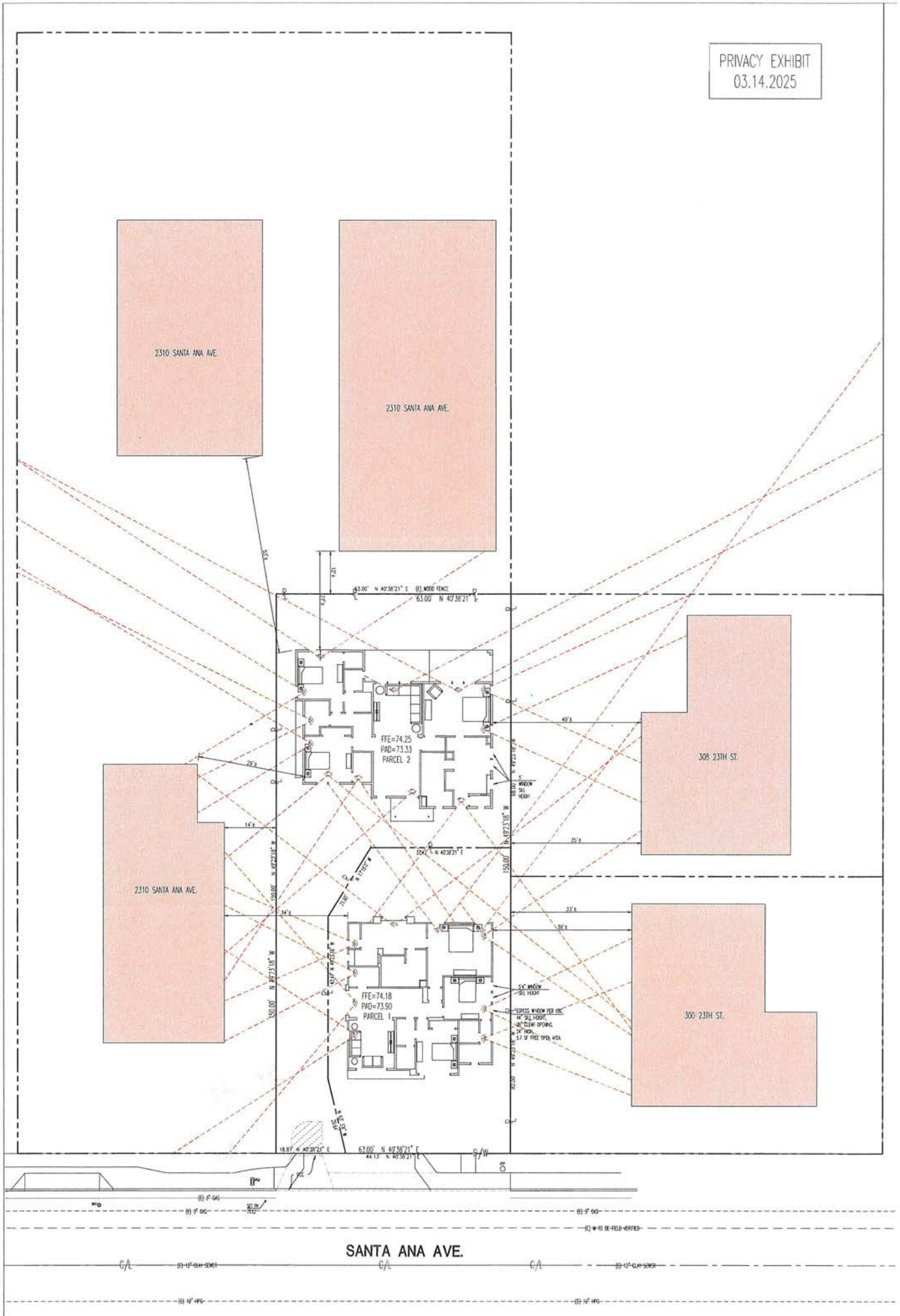
PLANTING DETAILS

April 28, 2025

L8

8 of 8


PRIVACY EXHIBIT
03.14.2025
2310 SANTA ANA AVE.
2310 SANTA ANA AVE.
2310 SANTA ANA AVE.
308 23TH ST.
300 23TH ST.
FFE=74.25
PAD=73.33
PARCEL 2
FFE=74.18
PAD=73.50
PARCEL 1
63.00' N 40°38'21" E
(E) WOOD FENCE
150.00'
N 49°21'39" W
SANTA ANA AVE.
(E) 8" GAS
(E) 12" CLAY SEWER
(E) 12" MPG
(E) W.M. TO BE FIELD VERIFIED

CITY OF COSTA MESA

Agenda Report

File #: 25-518 **Meeting Date:** 10/7/2025

TITLE:

CLEAN MOBILITY OPTIONS VOUCHER PILOT PROGRAM FOR COMMUNITY BASED TRANSIT - AMENDMENT ONE

DEPARTMENT: **PUBLIC WORKS DEPARTMENT/ TRANSPORTATION SERVICES DIVISION**

PRESENTED BY: **RAJA SETHURAMAN, PUBLIC WORKS DIRECTOR**

CONTACT INFORMATION: **BRETT ATENCIO THOMAS, ACTIVE TRANSPORTATION COORDINATOR, (714) 754-5275**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve Amendment One to the Contractor Services Agreement (CSA) with Circuit Transit, Inc. for the Clean Mobility Options (CMO) Voucher Pilot Program in an amount not to exceed $650,000 annually, for a term of two (2) years.

2. Authorize an increase of appropriation of the Clean Mobility - On Demand Transit Services from $500,000 to $650,000 for Fiscal Year 2025-26.

3. Authorize the Interim City Manager and the City Clerk to execute the agreement and future amendments to the agreement.

BACKGROUND:

The CMO Voucher Pilot Program is a statewide initiative that provides voucher-based funding for zero-emission car sharing, carpooling/vanpooling, innovative transit services, and on-demand ride share services in California's historically underserved communities. The CMO program goals are:

- Increase clean mobility options for low-income and disadvantaged communities.
- Provide community driven mobility solutions throughout the State.
- Improve access to clean mobility options that are safe, reliable, convenient, and affordable.
- Reduce greenhouse gas emissions and criteria pollutants.

City staff submitted a grant application in August 2023 in cooperation with Circuit Transit Inc. for CMO funds to create and implement an on-demand community shuttle pilot program. On October 9, 2023, the CMO program administrator notified the City of their intent to award CMO funds in the amount of $1,500,000 for a three-year grant period ($500,000 per year for three years). On January 16, 2024, City Council adopted Resolution No. 2024-01 to approve participation in the CMO program and

accept funding. On June 6, 2024, City Council awarded a CSA to Circuit Transit, Inc. to operate the on-demand ride share service.

On February 2, 2025, in response to availability of additional funding for the program, City staff submitted an application for its expansion. On June 12, 2025, the CMO administrator notified the City of the execution of Amendment 1 to the initial Voucher Agreement to increase the program funding from $1,500,000 to $1,800,000 within the original grant period, and authorized the City to expand the service area and add an additional vehicle (Attachment 1).

On-demand transit services for the CMO Voucher Pilot Program would be expanded as noted in Fall 2025, following the execution of the proposed CSA Amendment One with Circuit Transit, Inc (Attachment 2).

ANALYSIS:

In the original August 2023 application for the CMO Voucher Pilot Program, the City proposed to partner with Circuit Transit, Inc., an experienced microtransit vendor, to operate an “on-demand” transit project with an all-electric vehicle fleet. The project application for the CMO Voucher Pilot Program with Circuit Transit, Inc. included a proposed operations plan and budget for on-demand transit services which included a total of three (3) electric vehicles operating 10 hours per day, 7 days a week.

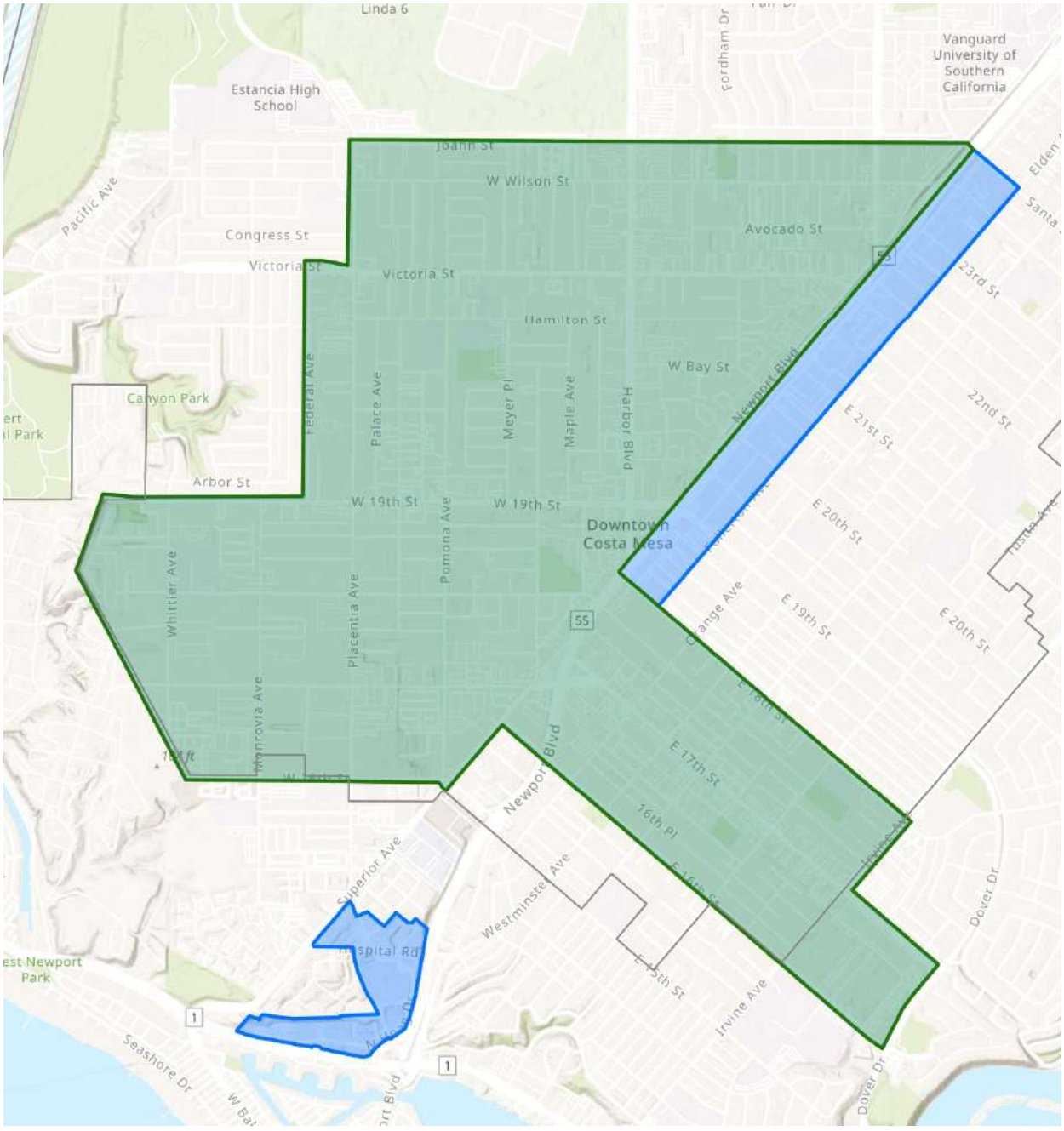
Following the award, Circuit began operations of the service on October 24, 2024, with two (2) sedans and one (1) ADA accessible van with wheelchair storage space. As per the CMO Voucher Agreement, Circuit Transit, Inc. leased the three electric vehicles, and the City provides three dedicated parking spaces with charging facility at the City Yard as part of the commitment to the CMO Voucher Pilot Program.

Since the launch of the program, service has been provided primarily in the SB 535 Disadvantaged Communities and AB 1550 Low-income Communities west of Newport Boulevard and connecting these neighborhoods with the West 19th Street and the 17th Street Corridors. The service has provided important transit connections to OCTA Routes 35, 55, 43, and 47; grocery stores; shopping; educational facilities, and job centers. As of July 31, 2025, the program had provided over 11,000 rides.

The success of the program prompted City staff to submit a request for additional funding to allow for the inclusion of an additional sedan and expansion of the service area to include the east side of Newport Boulevard including the recently opened Project Homekey site located at 2274 Newport Boulevard, and to Hoag Hospital in Newport Beach which is a major employment and health services center, providing health care access to many service area residents. In July 2025, the City of Newport Beach was notified of the intent to expand the service area to Hoag Hospital.

The focus of the service area will continue to be on key destinations for the local population and visitors, including healthcare, transportation hubs, grocery, senior living facilities, education, employment, and other destinations. Exhibit 1 illustrates the proposed expansion to service area for the CMO Voucher Pilot Program with green showing the current service area and purple showing the proposed service area expansion.

Exhibit 1: Proposed Service Area Expansion for the CMO Voucher Pilot Program



Existing Service Area

Proposed Service Area Expansion

The CMO Voucher Pilot Program Amendment One will provide additional funding of $300,000 over the next two (2) remaining years of the grant program, increasing the total funding from $1.5 million to $1.8 million. After three years of operation, the grant funds for the CMO Voucher Pilot Program will be expended. For service to continue beyond the third year, the City would need to identify other funds to sustain the program. The cost estimate to operate the four (4) electric vehicles up to 10

hours per day for 7 days a week is $650,000 per year, which includes vehicle leases, drivers, insurance, program administration, and outreach and marketing.

ALTERNATIVES:

The City Council may choose not to approve the proposed Contractor Services Agreement (CSA) Amendment One with Circuit Transit, Inc. However, this would result in the City forgoing the CMO Voucher Pilot Program additional funding in the amount of $300,000.

FISCAL REVIEW:

Funding for the proposed agreement with Circuit Transit, Inc. is provided by the CMO Voucher Pilot Program three-year grant for a total of $1.8 million. The amendment will increase the annual amount from $500,000 to $650,000 for the final two (2) years of the agreement.

The CMO Voucher Pilot Program for On-Demand Transit Services is included in the Fiscal Year 2025 -26 budget in the Other Grants Fund (Fund 232) in the amount of $500,000. Staff is requesting to increase the appropriation to $650,000 for the approved expansion of the service.

The CMO Voucher Pilot Program requires the City's commitment to implement the proposed project expansion. City staff time including social media advertising and administration is required, as well as electricity for the four EV chargers and dedicated parking spaces at the City yard. These additional costs are funded by the amended Voucher Agreement between CALSTART, Inc. and the City of Costa Mesa.

LEGAL REVIEW:

The City Attorney's Office has reviewed this report, prepared the proposed Amendment One and approves them both as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the following City Council Goals:

- Strengthen the public's safety and improve the quality of life.
- Advance environmental sustainability and climate resiliency.

CONCLUSION:

Staff recommends the City Council:

1. Approve Amendment One to the Contractor Services Agreement (CSA) with Circuit Transit, Inc. for the Clean Mobility Options (CMO) Voucher Pilot Program in an amount not to exceed $650,000 annually, for a term of (2) two years.

2. Authorize an increase of appropriation of the Clean Mobility - On Demand Transit Services from $500,000 to $650,000 for Fiscal Year 2025-26.

3. Authorize the Interim City Manager and the City Clerk to execute the agreement and future amendments to the agreement.

Amendment 01 to Voucher Agreement Number MP23W2A-5G Between CALSTART, Inc. and City of Costa Mesa

This Amendment number 01 ("Amendment") is dated for convenience as of May 20, 2025, and is made to Voucher Agreement Number MP23W2A-5G between City of Costa Mesa ("Awardee") and CALSTART, Inc. ("CALSTART"), executed August 5, 2024 ("Agreement"). The purpose of this amendment is to increase funding, update the financial responsibility plan, and modify the project area.

Recitals

- On April 1, 2019, CALSTART executed grant agreement number G17-CMDC- 01 with the State of California Air Resources Board ("CARB").

- On August 5, 2024, voucher agreement number MP23W2A-5G was executed between City of Costa Mesa ("Awardee") and CALSTART to perform tasks under the Circuit Costa Mesa (the "Project") funded under CARB agreement number G17- CMDC-01 for a period of performance from August 5, 2024, through August 5, 2029, for an amount not to exceed one million five hundred thousand and no/100 dollars ($1,500,000).

NOW, THEREFORE, in consideration of the promises herein, and for good and valuable consideration, the Parties agree to amend the Agreement as follows:

- Per the attached approved Additional Funding Request, funding is increased from one million five hundred thousand and no/100 dollars ($1,500,000), to an amount not to exceed one million eight hundred thousand and no/100 dollars ($1,800,000).

- Exhibit B (Scope of Work): Attachment 1- Budget Worksheet is replaced in its entirety per revised Exhibit B: Attachment 1 attached.

- The Financial Sustainability Plan is replaced in its entirety per the revised Financial Sustainability Plan attached.

- Per the attached approved Additional Funding Request, modify Project Area Information in Exhibit B (Scope of Work) to add the updated Project Area Map (map is attached to the Additional Funding Request).

Except as provided herein, all other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized officers to execute this Amendment as of the dates listed below, but to take effect as of May 20, 2025.

CALSTART, Inc.	**City of Costa Mesa**
By: Signed by: Marc Gottschalk, Chief Legal Counsel 3E087750F4F949E... (Signature)	**By:** Signed by: Cecilia Gallardo-Daly, Acting City Manager 913DE17125EA4E9... (Signature)
Name: Marc Gottschalk (Print Name)	**Name:** Cecilia Gallardo-Daly (Print Name)
Title: Chief Legal Counsel (Print Title)	**Title:** Acting City Manager (Print Title)
Date: 6/12/2025	**Date:** 6/12/2025

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MPV Awardees Additional Funding Request

Docusign Envelope ID: 79D1F1E5-036E-41CA-B35C-7792C1280FAD

Mobility Project Voucher (MPV) Awardees
Additional Funding Request

There is a set-aside fund specifically for current MPV funded projects. MPV Awardees are eligible for up to $300,000 in additional funding for their current funded project without submitting a new voucher application. The additional funds for MPV Awardees may be applied to a variety of eligible activities related to insurance compliance, capital acquisition, planning and operations, administration, outreach and marketing, participation in the Clean Mobility Equity Alliance (CMEA) meetings and other program activities only in support of the project scope outlined in their voucher agreement and/or project expansion request. Awardees must submit an updated financial sustainability plan and a revised budget that justifies the need and use of additional funds based to the Program Administrator for review and approval within 90 business days of receipt of their notification email. Program Administrator will work with each awardee to process their voucher agreement amendment.

Eligible Activities for Additional Funding: Additional set-aside funds can go directly to the Awardee's original project scope and can include for costs such as:

- Insurance compliance.
- Projects going back to their original scope of work/budget worksheet and maintain the number of vehicles they had to decrease because of increase of other costs.
- Changing infrastructure type or vehicle model due to supply and demand if corresponds with your original project scope and needs assessment results.
- Capital acquisition (including vehicles, micromobility devices, and infrastructure equipment)
- Planning and operations activities.
- Outreach and marketing activities associated with conducting community outreach, educational forums, collecting community input, and promoting the service.
- Administration activities associated with payment request submissions, insurance compliance, data reporting, printing, record retention, and mailing.
- Participation in the CMEA meetings and CMO-related program trainings and networking opportunities.
- Travel and lodging costs for participation in the annual Clean Mobility Forums.
- Other program activities that support the project scope outlined in your voucher agreement, subject to approval by the Program Administrator and CARB.

Project Expansion: If an Awardee requests additional funds to expand project scope, a written justification is required with supporting documents to demonstrate the additional demand (e.g., documented community feedback, updated needs assessment, etc.).

INSTRUCTIONS:
To request additional funding of up to $300,000, the Awardee shall submit this Mobility Project Voucher Awardees Additional Funding Request **within 90 business days** of receipt of their notification email. The Additional Funding Request must be submitted via email to admin@cleanmobilityoptions.org or by mail and include the supporting documents:

1. Updated Financial Sustainability Plan
2. Revised Mobility Project Voucher Budget Worksheet
3. *If Applicable:* Supporting Documentation (e.g., documented community feedback, updated needs assessment, etc.) to demonstrate additional demand for project expansion

A. General Information

CMO Mobility Project Voucher Agreement #:	MP23W2A-5G	**Lead Applicant (Awardee) Organization Name:**	City of Costa Mesa		
Mailing Address:	77 Fair Drive				
City:	Costa Mesa	**State:**	CA	**Zip Code:**	92626
Phone Number:	714-754-5275	**Email Address:**	BrettAtencio.Thomas@CostaMesaCA.gov		

B. Reason for Additional Funding

Provide reason(s) for the additional funding request and how the additional funds will go towards your original project scope and/or project expansion:

Additional funding will be used to purchase an additional operating vehicle that will allow for expansion of the service area to better connect underserved Westside Costa Mesa residents with employment and other services. The service area will be expanded to include Hoag Memorial Hospital Presbyterian which has 6,500 employees, many of whom live in the equity priority Westside community. The service area expansion to Hoag will also provide residents with access to world class healthcare, and related services. Additionally, the service area will be expanded to include the east side of Newport Boulevard which has many retail and employment opportunities in addition to several low-income housing developments including the 88 unit Project Homekey which provides transitional homeless housing, and the 91 unit Newport Senior Village which provides SRO units to low income seniors. In addition to these developments several motels along the corridor offer affordable weekly and monthly rates that historically cater to lower income individuals in need of temporary housing. The service expansion to Hoag and the east side of Newport Boulevard will allow for greater access to retail, employment, healthcare, and other services for underserved residents who lack access to a personal automobile.

C. Total Voucher Amount Requested

Indicate the executed voucher funding amount, the requested additional funding amount, and the total requested amount in voucher funding:

Current Executed Voucher Funding Amount	Requested Additional Funding Amount Not-to-Exceed $300,000	Total Voucher Amount Not-to-Exceed $1,800,000
$1,500,000	$300,000	$1,800,000

D. Lead Awardee Attestation and Signature

Must check box below:

☒ I agree that the eligible additional funding will be used directly towards the awarded project's eligible activities only in support of the project scope outlined in the Awardee's Voucher Agreement and/or project expansion and the total voucher award does not exceed $1,800,000 in the Awardee's amended Voucher Agreement.

I certify to the best of my knowledge and belief that this MPV Awardees Additional Funding Request is accurate and complete and all outlays and obligations are for the purposes set forth in the Voucher Agreement:

Signature of Authorized Lead Applicant (Awardee)

Date

02/05/2025

Authorized Lead Applicant (Awardee) Name/Title/Organization

Brett Atencio Thomas, Active Transportation Coordinator, City of Costa Mesa

CMO Program Manager Approval

Signature	Print Name	Date
APPROVED ☒	Cesar Hernandez	4/1/25
	NOT APPROVED ☐	

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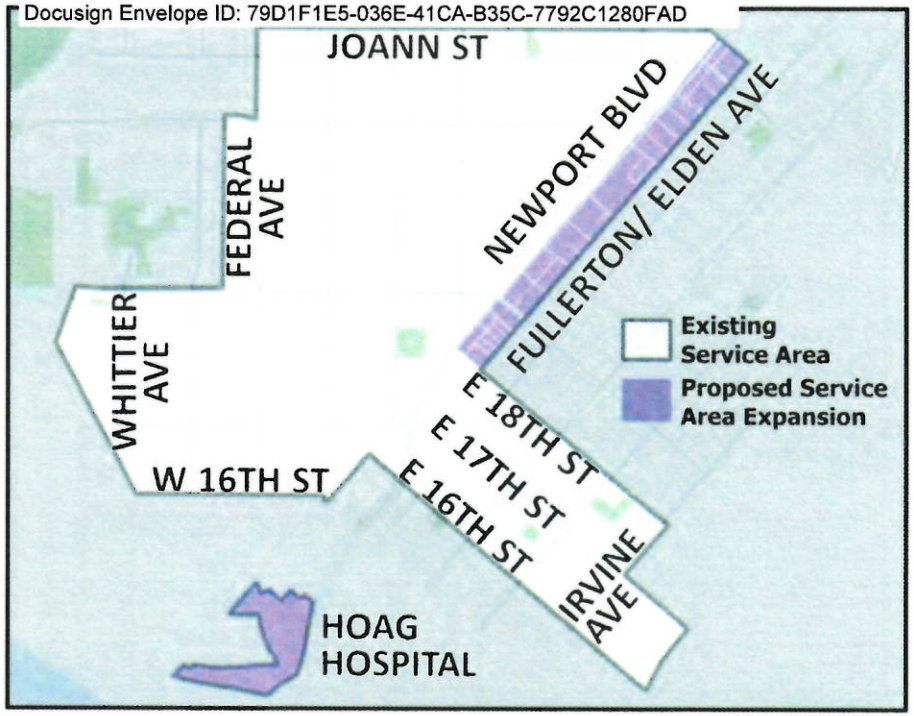

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Costa Mesa Dashboard

December 2024

195
Total Rides

234
Total Pax

4.97
Avg Driver Rating

7:24
Avg Wait Time

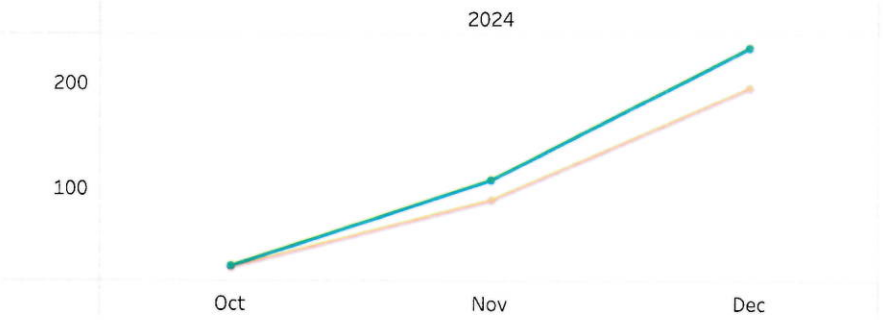
47
Avg Unique Users

37
Avg User Age

Average Percent of Pooled Rides

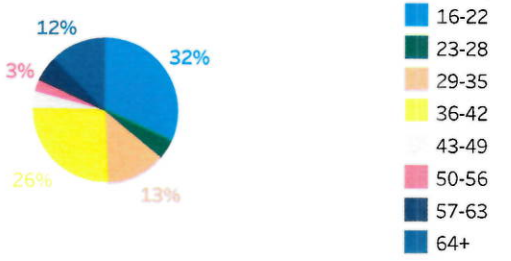
Rides & Pax per Month

Orange represents rides and green represents pax



Age Demographics

Based on the current month



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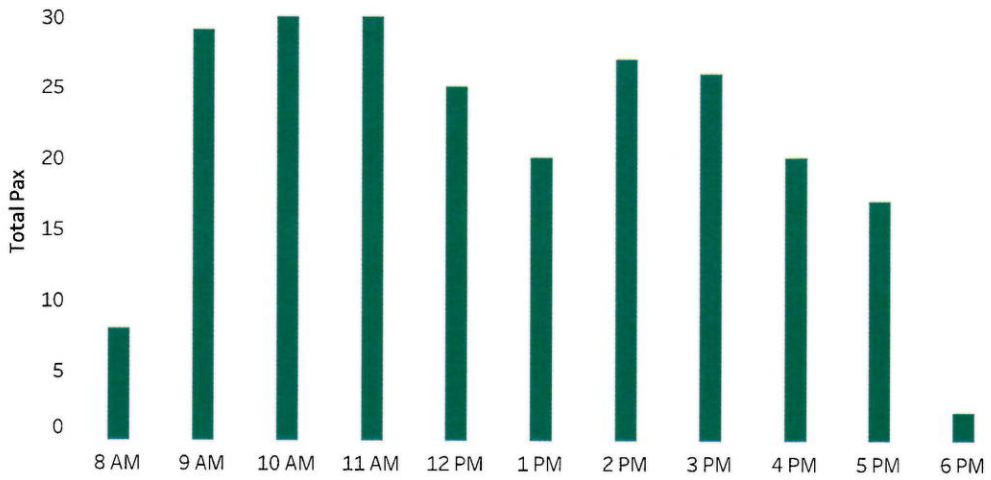
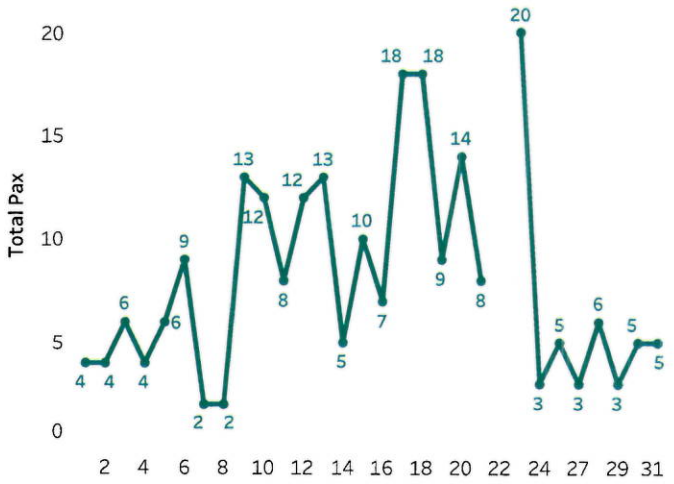
Hourly Pax

Number of passengers per service hour



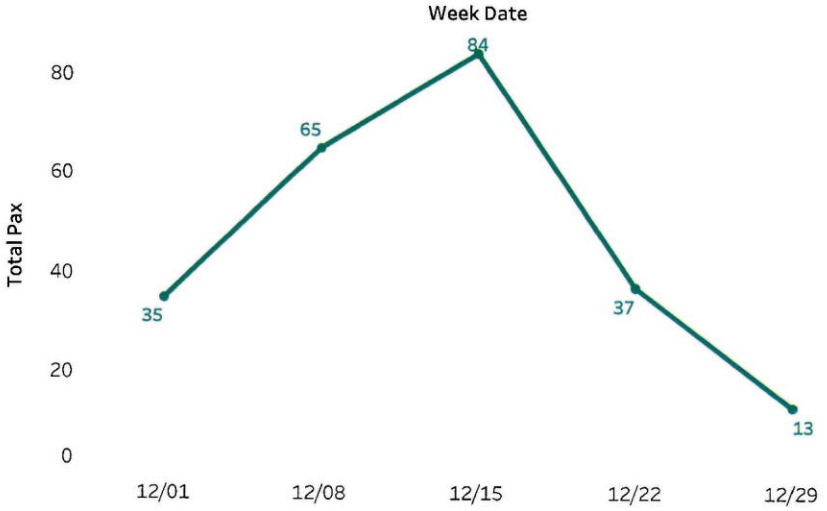
Daily Pax

Number of passengers per service day



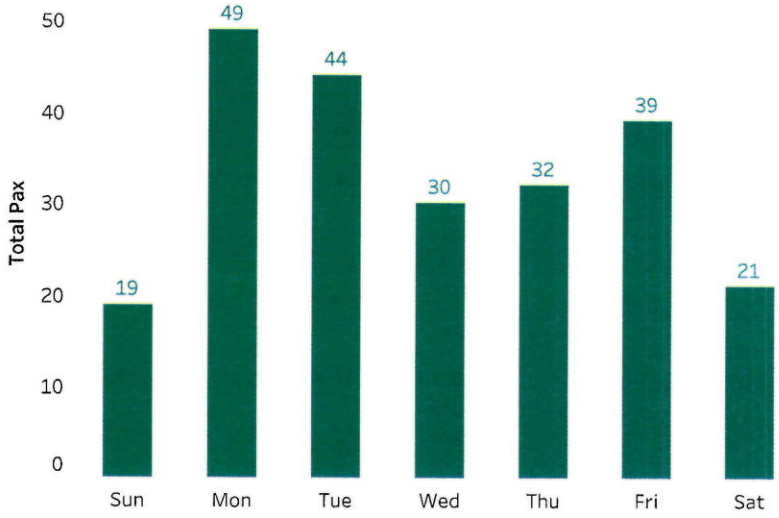
Weekly Pax

Number of passengers per service week (weeks start on Sunday - the beginning and end of month may appear short due to the nature of the week calculation)



Day of the Week Pax

Number of passengers per service day of the week



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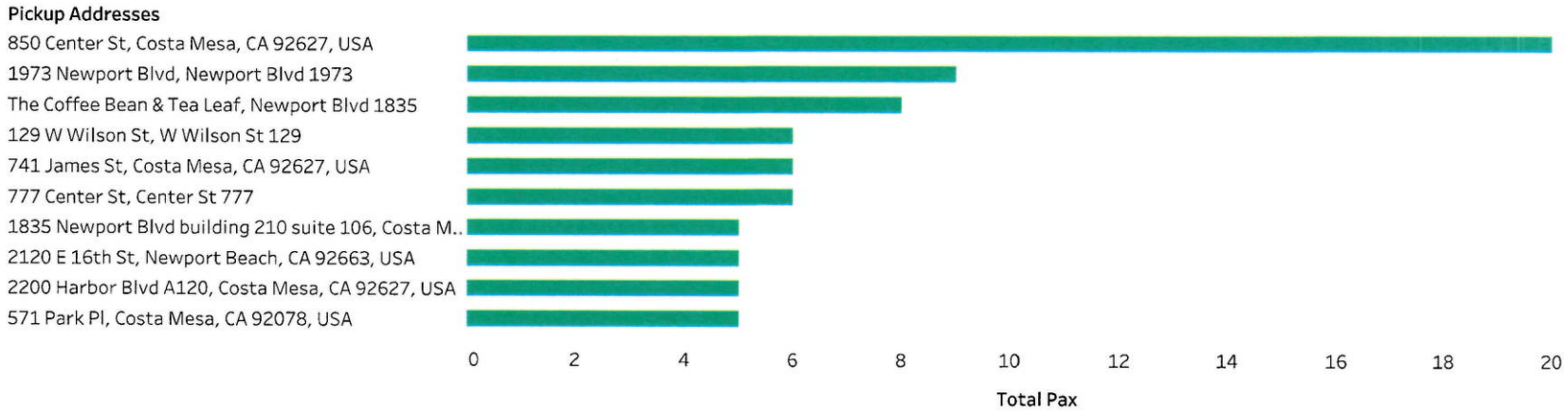
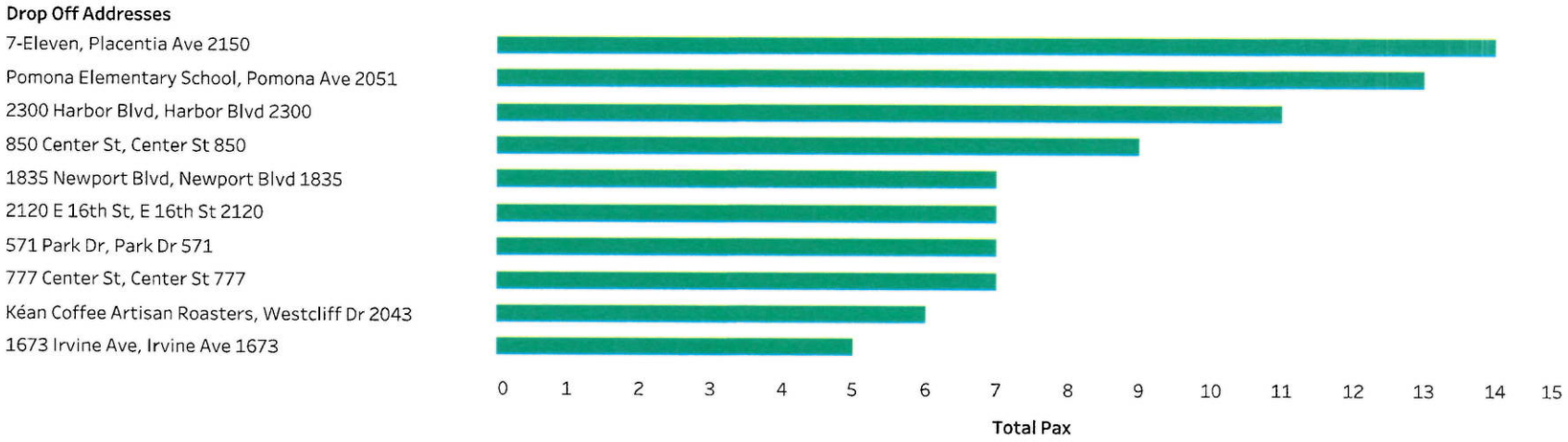
Top 10 Pickup



Top 10 Drop Off



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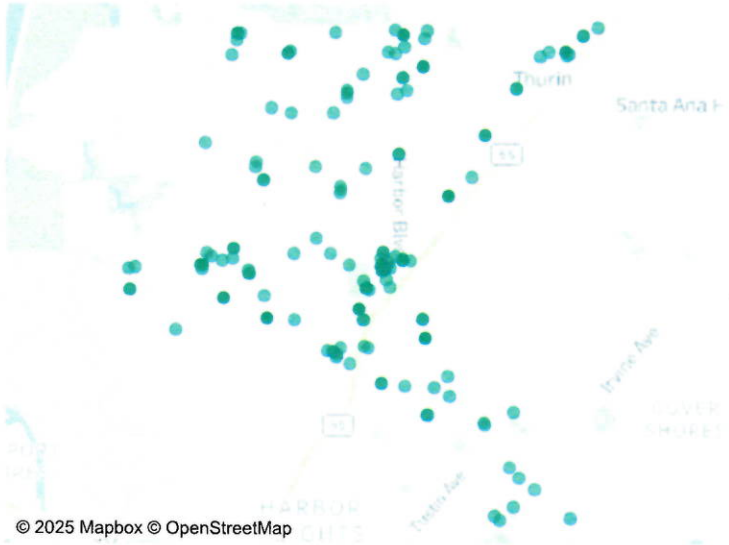
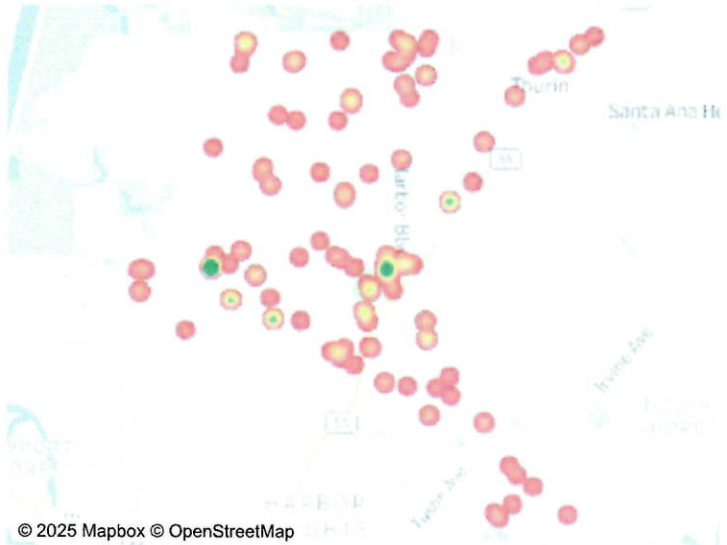
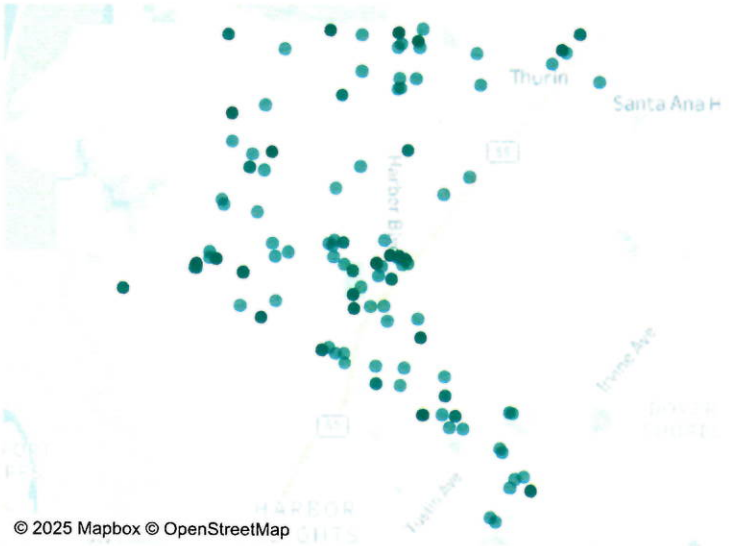
Pickup dots



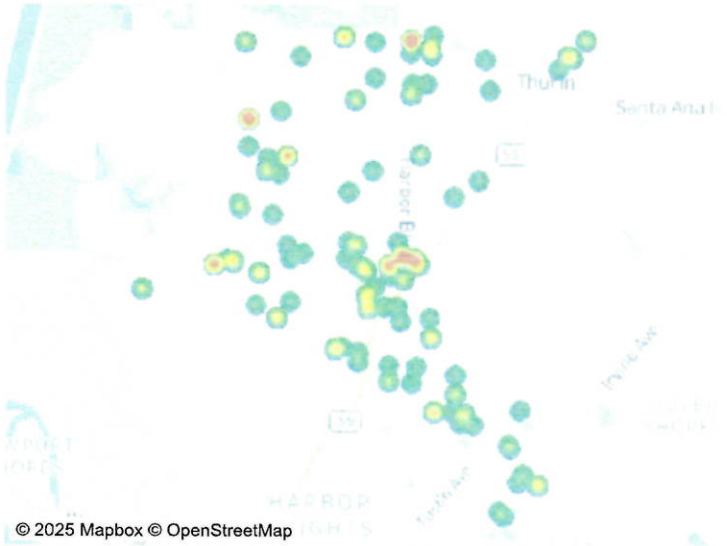
Pickup heat



Drop off dots



Drop off heat



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Outlook

Re: Costa Mesa Service Area Expansion Recommendation

From Yaghoobirad, Ava@ARB <Ava.Yaghoobirad@arb.ca.gov>
Date Tue 2/25/2025 4:29 PM
To Nour Katabi <nkatabi@calstart.org>
Cc Viramontes, Leilani@ARB <leilani.viramontes@arb.ca.gov>; Gregor, Sam@ARB <sam.gregor@arb.ca.gov>; Cesar Hernandez <chernandez@calstart.org>

Hi Nour, thanks for your thorough email. We agree with your recommendation and don't see an issue with approving their entire service area eligibility. Please make sure to save this email in Costa Mesa project folder.

It was great seeing you yesterday!

Best,
Ava

From: Nour Katabi <nkatabi@calstart.org>
Sent: Friday, February 21, 2025 12:11 PM
To: Yaghoobirad, Ava@ARB <Ava.Yaghoobirad@arb.ca.gov>
Cc: Viramontes, Leilani@ARB <Leilani.Viramontes@arb.ca.gov>; Gregor, Sam@ARB <sam.gregor@arb.ca.gov>; Cesar Hernandez <chernandez@calstart.org>
Subject: Costa Mesa Service Area Expansion Recommendation

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.

Hi Ava,

Happy Friday! It has come to our attention that the City of Costa Mesa's launched service is operating in areas that do not meet CMO eligibility requirements and is requesting ongoing operations in those areas. Of the nine census tracts served, three do not qualify under SB 535 or AB 1550. The City has explained that service is extending to these ineligible areas (on the east side of the service area) based on their community needs assessment, which identified grocery stores and employment hubs in these locations as essential destinations for residents within the eligible service area.

An analysis of the service area indicated that the residential population within the eligible service area (westside of the service area) has limited or no access to grocery stores, community centers, and jobs, with many key destinations located just outside the eligibility boundaries. Given the community's expressed need for clean transportation options to these destinations, we support the City's decision to operate in these census tracts to allow access to destinations outside of boundaries of SB 535 and AB 1550 communities. As noted in the IM, "*if community residents express a lack of clean transportation options to destinations such as a grocery store or healthier food retail stores which are located outside of the disadvantaged or low-income community boundaries, some ... service operations to/from the store would be allowed outside of boundaries.*"

In addition, with the proposed use of additional funds, the City of Costa Mesa seeks to expand its Let's Go Costa Mesa! service to include a nearby hospital, Hoag Hospital, Project Homekey transitional housing developments, and senior housing which also do not meet CMO eligibility requirements. Expanding service to these locations would provide residents with access to employment at the hospital, healthcare services, and grocery stores, addressing the transportation barriers identified in the needs assessment.

Below are the census tracts and their eligibility status:

6059063605	AB 1550 & SB 535	Under Operations - Residential
6059063604	AB 1550 & SB 535	Under Operations - Residential
6059063701	AB 1550	Under Operations - Residential
6059063702	AB 1550	Under Operations - Residential
6059063906	AB 1550	Under Operations - Residential
6059063808	AB 1550	Under Operations - Residential
6059063010	Ineligible	Under Operations - Grocery, Retail, Employment
6059063202	Ineligible	Under Operations - Grocery, Retail, Employment
6059063601	Ineligible	Under Operations - Grocery, Retail, Employment
6059063603	Ineligible	Expansion - Hospital
6059063202	Ineligible	Expansion - Transitional & Senior Housing

We recommend allowing the City to continue its current service operations and expand to the proposed hospital, transitional housing, and senior housing in the CMO non-eligible areas to provide reliable and clean transportation to underserved residents who do not have access to reliable transportation including public transit or personal vehicle. The Costa Mesa community needs assessment highlights a "lack of [transportation] service close to home/destination," and the attached heat density map further demonstrates the demand for transportation between the westside of Costa Mesa, where residents live, and the eastside, where key destinations such as employment, grocery stores, and retail locations are concentrated.

Please let us know if you have any questions.

Best,
Nour

Nour Katabi (she/her)
Project Manager II |CMO Program
(626)744-5603 • nkatabi@calstart.org
48 S Chester Ave • Pasadena, CA 91106
www.calstart.org • www.cleanmobilityoptions.org

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Exhibit B: Scope of Work

Attachment 1: Budget Worksheet

Section 1: Project Components		Section 2: Voucher Budget								Section 3: Additional Funding	
(a) Expense Category and Sub-Category	(b) Item description	Description of Voucher Request			Annual Budget Breakdown Up to Year 3 of Service Operation Period					Description of Additional Funding Requested	
		(c) Voucher amount requested per unit or hour ($)	(d) Number of units or hours requested	(e) Total voucher amount by item ($)	(f) Project Launch (Up to 15 Months) ($)	(g) Year 1 of Service Operation ($)	(h) Year 2 of Service Operation ($)	(i) Year 3 of Service Operation ($)	(j) Year 4 of Service Operation ($)	(k) Current Approved Voucher Cost	(l) Difference Requested
Direct Labor											
Voucher Administration	Meeting Events	$725/year	2 years	$1,450		$725	$725	n/a		$1,450.00	$0
	City Staff	$39.97	356 hours	$14,230	$2,035	$4,065	$4,065	$4,065		$14,230	$0
											$0
Planning											$0
Outreach and Marketing											$0
Fringe Benefits											
Voucher Administration											$0
Planning											$0
Outreach and Marketing											$0
Travel/Mileage											
Voucher Administration	Travel	$775/year	2 yrs	$1,550		$775	$775			$1,550.00	$0
											$0
Equipment/Capital Costs (Lead Only)											
Motor Vehicles and Associated Hardware											$0
											$0
Charging/Fueling Equipment and Installation	Electrical Installation	$10,000	1	$10,000.00	$10,000.00	n/a	n/a			$10,000	$0
											$0
Additional Transportation Enhancements *(Maximum 25% of total voucher)*	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		$0	$0
Subcontractor											
Outreach and Marketing	Marketing	$2,360.86	3.5 years	$8,263.00	$2,163.00	$2,600.00	$2,000	$1,500.00		$8,263	$0
Capital Acquisition								n/a			$0
Operations and Maintenance	Driver Hours	$25.38	36,959.77	$938,039		$277,933.00	$327,308.00	$332,798.00		$823,660	$114,379
	Insurance	$47,124.67	3 years	$141,374		$38,400.00	$51,120.00	$51,854.00		$110,174	$31,200
	Contractor Services	$138,806.00	3 years	$416,418		$110,429.00	$152,023.00	$153,966.00		$313,997	$102,421
	Vehicle Lease	$89,558.67	3 years	$268,676		$74,800.00	$96,216.00	$97,660.00		$216,676	$52,000
Other											
Voucher Administration											$0
Planning											$0
Operations and Maintenance											$0
Outreach and Marketing											$0
Indirect Costs											
											$0
Grand Total											
Grand Total - Voucher Funding Term (Voucher Funds)		n/a	n/a	$ 1,800,000	$ 14,198.00	$ 509,727.00	$ 634,232.00	$ 641,843.00	$ -	$1,500,000	$300,000
Grand Total - Other Funds Budget (Non-CMO Funds)											

Community Resource Contributions

Resource contributions are assets contributed to the project to support long-term sustainability to meet the 5-year Voucher Agreement Term that includes a minimum of 4 years of service operation and beyond. Resource contributions are not eligible for payment through voucher funding. Instructions: Add in-kind monetary resource contribution assets.

Operations and Maintenance											
Operations and Maintenance											
Subcontractor											

Optional: Category Eligibility Check Worksheet

Instructions: Calculate sums in "Category Total" and "Applicable Denominator" Columns. User may need to adjust example formula if additional rows were manually inserted above.

Cost Category	Eligibility Requirement Summary (See Implementation Manual for Details)	Category Total	Applicable Denominator	Percentage	Conforms to Eligibility Requirement?
Bicycle/Scooter Infrastructure and Installation	Maximum of 300% of amount of electric bicycle/scooter vehicles or 200% of amount of non-electric bicycle/scooter vehicles amount				
Additional Transportation Enhancements	Maximum of 25% of total voucher amount				
Notes:					

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Financial Sustainability Plan

Docusign Envelope ID: 79D1F1E5-036E-41CA-B35C-7792C1280FAD

MOBILITY PROJECT VOUCHER
UPDATED FINANCIAL SUSTAINABILITY PLAN

ADDITIONAL FUNDING FOR MOBILITY PROJECT VOUCHER (MPV) AWARDEES OVERVIEW

There is a set-aside fund specifically for currently or existing MPV funded projects. Window 1 and Window 2 MPV Awardees are eligible for up to $300,000 in additional funding for their current funded project without submitting a new voucher application.

The additional funds for Window 1 MPV Awardees may be applied to a variety of eligible activities related to insurance compliance, capital acquisition, planning and operations, administration, outreach and marketing, participation in the Clean Mobility Equity Alliance (CMEA) meetings, annual Clean Mobility Forum attendance, and other program activities only in support of the project scope outlined in their voucher agreement and/or project expansion request. If Awardees request additional funds to expand the project scope, a written justification is required with supporting documents to demonstrate additional demand (e.g., documented community feedback, updated needs assessment, etc.). Awardees must submit an updated financial sustainability plan and a revised budget that justifies the need and use of additional funds.

To apply for Additional Funding, please complete this Updated Financial Sustainability Plan by answering all required questions in the boxes, providing all relevant documentation and signatures. To receive direct technical assistance filling out this form, please contact Erlin Martinez, at emartinez@calstart.org.

In order to be eligible to receive additional funding set aside for current Mobility Project Voucher Awardees, the entire request and supporting documents must be completed and submitted, including all required attachments.

PROJECT INFORMATION

VOUCHER AGREEMENT NUMBER: MP23W2A-5G

1. LEAD APPLICANT (AWARDEE) INFORMATION

Organization Name: City of Costa Mesa		
Mailing Address: 77 Fair Drive		
City: Cost Mesa	**State:** CA	**Zip Code:** 92626
Project Lead Primary Contact Name: Brett Atencio Thomas		
Phone: 714-754-5275	**Email:** BrettAtencio.Thomas@CostaMesaCA.gov	

2. MOTOR VEHICLE OWNER INFORMATION (If Applicable)

Information about the party that will take ownership of motor vehicle(s) funded by CMO. May be the same or different party than the lead applicant.

Organization Name: Circuit Transit		
Mailing Address: 501 E Las Olas Boulevard, Suite 300		
City: Fort Lauderdale	**State:** FL	**Zip Code:** 33301
Project Lead Primary Contact Name: Perry Holmes		
Phone: 248-990-2370	**Email:** perry.holmes@ridecircuit.com	

3. MICROMOBILITY DEVICES OWNER INFORMATION (If Applicable)

Information about the party that will take ownership of micromobility devices (e.g., bicycles, scooters, etc.) funded by CMO. May be same or different party than the lead applicant.

Organization Name:		
Mailing Address:		
City:	**State:**	**Zip Code:**
Project Lead Primary Contact Name:		
Phone:	**Email:**	

4. MOBILITY OPERATOR INFORMATION

May be the same or different party than the lead applicant and/or fleet and micromobility devices owner. Indicate the mobility operator for each applicable project service model.

Project Service Model: On-Demand Shuttle		
Organization Name: Circuit Transit		
Mailing Address: 501 E Las Olas Boulevard, Suite 300		
City: Fort Lauderdale	**State:** FL	**Zip Code:** 33301
Project Lead Primary Contact Name: Perry Holmes		
Phone: 248-990-2370	**Email:** perry.holmes@ridecircuit.com	

Project Service Model:		
Organization Name:		
Mailing Address:		
City:	**State:**	**Zip Code:**
Project Lead Primary Contact Name:		
Phone:	**Email:**	

PROPOSED BUDGET AND PLAN FOR FINANCIAL SUSTAINABILITY

This section collects information about the proposed budget and your plan for financial sustainability. Projects must operate for at least 4 years from the date that operations fully launch (when participants start using the service). This period is referred to as the Project Operation Period. In this section, MPV Awardees must describe strategies for maintaining the proposed services at least throughout the project operations period in the required Financial Sustainability Plan in their additional funding request.

1. Total Voucher Amount Requested:

Executed Voucher Funding Amount	Requested Additional Funding Amount Not-to-Exceed $300,000	Total Voucher Amount Not-to-Exceed $1,800,000
$1,500,000	$300,000	$1,800,000

**AMENDMENT NUMBER ONE TO
CONTRACTOR SERVICES AGREEMENT
WITH CIRCUIT TRANSIT INC.
TO IMPLEMENT AND PROVIDE SERVICES
FOR THE COMMUNITY SHUTTLE PROGRAM**

This Amendment Number One ("Amendment") is dated October 7, 2025, ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City") and CIRCUIT TRANSIT INC. a Florida corporation ("Contractor"), (collectively, the "Parties" and individually, a "Party").

WHEREAS, City and its collaborative partner, Circuit Transit Inc., applied for and received funds in the $1,500,000.00 from the California Air Resources Board's Clean Mobility Options (CMO) Voucher Pilot Program, a statewide initiative that provides voucher-based funding for zero-emission carsharing, carpooling/vanpooling, bike sharing/scooter-sharing, innovative transit services; and

WHEREAS, the City entered into the "Mobility Project Voucher Agreement" with CALSTART, Inc. for the Clean Mobility Options Program; and

WHEREAS, the City and Contractor have used the CMO funds to create and implement an on-demand Community Shuttle Pilot program ("Shuttle Program") to service primarily disadvantaged and low-income communities within the City of Costa Mesa; and

WHEREAS, Section 2, Exhibit "A,' "Scope of Work and Payment Terms" of the Agreement provides that Contractor's total compensation during the three-year term of the Agreement shall not exceed $1,500,000.00; and

WHEREAS, on May 20, 2025, CALSTART amended the funding Agreement (MP23W2A-5G) between CALSTART and the City of Costa Mesa, which increased the initial funding from One Million Five Hundred Thousand and no/100 dollars ($1,500,000.00) to One Million Eight Hundred Thousand and no/100 dollars ($1,800,000.00); and

WHEREAS, City and Contractor now desire to update Exhibit "A' in the Agreement and increase the total compensation reflected in Section 2 of the Agreement by an additional Three Hundred Thousand Dollars ($300,000.00).

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The foregoing recitals in this Amendment are hereby declared to be true and correct and are incorporated as if fully set forth herein.

2. Section 2 and Exhibit "A" of the Agreement is amended to reflect the increase in funding received by the City from CALSTART such that the total three (3) year compensation is increased by Three Hundred Thousand

Dollars ($300,000.00) for a total not to exceed compensation of One Million Eight Hundred Thousand Dollars ($1,800,000.00). Revised Exhibit “A” is attached to this Amendment as Exhibit “A.”

3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement, as amended.

4. All other terms, conditions, and provisions of the Agreement, as amended, shall remain in full force and effect.

5. This Amendment 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.

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

CONTRACTOR

_____ Date: _____
Signature

_____
Mark Iannon

CITY OF COSTA MESA

_____ Date: _____
Cecilia Gallardo-Daly
Interim City Manager

ATTEST:

_____ Date: _____
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: _____
Brett Atencio Thomas
Project Manager

DEPARTMENTAL APPROVAL:

_____ Date: _____
Raja Sethuraman
Public Works Director

PURCHASING APPROVAL:

_____ Date: _____
Carol Molina
Finance Director

EXHIBIT A

SCOPE OF WORK AND PAYMENT TERMS

1. Contact People for Contract Administration and Legal Notice

A. City Contract Administration:

City of Costa Mesa
Raja Sethuraman, Public Works Director
77 Fair Drive
Costa Mesa, CA 92626
714-754-5343
raja.sethuraman@costamesaca.gov

For Legal Notice Copy to:
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626
Attn: Finance Dept. / Purchasing

B. Contractor Contract Administration:
Circuit Transit Inc.
12130 Millennium Drive
Los Angeles, CA 90094
562-252-6680
daniel@ridecircuit.com

For Legal Notice Copy to:
Circuit Transit Inc.
James Mirras
501 East Las Olas Blvd
Fort Lauderdale, FL 33301
james@ridecircuit.com

2. Required Services

A. General Description:
Contractor will provide electric transportation services targeted to the Costa Mesa community in the area shown on Exhibit C ("Shuttle Program Project Service Area") in accordance with the terms and conditions of this Agreement.

B. Detailed Description/Responsibilities of Contractor:

Purpose. Based on the findings of the City's CMO Application and associated Community Transportation Needs Assessment Community Shuttle program, the City desires to provide all-electric on-demand shuttle services catered to the needs of the local community (the "Shuttle Program") in the Costa Mesa service area ("Shuttle Program Project Service Area") shown on Exhibit C. The Shuttle Program has been and will be designed with the community's input and

participation to provide safe, convenient, affordable, and accessible first/last mile connections. The goals of the Shuttle Program will be to improve mobility options for the community, provide connections to public transit and key community services, reduce greenhouse gas emissions, improve air quality, and reduce congestion.

Compliance with CMO Agreement is Paramount Concern

Notwithstanding anything else in this Agreement to the contrary, Contractor shall cause the City and the Contractor to be in full compliance with all requirements of the "Mobility Project Voucher Agreement for City of Costa Mesa for Clean Mobility Options Program" entered into between the City of Costa Mesa and CALSTART, Inc. (the "Mobility Project Voucher Agreement.").

Contractor warrants that it is knowledgeable of, and will comply with, all requirements of the Mobility Project Voucher Agreement, including all related Exhibits, which are incorporated by this reference. In particular, Contractor is knowledgeable of the "Implementation Manual for the Clean Mobility Options Voucher Pilot Program (CMO): Updated December 23, 2022" attached hereto as Exhibit B. The Parties acknowledge that compliance with all requirements of the Mobility Project Voucher Agreement is a material requirement of this Agreement. Any subsequent changes or updates to the CMO Implementation Manual constitute part of this agreement and are incorporated in full into this Agreement by reference. To the extent that any provision of this Agreement would inhibit or prevent compliance with the Mobility Project Voucher Agreement, the latter shall control.

Phasing and Deliverables.

Contractor will operate and implement the Shuttle Program in accordance with all terms and conditions of this Agreement and the Mobility Project Voucher Agreement and provide the following deliverables within the timelines provided below:

Start Date	Time Period	Deliverables
Q2 2024	Planning & Pre launch: within 90 days after execution of City's contract with Contractor	• Acquire two electric vehicles and one electric ADA van and outfit with customizations for service • Hiring and recruitment of staff, including drivers • Development and launch of app • Launch of Marketing & Outreach plan (Circuit will work with City and Community Partner to develop and execute a marketing and outreach plan to announce launch of new service to the community)

Q3 2024	Year 1[1]: Project Kickoff & Launch. Opening Day	• Commence Year 1 initial service on the Enter Date. • Operate two (2) electric sedans and one (1) electric ADA van in furtherance of the Shuttle Program to be funded by CMO • Execute its marketing plan announcing the launch of the new pilot, including any launch event or ribbon cutting with the City. • Conduct ride-alongs and on-job training with new staff to ensure effectiveness and efficiency of service.
Q3 2024	Year 1: Operations, Monitoring & Reporting and Adjusting – Initial Service - Year 1	• Operate two (2) electric sedans and one (1) electric ADA van in furtherance of the Shuttle Program to be funded by CMO • Monitor key metrics and feedback • Conduct rider surveys • Implement ongoing marketing strategy • Engage in ongoing community outreach • Sell and execute advertising campaigns • Communicate with and submit monthly reports to the City team • Adjust the service as needed/requested
Q1, Q2, Q3 2025	Year 2: Operations, Service Expansion to General Public	• Operate two (2) electric sedans and one (1) electric ADA van in furtherance of the Shuttle Program to be funded by CMO. • Plan and implement for service expansion • Plan and implement service extension to the general public, including rollout timeline. • Collaborate with City and Community Partner/(s) to prepare and implement a marketing and outreach plan for announcing service expansion to existing and potential riders. • Prepare study developing ridership trends to learn busiest ridership times, request hotspots, etc. • Procure (1) additional electric sedan.
Q4 2025	Year 2: Service Expansion	• Initiate operation of one (1) additional electric sedan resulting in the total operation of three (3) electric sedans and one (1) electric ADA van in furtherance of the Shuttle Program funded by CMO (for a total of 4 vehicles). • Implement for service expansion as shown in Exhibit C. • Promote service expansion to the public. • Implement revised service hours including the addition of

[1] The term "Year" as used in this Exhibit A denotes year(s) of operation and not the year(s) of grant funding.

		4512 hours of operation through the life of this agreement.
2025	Year 2: Monitoring, Reporting and Adjusting - Expanded Service	• Program monitoring & monthly reporting • Conduct rider surveys to learn about rider preferences, needs, and report back to the City with data collected to refine service.
2026	Year 3: Operations	• Operate three (3) electric sedans and one (1) electric ADA van in furtherance of the Shuttle Program to be funded by CMO.
2026	Year 3: Monitoring, Reporting and Adjusting - Expanded Service	• Program monitoring & monthly reporting • Prepare a study developing ridership trends to learn the busiest ridership times, request hotspots, etc. • Conduct rider surveys to learn about rider preferences, and needs, and report back to the City with data collected to refine service.
2027	Some or all of Year 4: Operations, Monitoring, and Reporting	To be determined

Access to Service. Contractor will allow riders to request rides for the Shuttle Program within a geo-fenced coverage zone through a mobile ride request app available on iOS and Android, or by call-in. The Shuttle Program will include an American with Disabilities Act (ADA) accessible vehicle for riders requiring ADA assistance, which can be indicated in the ride request app or when requested by phone.

Funding. The Parties acknowledge and agree that compensation for the Required Services will be paid by City but only to the extent that City actually receives funding from CMO in accordance with Exhibit A, Section 4, below. The Parties acknowledge and agree that the Required Services will be funded solely with the funding sources identified below, during the time periods identified below.

Fares as a Credit for Year 4. Contractor will make the Shuttle Program available to the general public within ninety (90) days of the Effective Date (i.e., the Enter Date). The Shuttle Program may charge general public users a fare of $1.00 to $2.00 per passenger per ride (each a "Fare"; collectively the "Fares"); such amount (if any) shall be established in the sole discretion of the City. A contactless fare program will be implemented and will accept payment via credit card, debit card, or prepaid card. Contractor will be responsible for collecting any and all Fares and to account for any and all Fares collected. Contractor will provide City with a monthly accounting of any and all Fares collected from the Shuttle Program. The City may require an independent audit of the accounting submitted to verify the accuracy of the accounting and the appropriateness of the

submittals. The responsibility of payment of the independent audit will be negotiated in good faith by the Parties. Contractor will apply 70% of the total gross revenue generated from any and all Fares towards future Required Services in the form of a credit to the City. This credit will be applied in Year 4 to offset costs of the Shuttle Program during Year 4 and to provide for continuing support for the Shuttle Program. Contractor will retain the remaining 30% of the total gross revenue generated from any and all Fares for processing and administrative costs. City shall have the option to extend this Agreement into some or all of Year 4 (months 37-48 from the enter date). The City may exercise this option in writing upon ninety (90) days notice prior to the end of Year 3.

Advertising (Optional). At the request of the City, Contractor will to prepare, sell, and execute advertising campaigns in conjunction with the Shuttle Program. Contractor acknowledges and agrees that City's written approval will be required to enter into any advertising contracts or receipt of any Advertising Revenue (defined below). Contractor further acknowledges and agrees that any advertising prepared, sold, or executed in conjunction with the Shuttle Program must comply with all City policies for advertising, and all other applicable rules, regulations, and laws related to advertising. Contractor will be responsible to collect any and all revenues derived from any advertising campaigns ("Gross Advertising Revenue") and to account for any and all Advertising Revenue.

For purposes of this Agreement, "Net Advertising Revenue" means the gross advertising revenue received less all other direct costs and expenses incurred in obtaining the Gross Advertising Revenue, including, but not limited to advertisement design, production costs, installation and removal costs and customary and reasonable commissions paid to media sales representative.

Contractor agrees that 50% of all Net Advertising Revenue collected will be applied as a credit towards future Required Services, beginning in Year 4. Contractor will provide City with a monthly accounting of any and all Advertising Revenue collected from the Shuttle Program. The City may require an independent audit of the Advertising Revenue accounting submitted to verify the accuracy of the accounting and the appropriateness of the submittals. The responsibility of payment of the independent audit will be negotiated in good faith by the Parties.

Operating Time. Contractor will operate the Shuttle Program 10 hours per day, 7 days per week with three (3) electric vehicles including one (1) ADA van. The Shuttle Program schedule will be aligned with the needs of the community and will be adjusted as directed by the City as the data from the service becomes available. Any expansion of Required Services will be negotiated and may be agreed upon by the parties in an amended Scope of Work.

Destinations. The focus of the service territory will be on key destinations for the Service Area, including healthcare, grocery, public transit stops, and other destinations as determined through community feedback. Over this period, the service will be adjusted and honed to the needs of this community.

CMO Grant. Contractor acknowledges and agrees that City has obtained a grant from the California Air Resources Board, Clean Mobility Options Voucher Pilot Program (the "CMO Grant") as a source of funding for the Required Services. The grant voucher agreement, and terms and conditions for the CMO Grant are attached hereto and incorporated herein as Exhibit E (collectively, the "CMO Grant Materials"). Contractor agrees that it has read and understand the requirements in the CMO Grant Materials. Contractor agrees to comply, and cause the City to comply, with all requirements, terms, and conditions of the CMO Grant and the CMO Grant Materials, and all related requirements, terms, and conditions of the CMO Grant. Contractor agrees that its failure to comply, or its failure to cause the City to comply, with all requirements, terms,

and conditions of the CMO Grant or the CMO Grant Materials, or any related requirements, terms, and conditions of the CMO Grant constitutes a material breach of this Agreement.

Improvements. Contractor shall be responsible for the construction, maintenance, operation, repair, and replacement of any improvements necessary to operate the Shuttle Program. The Parties acknowledge and agree that it is their intent that necessary construction, maintenance, operation, repair, and replacement of improvements will be subject to reimbursement pursuant to Exhibit A, Section 4 of this Agreement.

C. City Responsibilities

For the Term of this Agreement, City will provide Contractor with electric vehicle storage and parking spaces at no cost to Contractor at a location of City's choosing. The Parties acknowledge and agree that terms for use, including but not limited to location, of the parking spaces have not yet been finalized. Upon finalization of such terms of use, Contractor acknowledges and agrees that City may require Contractor to enter to additional agreements with the City (e.g., right-of-entry agreements, license agreements) or obtain permits (e.g. construction permits) to memorialize such terms of use.

City agrees to reasonably assist Contractor with access to Level 2 charging for the electric vehicles as appropriate.

3. [Reserved]

4. Compensation:

A. Form of Compensation

The projected total costs to implement the Shuttle Program on an annual basis are identified in the table below, and in the budget document submitted with the Phase 2 CMO application and included in Exhibit E.

Total Program Costs ($1,500,000.00). Of such costs, a total of $1,482,770 of such costs will be borne by Contractor, and $17,230 shall be borne by the City.

CMO Funding	**Circuit**	**City of Costa Mesa**
Pre-Launch	$12,163	$2,035
Year 1 of Service	$481,135	$5,565
Year 2 of Service	$640,180	$5,565
Year 3 of Service	$649,292	$4,065
Year 4 of Service	TBD	TBD

The Parties acknowledge and agree that any and all payments for Shuttle Program costs will be solely funded by CMO, not the City, for Years 1 through 3 of the Shuttle Program. Contractor acknowledges and agrees that City is only obligated to pay Contractor for the performance of Required Services to the extent that grant funds are approved by the Granting Agencies. Contractor acknowledges and agrees that City shall have no obligation to pay for the Required Services from

any other funding source. The amounts stated in the column "City of Costa Mesa" are the amounts of CMO funds expected to be paid to the city from the CMO funds, and the amounts in the Column labeled "Circuit" are expected to be paid to Circuit from the CMO funds..

The Parties agree that 70% of all Fare Revenue accrued during the Term plus 50% of all Advertising Revenue accrued during the Term, shall be credits that will be applied during Year 4 of the Shuttle Program such that the City would not incur any costs in year 4 unless and until all such credits are expended. The parties agree to negotiate in good faith to determine the charge for such service for Year 4. To ensure that City is not required to make any out-of-pocket payments to Contractor which are not covered by the CMO Grant funds, Contractor shall be required to offer to City to provide service on a daily pro-rata basis, based on revenue generated during Year 1-3, and to be agreed upon within three (3) months of the termination of Year 3.

The maximum amount to be paid to the Contractor for services performed during the Term of the Agreement shall not exceed $1,782,770.

B. Invoicing

Contractor will provide City with a detailed invoice and breakdown by Granting Agency for Required Services performed each month for Years 1 through 3, within thirty (30) days of the end of the month in which the Required Services were performed.

Upon receipt of the invoice, City will review the invoice and pay Contractor for approved amounts, in an amount not-to-exceed forty-two thousand dollars ($54,107), within thirty (30) days. After payment by City, City will seek reimbursement from the Granting Agencies. If City does not receive reimbursement from the Granting Agencies for any amount paid to Contractor, all such unreimbursed amounts will be offset against future invoices submitted by Contractor. City will provide Contractor with documentation of such non-reimbursement by the Granting Agencies.

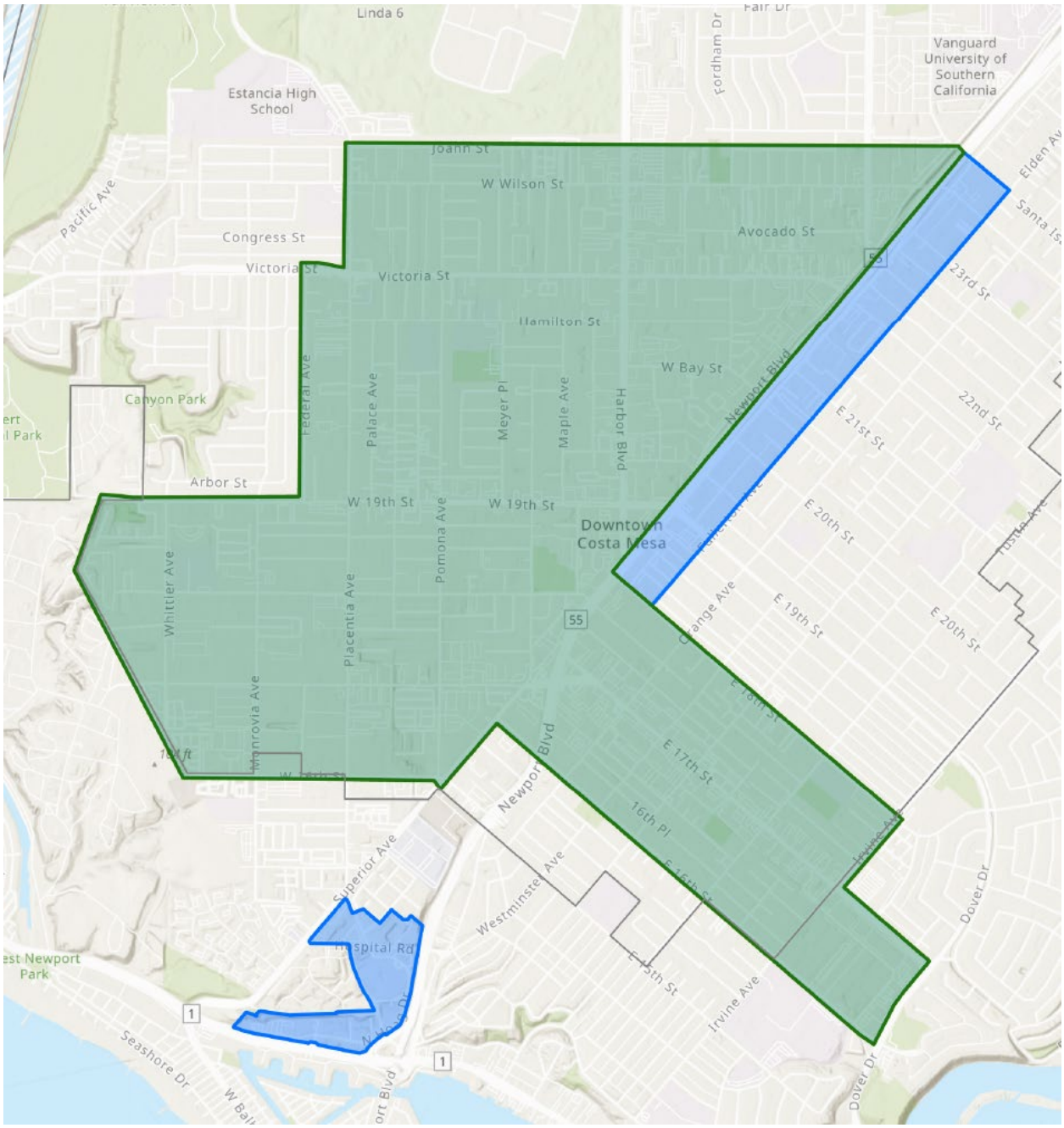
Billing Information
Contact Person:
Raja Sethuraman
77 Fair Drive
Costa Mesa CA 92626
Email: Raja.sethuraman@costamesaca.gov

In addition to any other remedy available to Contractor for late payments, Contractor shall offset any balance or amounts owed on any credits due to City from Net Fare Revenue or Net Advertising Revenue until such outstanding invoice is paid.

City acknowledges and agrees that Contractor is not required to continue Required Services in the event of the Granting Agencies' failure to pay the invoice due to Contractor or reimburse City for any amount paid to Contractor. If payment is not received within thirty (30) days of written notice of late payment or if City offsets against future invoices submitted by Contractor, Contractor shall have the right to temporarily reduce and/or suspend Required Services without liability to Contractor until such outstanding invoice is paid in full. If litigation is commenced for collection of late payments, Contractor shall be entitled to recover its reasonable attorneys' fees and related costs from City.

EXHIBIT C

SHUTTLE PROGRAM PROJECT SERVICE AREA



Expanded Service Area Shown in Blue

77 Fair Drive
Costa Mesa, CA 92626

CITY OF COSTA MESA

Agenda Report

File #: 25-445 **Meeting Date:** 10/7/2025

TITLE:

ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 (PLANNING ZONING AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE TO PROVIDE TECHNICAL UPDATES AND CLARIFICATIONS (CODE AMENDMENT PCTY-25-0001)

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTED BY: CAITLYN CURLEY AND FROYLAN GARCIA, ASSISTANT PLANNERS, DANIEL INLOES AICP, ECONOMIC DEVELOPMENT ADMINISTRATOR

CONTACT INFORMATION: CAITLYN CURLEY, ASSISTANT PLANNER, 714-754-5692

RECOMMENDATION:

Staff recommends the City Council adopt Ordinance No. 2025-XX approving Zoning Code Amendment PCTY-25-0001, amending Title 13 of the Costa Mesa Municipal Code (Planning, Zoning, and Development) to modify the City's Zoning Code to provide technical updates and clarifications.

Item #: 25-445 **Meeting Date: 10/07/2025**

TITLE: ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 (PLANNING ZONING AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE TO PROVIDE TECHNICAL UPDATES AND CLARIFICATIONS (CODE AMENDMENT PCTY-25-0001)

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTED BY: CAITLYN CURLEY AND FROYLAN GARCIA, ASSISTANT PLANNERS, DANIEL INLOES AICP, ECONOMIC DEVELOPMENT ADMINISTRATOR

CONTACT INFORMATION: CAITLYN CURLEY, ASSISTANT PLANNER, 714-754-5692

RECOMMENDATION:

Staff recommends the City Council adopt Ordinance No. 2025-XX approving Zoning Code Amendment PCTY-25-0001, amending Title 13 of the Costa Mesa Municipal Code (Planning, Zoning, and Development) to modify the City's Zoning Code to provide technical updates and clarifications.

BACKGROUND:

On June 23, 2025, the Planning Commission held a study session for the proposed Zoning Code Amendment. The Planning Commission received the staff presentation and provided feedback on the project. Details of the Planning Commission meeting and associated report and draft ordinance are available at the following link:

https://costamesa.legistar.com/LegislationDetail.aspx?ID=7443282&GUID=AE089610-AFA1-4E8F-AA29-232D3985B67B

On July 28, 2025, the Planning Commission reviewed the proposed Zoning Code Amendment. The Planning Commission supported the ordinance and voted 6-0 to recommend that the City Council adopt the ordinance with minor modifications. Details of the Planning Commission meeting and associated report and draft ordinance are available at the following link:

https://costamesa.legistar.com/LegislationDetail.aspx?ID=7493951&GUID=CC465AE1-17DB-42DC-AFFE-DE83EDDAF04B

At its regular meeting of September 16, 2025, the City Council conducted a legally noticed meeting and introduced on first reading an ordinance amending Title 13 of the Costa Mesa Municipal Code (Planning, Zoning, and Development). At the meeting, the City Council discussed the Zoning Code Amendments, asked specific questions of staff, and obtained public input. The City Council voted unanimously, with Councilmember Reynolds absent, to introduce for first reading, by title only, Ordinance No. 2025-XX. See the links below for the September 16, 2025, City Council Agenda Report and video:

September 16, 2025, Agenda Report:
https://costamesa.legistar.com/View.ashx?M=F&ID=14765688&GUID=EB261462-ABBC-4577-B60C-024DE1007D59

September 16, 2025, meeting video:
https://costamesa.granicus.com/player/clip/4307?view_id=14&redirect=true

ANALYSIS:

The proposed technical code clean-up includes several changes intended to improve clarity within the zoning code. The updates involve codifying existing Zoning Administrator determinations that staff regularly apply in day-to-day practice, as well as making code amendments necessary to ensure compliance with state law. The Planning Commission has reviewed the proposed updates and recommended approval with minor modifications.

The determinations and standards proposed to be codified are regular interpretations used daily at the planning counter. The proposed update codifies the existing fences and walls standard currently outlined in a handout by incorporating it directly into the Municipal Code. It also codifies several Zoning Administrator determinations, beginning with the addition of a definition for "individual counseling" and clarification that this use shall be parked at the office rate of 4 spaces per 1,000 square feet. Based on feedback from the Planning Commission, the update further clarifies that group counseling uses are also parked at the office rate. To enhance visual quality throughout the City, the update codifies determinations that prohibit exterior pipes and conduits, clarifies screening requirements for ground-mounted antenna equipment, limits excessive window coverage through an updated definition of "contiguous," establishes clear standards for the placement of ground-mounted equipment near residential properties, and excludes mechanical and electrical equipment areas from parking calculations, thereby incentivizing internal equipment installations. Additionally, the update introduces new language to ensure that raised decks comply with main-structure setbacks to address privacy concerns.

In addition to codifying Zoning Administrator determinations, the update will ensure that the City is in compliance with state law. The update incorporates HCD comments on the City's Accessory Dwelling Unit (ADU) ordinance to clarify that ADUs and Junior ADUs do not trigger a requirement for fire sprinklers in the main home, and establishes objective standards for stairways leading to second-story ADUs. The update also codifies the City's SB 9 ordinance and provides clarification on driveway requirements, parking minimums, and the number of permitted units.

The Ordinance is being presented for final adoption. If approved, the Ordinance would become effective 30 days after adoption on November 6th, 2025.

ENVIRONMENTAL DETERMINATION:

The proposed amendments are exempt from environmental review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule) in that there is no possibility that the minor technical updates to the City's Municipal Code provisions will have a significant impact on the environment.

ALTERNATIVES:

The City Council may adopt the Ordinance as proposed, modify the Ordinance, or not adopt the Ordinance. If the City Council chooses to make substantive modifications to the Ordinance after introduction, the modified Ordinance would need to be brought back at a future meeting for adoption.

FISCAL REVIEW:

The adoption of the proposed Ordinance will help increase efficiency in the building permit process by making the City's Municipal Code clearer and more predictable. This will allow for a more efficient plan check and permitting process, which may lead to faster permit issuance.

LEGAL REVIEW:

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

PUBLIC NOTICE:

Pursuant to Government Code section 65854(a), a public notice was published once in the Daily Pilot newspaper on October 2, 2025, exceeding the minimum 5 days prior to the October 7, 2025, public hearing.

As of this report, no written public comments have been received. Any additional written comments received will be forwarded under separate cover.

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the following City Council Goal:

- Diversify, Stabilize and Increase Housing to Reflect Community Needs
- Achieve Long-term Fiscal Sustainability

CONCLUSION:

Staff recommends that the City Council adopt Ordinance No. 2025-XX approving Code Amendment PCTY-25-0001, amending Title 13 of the Costa Mesa Municipal Code to modify the City's Zoning Code to provide technical updates and clarifications.

ORDINANCE NO. 2025-xx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING CHAPTERS I, III, IV, V, VI, VII, IX X AND XI OF TITLE 13 (PLANNING ZONING AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE (PLANNING ZONING AND DEVELOPMENT) TO PROVIDE TECHNICAL UPDATES AND CLARIFICATIONS (CODE AMENDMENT PCTY-2025-0001)

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

WHEREAS, the Zoning Code (Title 13 of Costa Mesa Municipal Code) sets the zoning and land use regulations for the City of Costa Mesa in general; and

WHEREAS, the purpose of this code amendment is to codify external documents, to clarify Zoning Code regulations where necessary, and to conform to recent revisions to and requirements of State law; and

WHEREAS, regular updates to the Zoning Code are needed to ensure consistency between various sections, provide clarifications, and reflect the latest State code regulations; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 28, 2025 with all persons having the opportunity to speak for and against the proposal; and

WHEREAS, the Planning Commission recommended that the City Council adopt this ordinance updating the Zoning Code as set forth herein on a 6-0 vote; and,

WHEREAS, the City Council held a public hearing on September 16th, 2025 with all persons having the opportunity to speak for and against the proposal.

Now, therefore, THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Zoning Code Amendment. Title 13, Chapter I, Section 13-6: Definitions, Chapter III, Section 13-28: Types, Chapter IV, Section 13-30: Purpose, Chapter V, Section 13-32: Development Standards, Chapter V, Section 13-35: Accessory Dwelling Units, Chapter V, Section 13-36: Two-Unit Housing Development, Chapter V, Section 13-41: Residential Common Interest Development Standards and Requirements, Chapter V, Section 13-42.3: Development Standards and Requirements, Chapter V, Section 13-74: Elevation and Screening Requirements , Chapter V, Section 13-75: Fences and Walls,

Chapter VI, Section 13-89: Parking Required, Chapter VIII, Section 13-111: Definitions, Chapter IX, Section 13-142: Development Standards, and Chapter XII, Section 13-265.5: Parcel Maps for Urban Lot Splits, of the Costa Mesa Municipal Code are hereby amended as set forth in Exhibit A, attached hereto.

Section 2. Compliance with CEQA. Pursuant to the California Environmental Quality Act (CEQA), this ordinance is exempt from the provisions of the CEQA under CEQA Guidelines Section 15061(b)(3) ("Common Sense Exemption") as it can be seen with certainty that these minor amendments to the Zoning Code will not have a significant effect on the environment.

Section 3. Inconsistencies. Any provision of this Ordinance which is inconsistent with state law shall be interpreted in a manner to be consistent with state law. 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 no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

Section 4. 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 5. Effective Date. This Ordinance shall take effect on the 31st day after adoption.

Section 6. 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 Ordinance No. 2025-xx was duly introduced for first reading at a regular meeting of the City Council held on the ____day of _____ 2024, and that thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council held on the ___ day of _____, 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 ___ day of _____, 2025.

_____
Brenda Green, City Clerk

Section 13-6 Definitions.

Abutting. Sharing a common boundary, of at least one point contiguous to, having district boundaries or lot lines in common (i.e., not separated by an alley, public or private right-of-way, or street).

Accessory building. A building or part of a building which is subordinate to, and the use of which is incidental to that of the main building or use on the same lot.

Accessory dwelling unit (ADU). See Chapter V, Article 2, section 13-35.

Accessory use. A use incidental and subordinate to and devoted exclusively to the main use of the land or building thereon that does not change the character of the structure or use.

Accessory use, residential. A use that is a part of, and clearly incidental and secondary to, a residence; located on the same lot as a residence; and that does not change the character of the residential use such as:

(a) Accessory dwelling unit (ADU)

(b) Home occupations

(c) Personal property sales (i.e., garage or yard sales).

Adjacent. Same as abutting, but also includes properties which are separated by a public right-of-way, not exceeding 120 feet in width.

Administrative adjustment. A discretionary entitlement, usually granted by the zoning administrator, which permits limited deviation from the strict application of the development standards contained in this Zoning Code, based on specified findings.

Adult business. See Chapter IX, Special Land Use Regulations, Article 1, Adult Businesses, for specific definitions and terms.

Alcoholism or drug abuse recovery or treatment facility. Adult alcoholism or drug abuse recovery or treatment facilities that are licensed pursuant to section 11834.01 of the California Health and Safety Code. Alcoholism or drug abuse recovery or treatment facilities are a subset of residential care facilities.

Alteration (structure). Any construction, addition or physical change in the internal arrangement of rooms or the supporting members of a structure, or change in the appearance of any structure, except paint.

Ambient noise level. The all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excluding the alleged offensive noise, at the location and approximate time at which a comparison with the alleged offensive noise is to be made.

Antenna. Any structure, including, but not limited to, a monopole, tower, parabolic and/or disk shaped device in single or multiple combinations of either solid or mesh construction, intended for the purpose of receiving or transmitting communication to or

from another antenna, device or orbiting satellite, as well as supporting equipment necessary to install or mount the antenna.

Antenna, amateur radio. An antenna array and its associated support structure, such as a mast or tower, that is used for the purpose of transmitting and receiving radio signals in conjunction with an amateur radio station licensed by the Federal Communications Commission.

Antenna, communication. All types of receiving and transmitting antennas, except satellite dish antennas and amateur radio antennas. Communication antenna includes, but is not limited to, cable television antennas, cellular radiotelephone cell antennas, FM digital communication antennas, microwave telephone communication antennas, and shortwave communication and other similar antennas.

Antenna height. The distance from the property's grade to the highest point of the antenna and its associated support structure when fully extended.

Antenna, satellite dish. An antenna intended for the purpose of receiving or transmitting communication to or from an orbiting satellite.

Antenna, whip. An antenna and its support structure consisting of a single, slender, rod-like element which is supported only at or near its base.

Apartment. A rental or lease dwelling having kitchen facilities in a structure designed or used to house at least one family, as the term "family" is defined in this Zoning Code.

Assembly use. A use conducted in a structure or portion of a structure for the purpose of a civic, education, political, religious, or social function or for the consumption or receipt of food and/or beverages. Assembly use includes, but is not limited to, churches and other places of religious assembly, mortuaries, primary and secondary schools, trade and vocational schools, colleges, amusement centers, billiards parlors, bowling centers, establishments where food or beverages are served, motion picture theaters, physical fitness facilities, skating rinks, and dance, martial arts, and music studios. Assembly use does not include sexually oriented businesses.

Association (homeowners'). The organization of persons who own a lot, parcel, area, airspace, or right of exclusive occupancy in a common interest development and who have interests in the control of common areas of such project.

Attached (structure). Any structure that has a wall or roof in common with another structure.

Attic. Any non-habitable area immediately below the roof and wholly or partly within the roof framing.

Awning. A roof-like cover that projects from the wall of a building for the purpose of shielding the sun or providing an architectural accent.

Basement. A space wholly or partially underground and having more than 1/2 of its height, measuring from floor to ceiling, below the average grade. If the finished floor level directly above the basement is more than four feet above grade at any point, the basement shall be considered a story.

Boardinghouse. A dwelling unit, other than a hotel, wherein rooms are rented under two or more separate written or oral rental agreements, leases or subleases or combination thereof, whether or not the owner, agent or rental manager resides within the dwelling unit. Boardinghouse, small means two or fewer rooms being rented to a maximum of three occupants per dwelling unit. Boardinghouse, large means three to six rooms being rented to a maximum of six occupants per dwelling unit. Boardinghouses renting two or fewer rooms and having more than three occupants, or renting more than six rooms and/or having more than six occupants, per dwelling unit are prohibited.

Building. Any structure having roof and walls and requiring permanent location on the ground, built and maintained for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

Building height. The distance from the finished grade (as defined in this section) to the highest point on the roof, including roof-top mechanical equipment and screening.

Building, main. The building or buildings within which the principal use permitted on the lot is conducted.

Carport. A permanent, roofed structure, not completely enclosed which is used for vehicle parking.

Central administrative office. An establishment primarily engaged in management and general administrative functions performed centrally for other establishments of the same company.

Churches and other places of religious assembly. A type of assembly use which has the principal purpose of religious worship and for which the primary space is a sanctuary. Religious activities and services held in the sanctuary are conducted at scheduled times. The use may also include accessory facilities in the same or separate building that includes classrooms, assembly rooms, restrooms, kitchen, and a library. Other uses such as, but not limited to, day care facilities, nursery schools, schools, retail sales, and services to businesses, are not considered a primary function of churches and other places of religious assembly.

Cigar bar. See Smoking lounge.

City. City of Costa Mesa.

Common area. Those portions of a project area which are designed, intended or used in common and not under the exclusive control or possession of owners or occupants of individual units in planned development projects or common interest developments.

Common interest development. A development as defined in State Civil Code section 1350, containing two or more common interest units, as defined in Civil Code section 783; a community apartment project, as defined in State Business and Professional Code section 11004, containing two or more rights of exclusive occupancy; and a stock cooperative, as defined in Business and Professional Code section 11003.2, containing two or more rights of exclusive occupancy.

Conditional use permit. A discretionary approval usually granted by the planning

commission which allows a use or activity not allowed as a matter of right, based on specified findings.

Convenience stores, mini-markets. A retail store, generally less than 10,000 square feet in area, that sells a variety of convenience foods, beverages and non-food items. Fresh dairy products, produce and/or meat may be offered on a limited basis.

County. County of Orange.

Covered parking space. A garage, carport or parking space which is completely covered by a roof.

Density bonus. A minimum increase of 25% over the allowable residential dwelling unit density as specified by the zoning classification.

Development. The division of land into two or more lots; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.

Development review. The processing of a development plan when authority for approval is vested in the planning division.

Development services department means the Development Services Department of the City of Costa Mesa.

Development services director. The director of development services of the City of Costa Mesa, or his or her designee.

Disabled shall have the same meaning as handicapped.

Dormer. A vertical window in a projection built out from a sloping roof.

Driveway, common. A paved area for vehicle circulation and parking purposes which features joint use between two or more parties.

Driveway, individual. The paved area strictly leading to the garage/carport of a residence. This paved area serves vehicle parking purposes and does not extend beyond the garage/carport unless a curvilinear design is necessary for the turning radius.

Dwelling, single-family. "Dwelling, single-family" or "single-family dwelling" is a building of permanent character placed in a permanent location which is designed or used for residential occupancy by one family. A single mobile home on a foundation system on a single lot is a single-family dwelling. (See Manufactured housing).

Dwelling, multi-family. "Dwelling, multi-family" or "multi-family dwelling" is a building or buildings of permanent character placed on one lot which is designed or used for residential occupancy by two or more families.

Dwelling unit. One or more rooms in any building designed for occupancy by one family, and containing one kitchen unit, including manufactured housing. (See Manufactured housing).

Easement. A grant of one or more property rights by the owner for use by the public, a corporation or another person or entity.

Electronic cigarette. An electronic and/or battery-operated device used to provide an inhalable dose of nicotine by delivering a vaporized solution. The term includes any such device manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. The term does not include any medical inhaler prescribed by a licensed doctor.

Electronic game machine. Any electronic or mechanical device which upon insertion of a coin, slug, or token in any slot or receptacle attached to the device or connected therewith, operates, or which may be operated for use as a game, contest, or amusement through the exercise of skill or chance.

Emergency shelters. A facility that provides immediate and short-term housing for homeless persons that is limited to occupancy of six months or less. Supplemental services may include counseling and access to social programs. No individual or household may be denied to emergency shelter because of an inability to pay.

Entertainment (live). Any act, play, revue, pantomime scene, dance act, musical performance, or any combination thereof, performed by one or more persons whether or not they are compensated for the performance.

Establishment where food or beverages are served. Any commercial use that sells prepared food and/or beverages for consumption on site or off site, either solely or in conjunction with an ancillary or complementary use. Excluded from this definition are grocery stores, convenience stores, movie theaters, and other such uses, as determined by the development services director, where the sale of food or beverages is clearly incidental to the primary use. All establishments selling alcoholic beverages for consumption on-site are included within this definition

Fair housing laws. The Federal Fair Housing Act, the Americans with Disabilities Act, and the California Fair Employment and Housing Act, as each statute may be amended from time to time, and each statute's implementing regulations.

Family. One or more persons occupying one dwelling unit and living together as a single housekeeping unit.

Family day care home, large. A home which provides family day care to seven to 14 children as defined in section 1596.78 of the State Health and Safety Code.

Family day care home, small. A home which provides family day care to eight or fewer children as defined in section 1596.78 of the State Health and Safety Code.

Floor area ratio. The gross floor area of a building or project divided by the project lot area upon which it is located.

Garage. An accessory or attached enclosed building with doors, designed and/or used for vehicle parking.

Garage sale. An event for the purpose of selling or trading personal property. Garage

sale includes yard sale.

General plan. The City of Costa Mesa General Plan as adopted or amended from time to time by the city council.

Grade. 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 feet from the building, between the building and a line five feet from the building.

Grade, finished. The surface of the ground at a stated location as it exists after completion of precise grading.

Grade, natural. The unaltered natural surface of the ground at a stated location.

Gross acreage. The total area within the lot lines of a lot of land before public streets, easements or other areas to be dedicated or reserved for public use are deducted from such lot, and not including adjacent lands already dedicated for such purposes.

Gross floor area. The area of all floors within the walls of a structure except elevator and other vertical shafts (including stairwells) and elevator equipment areas..

Gross leasable area. The total floor area designed for tenant occupancy and exclusive use, including both owned and leased areas.

Group home. A facility that is being used as a supportive living environment for persons who are considered handicapped under state or federal law. A group home operated by a single operator or service provider (whether licensed or unlicensed) constitutes a single facility, whether the facility occupies one or more dwelling units. Group homes shall not include the following: (1) residential care facilities; (2) any group home that operates as a single housekeeping unit.

Guestroom. A room occupied or intended, arranged, or designed for occupancy by one or more guests.

Handicapped. As more specifically defined under the fair housing laws, a person who has a physical or mental impairment that limits one or more major life activities, a person who is regarded as having that type of impairment, or a person who has a record of that type of impairment, not including current, illegal use of a controlled substance.

Hazardous materials. Any material of quantity, concentration, physical or chemical characteristics, that poses a significant present or potential hazard to human health and safety or to the environment if released into the work place or environment; or any material requiring a Material Safety Data Sheet according to Title **8**, section 339 of the State Code of Regulation.

Height. See Building height and Antenna height.

Home occupation. Any business or commercial use conducted within a dwelling unit.

Hookah lounge. See Smoking lounge.

Hotel. Any building or combination of buildings generally three or more stories in height containing six or more guest rooms offering transient lodging accommodations to the general public and providing incidental guest services such as food and beverage service, recreation facilities, retail services and banquet, reception and meeting rooms. Typically, room access is provided through a main or central lobby.

Household includes all the people occupying a dwelling unit, and includes people who live in different units governed by the same operator.

Individual counseling. A single-operator business that provides individual and/or family counseling and occupies no more than 500 square feet of total square footage, including but not limited to an office suite and corresponding proportion of any common waiting areas. Any counseling use with a floor area of more than 500 square feet shall be considered a group counseling use.

Integral facilities. Any combination of two or more group homes which may or may not be located on the same or contiguous parcels of land, that are under the control and management of the same owner, operator, management company or licensee or any affiliate of any of them, and are integrated components of one operation shall be referred to as integral facilities and shall be considered one facility for purposes of applying federal, state and local laws to its operation. Examples of such integral facilities include, but are not limited to, the provision of housing in one facility and recovery programming, treatment, meals, or any other service or services to program participants in another facility or facilities or by assigning staff or a consultant or consultants to provide services to the same program participants in more than one licensed or unlicensed facility.

Integral uses. Any two or more residential care programs commonly administered by the same owner, operator, management company or licensee, or any affiliate of any of them, in a manner in which participants in two or more care programs participate simultaneously in any care or recovery activity or activities so commonly administered. Any such integral use shall be considered one use for purposes of applying federal, state and local laws to its operation.

Intersection. The general area where two or more roadways join or cross.

Kitchen. Any room, all or part of which is designed and/or used for storage, refrigeration, cooking and preparation of food.

Landscaping. Plant materials such as lawn, groundcover, trees and shrubs.

Loft. An intermediate floor placed within a room, where the clear height above and below the loft is not less than seven feet, and where the aggregate area of the loft does not exceed 1/3 of the area of the room in which it is located.

Lot.

(a) A parcel of real property when shown as a delineated parcel of land with a number or designation on a subdivision map or parcel map recorded in the office of the county recorder, and created in conformance with the Subdivision Map Act and

applicable local ordinances.

(b) A parcel of real property when shown on a record of survey map or deed filed in the office of the county recorder, when such map or deed was filed as the result of and was made a condition of a lot division approved under the authority of prior ordinances.

Lot area. The total land area of a project after all required dedications or reservations for public improvements, including, but not limited to, streets, parks, schools, and flood control channels. This phrase does not apply in the planned development zones where the phrase "site area," as defined in Chapter V, Development Standards, is used.

Lot, corner. A lot abutting on and at the intersection of two or more streets which intersect at an angle that is equal to or less than 135 degrees.

Lot, depth. The average of the horizontal distance between the front and the rear lot lines.

Lot, development. The master lot or project site upon which a development will be constructed.

Lot, individual dwelling unit. An individual building site or lot within a development intended for construction of a single attached or detached dwelling unit.

Lot, interior. A lot abutting only one street, or a lot abutting two streets which intersect at an angle greater than 135 degrees.

Lot, width. The horizontal distance between the side lot lines measured at right angles to the lot depth at the front building setback line.

Manufactured housing. Detached housing that is built to the National Manufactured Housing Construction and Safety Standards Act of 1974, including structures known as manufactured homes and mobile homes. For the purpose of this Zoning Code, a factory-built single-family structure that is manufactured under the authority of 42 U.S.C. section 5401, the National Manufactured Home Construction and Safety Standards Act, transportable in one or more sections, built on a permanent chassis and used as a place of human habitation, shall be considered a single-family home and shall be reviewed under the same standards as a sitebuilt structure.

Marijuana. Has the same definition as that set forth in California Health and Safety Code section 11018.

Marijuana cultivation and/or medical marijuana cultivation. The planting, growing, harvesting, drying or processing of marijuana plants or any part thereof for any purpose, including medical marijuana, and shall include both indoor and outdoor cultivation.

Master plan. The overall development plan for a parcel or parcels which is depicted in both a written and graphic format.

Master plan of highways. The graphic representation of the city's ultimate circulation system contained in the general plan. It illustrates the alignment of the major, primary, secondary and collector highways.

Median. A paved or planted area separating a parking area, street, or highway, into two or more lanes or directions of travel.

Medical marijuana. Marijuana used for medical purposes in accordance with California Health and Safety Code section 11362.5.

Medical marijuana dispensary. A facility or location where medical marijuana is cultivated or by any other means made available to and/or distributed by or to three or more of the following: a primary caregiver, a qualified patient, or a person with an identification card in strict accordance with State Health and Safety Code sections 11362.5 et seq., and 11362.7 et seq., which shall include, but not be limited to, any facility or location engaging in the retail sale, dispensation, or distribution of marijuana for medical purposes that does not have an active role in the cultivation of the marijuana product that it sells, dispenses, or distributes, or when its cultivation of the marijuana product is off-site from the facility or location for retail sale, dispensation, or distribution.

Minor conditional use permit. A discretionary approval granted by the zoning administrator which allows a use or activity not allowed as a matter of right, based on specified findings.

Minor modification. A discretionary entitlement granted by the planning division, which permits limited deviation from the strict application of the development standards contained in this Zoning Code, based on specified findings.

Mixed use development. The development of lot(s) or structure(s) with two or more different land uses such as, but not limited to a combination of residential, office, manufacturing, retail, public, or entertainment in a single or physically integrated group of structures.

Mobile home. See Manufactured housing.

Mobile home park. Any area or tract of land where two or more mobile home lots are rented or leased, held out for lease or rent, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate manufactured homes or mobile homes. A mobile home park also means a mobile home development constructed according to the requirements of Part 2.1 (commencing with section 18200) of Division 13 of the State Health and Safety Code, and intended for use and sale as a mobile home condominium or cooperative park, or as a mobile home planned unit development.

Motel. Any building or combination of buildings of one to three stories in height having six or more guest rooms with parking located convenient to the guest rooms and providing temporary lodging for automobile tourists and transient visitors. Typically, guest rooms have direct access to available parking without passing through a common lobby area. Motels also include auto courts, tourist courts, motor lodges, motor inns and motor hotels.

Municipal Code. City of Costa Mesa Municipal Code.

Open space. An area that is intended to provide light and air, and is designed for either environmental, scenic or recreational purposes. Open space may include, but is not

limited to, lawns, decorative planting, walkways, active and passive recreational areas, playgrounds, fountains, swimming pools, wooded areas; first floor decks; unenclosed patios with solid or lattice roofs; water courses; and surfaces covered by not more than five feet in depth by projections which are at least eight feet above grade.

Open space shall not include the following: driveways; parking lots; other surfaces designed or intended for vehicular travel; and upper floor decks, balconies or areas under projections which are less than eight feet above grade.

Open space, common. An area of land reserved primarily for the leisure and recreational use of all residents of a planned development or common interest development and owned in common by them, generally through a homeowners' association.

Open space, private. An area of land located adjacent to an individual dwelling unit, owned or leased and maintained by its residents, and reserved exclusively for their use.

Operator means a company, business or individual who provides residential services, i.e., the placement of individuals in a residence, setting of house rules, and governing behavior of the residents as residents. Operator does not include a property owner or property manager that exclusively handles real estate contracting, property management and leasing of the property and that does not otherwise meet the definition of operator.

Organizational documents. The declaration of restrictions, articles of incorporation, bylaws, and any contracts for the maintenance, management or operation of all or any part of a project.

Parcel. Same as Lot.

Parkway. The area of a public street that lies between the curb and the adjacent property line or physical boundary definition, which is used for landscaping and/or passive recreational purposes.

Paved area. Ground surface covered with cobblestone, clay-fired bricks, concrete precast paver units, poured concrete with or without decorative surface materials, or asphaltic or rubber mixture which may include sand, stone, or gravel as an ingredient to create a hard surface. A graded natural surface or one covered with rolled stone or overlaid with loose gravel is not considered paved area.

Peak hour. The hour during the AM peak period (typically 7:00 a.m.—9:00 a.m.) or the PM peak period (typically 3:00 p.m.—6:00 p.m.) in which the greatest number of vehicle trips are generated by a given land use or are traveling on a given roadway.

Permitted use. Any use allowed in a land use zoning district without requiring a discretionary approval, and subject to the provisions applicable to that district.

Planned development. A land area which is developed as an integrated unit under single ownership or control and having planned development zoning designation.

Planning application. A broad term for any development project or land use which requires the discretionary review and approval of either the planning division, zoning

administrator, planning commission, or city council. Planning applications include administrative adjustments, conditional use permits, development reviews, variances, etc.

Planning division. The planning division of the development services department of the City of Costa Mesa.

Project. See Development.

Property line. A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

Property line, front. For interior lots, the narrowest property line of a lot abutting a public or private street. If two or more equal property lines are narrowest, the front shall be that property line across which the development takes its primary access (if the primary access is determined to be equal, there shall be two front property lines). However, for non-residentially zoned property, any property line abutting a public street designated as a secondary, primary or major street on the master plan of highways shall be deemed a front property line. A non-residentially zoned property shall have more than one front property line when it abuts more than one street designated as secondary, primary, or major on the master plan of highways.

For R-1 zoned property located on corner lots, the front property line may be the property line towards which the front of the dwelling unit is oriented.

Property line, rear. The property line opposite the front property line. A corner lot with more than one front property line shall have more than one rear property line. Irregularly shaped lots may also have more than one rear property line.

Property line, side. Any property line which is not a front or rear property line.

Property line, ultimate. The boundary of a lot after the dedication of land for use as public right(s)-of-way, whether dedicated in fee or by easement. A setback is measured from the ultimate property line.

Public area. Establishments where food or beverages are served. That portion of an establishment reserved for the exclusive use of the public for the receipt or consumption of food and/or beverages. For the purpose of this Zoning Code, public area shall not include restrooms, kitchens, hallways or other areas restricted to employees only.

Public hearing. A public proceeding conducted for the purpose of acquiring information or evidence which may be considered in evaluating a proposed action, and which affords to any affected person or persons the opportunity to present their views, opinions, and information on such proposed applications. "Mandatory hearings" are those required to be held by law, and "discretionary hearings" are those which may be held within the sole discretion of the hearing body.

Public right-of-way. A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer and/or other public uses.

Recyclable materials. Reusable materials, including, but not limited to, metals, glass,

plastic and paper which are intended for reuse, remanufacture or reconstruction. Recyclable materials do not include refuse, hazardous materials or hazardous waste.

Recycling. The process by which waste products are reduced to raw materials and transformed into new products.

Recycling and collection facility. A building or enclosed space used for the collection and processing of recyclable materials for preparation for shipment, or to an end user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning or remanufacturing.

Referral facility. A residential care facility or a group home where one or more person's residency in the facility is pursuant to a court order or directive from an agency in the criminal justice system.

Residential care facility. A residential facility licensed by the state where care, services, or treatment is provided to persons living in a supportive community residential setting. Residential care facilities include, but may not be limited to, the following: intermediate care facilities for the developmentally disabled (Health & Safety Code §§ 1267.8, 1267.9); community care facilities (Health & Safety Code § 1500 et seq.); residential care facilities for the elderly (Health & Safety Code § 1569 et seq.); residential care facilities for the chronically ill (22 C.C.R. § 87801(a)(5); Health & Safety Code § 1568.02); alcoholism and drug abuse facilities (Health & Safety Code §§ 11834.02—11834.30); pediatric day health and respite care facilities (Health & Safety Code § 1760 et seq.); residential health care facilities, including congregate living health facilities (Health & Safety Code §§ 1265—1271.1, 1250(i), 1250(e), (h)); family care home, foster home, group home for the mentally disordered or otherwise handicapped persons or dependent and neglected children (Wel. & Inst. Code §§ 5115—5120).

Residential, multi-family. Apartments, common interest developments, townhouses and similar multiple-family residential developments, including detached single-family homes where there is more than one primary dwelling unit on a lot.

Residential, single-family. Detached single-family home where there is no more than one primary dwelling unit on a lot.

Room, bedroom. A fully-enclosed room designed or intended to be used for sleeping purposes within a residence that typically includes a closet and is separated from the other living spaces with a door.

Room, home office. A room designed and intended to be used for a household office or small business related activity within a residence. Within a single-family detached residence, this room is strictly not intended for sleeping purposes, and lacks direct access to a bathroom. The home office may also be referred to as a studio, den, study or library.

Senior congregate care facility. A structure(s) providing residence for 13 or more senior citizens with kitchen, dining, recreational, etc. facilities with separate bedrooms and/or living quarters.

Setback. The required distance that a building, structure, parking or other designated

item must be located from a property line or lot line. A setback is measured from the ultimate property line.

Single housekeeping unit. The occupants of a dwelling unit have established ties and familiarity with each other, including jointly use of and responsibility for common areas, and may include interaction with each other, shared meals, household activities, and expenses and responsibilities.; membership in the single housekeeping unit is fairly stable as opposed to transient, members have some control over who becomes a member of the household, and the residential activities of the household are conducted on a nonprofit basis. There is a rebuttable presumption that integral facilities do not constitute single housekeeping units. Additional indicia that a household is not operating as a single housekeeping unit include, but are not limited to: the occupants do not share a lease agreement or ownership of the property; members of the household have separate, private entrances from other members; members of the household have locks on their bedroom doors; members of the household have separate food storage facilities, such as separate refrigerators.

Single room occupancy residential hotel. A residential hotel, allowed in certain commercial zones, that contains units designed for long-term occupancy by a single person, although double occupancy may be permitted.

Slope. The degree of deviation of a surface from the horizontal plane, usually expressed in percent or degrees.

Small lot subdivision. A residential development containing a maximum of 15 detached or townhome style units with no common walls where each unit is independently constructed on an individual parcel and the land is subdivided into fee simple parcels containing each unit. Each individual lot is provided with either a direct access to public street/alley or an easement access through a recorded subdivision map.

Smoking lounge. Any facility or location whose business operation, whether as a primary use or an ancillary use, is characterized by the sale, offering, and/or preparation of smoking of tobacco, cigars, hookah, electronic cigarettes, or similar products, including but not limited to establishments known variously as hookah parlors, vaping lounges, or cigar bars.

Smoking/vaping retailer. A smoke shop, electronic cigarette retailer, vapor cigarette retailer, or any other retail business that sells tobacco, electronic cigarettes, and related products primarily for off-site consumption. Smoking/vaping retailers shall not include food or beverage service, outdoor seating, or an indoor seating area greater than 100 square feet in area.

Sober living home. A group home for persons who are recovering from a drug and/or alcohol addiction and who are considered handicapped under state or federal law. Sober living homes shall not include the following: (1) residential care facilities; (2) any sober living home that operates as a single housekeeping unit.

Specialty store. A retail store less than 3,000 square feet in area with hours of operation between 6:00 a.m. and 11:00 p.m. A specialty store offers a combination of foods and beverages for off-site use or consumption and provides for alcoholic beverage sales

that are incidental to the primary use. No more than 10% of the total merchandise area of the retail floor may be devoted to display or sale of alcoholic beverages and only non-refrigerated alcoholic beverages may be offered. A specialty store must comply with the operational standards of section 13-200.72.

Specific plan. A plan consisting of text, maps, and other documents and exhibits regulating development within a defined area of the city, consistent with the general plan and the provisions of State Government Code section 65450 et seq.

State. State of California.

Story. For purposes related to zoning regulations, a story is that portion of a building included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space between such floor and the ceiling next above it shall constitute a story. An attic shall not be considered a story. A basement or cellar shall not be considered a story, if the finished floor level directly above the basement or cellar is less than four feet above finish grade at all locations. Any uncovered deck or activity area above the first story shall be considered a story.

Street. A public or private thoroughfare that provides primary access to adjacent land and local traffic movements. Streets do not include driveways which only provide access to parking areas.

Structure. Anything, including a building, located on the ground in a permanent location or attached to something having a permanent location on the ground.

Supportive housing. Housing with no limit on length of stay, that is occupied by the target population, and that is linked to on site or off site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing that is provided in single-family dwelling, multi-family dwelling units, residential care facilities, or boarding house uses, shall be permitted, conditionally permitted or prohibited in the same manner as the other single-family dwelling, multi-family dwelling units, residential care facilities, or boarding house uses under this Code.

Tandem parking. An arrangement of parking spaces one behind the other in a row of maximum two cars including one in the garage space. Tandem garage parking is defined as the placement of standard parking spaces one behind the other within the enclosed area of a garage.

Townhouse. A single-family attached dwelling unit located on an individual dwelling unit lot, and is part of a row of units that contains three or more dwelling units.

Transitional housing. A development with buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Transitional housing that is provided in single-family dwelling, multi-family dwelling units, residential care facilities, or boarding house uses, shall be permitted, conditionally permitted or prohibited in the same manner as the other single-family dwelling, multi-

family dwelling units, residential care facilities, or boarding house uses under this Code.

Trip (vehicle). A one-way vehicular journey either to or from a site, or totally within the site i.e. internal trip. Each trip has two trip ends, one at the beginning and the other at the destination.

Trip rate (vehicular). The anticipated number of vehicle trips to be generated by a specific land use type or land use classification. The trip rate is expressed as a given number of vehicle trips for a given unit of development intensity (i.e., trip per unit, trip per 1,000 square feet, etc.).

Uncontrolled environment. A location where there is the exposure (to radiofrequency radiation) of individuals who have no knowledge or control of their exposure. The exposures may occur in living quarters or work places where there are no expectations that the exposure levels may exceed the exposure and induced current levels permitted for the general public.

Underroof. All of the area within the walls of the building that a roof covers. Areas under porches, roof overhangs, garage protrusions, breezeways and other similar architectural design features are not considered as underroof.

Unit. A particular building or structure, or portion thereof, that is designed, intended or used for exclusive occupancy, possession or control of individual owners or occupiers, whether or not they have interests in common areas of the project.

Use. The purpose (type and extent) for which land or a building is arranged, designed, or intended, or for which either land or a structure is occupied or maintained.

Warehouse, mini. A structure or group of structures for the dead storage of customer's goods and wares where individual stalls or lockers are rented out to different tenants for storage and where at least one of the stalls or lockers has less than 500 square feet of floor area.

Warehouse, public. A structure or group of structures for the dead storage of customer's goods and wares where individual stalls or lockers are rented out to different tenants for storage and where all the stalls or lockers have more than 500 square feet of floor area.

Vacancy rate (common lot development conversion). The ratio of vacant apartments being offered for rent or lease in the City of Costa Mesa, shown as a percentage of the total number of apartments in the city.

Vape lounge. See Smoking lounge.

Vape shop. See Smoking/vaping retailer.

Variance. A discretionary entitlement, usually granted by the planning commission, which permits departure from the strict application of the development standards contained in this Zoning Code, based on specified findings.

Yard. Any open space on a lot unoccupied and unobstructed from the ground upward, except an inside court.

Yard, front. The yard between the front line of a building and the front line of the lot upon which the building is located.

Yard, rear. The yard extending from the extreme rear line of the main building to the rear lot line on which the building is situated.

Yard, side. The yard extending from the front yard, or from the front lot line where no front yard is required, to the rear yard or rear lot line, between the side lot line and the nearest wall of the main building or any accessory structure attached thereto.

Zero lot line. The location of a structure on a lot in such a manner that one or more of the structure's sides rest directly on a lot line.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-5, § 4, 3-2-98; Ord. No. 00-5, § 1(a), 3-20-00; Ord. No. 01-16, § 1a., 6-18-01; Ord. No. 05-11, § 2a., 7-19-05; Ord. No. 06-18, § 1, 9-5-06; Ord. No. 09-3, §§ 1a., b., 5-19-09; Ord. No. 09-4, § 1a., 5-5-09; Ord. No. 10-13, § 1, 10-19-10; Ord. No. 10-14, § 1, 11-16-10; Ord. No. 11-10, § 1, 9-20-11; Ord. No. 13-1, § 2A., 3-19-13; Ord. No. 13-05, § 1, 12-3-13; Ord. No. 14-04, § 2A., 4-1-14; Ord. No. 14-13, § 1, 10-21-14; Ord. No. 15-10, § 2A, 9-15-15; Ord. No. 15-11, § 1, 11-17-15; Ord. No. 16-01, § 1, 1-19-16; Ord. No. 18-03, § 2, 1-16-18; Ord. No. 21-03, § 3, 3-2-21; Ord. No. 21-20, § 1, 12-7-21)

Section 13-28 Types

(a) Administrative adjustment. Any deviation from an adopted development standard in this Zoning Code that meets the criteria listed in Table 13-28(a).

TABLE 13-28(a)
ADMINISTRATIVE ADJUSTMENTS

Standard	Deviation Range
Decrease in required front yard depth; provided that in residential zones, the garage is set back a minimum of 19 feet from the front property line.	More than 20% but no more than 40%
Decrease in required rear yard depth.	More than 20% but no more than 40%
Decrease in required side yard width.	More than 20% but no more than 40%
Increase in maximum fence/wall height, except within setbacks adjacent to the public right-of-way.	More than 33 1/3 % but no more than 50%
Increase in depth of permitted projections into required yards.	More than 20% but no more than 40%
Deviation in sign area, height, setbacks, separation and other sign specifications	More than 10% but no more than 20%
Decrease in required distance between main structures	More than 20% but no more than 40%

TABLE 13-28(a) ADMINISTRATIVE ADJUSTMENTS	
Standard	**Deviation Range**
Decrease in required distance between accessory and main structures	More than 20% but no more than 40%

(b) Conditional use permit. Any use specified in this Zoning Code as requiring a conditional use permit.

(1) Common interest development conversion. For residential projects, a proposal to convert an occupied or previously occupied apartment complex to a residential common interest development project. To request a conversion for a newly constructed project, the apartment complex shall have received final building approval for occupancy. For non-residential projects, a proposal to convert an occupied or previously occupied non-residential complex to a non-residential common interest development. Non-residential includes industrial, commercial, office, and/or mixed-use project.

(c) Density bonus or incentive. Any request for incentives to produce lower income and senior housing per State Government Code section 65915.

(d) Design review. Any construction that results in three or more dwelling units on a development lot in any residential zone, except planned development, shall be subject to design review.

(e) Development review. The following shall be subject to development review:

(1) Two-story residential construction. In the R2-MD, R2-HD, and R3 zones, any two-story construction on a lot where there are two or fewer dwelling units or any second-story addition on a lot with more than two dwelling units that complies with any residential design guidelines adopted by city council.

(2) Construction of new buildings or additions to existing buildings in the AP, CL, C1, C2, C1-S, MG, or MP zones. However, building additions that do not exceed 2,000 square feet or 50% of the existing building area, whichever is less, and comply with all applicable development standards shall not be subject to development review; and,

(3) Any other use specified in this Zoning Code as requiring development review.

(f) Lot line adjustment. Any adjustment to an existing lot line between two lots, where the land taken from one lot is added to an abutting lot and/or where a greater number of lots than originally existed is not created. A lot line adjustment may be used to combine no more than four abutting lots.

(g) Master plan. Prior to development in the planned development (PD), town center (TC), shopping center (C1-S), mixed-use overlay (MU), and all types of institutional and recreational (I&R, I&R-S, and I&R-MLT) zoning districts, a master plan is

required. Preliminary master plans are required in the TC and I&R-MLT zone, are optional in PD and MU zones, and are not required in C1-S, I&R-S, and I&R zones.

(1) Minor changes. Minor changes in the location, siting or character of buildings and structures may be authorized by the planning division if required by the final engineering or other circumstances not foreseen at the time the master plan was approved. No change authorized under this section may cause any of the following:
   a. A change in the use or character of the development;
   b. An increase in the overall density or floor area ratio of the development;
   c. An increase in overall coverage of structures;
   d. A reduction or change in character of approved open space;
   e. A reduction of required off-street parking;
   f. A detrimental alteration to the pedestrian, vehicular and bicycle circulation and utility networks;
   g. A reduction in required street pavement widths;
   h. An increase of more than six inches in building height; or
   i. A decrease in building setback greater than can be approved by a minor modification by the development services director.

(2) Major amendments. Substantial amendments to the master plan encompassing one or more of the minor changes listed in subparagraphs (1)a. through (1)i., or any proposed change determined by the development services director as a major amendment, shall be subject to review and approval by the zoning administrator. Furthermore, if the major amendment results in an overall building square footage that exceeds the maximum density or building square footage allowed by the approved master plan, the zoning administrator must find that the major amendment is consistent with the density, floor area ratio, and trip budget standards established by the general plan, as applicable.

(3) Minor amendments.
   a. Minor amendments to existing master plans in planned development zones are subject to section 13-56, master plan required.
   b. Minor amendments to existing master plans in the TC, C1-S, MU, I&R, I&R-S, and I&R-MLT zones may be approved by development review if the planning division finds that the proposed construction does not materially affect required open space, floor area ratio, and parking requirements specified in the approved master plan. Furthermore, if the minor amendment results in an overall building square footage that exceeds the maximum building square footage allowed by the approved master plan, the planning division must find that the minor amendment is consistent with the floor area ratio and trip budget standards established by the general plan, as applicable.

(4) Mixed-use development plan screening application. Applicants for residential or mixed-use development projects in a mixed-use overlay district shall submit a screening application for consideration by city council at a public meeting. No other concurrent application for development may be submitted for processing until city council comments have been received. The purpose of the screening application is to receive city council comments on the merits and appropriateness of the proposed development. No other action on the screening application will be taken by city council. The submittal requirements for the screening review are specified on the city's planning application form, and the city council's review comments on the proposed project for processing shall not set precedent for approval of the master plan.

(h) Minor conditional use permit. Any use or deviation from development standards specified in this Zoning Code as requiring a minor conditional use permit.

(i) Minor design review. The following shall be subject to minor design review:

(1) Two-story residential construction that does not comply with any residential design guidelines adopted by the city council in the following zones:

a. R1 zone. Any two-story construction or second-floor addition; and

b. R2-MD, R2-HD, and R3 zones. Any two-story construction on a lot that results in two or fewer dwelling units or any second-story addition on a lot with more than two dwelling units.

(2) Reserved for future use.

(3) Any deviation from development standards specified in this Zoning Code as requiring a minor design review.

(j) Minor modification. Any deviation from an adopted development standard in this Zoning Code that meets the criteria listed in Table 13-28(j)(1).

TABLE 13-28(j)(1)
MINOR MODIFICATION

Standard	Deviation Range
Decrease in required front yard depth; provided that in residential zones, the garage is set back a minimum of 19 feet from the front property line	20% or less
Decrease in required rear yard depth	20% or less
Decrease in required side yard width	20% or less
Increase in maximum fence/wall height, except within setbacks adjacent to the public right-of-way	33 1/3 % or less
Decrease in five-foot setback on street side for fences/walls in excess of 36 inches on corner lots in multi-family	100% or less

TABLE 13-28(j)(1) MINOR MODIFICATION	
Standard	**Deviation Range**
residential zones	
Increase in depth of permitted projections into required yards	20% or less
Decrease in minimum driveway width for two or more dwelling units	to not less than 10 feet
Deviation in sign area, height, setbacks, separation and other sign specifications	10% or less
Decrease in required distance between main structures	20% or less
Decrease in required distance between accessory and main structures	20% or less
Decrease in minimum width and length of garage dimensions	5% or less

(2) Minor building additions that encroach into required setbacks no further than the existing main structure, excluding architectural features. However, no nonconforming setback width or depth may be decreased further, and the building addition shall comply with all other applicable sections of this Zoning Code and other codes.

(3) Fabric awnings that project no more than five feet from the building face.

(4) Minimum length of no less than 18 feet for driveways as measured from the ultimate property line.

(5) Any deviation from development standards specified in this Zoning Code as requiring a minor modification.

(k) Mobile home park conversion. Any conversion of an existing mobile home park to any other use permitted or conditionally permitted in the applicable zoning district.

(l) Planned signing program. A voluntary, optional alternative to the general sign regulations, except in the C1-S zone where it is required.

(m)Reasonable accommodation. As defined in section 13-200.62

(n) (Reserved)

(o) Rezone. Any proposed change to the official zoning map.

(p) Special use permit. Refer to Chapter XV of the Zoning Code.

(q) Specific plan conformity review. Any proposed action or land use which is required by the applicable specific plan to be reviewed for conformity with the purpose and intent of the plan.

(r) Tentative tract or parcel map (including vesting). Any proposed subdivision of land which is required by a provision of the Subdivision Map Act or this Zoning Code to file a tentative tract or parcel map.

(s) Variance. Any deviation from a development standard in this Zoning Code that is not specified as a minor modification or administrative adjustment, or a deviation that is not allowed by approval of conditional use permit, minor conditional use permit, or specific plan conformity procedure.

(t) Landmarks and historic districts located within the city. A person may request placement of a significant historic structure on the local Register of Historic Places subject to the criteria and procedures established in Chapter IX, Article 14, Historic Preservation.

(u) Certificate of appropriateness. A certificate issued by the planning commission (or other commission/committee designated by the city council), approving plans, specifications, or statements of work for any proposed alteration, restoration, or rehabilitation, construction, relocation, or demolition, in whole or in part, of a "designated cultural resource" listed on the city's local Register of Historic Places.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 99-17, § 3, 11-15-99; Ord. No. 01-10, §§ 1a., 1b., 3-5-01; Ord. No. 01-16, § 1b., 6-18-01; Ord. No. 02-4, § 1m, 3-18-02; Ord. No. 03-4, § 1(a), 6-2-03; Ord. No. 03-8, §§ 1, 2, 9-2-03; Ord. No. 05-3, § 1b., 2-7-05; Ord. No. 05-2, § 1a.—c., 2-22-05; Ord. No. 06-9, § 1b., 4-18-06; Ord. No. 07-17, § 1a., b., 10-2-07; Ord. No. 11-10, § 1, 9-20-11; Ord. No. 16-09, § 3, 10-4-16; Ord. No. 21-20, § 1, 12-7-21)

Section 13-30 Purpose.

The purpose of this chapter is to provide a comprehensive list of uses which are permitted, conditionally permitted, or prohibited in the various zoning districts, as represented by Table 13-30, Land Use Matrix. In evaluating a proposed use, the following criteria shall also be considered:

(a) Uses determined as permitted may be subject to a discretionary review when construction is proposed, pursuant to Chapter III, Planning Applications.

(b) Uses proposed in the planned development zones are subject to verification of consistency with the master plan adopted for planned development zones. A proposed use not expressly allowed by the adopted master plan may require additional discretionary review pursuant to Table 13-30, Land Use Matrix.

(c) All listed uses in the matrix are subject to verification of compliance with density and floor area ratio limits, parking requirements and performance standards which may, in certain cases, prevent the establishment of the use.

(d) Any proposed use not listed in the Land Use Matrix shall be reviewed by the development services director to determine its similarity to another listed use. If no substantial similarity exists, the proposed use shall require approval of a conditional use permit prior to establishment of the use.

(e) For the purpose of Table 13-30, Land Use Matrix, the various zoning districts are labeled as follows:

Residential zones: R1, R2-MD, R2-HD, and R3

Commercial zones: AP, CL, C1, C2, C1-S, and TC

Industrial zones: MG and MP

Planned Development Residential zones: PDR-LD, PDR-MD, PDR-HD, and PDR-NCM

Planned Development Commercial zone: PDC

Planned Development Industrial zone: PDI

The Parking zone: P

Institutional and Recreational zones: I & R, I & R-S, and I & R-MLT

(f) For zoning districts located in a specific plan area, please refer to the appropriate specific plan text to determine if any additional regulations related to land uses are applicable.

(g) For the mixed-use overlay district located in an urban plan area, please refer to the appropriate urban plan text for additional regulations related to development standards and allowable land uses as applicable.

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																					
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RM LT[1]	P
RESIDENTIAL USES																						
1. Single-family dwellings (single housekeeping units)	P[4]	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P	P	•	•	P	•
2. Multi-family dwellings	•	P	P	P	•	•	•	•	•	P	•	•	P	P	P	P	P	P	•	•	P	•
2.1 Common interest developments, residential	•	P	P	P	•	•	•	•	•	P	•	•	P	P	P	P	P	P	•	•	P	•
2.2 Small lot subdivisions, residential	•	P	P	P	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
3. Mobile home parks	•	C	C	C	•	•	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•
4. Boarding-house, small[7]	•	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P	P	•	•	•	•
5. Boarding-house, large[7]	•	C	C	C	•	•	•	•	•	•	•	•	•	C	C	C	C	C	•	•	•	•
6. Residential care facility, six or fewer persons (State licensed)	P	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P	P	P	•	P	•
7. Group homes, six or fewer	S	S[6]	S[6]	S[6]	•	•	•	•	•	•	•	•	S[6]	S[6]	S[6]	S[6]	S[6]	S[6]	P	•	P	•
7.1 Sober living homes, six or fewer	S[5]	S[6]	S[6]	S[6]	•	•	•	•	•	•	•	•	S[6]	S[6]	S[6]	S[6]	S[6]	S[6]	P	•	•	•
8. Residential care facility, seven or more	•	C[6]	C[6]	C[6]	•	•	•	•	•	•	•	•	•	C[6]	C[6]	C[6]	C[6]	C[6]	P	•	•	•
9. Group homes, seven or more	•	C[6]	C[6]	C[6]	•	•	•	•	•	•	•	•	•	C[6]	C[6]	C[6]	C[6]	C[6]	P	•	•	•

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																					
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
9.1 Sober living homes, seven or more	•	C[6]	C[6]	C[6]	•	•	•	•	•	•	•	•	•	C[6]	C[6]	C[6]	C[6]	C[6]	P	•	•	•
10. Referral facility (Subject to the requirements of section 13-32.2, referral facility).	•	C[2]	C[2]	C[2]	•	•	•	C[2]	•	•	•	•	•	C[2]	C[2]	•	•	•	•	•	•	•
11. Single room occupancy residential hotel (subject to City Council Policy 500-5)	•	•	•	•	•	•	C[2]	C[2]	•	•	•	•	•	•	•	•	•	•	•	•	•	•
ACCESSORY USES																						
12. Reserved for future use.																						
13. Animals, keeping of	SEE TITLE 3, ANIMALS AND FOWL																					
14. Antennas: Amateur radio, Satellite dish, Communication	SEE CHAPTER IX, ARTICLE 2, ANTENNAS																					
15. Reserved for future use																						
15.1 Incidental residential use that includes a toilet in combination with a bathtub or shower. This applies to an accessory use contained in a detached structure, or contained within the main structure with no interior connection between the main and incidental use. Land use restriction required.	P	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P	P	•	•	•	•
16. Day care facilities (15 children or more) (see also Nursery schools)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	•
17. Family day care—Large (7 to 14 children) (subject to the requirements of section 13-37, large family day care homes)	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2,3]	P[2,3]	P	•	P[2]	•
18. Family day care—Small (up to 8 children)	P	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P[3]	P[3]	P	•	P[3]	•
19. Garage/yard sales—No more than 2 events permitted a year, not to exceed 3 consecutive days	P	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P[3]	P[3]	•	•	P[3]	•
20. Reserved for future use.																						
21. Home occupations (subject to the requirements of chapter IX, article 6, home occupations)	P[2]	P[2]	P[2]	P[2]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2]	P[2]	P[2]	P[2]	P[2,3]	P[2,3]	P[2]	•	P[2]	•
22. Home occupations that generate traffic and do not involve more than 1 customer/ client at a time or more than 8 customers/clients per day (subject to the requirements of ch. IX, article 6, home occupations)	MC[2]	MC[2]	MC[2]	MC[2]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2]	MC[2]	MC[2]	MC[2]	MC[2,3]	MC[2,3]	MC[2,3]	•	MC[2,3]	•
22.1 Non-residential accessory uses in a residential development not otherwise specified in this table	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
22.2 Accessory dwelling unit (subject to the requirements of ch. V, section 13-35, accessory dwelling units)	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	P[2]	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	P[2]	•
22.3 Junior accessory dwelling unit (subject to the requirements of ch. V, section 13-35, accessory dwelling units)	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	P[2]	•
22.4 Temporary real estate and construction offices (subject to the requirements of ch. IX, art. 10, temporary trailers)	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]
INSTITUTIONAL AND RECREATIONAL USES																						
23. Cemeteries	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•	•
24. Churches and other places of religious assembly (Subject to the requirements of article **4.5**, development standards for churches and other places of religious assembly)	C[2]	C[2]	C[2]	C[2]	C[2]	C[2]	P[2]	P[2]	C[2]	C[2]	P[2]	P[2]	C[2]	C[2]	C[2]	C[2]	C[2]	C[2]	P[2]	C[2]	C[2]	•
25. Civic and community clubs	C	C	C	C	C	C	P	P	P	P	C	C	C	C	C	C	C	C	C	•	P	•
26. Convalescent hospitals; nursing homes	•	C	C	C	C	C	C	C	•	•	•	•	•	•	•	•	•	•	P	•	•	•
27. Country clubs; golf courses	C	C	C	C	•	•	•	•	•	•	•	•	C	C	C	C	•	•	P	C	•	•
28. Crematories (See also Mortuary services)	•	•	•	•	•	•	•	C	•	•	C	C	•	•	•	•	•	•	C	•	•	•
29. Fairgrounds; outdoor festival (permanent)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•	•

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																					
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
30. Hospitals, general	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	P	•	P	•
31. Libraries, privately-operated	C	C	C	C	•	•	C	C	C	C	C	C	C	C	C	C	C	C	P	C	•	•
31a. Marijuana and/or medical marijuana cultivation	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
31b. Cannabis and/or marijuana distributer	•	•	•	•	•	•	•	•	•	•	•	C[9]	•	•	•	•	•	C[9]	•	•	•	
31c. Cannabis and/or marijuana manufacturer or processor	•	•	•	•	•	•	•	•	•	•	•	C[9]	•	•	•	•	•	C[9]	•	•	•	
31d. Cannabis and/or marijuana retail sales storefront	•	•	•	•	•	C[9]	C[9]	C[9]	C[9]	C[9]	•	•	•	•	•	•	•	•	•	•	•	
31e. Cannabis and/or marijuana retail sales nonstorefront (deliveries)	•	•	•	•	•	C[9]	C[9]	C[9]	C[9]	C[9]	•	C[9]	•	•	•	•	•	C[9]	•	•	•	•
31f. Cannabis and/or marijuana research and development and/or testing laboratories	•	•	•	•	•	•	•	•	•	•	•	C[9]	•	•	•	•	•	C[9]	•	•	•	
32. Mortuary services without crematories	•	•	•	•	C	C	C	C	C	•	C	C	•	•	•	•	•	•	C	•	•	•
32a. Needle exchange program	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
33. Nursery schools—See also Day care facilities for 15 or more children	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	•
34. Parks and playgrounds	C	C	C	C	•	•	•	•	•	C	•	•	C	C	C	C	C	C	P	P	P	•
35. Public offices and facilities, such as city halls, court-houses, police/ fire stations, etc.	C	C	C	C	C	C	P	P	P	P	C	C	C	C	C	C	C	C	P	•	•	•
36. Schools: primary, secondary and colleges	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	•
37. Schools: trade and vocational; group counseling	•	•	•	•	•	MC	P	P	P	P	MC	MC	•	•	•	•	P	MC	P	P	•	•
38. Senior congregate care facility	•	C	C	C	C	C	C	C	C	C	•	•	•	C	C	C	C	•	C	•	•	•
39. Swap meets	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	C	•	•
39a. Emergency shelters	•	•	•	•	•	•	•	•	•	•	•	C[10]	•	•	•	•	•	P[10]	•	•	•	•
SPECIAL SEASONAL EVENTS																						
40. Reserved.																						
41. Christmas tree lots; pumpkin patches; fireworks stands; produce stands (subject to the requirements of title **9**, chapter II, regulation of certain businesses)	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	•	P[2]	P[2]	P[2]	P[2]	•	•
COMMERCIAL AND INDUSTRIAL USES																						
42. Acupressure; massage (subject to the requirements of title **9**, chapter ii, article 22, Massage establishments and practitioners)	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	P[2]	•	•	•	•	•
43. Adult businesses (See Sexually-oriented businesses)																						
44. Aggregate batch plants; Rock or asphalt crushing; Sand blasting	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
45. Ambulance services	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	MC	•	•	•	•	MC	MC	•	•	•	•
46. Amusement centers (subject to the requirements of chapter IX, article 5, electronic game machines)	•	•	•	•	•	•	C[2]	C[2]	C[2]	C[2]	•	•	•	C[2]	C[2]	C[2]	C[2]	•	•	•	•	•
47. Animal hospitals; veterinary services (kenneling only when incidental to principal hospital use)	•	•	•	•	•	C	C	P	P	C	C	C	•	•	•	•	P	•	•	•	•	•
48. Animal shelters, pounds, kennels, training schools	•	•	•	•	•	•	•	C	•	•	C	C	•	•	•	•	•	•	C	•	•	•
48a. Antique malls	•	•	•	•	•	•	P	P	P	•	MC	MC	•	•	•	•	P	MC	•	•	•	•
49. Artists, sculptors studios	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
50. Auction houses	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•	•
51. Automobile (See Motor vehicle)																						
52. Banks; savings and loans; and other financial institutions	•	•	•	•	P	P	P	P	P	P	•	•	•	P	P	P	P	P	•	•	•	•
53. Bars; nightclubs (See Establishments where food or beverages are served)																						
54. Barber and beauty shops with accessory uses such as permanent make up, facials, and accessory massage	•	•	•	•	•	P	P	P	P	P	•	•	•	P	P	P	P	P	•	•	•	•
55. Billiards parlors	•	•	•	•	•	•	C	C	C	C	C	C	•	C	C	C	C	C	•	•	•	•
56. Botanical gardens; Zoos	•	•	•	•	•	•	C	C	C	C	•	•	•	•	•	•	•	•	C	•	•	•

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																					
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
57. Bowling centers	•	•	•	•	•	•	C	C	C	C	•	•	•	•	•	C	C	•	•	•	•	•
58. Breweries; Distilleries	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	•	•	•	•
59. Reserved																						
60. Building supplies; Hardware stores (retail)	•	•	•	•	•	•	P	P	P	•	•	•	•	P	P	P	P	•	•	•	•	•
61. Business services—See Offices																						
62. Car washes	•	•	•	•	•	•	C	C	C	C	C	C	•	C	C	C	C	C	•	•	•	•
63. Carts— Outdoor retail sales in conjunction with an established business	•	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	•	MC	MC	MC	MC	MC	MC	•	•	•
64. Catering	•	•	•	•	•	MC	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•	•
65. Coffee roasting	•	•	•	•	•	•	•	•	•	•	MC	MC	•	•	•	•	•	•	•	•	•	•
66. Coffee roasting (in conjunction with establishments where food or beverages are served)	•	•	•	•	•	•	MC	MC	MC	MC	MC	MC	•	MC	MC	MC	MC	MC	•	•	•	•
67. Commercial art; Graphic design	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
68. Commercial testing laboratories	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•	•
69. Computer and data processing	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
70. Contracting: general contractors; operative builders	•	•	•	•	•	C	C	P	C	•	P	P	•	•	•	•	•	P	•	•	•	•
71. Convenience stores; mini-markets (subject to the requirements of chapter IX, article 16, liquor stores, convenience stores, and mini-markets)	•	•	•	•	•	•	C[2]	C[2]	C[2]	C[2]	•	•	•	•	C[2]	C[2]	C[2]	•	•	•	•	•
72. Department stores (retail)	•	•	•	•	•	•	P	P	P	P	•	•	•	•	•	•	P	•	•	•	•	•
73. Electronic game machines (four or more), incidental to the primary use, (subject to the requirements of chapter IX, article 5, electronic game machines)—Excluding amusement centers listed separately	•	•	•	•	•	MC[2]	MC[2]	MC[2]	MC[2]	MC[2]	MC[2]	MC[2]	•	MC[2]	MC[2]	MC[2]	MC[2]	MC[2]	•	•	•	•
74. Engineering; architectural; and surveying services—See Offices																						
75. Entertainment, live or public	•	•	•	•	•	SEE TITLE 9, ARTICLE 11, REGULATORY PERMITS FOR PUBLIC ENTERTAINMENT							•	SEE TITLE 9, ARTICLE 11, REGULATORY PERMITS FOR PUBLIC ENTERTAINMENT							•	•
76. Establishments where food or beverages are served	•	•	•	•	•	SEE CHAPTER V, ARTICLE 4, ESTABLISHMENTS WHERE FOOD OR BEVERAGES ARE SERVED							•	SEE CHAPTER V, ARTICLE 4, ESTABLISHMENTS WHERE FOOD OR BEVERAGES ARE SERVED							•	•
77. Exhibition of products produced on premises or available for wholesale distribution	•	•	•	•	•	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
78. Flower stands—See also Carts	•	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	•	MC	MC	MC	MC	MC	MC	•	•	•
79. Furniture repair and refinishing with incidental sales	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	•	P	•	•	•	•
80. Grocery stores—See also Supermarkets; excluding convenience stores; and liquor stores listed separately	•	•	•	•	•	•	P	P	P	P	•	•	•	MC	MC	MC	MC	•	•	•	•	•
81. Hazardous waste facilities, off-site (subject to chapter IX article 9, off-site hazardous waste facilities)	•	•	•	•	•	•	C[2]	C[2]	C[2]	C[2]	C[2]	C[2]	•	•	•	•	C[2]	C[2]	C[2]	•	•	•
82. Heliports; Helistops	•	•	•	•	•	•	•	•	C	C	C	C	•	•	•	•	C	C	C	C	•	•
83. Hotels— Excluding motels listed separately	•	•	•	•	•	•	C	C	C	P	•	•	•	C	C	C	P	•	•	•	•	•
84. Landscape services (installation and maintenance)	•	•	•	•	•	MC	MC	P	P	•	P	P	•	•	•	•	•	P	•	•	•	•
85. Laundry, cleaning and garment services, including plants	•	•	•	•	•	P	P	P	P	P	P	P	•	P	P	P	P	P	•	•	•	•
86. Leather tanning and finishing	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	C	•	•	•	•
87. Limousine services	•	•	•	•	•	C	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•	•
88. Liquor stores (subject to the requirements of chapter IX, article 16, liquor stores, convenience stores, and mini-markets)	•	•	•	•	•	•	C[2]	C[2]	C[2]	C[2]	•	•	•	•	•	•	C[2]	•	•	•	•	•
89. Lumber and building materials dealers, (wholesale)	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•	•
90. Manufacturing: Light EXCEPT the following which are prohibited: • Manufacture of fertilizer • Manufacture of products involving the use of explosives	•	•	•	•	•	•	•	•	•	•	P[2]	P[2]	•	•	•	•	•	P[2]	•	•	•	•

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																					
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
• Manufacture of rubber (including tires), steel																						
91. Manufacturing of chemical products, paints, pharmaceuticals, and plastics	•	•	•	•	•	•	•	•	•	•	C[2]	C[2]	•	•	•	•	•	C[2]	•	•	•	•
92. Manufacturing of stone, clay, glass and concrete products EXCEPT the following which are prohibited: • Manufacture of flat glass • Manufacture of cement and structural clay products • Manufacture of concrete, gypsum and plaster products • Manufacture of abrasive and asbestos products • Manufacture of nonclay refractories and crucibles • Processing and preparation of clay, ceramic and refractory minerals	•	•	•	•	•	•	•	•	•	•	P[2]	P[2]	•	•	•	•	•	P[2]	•	•	•	•
93. Manufac-turing or processing of foods and beverages EXCEPT the following which are prohibited: • Meat and poultry packing plants • Grain mills • Sugar refining • Fats and oils processing mills • Seafood canneries and packaging (See also Breweries; Distilleries; Coffee roasting)	•	•	•	•	•	•	•	•	•	•	P[2]	P[2]	•	•	•	•	•	P[2]	•	•	•	•
94. Massage— See also Acupressure (subject to the requirements of title **9**, chapter II, article 22, massage establishments and practitioners)	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	P[2]	•	•	•	•	•
95. Medical laboratories	•	•	•	•	MC	MC	P	P	P	P	MC	MC	•	•	•	•	MC	MC	•	•	•	•
96. Metal fabrication, welding, foundry, die casting (subject to subsection 13-54(a), performance standards)	•	•	•	•	•	•	•	•	•	•	P[2]	P[2]	•	•	•	•	•	•	•	•	•	•
97. Motels— (Subject to requirements of chapter IX, article 8, motels) Excluding Hotels listed separately	•	•	•	•	•	•	C[2]	C[2]	•	•	•	•	•	•	•	•	•	•	•	•	•	•
98. Motion picture and television studios	•	•	•	•	C	C	C	C	•	•	P	P	•	•	•	•	P	P	•	•	•	•
99. Motion picture theaters and other theaters not within 200 feet of residential zones	•	•	•	•	•	•	P	P	P	P	•	•	•	•	•	•	P	•	•	•	•	•
100. Motion picture theaters and other theaters within 200 feet of residential zones	•	•	•	•	•	•	C	C	C	C	•	•	•	•	•	•	C	•	•	•	•	•
101. Motor oil, used—Collection facility (subject to the requirements of chapter IX, article 9, off-site hazardous waste facilities)	•	•	•	•	•	•	P[2]	P[2]	P[2]	•	P[2]	P[2]	•	•	•	•	P[2]	P[2]	P[2]	P[2]	•	•
102. Motor vehicle, boat, and motorcycle retail sales, leasing, rentals and service with two or more outdoor display parking spaces	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•	•
103. Motor vehicle, boat, and motorcycle retail sales, leasing, and rentals with one or less outdoor display parking space and no service (subject to verification of parking availability)	•	•	•	•	•	•	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
104. Motor vehicle service stations	•	•	•	•	•	•	C	C	C	•	•	•	•	•	•	•	C	•	•	•	•	•
105. Motor vehicle service stations with concurrent sale of alcoholic beverages (subject to requirements of chapter IX, article 3, concurrent sale of alcoholic beverages and motor vehicle fuel)	•	•	•	•	•	•	C[2]	C[2]	C[2]	•	•	•	•	•	•	•	C[2]	•	•	•	•	•
106. Motor vehicle; boat; and motorcycle repair services (including body and paint work), not within 200 feet of residential zone (subject to subsection 13-54(b))	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•	•
107. Motor vehicle; boat; and motorcycle repair services (including body and paint work), within 200 feet of residential zone (subject to subsection 13-54(b))	•	•	•	•	•	•	C	C	C	•	C	C	•	•	•	•	C	C	•	•	•	•
108. Nurseries (retail with no bulk fertilizer)	•	•	•	•	•	C	C	P	P	•	C	C	•	•	•	•	•	•	•	•	•	•

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																				
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
109. Offices: central administrative	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
110. Offices: engineering; architectural; and surveying services; management; consulting and public relations	•	•	•	•	P	P	P	P	P	P	P	P	•	MC	MC	MC	P	P	•	•	•	•
111. Offices: general; individual counseling	•	•	•	•	P	P	P	P	P	P	MC	MC	•	MC	MC	MC	P	P	•	•	•	•
112. Reserved																						
113. Offices: medical and dental	•	•	•	•	P	P	P	P	P	P	•	•	•	MC	MC	MC	P	MC	MC	•	•	•
114. Offices: services to businesses such as bookkeeping and data processing	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
115. Off-street parking lots and structures including related maintenance buildings	•	•	•	•	C	C	C	C	C	P	C	C	•	•	•	C	C	C	C	C	•	P
116. Off-street parking lots and structures, incidental uses within	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	MC	•	•	•	MC	MC	MC	MC	MC	•	MC
117. Oil fields; oil wells (see chapter XIV, oil drilling)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
118. Pawn shops	•	•	•	•	•	C	C	C	C	•	•	•	•	•	•	•	•	•	•	•	•	•
119. Photocopying; blueprinting and related services	•	•	•	•	•	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
120. Photofinishing laboratories	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•	•
121. Photofinishing stores	•	•	•	•	•	P	P	P	P	P	•	•	•	•	•	•	P	P	•	•	•	•
122. Photography: Commercial	•	•	•	•	P	P	P	P	P	P	MC	MC	•	•	•	•	P	MC	•	•	•	•
123. Photography: portrait studio	•	•	•	•	P	P	P	P	P	P	•	•	•	•	•	•	P	MC	•	•	•	•
124. Physical fitness facilities	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•	•
125. Printing and publishing	•	•	•	•	•	•	MC	P	MC	MC	P	P	•	•	•	•	P	P	•	•	•	•
126. Recording studios	•	•	•	•	•	•	MC	MC	MC	•	MC	MC	•	•	•	•	MC	MC	•	•	•	•
127. Recycling and collection facilities for nonhazardous materials	•	•	•	•	•	MC	MC	MC	MC	•	MC	MC	•	•	•	•	MC	MC	MC	MC	•	•
128 Research and development laboratories— Other than cannabis and/or marijuana testing laboratories	•	•	•	•	C	C	C	P	C	C	P	P	•	•	•	•	•	P	•	•	•	
129. Restaurants—See Establishments where food or beverages are served																						
130. Retail: general— Excluding antique malls, pawn shops, supermarkets, grocery stores, convenience stores; and liquor stores listed separately	•	•	•	•	•	P	P	P	P	P	•	•	•	P	P	P	P	P	•	•	•	•
131. Retail, incidental sales to the main use (subject to the requirements of section 13-54(a), incidental retail sales)	•	•	•	•	P	P	P	P	P	P	P[2]	P[2]	•	P	P	P	P	P[2]	•	•	•	•
132. Retail: nonstore	•	•	•	•	P	P	P	P	P	P	P	P	•	P	P	P	P	P	•	•	•	•
133. Rifle, pistol, and firing ranges	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	C	•	•	•
134. Sexually-oriented businesses (subject to the requirements of title **9**, chapter IV and title **13**, chapter IX, sexually-oriented businesses)	•	•	•	•	•	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	•	P[2]	•	•	•	•	•
135. Skating rinks	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	C	C	C	C	C	•	•
135a. Smoking lounge (subject to chapter IX, article 19, smoking and vaping uses)	•	•	•	•	•	•	•	•	C[2]	•	•	P[2]	•	•	•	•	C[2]	•	•	•	•	•
135b. Smoking/ vaping retailer (subject to chapter IX, article 19, smoking and vaping uses)	•	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	•
136. Storage of chemicals and allied products (except as incidental use)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
137. Storage of explosives	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
138. Storage of fertilizer	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	•	•	•	•
139. Storage of motor vehicles— Outdoor (not including impound yard)	•	•	•	•	•	•	C	C	C	•	MC	MC	•	•	•	•	C	MC	•	•	•	•
139a. Storage of motor vehicles— Indoor only (not including impound yard)	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•	•
140. Storage of petroleum and coal products	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
141. Storage of rock, sand, crushed aggregate and	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	•	•	•	•

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																					
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
gravel																						
143. Supermarkets— See also Grocery stores	•	•	•	•	•	•	P	P	P	P	•	•	•	MC	MC	MC	MC	•	•	•	•	•
143a. Specialty stores	•	•	•	•	•	•	P	P	P	P	•	•	•	•	MC	MC	MC	•	•	•	•	•
144. Tattoo parlors	•	•	•	•	•	•	C	C	C	•	•	•	•	•	•	•	C	•	•	•	•	•
145. Tire sales and installation not within 200 feet of residential zone	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•	•
146. Tire sales and installation within 200 feet of residential zone	•	•	•	•	•	•	MC	MC	MC	•	MC	MC	•	•	•	•	MC	MC	•	•	•	•
147. Tow companies with or without impound yard	•	•	•	•	•	•	C	C	C	•	MC	MC	•	•	•	•	•	MC	•	•	•	•
148. Transfer station for refuse, sewage treatment	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	C	C	•	•	•
149. Trucking: local and long distance	•	•	•	•	•	•	•	C	•	•	P	P	•	•	•	•	•	C	•	•	•	•
150. Warehouses, mini (subject to the requirements of chapter IX, article 7, mini-warehouses)	•	•	•	•	•	•	C[2]	C[2]	C[2]	•	MC[2]	MC[2]	•	•	•	•	•	MC[2]	•	•	•	•
151. Warehouses, public	•	•	•	•	•	•	C	C	C	•	P	P	•	•	•	•	•	P	•	•	•	•
152. Warehousing of durable and nondurable goods except livestock and poultry—See also Storage	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•	•
153. Wholesale trade of motor vehicles, boats and motorcycles with outdoor storage of vehicles	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•	•
154. Wholesale trade of motor vehicles, boats and motorcycles without outdoor storage of vehicles	•	•	•	•	•	MC	MC	P	P	P	P	P	•	P	P	P	P	P	•	•	•	•
155. Wholesale trade of durable, nondurable goods, except livestock, poultry and perishable goods	•	•	•	•	•	MC	MC	P	P	P	P	P	•	P	P	P	P	P	•	•	•	•

Notes:

1	Uses proposed in this zone are subject to verification of consistency with the adopted master plan. Uses not specified in the master plan, could be allowed, subject to the review process indicated in this matrix, if the proposed use is determined to be compatible with the adopted master plan. Residential uses shall not be permitted on any site or parcel of land on which residential uses are expressly prohibited by the general plan.
2	This use is subject to the requirements of the referenced Municipal Code article or section.
3	If residential uses exist, accessory uses shall be permitted.
4	For the purposes of this table, the symbols in the non-shaded areas shall have the following meaning: C—Conditional Use Permit; MC—Minor Conditional Use Permit; P—Permitted; •—Prohibited; and S—Special Use Permit.
5	Six hundred fifty foot separation required between sober living homes, or from state licensed alcohol or drug abuse recovery or treatment facilities. CMMC 13-311(a)(10)(i).
6	Subject to the separation requirement set forth in sections 13-322(a)(3) and 13-323(b).
7	Small boardinghouses shall locate at least 650 feet from any other small boardinghouse. Large boardinghouses shall be located at least 1,000 feet away from any other boardinghouse.
8	Uses prohibited in the base zoning district of a mixed-use overlay zone shall also be prohibited in the overlay zone.
9	Prohibited at the SoCo property, 3303 through 3323 Hyland Ave.
10	Emergency shelters located on sites owned, controlled, and/or operated by the city in the MP and/or the PDI zone are a permitted use, not subject to a master plan requirement and the standards in section 13-200.79(1), (2), (4), (8), (10) and (13) do not apply to such uses.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-4, § 2, 2-2-98; Ord. No. 98-5, § 8, 3-2-98; Ord. No. 00-5, § 1(b), 3-20-00; Ord. No. 01-1, § 1, 1-15-01; Ord. No. 01-30, § 1a(Att. A), 1-7-02; Ord. No. 02-4, § 1b(Att. A), 3-18-02; Ord. No. 02-12, § 1c, 6-17-02; Ord. No. 05-2, § 1f.(Att. A), 2-22-05; Ord. No. 05-11, § 2b., 7-19-05; Ord. No. 06-2, § 1a., 2-7-06; Ord. No. 06-9, § 1d., 4-18-06; Ord. No. 06-18, § 1b., 9-5-06; Ord. No. 07-2, § 1d., 2-6-07; Ord. No. 11-10, § 1, 9-20-11; Ord. No. 13-1, § 2B., 3-19-13; Ord. No. 14-04, § 2B., 4-1-14; Ord. No. 14-13, 10-21-14; Ord. No. 15-06, §§ 1—3, 7-7-15; Ord. No. 15-10, § 2B, 9-15-15; Ord. No. 15-11, §§ 3—5, 11-17-15; Ord. No. 16-01, § 4, 1-19-16; Ord. No. 16-09, §§ 4, 5(Exh. A), 10-4-16; Ord. No. 16-13, § 2, 11-15-16; Ord. No. 16-15, § 5, 11-8-16; Ord. No. 18-03, § 3, 1-16-18; Ord. No. 18-04, § 3, 4-3-18; Ord. No. 19-13, § 3, 9-3-19; Ord. No. 19-15, § 1, 9-17-19; Ord. No. 21-03, § 4, 3-2-21; Ord. No. 21-08, § 1, 6-15-21; Ord. No. 21-20, § 1, 12-7-21)

Section 13-32 Development standards.

Table 13-32 identifies development standards in the residential zones, with the exception of development standards for common interest developments (see Article 2, common interest developments. See also Article 9, general site improvement standards of this chapter for additional requirements for all the residential zones.

TABLE 13-32 RESIDENTIAL DEVELOPMENT STANDARDS				
STANDARDS	**R1**	**R2-MD**	**R2-HD**	**R3**
Minimum Lot Area	6,000 square feet	12,000 square feet	12,000 square feet	12,000 square feet
Minimum Lot Area for newly subdivided lots	6,000 square feet	12,000 square feet	12,000 square feet	12,000 square feet
Minimum Lot Width for newly subdivided lots	Interior lot: 50 feet Corner lot: 60 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width. An exception to this requirement is when the existing R-1 lot (that is proposed to be subdivided) has an average depth that equals to or exceeds 200 feet		Interior lot: 100 feet Corner lot: 100 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width; with the exception of common interest developments.	
Maximum Number of Stories & Building Height	2 stories/27 feet for residential land uses. The maximum number of stories and building height for nonresidential land uses shall be determined in conjunction with the conditional use permit review process. Note: Lofts, as defined in section 13-6, without exterior access and having only clerestory windows will not be regarded as a story. See also Attic discussion below.			
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets, or operable windows. Attics above second stories shall be an integral part of the second story roofline and not appear as a third story on any building elevation. Windows in any attic space above the second story shall be incidental and limited to a dormer style.			
Maximum Density (Based on gross acreage.)	1 dwelling unit per 6,000 square feet (Note: Only 1 dwelling unit is permitted per lot.)	1 dwelling unit per 3,630 square feet 1 unit per 3,000 square feet for legal lots existing as of March 16, 1992, that are less than 7,260 square feet in area but not less than 6,000 square feet in area.	1 dwelling unit per 3,000 square feet	1 dwelling unit per 2,178 square feet
Minimum Open Space	40% of total lot area		40% of total lot area.	
Distance Between Buildings	10-foot minimum between main buildings 6-foot minimum between main buildings and accessory structures			
Driveway width	For all individual driveways: Ten-foot minimum width For lots less than 50 feet wide: 26-foot maximum width [1] For lots greater than 50 feet wide: Driveway width shall be a maximum of 50 percent of the lot width, or a maximum 36-foot width, whichever is less. [1]		Same as R1, except 16-foot minimum driveway is required if the driveway serves tenants and/or guest parking for more than one dwelling unit	
Driveway length	Straight-in driveways to garages shall have a minimum length of 19 feet from the ultimate property line.			
Storage	Not applicable.		Each unit shall be provided with 200 cubic feet of securable storage exterior to the unit. If this storage is provided within the	

TABLE 13-32 RESIDENTIAL DEVELOPMENT STANDARDS				
STANDARDS	**R1**	**R2-MD**	**R2-HD**	**R3**
			garage or carport it shall be located so as not to obstruct the required clear dimensions of the covered parking space (per the City of Costa Mesa Parking Design Standards) at any point less than 4 feet above the finished surface level of the parking stall.	
Mechanical equipment, excluding antennas and flush-mounted solar panels on roofs	Roof-top location is prohibited on single-family dwelling units. All other locations: Screening required from public rights-of-way and adjacent properties. Antennas are subject to Chapter IX, Article 2, antennas.			
SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS AND STRUCTURES (Minimum distances given, unless otherwise noted. All setbacks from streets are measured from the ultimate property line shown on the master plan of highways).				
Front	20 feet	20 feet	20 feet	20 feet
Side	Interior property line: 5 feet. Note: Accessory structures that do not exceed 6½ feet in height in the R1 zone or 15 feet in height in the other residential zones may have a zero side setback. Property line abutting a public street: 10 feet. Note: Driveways providing straight-in access from a public street to a garage shall be at least 19 feet long, as measured from the property line. Property line abutting an alley: 5 feet			
Rear (not abutting a publicly dedicated alley)	20 feet for 2 story structures. 10 feet for 1 story structures (15 foot maximum height) provided that maximum rear yard coverage is not exceeded. Note: Accessory structures that do not exceed 6½ feet in height in the R1 zone or 15 feet in height in the R2 zones may have a zero rear yard setback, except on corner lots in the R2 zones. Corner lots in the R2-MD, R2-HD & R3 zones: a. Where the rear property line of a corner lot adjoins the side property line of another lot, no detached accessory structure shall be allowed on the corner lot, except within the rear quarter of the corner lot farthest from the side street. b. Where the rear property line of a corner lot abuts a public or private street, accessory structures shall maintain setbacks for main structures.		15 feet for 2 story structures. 10 feet for 1 story structures (15-foot maximum height). Note: Accessory structures that do not exceed 15 feet in height may have a zero rear yard setback, except on corner lots (see R2-MD and R2-HD column for setbacks for corner lots).	
Rear yard coverage (maximum)	Rear (not abutting a publicly dedicated alley, street, or park): Main Buildings: 25% of rear yard area.* Accessory Buildings: 50% of rear yard area.* * Rear yard area equals lot width, measured from side property line to side property line, multiplied by 20 feet. Rear abutting a publicly dedicated alley, street, or park: Not applicable		Not applicable	
Rear abutting a publicly dedicated alley, street, or park	5 feet; however, garages may be required to setback further to ensure adequate back up distance. Rear Yard Coverage does not apply. Note: Accessory structures that do not exceed 6½ feet in height in the R1 zone or 15 feet in height in the other residential zones may have a zero rear yard setback, except on corner lots in the R2 and R3 zones where accessory structures shall maintain setbacks for main structures.			
Bluff top setback	No building or structure closer than 10 feet from bluff crest (see section 13-34 BLUFF-TOP DEVELOPMENT).			

TABLE 13-32 RESIDENTIAL DEVELOPMENT STANDARDS				
STANDARDS	**R1**	**R2-MD**	**R2-HD**	**R3**
PROJECTIONS (Maximum depth of projections given)				
Roof or eaves overhang; awning	2 feet 6 inches into required side setback or building separation area. 5 feet into required front or rear setback.			
Open, unenclosed stairways.	2 feet 6 inches into required setback or building separation area.			
Chimneys	2 feet above maximum building height.			
Fireplaces	2 feet into required setback or building separation area.			
PARKING STANDARDS (See Chapter VI).				
LANDSCAPING (See also Chapter VII).				
Landscaping Required.	All unpaved areas visible from the public right-of-way shall be landscaped and the landscaping shall be maintained in a healthy condition, free of dying, dead, diseased, decayed, discarded, and/or overgrown vegetation.		See Chapter VII, LANDSCAPING.	
SIGNS (See Chapter VIII).				
POOLS AND SPAS				
Above-ground pools and spas shall not be located in the required front yard setback from a public street and are subject to 5-foot side and 10-foot rear yard setbacks for main structures. Additional setbacks may be applicable pursuant to building code requirements.				
RAISED DECKS				
Any raised deck with a finished floor height of 18 inches or greater, as measured from finished grade, shall comply with the main building setback requirements for the underlying zone.				
FENCES AND WALLS				
Fences and walls placed between the property line and required setback line for main buildings shall conform [to] the city's walls, fences, and landscaping standards. See ARTICLE 9, GENERAL SITE IMPROVEMENT STANDARDS, of this chapter for further information.				
[1.] The maximum driveway width standards are only applicable to the construction of new single-family residences.				

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 01-16, §§ 1f., g., 6-18-01; Ord. No. 02-4, § 1c, 3-18-02; Ord. No. 02-9, § 1a, 7-1-02; Ord. No. 03-8, § 4, 9-2-03; Ord. No. 05-3, § 1c., 2-7-05; Ord. No. 09-4, § 1b., 5-5-09; Ord. No. 21-20, § 1, 12-7-21)

Section 13-35 Accessory dwelling units.

(a) Purpose, general plan consistency, definitions.

(1) Purpose and interpretation. The intent of this section is to ensure that accessory dwelling units (ADUs) and Junior ADUs remain as an accessory uses in residential and mixed-use zones, that the structures on parcels are organized to accommodate an ADU and/or Junior ADU, and that such dwelling units do not adversely impact surrounding residents or the community. This section 13-35 is intended to retain the ability of the city to regulate ADUs in terms of design, aesthetics, massing and integration with existing structures and to comply with the requirements of state law.

(2) General plan consistency. In adopting these standards, the city recognizes that the approval of dwelling units may, in some instances, result in dwelling densities exceeding the maximum densities prescribed by the general plan. The city finds that this occurrence is consistent with the general plan, as allowed under state planning and zoning law applicable to ADUs, and that the amendment furthers the goals, objectives, and policies of the general plan housing element.

(3) Definitions. For purpose of this section 13-35 only:

a. The terms "accessory dwelling unit" (ADU), "public transit," "passageway" and "tandem parking" all have the same meaning as that stated in Government Code section 66313 as that section may be amended from time to time.

b. "Junior ADU" shall have the same meaning as that stated in Government Code section 66313(d) as that section may be amended from time to time.

c. A structure is considered "existing" if a building permit was issued and finalized before an ADU or JADU application is submitted under this section.

d. The terms "single-family dwelling" and "multifamily dwelling" exclude all detached accessory structures.

e. The term "single-family dwelling" is a dwelling (excluding any ADU or Junior ADU) that is not attached to another dwelling. Single-family dwellings may include detached single-family homes where there is more than one primary dwelling on a lot.

f. A "multifamily dwelling" is a dwelling (excluding any ADU or Junior ADU) within a multifamily dwelling structure.

g. A "multifamily dwelling structure" is a structure which contains at least two lawful dwellings within the structure, excluding ADUs and Junior ADUs. Storage rooms, boiler rooms, passageways, attics, basements, garages and other non-habitable spaces are considered within a "multifamily dwelling structure" if such non-habitable spaces are within the same structure as at least two other multifamily dwellings.

(b) Accessory dwelling units.

(1) Residential and mixed use zones only. ADUs are permitted in single-family, multifamily, mixed-use zones (i.e., zones where single-family and/or multifamily dwellings are allowed), and within approved master plan sites with residential

uses in other zones, and only on a legal lot with proposed or existing residential dwelling(s) which will remain on site. By way of illustration only, the zones where accessory dwellings are allowed are shown on the Citywide Land Use Matrix at section 13-30. If there is any conflict between the requirement that ADUs be approved in (and only in) zones where single-family and multifamily dwellings are allowed and the Land Use Matrix, the former shall control.

(2) Reserved.

(3) Ministerial. Any application for an ADU that meets the requirements of this section shall be approved ministerially by the city by applying the standards herein and without a public hearing or notice of decision or zoning approval in compliance with government code section 66317.

(4) Maximum number of dwelling units. The following is the maximum number of ADUs and or Junior ADUs allowed on any lot.

a. Single-family. One detached, new construction ADU, one conversion ADU, and one junior ADU may be permitted on a lot with a proposed or existing single-family dwelling subject to the following:

1. Conversion within a single-family dwelling.

(i) An ADU and Junior ADU may be within the existing footprint of a lawful single-family dwelling. Alternatively, an ADU may be within a lawfully constructed existing detached accessory structure; in this case up to 150 square feet may be added beyond the physical dimensions of the existing accessory structure solely to accommodate ingress and egress to the ADU; and

(ii) ADUs and Junior ADUs must have independent exterior access from the single-family dwelling, and have side and rear setbacks sufficient for fire safety; and

2. New construction (attached or detached). One new construction ADU may be permitted on a lot with proposed or existing single-family dwelling. One new construction Junior ADU may be allowed on the lot if the Junior ADU is to be in a single-family dwelling that meets all applicable legal standards.

b. Multifamily. One ADU is allowed within new construction residences where, after construction, there will be at least two residences on the lot (e.g. detached residential structures, duplexes, apartments); up to two ADUs are allowed with such structures pursuant to subsection 2, below. For lots with an existing legal multifamily dwelling (e.g., a legal non-conforming multifamily dwelling), the applicant may have ADU(s) pursuant to the following:

1. Maximum ADUs within existing multifamily dwelling structure. No more than 25%, with any partial unit rounded down) of the number of existing multifamily dwelling units on the lot, but at least one unit, shall be permitted as ADU(s) constructed within the enclosed nonlivable space (e.g., a space in a dwelling not intended for human habitation, including

living, sleeping, eating, cooking, or sanitation)) of the existing multifamily dwelling structures; or

2. Maximum detached ADUs. No more than eight detached ADUs are permitted, provided that the number of accessory dwelling units allowable pursuant to this clause shall not exceed the number of existing units on the lot. The units shall be detached from every residence on site (but need not be detached from each other) with the exception of one ADU, which may be attached to the multifamily dwelling structure. This section shall apply to detached structures that are converted and new construction detached ADUs. Conversion detached ADUs are not subject to height, setbacks, and maximum square footage; or

(5) Maximum size.

a. Single-family.

1. Detached. For lots with a proposed or existing single-family dwelling, a detached ADU shall not have more than 1,200 square feet.
2. Attached. An ADU attached to a single-family dwelling shall be no more than the greater of 50% of the square footage of the existing single-family dwelling or 1,000 square feet.

b. Multifamily, new construction.

1. Detached. For lots with an existing legal multifamily dwelling structure the maximum square footage for a detached ADU is 850 square feet or 1,000 square feet for an ADU that provides more than one bedroom, except as allowed in Government Code Section 66323.; or
2. Attached. For lots with an existing legal multifamily dwelling structure, an attached ADU shall not exceed the greater of 1,000 square feet or 50% of the average floor area of the existing multiple family dwelling units.

c. Interior conversions. Notwithstanding subsections a and b immediately above, ADUs which are converted from space entirely within existing structures, and ADUs entirely within proposed lawful single-family dwellings, are not subject to a limit on maximum square footage.

(6) Minimum size.

a. ADUs may be efficiency units. Notwithstanding the general limitation on efficiency units being no smaller than 220 square feet, ADUs may also be less than 220 square feet, provided that they are no smaller than 150 square feet, and comply with all other legal requirements.

(7) Conversions of dwelling units.

a. Total conversion of single-family dwelling. An entire existing single-family dwelling may be converted to an ADU if the ADU complies with all applicable requirements of this section and a new single-family residence with a total gross floor area exceeding that of the ADU is constructed in full compliance with code requirements.

b. Partial conversion/addition. A portion of the existing single-family or multifamily dwelling may be converted to an ADU with new additional square

footage, which additional square footage shall comply with all standards applicable to the underlying zone, and all converted square footage shall comply with standards applicable to conversions. The maximum square footage of the ADU shall be based upon the size of the existing dwelling before construction of the ADU addition.

(8) Short-term rentals prohibited. An ADU shall not be rented for periods of less than 31 days.

(c) Junior ADUs.

(1) Rule. Junior ADUs shall comply with the requirements of this subsection, in addition to the requirements of subsection (d) of this section 13-35.

(2) Maximum size. A Junior ADU shall not exceed 500 square feet in gross floor area.

(3) Owner occupancy requirement. The owner of a parcel proposed for a Junior ADU shall occupy as a primary residence either the primary dwelling unit or the Junior ADU. Owner-occupancy is not required if the owner is a governmental agency, land trust, or "housing organization" as that term is defined in Government Code section 65589.5(k)(2), as that section may be amended from time to time.

(4) Short-term rentals prohibited. A Junior ADU shall not be rented for periods of less than 31 days unless otherwise authorized by the municipal code.

(5) Location of Junior ADU. A Junior ADU shall be entirely within an existing or proposed single-family dwelling, including an attached garage.

(6) Kitchen requirements. A Junior ADU shall include an efficiency kitchen, including a cooking facility with appliances, outlet for a small refrigerator, food preparation counter and storage cabinets that are of reasonable size in relation to the size of the Junior ADU.

(7) Parking. No additional parking is required beyond that already required for the primary dwelling.

(8) Fire protection; utility service. For the purposes of any fire or life protection ordinance or regulation or for the purposes of providing service for water, sewer, or power, a Junior ADU shall not be considered a separate or new unit, unless the Junior ADU was constructed in conjunction with a new single-family dwelling. No separate connection between the Junior ADU and the utility shall be required for units created within a single-family dwelling, unless the Junior ADU is being constructed in connection with a new single-family dwelling.

(9) Exterior and interior access. The Junior ADU shall include an exterior entrance separate from the main entrance to the single-family dwelling. If the Junior ADU shares bathroom facilities with the main dwelling, the Junior ADU shall also have interior entry to the main dwelling's living area.

(d) Development standards and requirements. The following development standards shall not apply to a unit built subject to Government Code section 66323 (a), which includes: 1.) all converted ADUs (converted accessory structures are eligible for a 150 square foot expansion for purposes of ingress and egress), 2.) all converted Junior ADUs (JADUs), 3.) maximum 800-square-foot, new-construction, detached

ADUs with four-foot side and rear setbacks and height not exceeding 18 feet (two additional feet of height may be permitted to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary unit), with single-family primary dwellings, and 4.) detached units with multifamily primary dwelling structures with four-foot side and rear setbacks and height not exceeding 18 feet (two additional feet of height may be permitted to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary units). Otherwise, all other ADUs must comply with the following requirements unless the below standards and requirements preclude the development of an 800 square foot ADU with four-foot side and rear setbacks:

(1) Ministerial project. Any application for an ADU or Junior ADU that meets the requirements of this section or as permissible in Government Code Section 66332 shall be approved without a public hearing.

(2) Application by owner. An application for a building permit for an ADU or Junior ADU building permit shall be made by the owner of the parcel on which the primary unit sits and shall be filed with the city on a city-approved application form and subject to the established fee set by city council resolution as it may be amended from time to time.

(3) Separate sale prohibited. Except as otherwise provided by law, ADUs and Junior ADUs may not be sold or otherwise conveyed separate from the primary residence.

(4) Utilities.
   a. All ADUs and Junior ADUs must be connected to public utilities (or their equivalent), including water, electric, and sewer services.
   b. Except as provided in subsection c immediately below, the city may require the installation of a new or separate utility connection between the ADU and the utility. For Junior ADUs, see subsection (c)(8), above.
   c. No separate connection between the ADU and the utility shall be required for units created within a single-family dwelling, unless the ADU is being constructed in connection with a new single-family dwelling.
   d. Each ADU and Junior ADU shall have a separate mailing address as assigned by the City.

(5) Recorded covenants. Prior to final inspection and occupancy of JADUs, the owner shall file with the county recorder, in a form approved by the city attorney, a covenant which does all of the following:
   a. Prohibit the sale of Junior ADU separate from the single-family residence; and
   b. Unless subsequently prohibited by an amendment to state law, the JADU shall be considered legal only as long as either the primary residence or the JADU is occupied by the owner of record unless the owner is another governmental agency, land trust, or housing organization; and
   c. Restrict the JADU to the maximum size allowed by Municipal Code section 13-35, as it may be amended from time to time; and

d. Confirm that the restrictions shall be binding upon any successor in ownership of the property, and lack of compliance shall result in legal action against the property owner for noncompliance.

(6) Passageway. No passageway shall be required in conjunction with the construction of an ADU.

(7) Building permits required. Applications for ADUs and Junior ADUs shall conform to the requirements for, and shall obtain, a building permit consistent with the requirements of Title 5 (Buildings and Structures). By way of reference only, current requirements generally require all dwellings to have no less than 220 square feet. Fire sprinklers shall not be required for ADUs or JADUs if they are not required for the primary residence. The construction of an ADU or JADU alone shall not trigger the requirement for sprinklers in the primary residence.

(8) Setbacks.

a. None. No setbacks are required for either: (1) those portions of ADUs that are created by converting existing living area or existing accessory structures to a new ADU; or (2) constructing new ADUs in the same location, while not exceeding the existing dimensions of an existing structure, including height. Notwithstanding the foregoing, ADUs shall, at minimum, comply with setbacks that are sufficient for fire and life safety.

b. Other setbacks. For all other ADUs, there shall be a minimum of setbacks of four feet from side and rear property lines and full compliance with all applicable front yard setbacks for the underlying zone (except as required by (Gov. Code, § 66321, subd. (b)(3)). Second floor ADUs shall provide setbacks in conformance with the underlying zone. All mechanical equipment associated with the ADU shall maintain the minimum setbacks.

c. Distance between structures. The minimum required distance between a detached ADU and the primary dwelling unit, and all other structures on the property, including garages, shall be six feet unless otherwise established by the California Building Code.

(9) Height. Except as authorized in subsection b, below, in no event may any portion of a new construction ADU exceed 27 feet or two stories. Furthermore, except as authorized in subsection a and b, below, an ADU shall be entirely only on the first floor.

a. Second floor or two-stories. An ADU on a lot which has an existing lawfully constructed dwelling, may be in whole or in part on a second floor, or be a two-story ADU, if all five of the following occur:

1. All portions of the ADU structure on a second floor are at least 25 feet from the front property line; and
2. Each stairwell for the ADU is interior or complies with subsection (10), below; and
3. The second floor of any portion of the ADU, if built above a detached garage, does not exceed the footprint of the garage; and

4. No windows are installed on the second floor on side elevations if such windows are within 25 feet of a neighboring dwelling and face the neighboring property unless such windows have a minimum sill height of at least five feet; and
5. The second floor (or the entire two story ADU as applicable) meets the setbacks applicable to additions for the underlying zone.

b. Within structure. The ADU is built entirely within either:
1. A proposed or existing lawfully constructed single-family dwelling, except that an external stairwell to the ADU which meets all requirements of this Code, including the requirements of subsection (10), below, may be constructed to allow access to the ADU; or
2. The non-habitable space of an existing multifamily structure or within an accessory structure on a lot with a multifamily structure.

(10) Exterior stairways, balconies.

a. Exterior stairways. A new exterior stairway to a second-floor ADU shall not be located on a front facade within 20 feet of a property line abutting a public right of way. Second floor landings using an exterior stairway shall be kept to the minimum size required to comply with applicable codes. Stairways and landings shall incorporate screening materials designed to eliminate views into abutting properties. Stairways and landings, which exceed building code minimum sizes, are prohibited. Stairways and landings shall not be counted toward residential open space requirements.

b. Balconies. New balconies which face the street and are located at the front of the main residential structure are permitted provided that the balcony be set back a minimum of 20 feet from the front property line. On corner properties, balconies may face the side street provided that they maintain the setback for the underlying zone. Balconies within 25 feet of a neighboring residence shall incorporate screening to ensure there are no direct views into the abutting property. New construction balconies that are not facing the front of the property or a side street, are prohibited.

c. Roof decks. No new roof decks are allowed for ADUs.

(11) Architectural standards.

a. Attached and detached ADUs. Attached and detached ADUs shall have the same materials, finishes, and colors as the primary dwelling.

b. New construction Junior ADUs. New construction Junior ADUs shall match exterior appearance with the primary unit in terms of materials, finishes, and colors within the same property on which it is proposed to be constructed.

(12) Recommended garage conversion design considerations.

a. Blank facade. When a garage is converted to an ADU, if the facade of the converted garage is visible from a public right-of-way, the following design considerations are recommended:
1. Be covered with landscaping that covers at least 50% of the wall, or

2. Include openings of at least 10% of the facade with at least one door that complies with section (13) below or one window which matches the material and design of the existing windows on the residence.

(13) Driveway removal. If a driveway leading to a garage being converted to an ADU is removed, it must be replaced with landscaping or open space, and the curb cut and driveway apron must be removed and replaced with a curb and gutter and parkway which meets city standards. If a driveway is partially removed, the remaining driveway must provide the minimum parking dimensions per subsection (15) below.

(14) Entry. The entrance to an ADU or Junior ADU shall match the materials and color of the primary residence(s), not be located on the same building elevation as the main entrance of the primary residence(s) and shall be located along the building side, rear, or within the interior of the property, unless the economic and development services director approves an alternative configuration due to unique development circumstances.

(15) Parking.

a. The owner may provide parking that is at least eight and a half (8.5) feet wide and 18 feet long and may be provided as:
   1. Tandem parking on an existing driveway in a manner that does not encroach onto a public sidewalk; or
   2. Within a setback area or in locations determined feasible by the city. Locations will be determined infeasible based upon specific site or regional topographical or fire and life safety conditions, or that such parking is not permitted anywhere else in the city.

b. When any parking space or parking structure is converted or demolished in conjunction with the construction of an ADU or converted to an ADU, the off-street parking spaces do not have to be replaced, notwithstanding any other provision of this code to the contrary (e.g., the definition of "driveway" in section 13-6, Table 20-8(c) a driveway does not lose its status as a lawful "driveway" if it leads to a structure that was either converted from a garage into either an ADU or Junior ADU or demolished in conjunction with the construction of an ADU or Junior ADU. In no event shall the demolition of a parking space or parking structure be considered "in conjunction with" the construction of an ADU if the ADU will not be constructed within any portion of the footprint of the demolished garage.

(16) Non-conforming. The city shall not require, as a condition of a permit for an ADU or Junior ADU the correction of nonconforming development standards.

(17) Open space and landscaping. ADUs which exceed 800 square feet in gross floor area shall meet the open space requirements of section 13-32 and shall be subject to provide landscaping as required in section 13-106.

Section 13-36 Two-unit Housing Development

(a) For purposes of this section, the following definition shall apply:

(1) "Housing development" shall mean no more than two primary residential units within a single-family zone that meets the requirements of this section. The total number of units, including ADUs and JADUs, shall not exceed four.

(b) The city shall ministerially approve a housing development containing no more than two residential units if it meets the following requirements:

(1) The parcel is located within a single-family residential zone.

(2) The parcel is located at least partially in an urbanized area or urban cluster as designated by the United States Census Bureau.

(3) The parcel is not located in any of the following areas and does not fall within any of the following categories:

a. A historic district or property included on the State Historic Resources Inventory, as defined in section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.

b. Prime farmland or farmland of statewide importance as further defined in Government Code section 65913.4(a)(6)(B).

c. Wetlands as defined in the Unites States Fish and Wildlife Service Manual, Part 660 FW 2(June 21, 1993).

d. A hazardous waste site that is listed pursuant to section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

e. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.

f. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

i. The site has been subject to a Letter of Map Revision prepared by FEMA

and issued to the city; or

ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the Nation Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);

g. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.

h. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code section 65913.4(a)(6)(I).

i. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with section 1900) of Division 2 of the Fish and Game Code).

j. Lands under a conservation easement.

(4) The proposed housing development would not require demolition or alteration of any of the following types of housing:

a. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;

b. Housing that is subject to any form of rent or price control by the city;

c. A parcel or parcels on which an owner of residential real property exercised rights under Government Code section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date of the application; or

d. Housing that has been occupied by a tenant in the last three years.

(5) Demolition of an existing unit shall not exceed more than 25 percent of the existing exterior structural walls unless the site has not been occupied by a tenant in the last three years.

(c) Standards and Requirements. Except where superseded by the following provisions, two-unit housing development pursuant to Government Code Section 65852.21 shall comply with development standards applicable to the R1 Single- Family Residential District including but not limited to Section 13-32 of this code:

(1) No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(2) Except for those circumstances described in section C1 above, the setback for side and rear lot lines shall be four feet. The front setback shall be as set forth in the R-1 Single-Family Residential District standards.

(3) The applicant shall provide easements for the provision of public services and facilities as required.

(4) All lots shall have a minimum street frontage of ten feet to provide for vehicular access, or 16-foot if the driveway serves two units. For a lot without physical street frontage, access to street frontage shall be provided by the granting of a duly recorded permanent easement for ingress and egress purposes in favor of the lot without physical street frontage.

(5) In order to preserve the City's inventory of on-street parking, existing and proposed development pursuant to Government Code section 65852.21 shall be limited to one driveway ingress/egress per resultant lot.

(6) Required off-street parking shall consist of at least one garage space per unit and the location and configuration of such parking shall be in compliance with the provisions of this code, except that no parking requirements shall be imposed in either of the following circumstances:

a. The parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code section 21155(b) or a major transit stop as defined in Public Resources Code section 21064.3; or

b. There is a car share vehicle located within one block of the parcel.

(7) For residential units connected to an onsite wastewater treatment system (septic tank), the applicant provides a percolation test completed within the last 5 years, or if the percolation test has been recertified, within the last 1O years, which shows that the system meets acceptable infiltration rates.

(d) The city shall not require or deny an application based on any of the following:

(1) The city shall not impose any objective zoning, subdivision, or design review standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet. If the city determines that the strict application of objective zoning, subdivisions or design standards would physically preclude the development of two units on a lot each with a minimum unit size of 800 square feet, the city may ministerially allow deviations from development standards

generally applicable to the R-1 zoning district pursuant to city policies and/or regulations implementing this section if such deviation is in compliance with applicable building and fire code standards and regulations and if there are no other feasible means of complying with state law.

(2) The city shall not deny an application solely because it proposes adjacent or connected structure provided that that all building code safety standards are met and they are sufficient to allow a separate conveyance.

(e) An applicant shall be required to sign an affidavit in a form approved by the City Attorney to be recorded against the property stating the following:

(1) That the uses shall be limited to residential uses.

(2) That the rental of any unit created pursuant to this section shall be for a minimum of thirty-one days.

(3) That the maximum number of units to be allowed on the parcels is two, including but not limited to units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, junior accessory dwelling units, or units allowed pursuant to section 13-35.

(f) The city may deny the housing development if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(g) The provisions of this section supersede any contrary provisions contained elsewhere in this code.

Section 13-41 Residential common interest development standards and requirements.

(a) *Applicability.* The provisions of this section shall apply to all proposed new residential common interest development projects and the conversion of existing apartments to residential common interest developments.

(b) *Development standards.* Table 13-41(b) identifies the development standards for residential common interest developments. See also Article 9 General Site Improvement Standards of this chapter for additional requirements. Projects shall comply with all applicable standard plans and specifications and adopted city and state codes, as well as the following provisions:

(1) The location and orientation of all buildings shall be designed and arranged to preserve natural features by minimizing the disturbance to the natural environment. Natural features such as trees, groves, waterways, scenic points, historic spots or landmarks, bluffs or slopes shall be delineated on the site plan and considered when planning the location and orientation of buildings, open spaces, underground services, walks, paved areas, playgrounds, parking areas and finished grade elevations.

(2) All structures proposed to be constructed within a project shall conform to the following requirements:

a. Structures having dwelling units attached side by side shall avoid the long-row effect by being composed of no more than six dwelling units. Alternative designs which accomplish the same purpose may be approved by the final review authority.

b. Structures having dwelling units attached side by side shall avoid the long-row effect with a break in the facade by having an offset in the front building line of at least four feet for every two dwelling units within such structure. Alternate designs which accomplish the same purpose may be approved by the final review authority.

c. Consideration shall be given to the effect of proposed development on the light, air and privacy of adjacent properties.

(3) Outside uncovered and unenclosed storage of boats, trailers, recreational vehicles and other similar vehicles shall be prohibited unless specifically designated areas for the exclusive storage of such vehicles are set aside on the final master plan and provided for in the association's covenants, conditions, and restrictions. Where such areas are provided, they shall be enclosed and screened from view on a horizontal plane from adjacent areas by a combination of six-foot high opaque fences and permanently maintained landscaping.

(4) For high-rise residential projects, see the North Costa Mesa Specific Plan for additional development standards.

(5) The developer shall install an on-site lighting system 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, and shall be of a type approved by the development service department.

(6) The development shall comply with the provisions of Chapter XI. Subdivisions, which may include, but are not limited to land dedication and improvements, such as drainage improvements and payment of fees.

TABLE 13-41(b) RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS		
STANDARDS	**SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)**	**OTHER UNITS**
Individual Dwelling Unit Minimum Lot Area	All zones: 3,000 square feet with an overall average of 3,500 square feet. The required common lot shall not be included in the calculation of lot area. Note: Lot sizes may be reduced proportionately if other useable open space is provided within the overall development.	No minimum requirement.
Common Lot Required	All projects shall be designed with a minimum of one lot to be held in common ownership and maintained by a homeowners association. This lot shall be used for common driveways, parking areas, and at least 10 feet of street setback landscaped areas.	
Maximum Number of Stories & Building Height	2 stories/27 feet, except as allowed in the Planned Development or Town Center zoning districts. Note: Lofts, as defined in section 13-6, without exterior access and having only clerestory windows will not be regarded as a story. See also Attic discussion below.	
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. In zoning districts where the maximum number of stories is two stories, attics above second stories shall be an integral part of the second story roofline and not appear as a 3rd story on any building elevation. Windows in any attic space above the second story shall be incidental and limited to a dormer style.	
Maximum Density (based on gross acreage)	Same as underlying zoning district or as specified in an applicable specific plan.	
Minimum Open Space Development Lot	40% of total lot area. *Exception:* For high-rise residential projects, see the North Costa Mesa Specific Plan.	
Individual Dwelling Unit Lot	40% overall, with a minimum 400 square-foot area with no dimension less than 15 feet.	Not applicable.
Private Open Space	Same as individual dwelling unit lot above.	An adjoining patio required with no dimension less than 10 feet. *Exception:* Not applicable to high-rise residential projects in the North Costa Mesa Specific Plan.
Common Open Space	Common open space areas shall be designed and located within the development to allow maximum use by all residents. Enclosed buildings used for recreation or leisure facilities should not be used to satisfy more than 15 percent of required open space.	
Distance Between Buildings	10-foot minimum between main buildings 6-foot minimum between main buildings and accessory structures	
Driveway Width	10-foot minimum, except 16-foot minimum driveway is required if the driveway serves tenants and/or guest parking for more than one dwelling unit.	
Driveway Length	Straight-in driveways to garages shall have a minimum length of 19-feet from the ultimate property line.	
Storage	Not applicable.	Each unit shall be provided with 200 cubic feet of securable storage exterior to the unit. If this storage is provided within the garage or carport it shall be located at the front of the parking area so as not to obstruct the required clear dimensions of the covered parking space (per the City of Costa Mesa Parking Design Standards) at any point less than 4 feet above the finished surface level of the parking stall. *Exception:* Not applicable to high-rise residential

TABLE 13-41(b) RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS		
STANDARDS	**SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)**	**OTHER UNITS**
		projects in the North Costa Mesa Specific Plan.
Mechanical equipment, excluding antennas and flush-mounted solar panels on roofs	Roof-top location is prohibited.	Screening required from public rights-of-way and adjacent properties.
SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS AND STRUCTURES (Minimum distances given, unless otherwise noted. All setbacks from streets to development lots are measured from the ultimate property line shown on the Master Plan of Highways.)		
Front Development Lot	20 feet	20 feet
Individual Dwelling Unit Lot	None	Not applicable
Side (interior) Development Lot	5 feet	
Side (street side, if applicable) Development Lot	10 feet Note: Driveways providing straight-in access from a public street to a garage shall be at least 19 feet long, as measured from the property line.	
Rear (not abutting a publicly dedicated alley) Development Lot	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 1 story structures (15-foot maximum height) provided that maximum rear yard coverage is not exceeded. *Exception:* Rear yard coverage does not apply to the R-3 zone. *Note:* Accessory structures that do not exceed 15 feet in height may have a zero rear yard setback, except on corner lots. Corner lots in the R2-MD, R2-HD & R3 zones: a. Where the rear property line of a corner lot adjoins the side property line of another lot, no detached accessory structure shall be allowed on the corner lot, except within the rear quarter of the corner lot farthest from the side street. b. Where the rear property line of a corner lot abuts a public or private street, accessory structures shall maintain setbacks for main structures.	
Rear Yard Coverage (maximum) in the R2-MD and R2-HD zones	Main Buildings: 25% of rear yard area.* Accessory Buildings: 50% of rear yard area.* * Rear yard area equals lot width, measured from side property line to side property line, multiplied by 20 feet.	
Rear Abutting a Publicly Dedicated Alley	5 feet; however, garages may be required to set back further to ensure adequate back up distance. Rear Yard Coverage does not apply. Note: Accessory structures that do not exceed 15 feet in height may have a zero rear yard setback, except on corner lots where accessory structures shall maintain setbacks for main structures.	
Bluff Top Setback	No building or structure closer than 10 feet from bluff crest (see section 13-34 BLUFF-TOP DEVELOPMENT).	
PROJECTIONS (maximum depth of projections given)		
Roof or Eaves Overhang; Awning	2 feet 6 inches into required side setback or building separation area. 5 feet into required front or rear setback.	
Open, unenclosed stairways	2 feet 6 inches into required setback or building separation area.	
Chimneys	2 feet above maximum building height.	
Fireplaces	2 feet into required setback or building separation area.	
PARKING (See CHAPTER VI)		
2-car garage required	Yes	Not required.

TABLE 13-41(b) RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS		
STANDARDS	**SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)**	**OTHER UNITS**
Automatic roll-up garage door with remote controlled door opener required	Yes	Yes, if garages are provided.
Location of Covered Parking	Required covered tenant parking shall be located within a reasonable distance of the unit it serves. Detached garages that are not located within a reasonable distance to the units they are intended to serve are prohibited.	
LANDSCAPING		
A detailed landscape plan prepared pursuant to CHAPTER VII LANDSCAPING STANDARDS shall be approved by the Planning Division prior to issuance of any building permits.		
Landscape parkways with a combined width of 10 feet, but not less than 3 feet on one side, shall be provided along the sides of interior private streets and/or common driveways. The parkway on the house side of private streets or common driveways shall be a minimum of 5 feet in width.		
SIGNS (See CHAPTER VIII)		
POOLS AND SPAS		
Above-ground pools and spas shall not be located in the required front yard setback from a public street and are subject to 5-foot side and 10-foot rear yard setbacks for main structures. Additional setbacks may be applicable pursuant to building code requirements.		
RAISED DECKS		
Any raised deck with a finished floor height of 18 inches or greater, as measured from finished grade, shall comply with the main building setback requirements for the underlying zone.		
FENCES AND WALLS		
Fences and walls placed between the property line and required setback line for main buildings shall conform to the City's walls, fences, and landscaping standards. See ARTICLE 9 GENERAL SITE IMPROVEMENT STANDARDS of this chapter for further information.		

(c) *Documents required.*

(1) A project may be approved subject to submission of all organizational documents setting forth a plan or manner of permanent care and maintenance of open spaces, recreational areas, and common facilities pursuant to state law (Civil Code 1350-1359). No such documents shall be acceptable until approved by the city attorney as to legal form and effect, and by the planning division as to suitability for the proposed use of the open areas.

(2) The developer shall file a declaration of covenants to be submitted with the application for approval, which will govern the association. The provisions shall include, but not be limited to, the following:

a. The homeowners' association shall be established prior to the sale of any unit(s).

b. Membership shall be mandatory for each owner and any successive owner.

c. Provisions to restrict parking upon other than approved and developed parking spaces and to require that garages be kept

available for tenant parking shall be written into the covenants, conditions and restrictions for each project.

d. If the development is constructed in increments or phases which require one or more final maps, reciprocal covenants, conditions, and restrictions and reciprocal management and maintenance agreements shall be established which will cause a merging of increments as they are completed, and embody one homeowners' association with common areas for the total development.

e. The declaration of covenants shall contain language or provisions substantially as follows:

i. The covenants, conditions and restrictions of this declaration shall run to the City of Costa Mesa insofar as they shall apply to the maintenance of the "common areas" as herein defined.

ii. In the event the association or other legally responsible person(s) fail to maintain the common area in such manner as to cause same to constitute a public nuisance, the city may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon the common area, individual units or the whole thereof as provided by law.

(Ord. No. 07-17, § 1e., 10-2-07)

Section 13-42.3 Development standards and requirements.

(a) *Applicability.* The provisions of this section shall apply to all new residential small lot subdivisions of 15 lots or less in multi-family zones and not in combination with other development standards in the overlays zones.

(b) *Development standards.* Table 13-42 identifies the development standards for small lot subdivision developments. See also Article 9 general site improvement standards of this chapter for additional requirements. Projects shall comply with all applicable standard plans and specifications and adopted city and state codes, as well as the following provisions:

(1) The location and orientation of all buildings shall be designed and arranged to preserve natural features by minimizing the disturbance to the natural environment. Natural features such as trees, groves, waterways, scenic points, historic spots or landmarks, bluffs or slopes shall be delineated on the site plan and considered when planning the location and orientation of buildings, open spaces, underground services, walks, paved areas, playgrounds, parking areas and finished grade elevations. Pre-existing development should guide the building setbacks and new development should preserve the existing character of the neighborhood.

(2) The site design must consider both the design elements of each unit and how these designs will enhance the overall neighborhood character and vitality of the street and sidewalk. Building setbacks and site planning must relate to surrounding built form, respecting the overall neighborhood character and existing topography. Additionally, each unit must exhibit a high level of design quality with well-articulated entries and façades, proportionate windows, quality building materials and contextual landscaping.

(3) All structures proposed to be constructed within a project shall conform to the following requirements:

a. Each unit shall be provided with direct pedestrian and vehicular access to a public street, or an alley or a common drive connecting to a public street/alley.

b. Structure shall be constructed to minimize impact of the proposed development on the light, air and privacy of adjacent properties.

(4) 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, and shall be of a type approved by the development services department.

(5) The development shall comply with the provisions of Chapter XI, subdivisions, which may include, but are not limited to, land dedication and improvements, such as drainage improvements and payment of fees.

(6) Outside uncovered and unenclosed storage of boats, trailers, recreational vehicles and other similar vehicles shall be prohibited unless specifically designated areas for the exclusive storage of such vehicles are set aside on the final master plan and

provided for in the covenants, conditions, and restrictions. Where such areas are provided, they shall be enclosed and screened from view on a horizontal plane from adjacent areas by a combination of six-foot high opaque fences and permanently maintained landscaping.

Table 13-42
SMALL LOT SUBDIVISION STANDARDS

STANDARDS	SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)
Maximum Number of Stories & Building Height	2 stories/27 feet, except as allowed in the Westside Overlay Districts. Note: Lofts, as defined in section 13-6, without exterior access and having only clerestory windows will not be regarded as a story. See also Attic discussion below.
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. In zoning districts where the maximum number of stories is two stories, attics above second stories shall be an integral part of the second story roofline and not appear as a 3rd story on any building elevation. Windows in any attic space above the second story shall be incidental and limited to a dormer style.
Maximum Density (based on gross acreage)	Same as underlying zoning district or as specified in an applicable specific plan.
Minimum Open Space (development lot)	35% of total lot area. No asphalt shall be permitted for paved areas. Parking and driveways shall consist of decorative concrete, pavers or other materials as deemed appropriate by the Development Services Director. This requirement may be decreased to a minimum of up to 30%, if the difference in the area is provided as additional open guest parking, located in a common area, and not exclusive for any specific unit.
Minimum Open Space (individual unit)	200 square feet with no dimension less than 10 feet.
Development Lot	Separately owned private property interests or any portion thereof, necessary or desirable for common use, are subject to recordation of an easement for reciprocal access and maintenance. All areas of a development with 5 or more parcels, subject to a reciprocal access and/or maintenance easement shall be maintained by an association that may be incorporated or unincorporated. The association may be referred to as a maintenance association.
Parking	• Three-bedroom or more units (including a den or home office) – 2 garage spaces and 2 open parking spaces. • Two-bedroom or less units (including a den) – 2 garage spaces and one open parking. • No tandem parking is permitted for open or guest parking spaces. For developments with 5 or more units (up to 10 units) where open/guest parking spaces are provided in driveways in front of garages for exclusive use of that unit, one additional on-site guest parking shall be provided. Two additional open guest-parking shall be provided for developments with more than 10 units. • For all small lot developments subject to the provisions of this article, all open parking not located within an individual driveway shall be unassigned and nonexclusive.
Distance Between Buildings	6 feet minimum
Driveway Width (development lot)	10-foot minimum, except 16-foot minimum driveway is required if the driveway serves tenants and/or guest parking for more than one dwelling unit. Driveway width shall be a maximum of 26 feet for lots less than 50 feet wide and a maximum of 50% for lots greater than 50 feet wide.
Driveway Length	Straight-in driveways to garages shall have a minimum length of 19 feet from the ultimate public or private right-of-way. No driveways shall be more than 5 feet in length if parking is not provided in front of garage. Driveways accessing rear parcels shall be in compliance with the requirements of the Parking Design Standards, minimum separation between driveways and maximum 50% hardscape requirement.
Mechanical Equipment (excluding antennas and flush-mounted solar panels on roofs)	Roof-top location is prohibited unless completely screened from public rights-of-way and adjacent properties.

Table 13-42 SMALL LOT SUBDIVISION STANDARDS	
STANDARDS	**SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)**
Front Development Lot	20 feet
Side yard (interior)	5 feet.
Rear yard (interior)	15 feet
Side (street side, if applicable)	10 feet Note: Driveways providing straight-in access from a public street to a garage shall be at least 19 feet long, as measured from the ultimate public or private right-of-way.
Rear Abutting a Publicly Dedicated Alley	5 feet; however, garages may be required to be set back further to ensure adequate back up distance. Rear Yard Coverage does not apply.
Flag Lots and Alley Fronting Lots	Flag lots are required to be accessed with a minimum 16-foot wide driveway. Parcels with alley frontage should include a minimum 8-foot wide pedestrian access to the public street in the front. Parcels with frontage only on public alleys are prohibited.
Bluff Top Setback	No building or structure closer than 10 feet from bluff crest (see section 13-34 Bluff-top development).
Roof or Eaves Overhang; Awning	2 feet 6 inches into required side setback or building separation area. 5 feet into required front or rear setback.
Open, Unenclosed Stairways	Not permitted
Chimneys	May extend 2 feet above maximum building height.
Fireplaces	2 feet into required setback of building separation area
Automatic Roll-Up Garage Doors	Required
Location of Open Parking	Guest parking shall be located within a reasonable distance of the unit it serves. Detached garages that are not located within a reasonable distance to the units they are intended to serve are prohibited.
Trash Storage	All units shall be provided with a small alcove inside or outside the unit to allow storage of at least three trash carts without encroaching into the garage space. All efforts shall be made to provide on-site trash service. Trash carts shall be stored on-site for trash pick up to the greatest extent possible.
Above-Ground Pools and-Spas	Prohibited in front yards and subject to 5-foot side and rear setback from the main structures.
Raised Decks	Any raised deck with a finished floor height of 18 inches or greater, as measured from finished grade, shall comply with the main building setback requirements for the underlying zone.
LANDSCAPING	
A detailed landscape plan prepared pursuant to Chapter VII Landscaping Standards shall be approved by the Planning Division prior to issuance of any building permits.	
SIGNS (See Chapter VIII).	
FENCES AND WALLS	
Fences and walls placed between the property line and required setback line for main buildings shall conform to the city's walls, fences, and landscaping standards. See Article 9 General Site Improvement Standards of this chapter for further information.	
PREEXISTING DEVELOPMENT	
Small lot subdivisions and structures constructed, permitted or approved under the small lot ordinance prior to October 18, 2018 shall be considered conforming with regard to the above provisions.	

(c) *Documents required.*

(1) Project approval is subject to submission of complete organizational documents setting forth a plan or manner of permanent care and maintenance of any open spaces, recreational areas and commonly used areas/facilities. No such documents shall be acceptable until approved by the city attorney as to legal form and effect, and by the planning division as to suitability for the proposed use of the open areas.

(2) Prior to entering into a sales agreement for any property within a small lot subdivision, the developer shall disclose general information regarding the property to the future homebuyers, including, but not limited to, the following:

a. The type, thickness, and R-value of the insulation that has been installed in the home.

b. Any exposed hazards during and after construction (lead-based paint, asbestos, etc.).

c. Uses other than residential in proximity to the project.

d. Unusual adjacent zoning.

e. Distance to airport if within two miles.

f. Where soils, filled ground and geologic information is available.

g. Any special costs that will be incurred by the lot buyer as a result of the installation of a building foundation or any other construction due to unusual soil/geological conditions.

h. If there is fill in excess of two feet.

i. Schools servicing subdivision and any special conditions.

j. Any unusual flooding conditions.

k. Conditions of approval by the city and any resale restrictions.

l. Dedications and easements.

m. Project phasing plan.

n. CC&Rs.

(3) All small lot subdivisions shall file a declaration of covenants to be submitted with the application for approval. The declaration of covenants shall include, but not be limited to, the following provisions.

a. The homeowners' association or a maintenance association (as applicable) shall be established prior to the sale of any unit(s).

b. Membership in the homeowners or maintenance association shall be mandatory for each owner and any successive owner.

c. Provisions to restrict parking upon other than approved and developed parking spaces and to require that garages be kept available for resident parking shall be written into the covenants, conditions and restrictions for each project.

d. If the development is constructed in increments or phases which require one or more final maps, reciprocal covenants, conditions, and restrictions and reciprocal management and maintenance agreements shall be established which will cause a merging of increments as they are completed, and embody one homeowners' association with common areas for the total development.

e. The declaration of covenants shall contain language or provisions substantially as follows:

   i. "The covenants, conditions and restrictions of this declaration shall run to the City of Costa Mesa insofar as they shall apply to the maintenance of the "common areas" as herein defined."

   ii. "In the event the association or other legally responsible person(s) fail to maintain the common area in such manner as to cause same to constitute a public nuisance, the city may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon the common area, individual units or the whole thereof as provided by law."

(Ord. No. 14-04, § 2B., 4-1-14; Ord. No. 15-03, § 2, 4-21-15; Ord. No. 18-10, § 2, 9-18-18; Ord. No. 21-20, § 1, 12-7-21)

Section 13-74 Elevation and screening requirements.

(a) The finished elevations of all buildings, structures, walls and fences shall be approved by the planning division.

(b) All trash containers and mechanical equipment, such as air conditioning compressors, duct work, and vents shall be screened from public rights-of-way and adjacent properties.

(c) Temporary receptacles, as approved by the public services department for the purposes of public participation in the collection of recyclable products, shall not be considered a trash bin, container or receptacle subject to the requirements of this section. For the purposes of this section, *temporary* shall mean a period, or periods, of time not exceeding 90 days during any twelve-month period.

(d) Pipes and conduits including, but not limited to, plumbing pipes, vents, ducting, fire sprinkler systems and electrical conduits shall not be mounted on exterior walls and roofs.

(1) For existing pipes and conduits, painting to match the surrounding façade shall satisfy this requirement.

(2) If the wall, roof or other element(s) on which the pipe or conduit is located is structurally modified or demolished, the element(s) shall be relocated to conform with this standard.

(e) In residential zones, or in any zone adjacent to a residential development, ground mounted mechanical or electrical equipment proposed within eight feet of a neighboring property's windows or doors must comply with one of the mitigation methods listed below (1-3):

(1) A minimum six foot-high block wall separates the equipment from the abutting property’s window(s) and/or door(s) with a minimum separation of four feet between equipment and neighboring window(s) and/or door(s).

(2) The equipment does not generate more than 50 decibels (based on manufacturer specifications), is not greater than the minimum distance required by the building code and is setback at least five feet from between the equipment and neighboring window(s) and/or door(s).

(3) The equipment maintains the same setbacks and separations required for main structures.

Section 13-75 Fences and walls.

(a) In residential zones, including planned development, except R-1:

(1) All interior property lines of the master development lot shall have six-foot high solid opaque walls or fences that conform to the city's walls, fences and landscaping standards.

(2) All exterior property lines of the master development lot shall have solid masonry

walls that conform to the city's walls, fences and landscaping standards in respect to height and location as well as the following standards. The final review authority shall approve the wall location, height, masonry materials, and finish.

(i) Only one type of wall design with the appropriate mix of masonry materials and finishes shall be permitted for the development lot.

(ii) Wall materials such as uncolored cinder block shall be treated with a decorative finish that complements and enhances the project and surrounding neighborhood.

(iii) Exceptions to the requirements stated in subsections (2)(i) through (2)(ii) may be approved by the final review authority. These exceptions may include, but are not limited to, combination masonry walls with vinyl fencing, stained/treated wood, wrought iron fencing, green wall, and green sustainable composite materials.

(iv) The development services director shall review and approve any future additions to the exterior walls, after project completion, which shall be constructed of materials which are either identical and/or compatible with the original wall.

(b) In all residential zones, fences, walls and landscaping shall comply with the standards outlined in Figure 13-75(a).

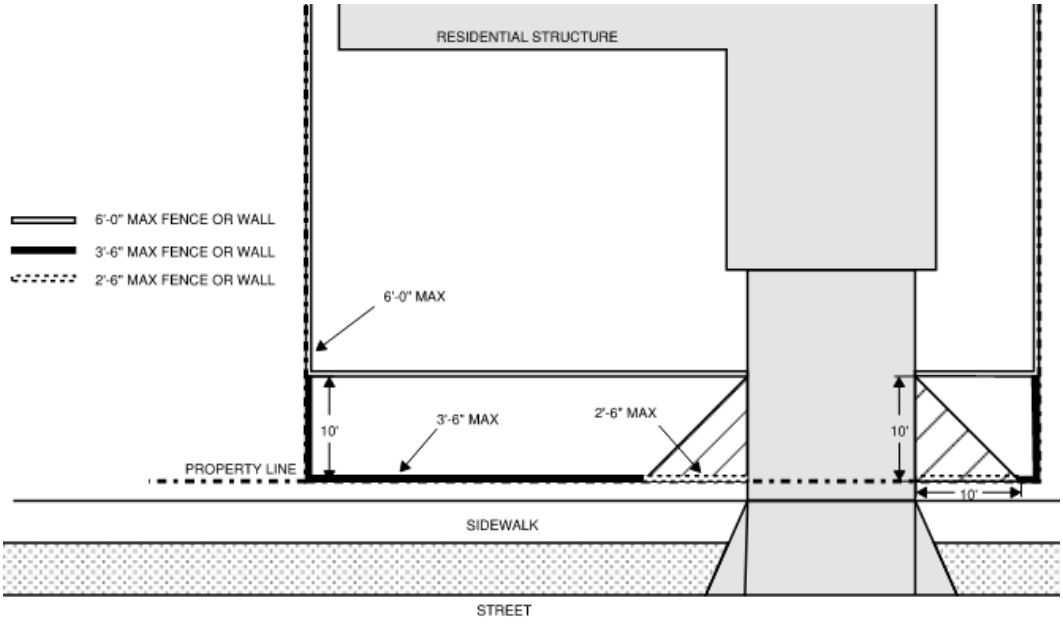


Figure 13-75(a)

(c) On corner lots, wall and fences in excess of three and a half feet in height shall be set back five feet from the street side property line.

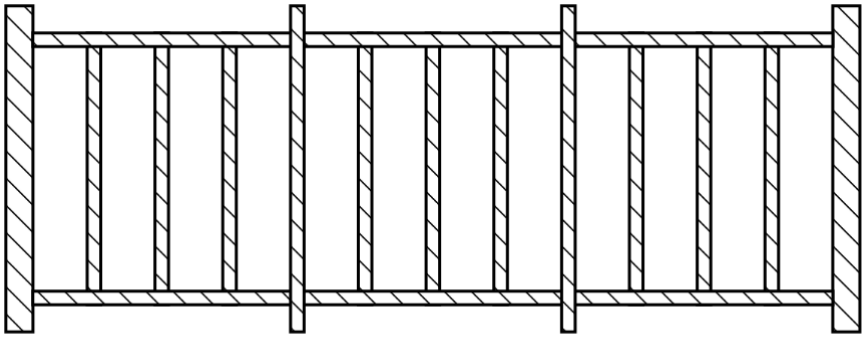
(d) In commercial zones, including planned development: All interior property lines abutting residentially zoned property shall have solid masonry walls, at least 6 feet

but no more than eight feet in height, unless an environmental study requires additional height.

(e) In industrial zones, including planned development: A solid masonry wall, at least six feet in height shall be constructed along all property lines which abut a residential or commercial zone. The maximum wall height shall not exceed eight feet, unless an environmental study requires additional height.

(f) Decorative details and lights such as finials, light fixtures, pilaster caps, pots and similar decorative items may extend no more than twelve inches above the maximum height limit. Decorative items shall be limited to no more than one item for every six lineal feet of fence or wall. Decorative details are prohibited within visibility triangles.

(g) In nonresidential zones, walls and fences within a landscape setback shall be a maximum of 40% solid. This shall be measured as illustrated in Figure 13-75(b).



Hatched elements shall be counted towards solid area

Figure 13-75(b)

(h) If a fence or wall is constructed adjacent to a public street, the fence or wall shall be approved by the planning division in terms of its compatibility and harmony with the proposed building and site development and buildings and site developments existing or approved for the general neighborhood. For arterial streets that are adjacent to residential developments, new arterial walls shall comply with the city's streetscape and median development standards. No fence or wall located in any street setback shall obscure the required street setback landscaping in the commercial and industrial zones.

(i) Fences, walls and landscaping located within a visibility triangle shall be limited to two and a half feet in height, as illustrated in Figure 13-75(c).

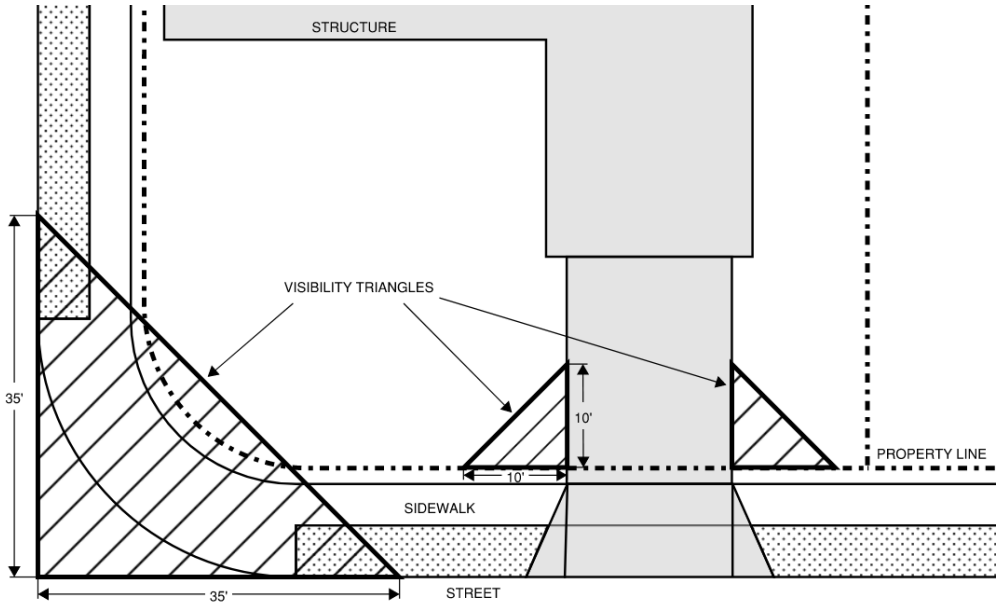


Figure 13-75(c)

(j) In all zones, retaining walls shall comply with the standards outlined in figure 13-75(d).

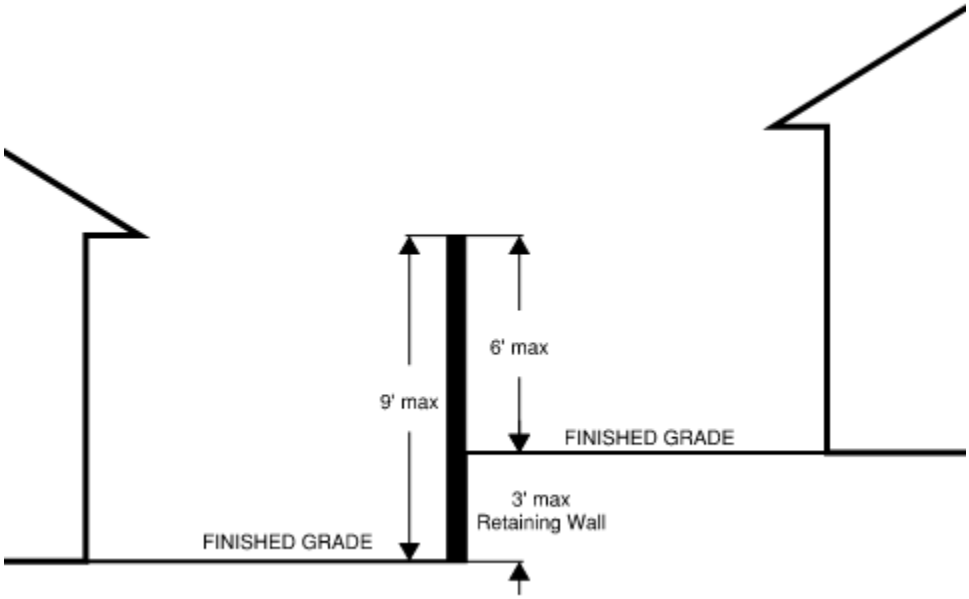


Figure 13-75(d)

(k) Wall and fence heights shall be measured from the highest finished grade at the base of the wall or fence.

(l) It is unlawful to construct, install, maintain or allow to exist any barbed wire, razor wire, concertina ribbon or similar item in any required setback abutting a public right-of-way, a required setback adjacent to a residential development or on a property with residential development. In all other locations, barbed wire, razor wire,

concertina ribbon and similar items shall maintain a minimum vertical clearance of six feet eight inches from grade.

(m) It is unlawful to install, maintain or allow to exist any electrified fence or any glass, nails or similar items embedded in walls or fences at any location.

(n) *Chain link fences.* In all nonresidential zones, chain link fencing is prohibited in any required setback abutting a public right-of-way. In all residential zones, including planned developments, chain link fencing is prohibited in any area visible from a public street or alley.

Chain link fence removal. A property owner of any residential or planned development property that has an existing chain link fence visible from a public street or alley, shall remove the chain link fence at such time the property owner obtains a building permit, or cumulative building permits over a consecutive twelve-month period, for property improvements valued at $30,000 or more. The chain link fence shall be completely removed prior to the finalization of the last building permit(s) that exceeds the thirty thousand dollar ($30,000.00) valuation.

(o) Security gates, in all zones, are subject to review and approval by the planning division in conjunction with the fire department and transportation division.

Section 13-89 Parking required.

The minimum amount of off-street parking as established in Table 13-89 shall be provided at the time:

(a) Any building and/or structure is constructed;

(b) Any building or structure is enlarged or increased in capacity by adding gross floor area, gross leasable area or seats;

(c) A specific use is proposed for a building site; or

(d) An existing use is changed to one which requires additional parking.

At all times, with the exception of the provisions of section 13-98, Declaration of land use restriction, parking shall be provided according to the requirements of Table 13-89.

TABLE 13-89
NON-RESIDENTIAL PARKING STANDARDS

USE	PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)
Retail; offices; central administrative offices; individual counseling; group counseling; establishments where food or beverages are served with a maximum of 300 square feet of public area [1]	4 spaces per 1,000 square feet with a minimum of 6 spaces [2]
Office buildings exceeding 2 stories in height and 100,000 square feet in area	3 spaces per 1,000 square feet
Banks; savings and loans; credit unions	5 spaces per 1,000 square feet with a minimum of 6 spaces
Medical and dental offices; acupressure; massage	6 spaces per 1,000 square feet with a minimum of 6 spaces
Furniture and appliance stores with floor area greater than 5,000 square feet	2 spaces per 1,000 square feet with a minimum of 20 spaces
Churches; theaters; mortuaries; auditoriums; services and fraternal clubs and lodges; amphitheaters and other similar places of assembly	Within the main auditorium or assembly area: 1 space for each 3 fixed seats or 1 space for every 35 square feet of seating area if there are no fixed seats. 18 lineal inches of bench shall be considered equal to 1 fixed seat.
Racquetball and tennis facilities	3 spaces per court plus parking required for incidental uses such as restaurants which shall be calculated as noted below
Establishments where food or beverages are served with more than 300 square feet of public area [1, 4]	10 spaces per 1,000 square feet for the first 3,000 square feet; [2] 12 spaces per 1,000 square feet for each additional 1,000 square feet above the first 3,000 square feet. [2]
Health clubs; spas; figure salons; skating rinks; game arcades	Parking requirement is 10 spaces per 1,000 square feet
Bowling alleys	3 spaces per lane plus parking required for incidental uses such as restaurants which shall be calculated as noted under "Establishments where food or beverages are served"

Trade schools; business colleges; dancing and music academies	10 spaces per 1,000 square feet
Motels	1 space for each rentable unit without cooking facilities. Each rentable unit with cooking facilities shall be governed by residential parking standards
Hotels	1 space for each 2 rentable units plus 10 spaces per 1,000 square feet for the first 3,000 square feet, and 20 spaces per 1,000 square feet for each additional 1,000 square feet above the first 3,000 square feet for restaurant, banquet, meeting room and kitchen spaces
Establishments with live entertainment; i.e., go-go dancers, topless dancers, bikini dancers	1 parking space for each person for the first 100 persons as authorized by capacity signs posted by the fire department; 1 parking space for each 2 persons for every 101 to 300 persons as authorized by capacity signs posted; 1 parking space for each 3 persons for every 301 plus persons as authorized by capacity signs posted by the fire department.
Shopping centers with a minimum of 600,000 square feet of contiguous gross leasable area:	
Main structure or group of abutting structures	
Retail	5 spaces per 1,000 square feet of gross leasable area
Establishments where food or beverages are served occupying 5% or less of the total contiguous gross leasable area	1 space per 1,000 square feet of gross leasable area
Establishments where food or beverages or served in excess of 5% of the total contiguous gross leasable area	5 spaces per 1,000 square feet of gross leasable area
Office Space occupying 10% or less of the total contiguous gross leasable area	None
Office Space in excess of 10% of the total contiguous gross leasable area	4 spaces per 1,000 square feet of gross leasable area with a minimum of 6 spaces
Theaters (cumulative)	
750 seats and less	5 spaces per 1,000 square feet of gross leasable area
More than 750 seats	5 spaces per 1,000 square feet of gross leasable area plus 3 spaces for each additional 100 seats
Uses within freestanding structures	
Establishments where food or beverages are served	10 spaces per 1,000 square feet of gross leasable area
All others	Pursuant to this table
Mixed use developments	When there are mixed uses within a single development which share the same parking facilities, the total requirement for parking should be determined as outlined in "City of Costa Mesa Procedure for Determining Shared Parking Requirements" which are included herein by this reference and which may be amended from time to time by resolution of the city council. A greater reduction in parking than would be allowed under this procedure may be

	approved by minor conditional use permit where it can be demonstrated that less parking is needed due to the hours of operation or other unusual features of the users involved. For mixed-use developments located in the mixed-use overlay zone, refer to the applicable urban plan for parking rates.
Industrial	3 parking spaces shall be provided per 1,000 square feet of gross floor area for the first 25,000 square feet of building; 2 parking spaces shall be provided per 1,000 square feet of gross floor area between 25,000 and 50,000 square feet of building; and one and one-half parking spaces shall be provided per 1,000 square feet of gross floor area over 50,001 square feet of building.
Garden centers; plant nurseries	4 spaces per 1,000 square feet of gross floor area; and 2 spaces per 1,000 square feet of outdoor display area.
Smoking lounges	17 spaces per 1,000 square feet

Notes:

1	Establishments limited to seating for 12 or fewer persons prior to June 4, 1997, shall remain at that seating limit unless additional parking is provided pursuant to this Zoning Code.
2	The outdoor patio seating area(s) shall not be included in the floor area calculations for purposes of determining the required parking.
3	The final review authority may apply a maximum credit of one parking space due to the provision of bicycle racks. This credit shall only apply to the overall parking supply and not to multiple uses.
	When the approval of a use permit is required, the final review authority may require additional parking spaces at a ratio not to exceed 30 spaces per 1,000 square feet of floor area of the entire building. Factors that may warrant additional parking include, but are not limited to, the provision of entertainment and/or dancing, or substantial ratio of floor area devoted to bar as compared to restaurant use. The maximum parking rate shall be applicable to uses that have substantially maximized the building's occupancy due to design and provision of concentrated uses.
4	When the approval of a use permit is required, the final review authority may require additional parking spaces at a ratio not to exceed 30 spaces per 1,000 square feet of floor area of the entire building. Factors that may warrant additional parking include, but are not limited to, the provision of entertainment and/or dancing, or substantial ratio of floor area devoted to bar as compared to restaurant use. The maximum parking rate shall be applicable to uses that have substantially maximized the building's occupancy due to design and provision of concentrated uses.
5	The square footage of electrical and mechanical equipment and the surrounding three feet for clearance shall be excluded from the calculation of gross floor area for the purpose of determining parking requirements

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-5, § 16, 3-2-98; Ord. No. 02-4, § 1j, 3-18-02; Ord. No. 06-9, § 1g., 4-18-06; Ord. No. 12-4, § 1, 5-15-12; Ord. No. 15-10, § 2C, 9-15-15; Ord. No. 21-20, § 1, 12-7-21)

Section 13-111 Definitions.

As used in this chapter, the following terms shall have the meanings set forth below:

Advertising statuary. An imitation, representation or similitude of a person or thing which is sculptured, molded, modeled, or cast in any solid or plastic substance, material, or fabric and used for commercial purposes.

Area (of sign). The area included within the outer dimensions of a sign. The area of multiple face signs and advertising statuary shall mean one-half the total surface area. In the case of "skeleton letters" or other signs placed on a wall without any border, the area shall be the sum of the areas of each letter or figure. The area of each letter or figure shall be computed by enclosing the letter or figure within sets of parallel lines.

Balloon sign. Any inflatable object having no dimension that exceeds 24 inches, including, but not limited to, objects made of plastic, cloth, rubber, or canvas, having the shape of any object, and regardless of whether or not it contains copy.

Banner, flag, or pennant. Any cloth, bunting, plastic, paper, or similar material used for advertising purposes on private property and not within the public right-of-way. Flags of a nation or of the State of California, displayed as such in an appropriate manner, are excepted from these regulations. See also street banner.

Billboard. A sign that advertises a business, product, service or activity which is not available at or is not conducted on the premises on which the sign is located.

Changeable copy sign. A sign whose copy consists of nonelectronic detachable lettering or numbers that must be manually installed, usually on a series of parallel tracks, including, but not limited to, service station price signs and theater marquees.

Commercial portable sign. Any sign which can be moved from place to place which is not permanently affixed to the ground or to a building used for commercial purposes. The term portable sign includes, but is not limited to, any sign affixed to an automobile, truck, trailer, or other vehicle where such sign solicits patronage to a specific business by means of parking such a vehicle primarily for the purpose of advertising such business. The term portable sign shall also include a sign posted in or on a vehicle parked on public or private property without written consent of the property owner, advertising that vehicle for sale.

Construction site sign. A sign located on a construction site used to identify the name of the future site occupant and which may include the names, addresses, and telephone numbers of businesses directly related to the construction project, including but not limited to the architect, engineer, contractor and financing entity.

Contiguous window area. Total surface area of a window or individual window panes separated only by vertical or horizontal mullions that are three inches wide or less. Window areas separated by columns, wide mullions or other elements greater than three inches in width are not considered contiguous. Window area is not considered contiguous if it is located on a separate façade.

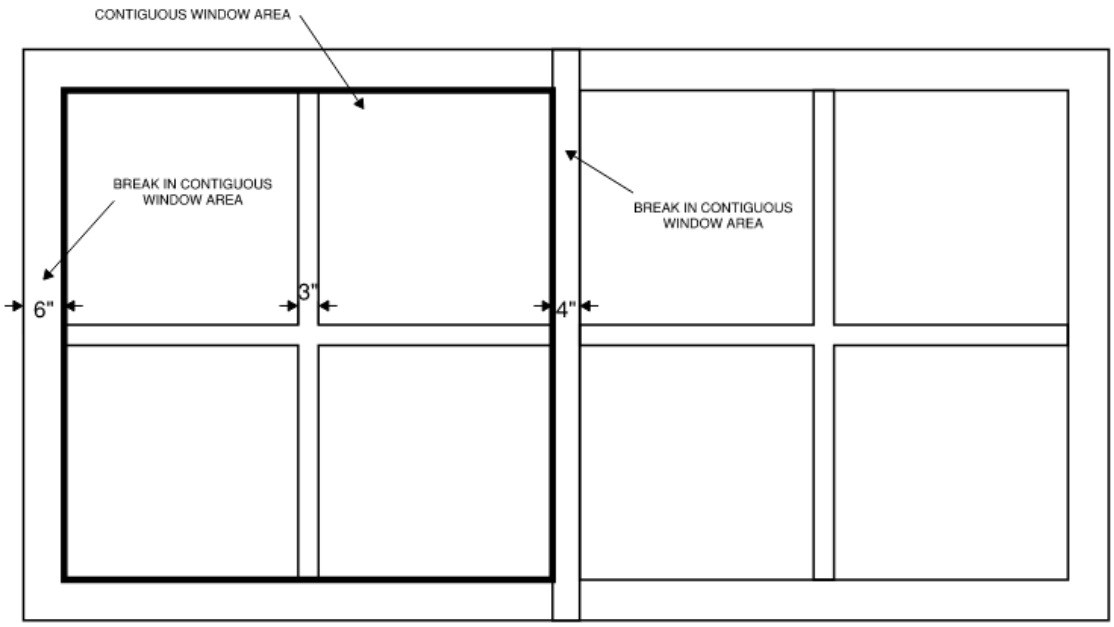


Figure 13-111(a)

Convenience sign. A sign, not larger than nine square feet, providing directional information and designed to be viewed on site or adjacent to the site by pedestrians and/or motorists. The term convenience sign shall also include electronic time/temperature signs.

Electronic changeable copy sign. A sign that uses video displays, lamps, fiber optics, light-emitting diodes (LED's) liquid crystal displays, plasma displays, or any other mechanical or light emitting medium to convey messages, movement, or animation imagery during or between messages.

For sale sign. A real estate sign indicating that the premises on which the sign is located, or any portion thereof, is for sale, lease or rent.

Freestanding sign. A sign supported permanently upon the ground by poles, braces or other supports, and not attached to any building.

Governmental sign. A sign installed by the city or other public agency pursuant to city approval, including, but not limited to, signs for motorist or pedestrian safety.

Height (of sign). The vertical distance from grade to the highest point of the sign or sign structure.

Illegal sign. Any sign installed or modified in violation of the Costa Mesa Municipal Code at the time the sign was installed or modified.

Illumination exterior. Illumination cast on a sign from an exterior source, such as a floodlight.

Illumination interior. Illumination generated from the interior of a sign.

Illumination interior with opaque background. Interior illumination of a sign where the

background of the sign face is opaque and only the copy is illuminated.

Inflatable sign. Any inflatable object having any dimension in excess of 24 inches, including, but not limited to, objects made of plastic, cloth, rubber, or canvas, having the shape of any object, and regardless of whether or not it contains copy.

Mural or super graphic. A large image, picture, or design painted on or affixed to the exterior of a building or structure. A mural or super graphic is a sign only if it is related by language and/or logo to the advertisement of any product or service or the identification of any business.

Neighborhood identification sign. A sign identifying the entrance to a residential area consisting of five or more acres.

Non-commercial banner, flags, or pennants. Any cloth, bunting, plastic, paper, or similar material which is not used for advertising purposes on private property and not within the public right-of-way. Examples of non-commercial banners generally include, but are not limited to, signs that espouse a political or religious viewpoint, and signs commenting on public official(s) or matter(s) of public discourse.

Non-commercial portable sign. Any sign which can be moved from place to place which is not permanently affixed to the ground or to a building which is not used for commercial purposes. Examples of noncommercial signs generally include, but are not limited to, signs that espouse a political or religious viewpoint, and signs commenting on public official(s) or matter(s) of public discourse.

Nonconforming sign. A sign which was legally installed under laws or ordinances in effect at the time of its installation, but which is in conflict with the current provisions of this chapter.

Open house sign. A real estate sign with the words "Open House" as the primary copy for the premises on which the sign is located.

Painted wall sign. Any sign painted directly on the exterior surface of a building or structure, except awnings or canopies. (See "mural or super graphic").

Permanent window sign. A sign that is placed on or behind a window for a period of time in excess of 60 days. Paper or cardboard signs, or signs painted directly onto the surface of a window are not considered permanent window signs regardless of the duration of display.

Public baseball/softball field. Any baseball and/or softball field owned, rented, or leased by the city or used by the city under a joint use agreement.

Public property. Any building, park, grounds, structures, or other real property (collectively referred to as "property" for the purpose of this definition) owned, rented, or leased by the city not within the public right-of-way or any such property used by the city under a joint use agreement. For the purposes of this definition, public property does not include public baseball and softball fields.

Public right-of-way. Any public sidewalk, street, alley or highway improved to allow vehicular and pedestrian access and adjacent city landscape areas including trees

therein, traffic control devices, street name signs, fire hydrants and other structures, under the ownership and jurisdiction of the city or the state.

Real estate sign. A temporary sign placed for the purposes of advertising the premises on which the sign is located as either for sale, lease or rent, and includes for sale sign and open house sign.

Sign. Any medium for visual communication, including its copy, structure and component parts, which is used or intended to be used to attract attention to, or identify, or advertise a business, product, service, activity, or location or to provide information. "Sign" includes statuary and graphic wall designs used for advertising purposes. "Sign" includes billboards, but does not include handbills.

Site. One or more parcels of land identified by the assessor's records and for which an integrated building development exists or has been proposed.

Street. A public or private alley, street or highway improved to allow vehicular access.

Street banner. Any cloth, bunting, plastic, paper, or similar material used for advertising purposes on a light standard within the public right-of-way.

Temporary window sign. A non-illuminated sign placed on or behind a window for a period of time not in excess of 60 days for the purpose of advertising special sales, prices, products or services, including paper or cardboard signs, or signs painted directly onto the surface of a window.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 99-10, § 1, 7-19-99; Ord. No. 02-8, § 1a, 4-15-02; Ord. No. 04-11, §§ 1, 2, 10-18-04; Ord. No. 11-11, § 1, 9-20-11; Ord. No. 16-04, § 2, 8-2-16; Ord. No. 18-02, § 2, 1-16-18)

Section 13-142 Development standards.

Table 13-142 identifies the development standards for antennas. Proposed antennas not in compliance with the applicable development standards shall require the approval of a minor conditional use permit pursuant to section 13-144, Minor conditional use permit requirements.

TABLE 13-142
ANTENNA DEVELOPMENT STANDARDS

STANDARDS	SATELLITE DISH	AMATEUR RADIO	COMMUNICATION
Maximum Height (measured from the property's grade to the highest point of the antenna)			
Residential Zone or Nonresidential Zone Adjacent to a Residential Zone:	15 feet	75 feet	30 feet
Other Nonresidential Zone:	Not to exceed allowable building height	Same as above	Same as above
Front Yard Location Permitted	No		
Side and Rear Setbacks (setbacks apply to antenna support structure and to arrays and projections attached thereto, unless otherwise noted)			
Residential Zone:	Side: Comply with setbacks for accessory structures, with a minimum setback of 5 feet. Rear: Ground-mounted antenna support structures may be located in a required rear yard if located as far forward as possible from the rear property line. Minimum of 5 feet for arrays and projections attached to the antenna support structure.		
Nonresidential Zone:	Side and Rear: Comply with setbacks for main structures, with a minimum setback of 5 feet. Exception: Side and/or Rear, when adjacent to a Residential Zone: Minimum of 5 feet from the residential property line. Additionally, the antenna support structure shall be located as far as possible from the residential property line.		
Roof-mounted Location	Shall be located on the portion of the roof farthest from any adjacent street, residential zone (if applicable), bluff, and/or park, whichever location will result in the least visual impact.		
Maximum Number Residential Zone or Nonresidential Zone adjacent to a Residential Zone:	One Exception: Legally subdivided residential units in small lot subdivision projects, and units in Planned Unit Development projects with individual lots, shall each be allowed one satellite dish antenna unless otherwise prohibited.	One antenna support structure in excess of 30 feet. One whip antenna in excess of 30 feet. Note: There is no limit on the number of antennas which do not exceed 30 feet in height.	One antenna support structure
Other Nonresidential Zone:	No regulation	No regulation	No regulation
Maximum Diameter Residential Zone or Nonresidential Zone adjacent to a Residential Zone:	10 feet	Any dish-shaped element attached to an antenna: 2 feet Exception: Any dish-shaped element in excess of 2 feet in diameter that is attached to an antenna shall require approval of a minor conditional use permit and comply with the satellite dish antenna development standards regarding maximum height (applicable to dish element only) diameter, screening and materials, as applicable.	
Other Nonresidential Zone:	No regulation	Dish-shaped elements in excess of 2 feet in diameter shall comply with the satellite dish antenna development standards regarding maximum height (applicable to dish element only) and materials.	
Screening Required Residential Zone or Nonresidential Zone adjacent	Screening, either partial or total, may be required by the planning division when the antenna is visible from off-site.	Ground-mounted: No regulation. Roof-mounted: Antennas less than 30 feet in height: No regulation.	Ground-mounted: Screening shall be required when the antenna and support structures/equipment is

TABLE 13-142 ANTENNA DEVELOPMENT STANDARDS			
STANDARDS	**SATELLITE DISH**	**AMATEUR RADIO**	**COMMUNICATION**
to a Residential Zone:	The screening may consist of a solid, opaque fence, wall, vegetation, landscaping and/or any other material deemed acceptable by the planning division.	Antennas 30 feet or more in height: Screening may be required in Nonresidential Zones if necessary to lessen visual impacts on the adjacent Residential Zone(s), under the direction of the planning division.	visible from off site. Roof-mounted: Screening may be required if necessary to lessen visual impacts, under the direction of the planning division.
Other Nonresidential Zone:	No regulation		Same as above
Color	All antennas visible from off-site shall be finished in a color deemed unobtrusive to the neighborhood in which it is located, under the direction of the planning division.		
Signs	No sign of any kind shall be posted or displayed on any antenna.		
Radiofrequency (RF) Radiation	No transmitting antenna or facility, except as categorically excluded by the Federal Communication Commission, shall exceed the radiofrequency (RF) radiation and maximum permissible exposure (MPE) limits for electrical and magnetic field strength and power density established by the National Council on Radiation Protection and Measurements (NCRP) and the 1992 ANSI/IEEE for an "uncontrolled environment." It shall be the responsibility of the applicant to provide evidence of compliance with applicable standards.		
Wiring	All electrical and antenna wiring shall be encased in tubing or other devices acceptable to the planning division and/or concealed to the maximum extent feasible to minimize visual impact.		
Materials	When the antenna exceeds 6 feet in height above grade, the dish-shaped element shall be of a mesh construction. Not applicable.		
Other Requirements	Ground-mounted antennas shall not reduce the area required for parking, internal circulation or other development standards in this Zoning Code. All antennas shall be permanently mounted, and no antenna may be installed on a portable or movable structure.		

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-5, § 23, 3-2-98; Ord. No. 21-20, § 1, 12-7-21)

Section 13-265.5 Parcel Maps for Urban Lot Splits.

(a) Definitions. For purposes of this section, the following definition shall apply:

(1) "Urban lot split" means a lot split of a single-family residential lot into two parcels that meets the requirements of this section.

(b) The city shall ministerially approve a parcel map for a lot split that meets the following applicable requirements:

(1) The parcel is located within a single-family residential zone.

(2) The parcel is located at least partially in an urbanized area or urban cluster as designated by the United States Census Bureau.

(3) The parcel map divides an existing parcel to create no more than two new parcels of approximately equal lot area, provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel.

(4) Both newly created parcels are no smaller than 1,200 square feet.

(5) The parcel is not located in any of the following areas and does not fall within any of the following categories:

a. A historic district or property included on the State Historic Resources Inventory, as defined in section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.

b. Prime farmland or farmland of statewide importance as further defined in Government Code section 65913.4(a)(6)(B).

c. Wetlands as defined in the Unites States Fish and Wildlife Service Manual, Part 660 FW 2(June 21, 1993).

d. A very high fire hazard severity zone as further defined in Government Code section 65913.4(a)(6)(D). This does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

e. A hazardous waste site that is listed pursuant to Government Code section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

f. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted

by the California Building Standards Commission under the California Building Standards Law and by the city's building department.

g. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or

ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the Nation Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);

h. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.

i. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code section 65913.4(a)(6)(I).

j. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with section 1900) of Division 2 of the Fish and Game Code).

k. Lands under a conservation easement.

(6) The proposed lot split would not require demolition or alteration of any of the following types of housing:

a. Housing that is subject to a recorded covenant, ordinance or law that

restricts rents to levels affordable to persons and families of moderate, low, or very low income;

b. Housing that is subject to any form of rent or price control by the city;

c. A parcel or parcels on which an owner of residential real property exercised rights under Government Code section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date of the application; or

d. Housing that has been occupied by a tenant in the last three years.

(7) The lot split does not create more than two units on a parcel, including any accessory dwelling units or junior accessory dwelling units.

(c) Standards and Requirements. Except where superseded by the following provisions or state law, Parcel Maps for Urban Lot Splits pursuant to Government Code Section 66411.7 shall comply with the development standards applicable to the R1 Single-Family Residential District including but not limited to Section 13-32 of this code:

(1) The lot split conforms to all applicable objective requirements of the Subdivision Map Act and Title 13 of this code, except as the same are modified by this section.

(2) No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(3) Except for those circumstances described in section C2 above, the setback for side and rear lot lines shall be four feet. The front setback shall be as set forth in the R-1 Single-Family Residential District standards.

(4) The applicant shall provide easements for the provision of public services and facilities as required.

(5) Units constructed on sites created pursuant to Government Code Section 66411.7 shall adhere to the following:

a. All new development shall be constructed, in accordance with code standards and design guidelines applicable to the R1 Single-Family Residential District.

b. Each unit which is attached to an existing or proposed dwelling shall have the same design, materials, finishes, and colors as the attached dwelling and shall be in accordance with code standards and design guidelines applicable to the R1 Single-Family Residential District.

c. Any proposed detached units on the same lot shall be compatible in exterior appearance with an existing unit in terms of design, materials, finishes, and colors within the same property on which it is proposed to be constructed, in accordance with code standards and design guidelines

applicable to the R1 Single-Family Residential District.

(6) All lots shall have a minimum street frontage of ten feet to provide for vehicular access, or 16-foot frontage if the driveway serves two units. For a lot without physical street frontage, access to street frontage shall be provided by the granting of a duly recorded permanent easement for ingress and egress purposes in favor of the lot without physical street frontage.

(7) In order to preserve the City's inventory of on-street parking, existing and proposed development pursuant to Government Code section 66411.7 shall be limited to one driveway ingress/egress per resultant lot.

(8) Required off-street parking shall consist of at least one garage parking space per unit and the location and configuration of such parking shall be in compliance with the standards set forth in this code, except that no parking requirements shall be imposed in either of the following circumstances:

a. The parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code section 21155(b) or a major transit stop as defined in Public Resources Code section 21064.3; or

b. There is a car share vehicle located within one block of the parcel.

(d) The city shall not deny an application based on any of the following:

(1) The city shall not require dedications of rights-of-way or the construction of offsite improvements for the parcels being created as a condition of issuing a parcel map.

(2) The city shall not impose any objective zoning, subdivision, or design standards that would have the effect of physically precluding the creation of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet. If the city determines that the strict application of objective zoning, subdivisions or design standards would physically preclude the development of two units on a lot each with a minimum unit size of 800 square feet, the city may ministerially allow deviations from development standards generally applicable to the R-1 zoning district pursuant to city policies and/or regulations implementing this section if such deviation is in compliance with applicable building and fire code standards and regulations and if there are no other feasible means of complying with state law.

(3) The city shall not require the correction of nonconforming zoning provisions as a condition for the lot split.

(4) The city shall not deny an application solely because it proposes an adjacent or connected structure provided that all building code safety standards are met and they are sufficient to allow a separate conveyance.

(e) An applicant for an urban lot split shall be required to sign an affidavit in a form approved by the City Attorney to be recorded against the property stating the

following:

(1) That applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval. This requirement does not apply when the applicant is a "community land trust" or a "qualified nonprofit corporation" as the same are defined in the Revenue and Taxation Code.

(2) That the uses shall be limited to residential uses.

(3) That any rental of any unit created by the lot split shall be for a minimum of thirty-one days.

(4) That the maximum number of units to be allowed on the parcels is four, including but not limited to units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, junior accessory dwelling units, or units allowed pursuant to section 13-36.

(f) The city may deny the lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(g) This section shall not apply to:

(1) Any parcel which has been established pursuant to a lot split in accordance with this section; or

(2) Any parcel where the owner of the parcel being subdivided or any person acting in concert with the owner has previously subdivided an adjacent parcel in accordance with this section. For purposes of this section, it will be assumed that where a lot owner purchased the property from an adjacent owner who subdivided his property pursuant to this division within five years of the lot split, the owner is acting in concert with the then owner of the adjacent lot. However, acting in concert is not limited to this situation.

(h) The provisions of this section supersede any contrary provisions contained elsewhere in this code.

Section 13-6 Definitions.

Abutting. Sharing a common boundary, of at least one point contiguous to, having district boundaries or lot lines in common (i.e., not separated by an alley, public or private right-of-way, or street).

Accessory building. A building or part of a building which is subordinate to, and the use of which is incidental to that of the main building or use on the same lot.

Accessory dwelling unit (ADU). See Chapter V, Article 2, section 13-35.

Accessory use. A use incidental and subordinate to and devoted exclusively to the main use of the land or building thereon that does not change the character of the structure or use.

Accessory use, residential. A use that is a part of, and clearly incidental and secondary to, a residence; located on the same lot as a residence; and that does not change the character of the residential use such as:

(a) Accessory dwelling unit (ADU)

(b) Home occupations

(c) Personal property sales (i.e., garage or yard sales).

Adjacent. Same as abutting, but also includes properties which are separated by a public right-of-way, not exceeding 120 feet in width.

Administrative adjustment. A discretionary entitlement, usually granted by the zoning administrator, which permits limited deviation from the strict application of the development standards contained in this Zoning Code, based on specified findings.

Adult business. See Chapter IX, Special Land Use Regulations, Article 1, Adult Businesses, for specific definitions and terms.

Alcoholism or drug abuse recovery or treatment facility. Adult alcoholism or drug abuse recovery or treatment facilities that are licensed pursuant to section 11834.01 of the California Health and Safety Code. Alcoholism or drug abuse recovery or treatment facilities are a subset of residential care facilities.

Alteration (structure). Any construction, addition or physical change in the internal arrangement of rooms or the supporting members of a structure, or change in the appearance of any structure, except paint.

Ambient noise level. The all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excluding the alleged offensive noise, at the location and approximate time at which a comparison with the alleged offensive noise is to be made.

Antenna. Any structure, including, but not limited to, a monopole, tower, parabolic and/or disk shaped device in single or multiple combinations of either solid or mesh construction, intended for the purpose of receiving or transmitting communication to or from another antenna, device or orbiting satellite, as well as supporting equipment

necessary to install or mount the antenna.

Antenna, amateur radio. An antenna array and its associated support structure, such as a mast or tower, that is used for the purpose of transmitting and receiving radio signals in conjunction with an amateur radio station licensed by the Federal Communications Commission.

Antenna, communication. All types of receiving and transmitting antennas, except satellite dish antennas and amateur radio antennas. Communication antenna includes, but is not limited to, cable television antennas, cellular radiotelephone cell antennas, FM digital communication antennas, microwave telephone communication antennas, and shortwave communication and other similar antennas.

Antenna height. The distance from the property's grade to the highest point of the antenna and its associated support structure when fully extended.

Antenna, satellite dish. An antenna intended for the purpose of receiving or transmitting communication to or from an orbiting satellite.

Antenna, whip. An antenna and its support structure consisting of a single, slender, rod-like element which is supported only at or near its base.

Apartment. A rental or lease dwelling having kitchen facilities in a structure designed or used to house at least one family, as the term "family" is defined in this Zoning Code.

Assembly use. A use conducted in a structure or portion of a structure for the purpose of a civic, education, political, religious, or social function or for the consumption or receipt of food and/or beverages. Assembly use includes, but is not limited to, churches and other places of religious assembly, mortuaries, primary and secondary schools, trade and vocational schools, colleges, amusement centers, billiards parlors, bowling centers, establishments where food or beverages are served, motion picture theaters, physical fitness facilities, skating rinks, and dance, martial arts, and music studios. Assembly use does not include sexually oriented businesses.

Association (homeowners'). The organization of persons who own a lot, parcel, area, airspace, or right of exclusive occupancy in a common interest development and who have interests in the control of common areas of such project.

Attached (structure). Any structure that has a wall or roof in common with another structure.

Attic. Any non-habitable area immediately below the roof and wholly or partly within the roof framing.

Awning. A roof-like cover that projects from the wall of a building for the purpose of shielding the sun or providing an architectural accent.

Basement. A space wholly or partially underground and having more than 1/2 of its height, measuring from floor to ceiling, below the average grade. If the finished floor level directly above the basement is more than four feet above grade at any point, the basement shall be considered a story.

Boardinghouse. A dwelling unit, other than a hotel, wherein rooms are rented under two or more separate written or oral rental agreements, leases or subleases or combination thereof, whether or not the owner, agent or rental manager resides within the dwelling unit. Boardinghouse, small means two or fewer rooms being rented to a maximum of three occupants per dwelling unit. Boardinghouse, large means three to six rooms being rented to a maximum of six occupants per dwelling unit. Boardinghouses renting two or fewer rooms and having more than three occupants, or renting more than six rooms and/or having more than six occupants, per dwelling unit are prohibited.

Building. Any structure having roof and walls and requiring permanent location on the ground, built and maintained for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

Building height. The distance from the finished grade (as defined in this section) to the highest point on the roof, including roof-top mechanical equipment and screening.

Building, main. The building or buildings within which the principal use permitted on the lot is conducted.

Carport. A permanent, roofed structure, not completely enclosed which is used for vehicle parking.

Central administrative office. An establishment primarily engaged in management and general administrative functions performed centrally for other establishments of the same company.

Churches and other places of religious assembly. A type of assembly use which has the principal purpose of religious worship and for which the primary space is a sanctuary. Religious activities and services held in the sanctuary are conducted at scheduled times. The use may also include accessory facilities in the same or separate building that includes classrooms, assembly rooms, restrooms, kitchen, and a library. Other uses such as, but not limited to, day care facilities, nursery schools, schools, retail sales, and services to businesses, are not considered a primary function of churches and other places of religious assembly.

Cigar bar. See Smoking lounge.

City. City of Costa Mesa.

Common area. Those portions of a project area which are designed, intended or used in common and not under the exclusive control or possession of owners or occupants of individual units in planned development projects or common interest developments.

Common interest development. A development as defined in State Civil Code section 1350, containing two or more common interest units, as defined in Civil Code section 783; a community apartment project, as defined in State Business and Professional Code section 11004, containing two or more rights of exclusive occupancy; and a stock cooperative, as defined in Business and Professional Code section 11003.2, containing two or more rights of exclusive occupancy.

Conditional use permit. A discretionary approval usually granted by the planning

commission which allows a use or activity not allowed as a matter of right, based on specified findings.

Convenience stores, mini-markets. A retail store, generally less than 10,000 square feet in area, that sells a variety of convenience foods, beverages and non-food items. Fresh dairy products, produce and/or meat may be offered on a limited basis.

County. County of Orange.

Covered parking space. A garage, carport or parking space which is completely covered by a roof.

Density bonus. A minimum increase of 25% over the allowable residential dwelling unit density as specified by the zoning classification.

Development. The division of land into two or more lots; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.

Development review. The processing of a development plan when authority for approval is vested in the planning division.

Development services department means the Development Services Department of the City of Costa Mesa.

Development services director. The director of development services of the City of Costa Mesa, or his or her designee.

Disabled shall have the same meaning as handicapped.

Dormer. A vertical window in a projection built out from a sloping roof.

Driveway, common. A paved area for vehicle circulation and parking purposes which features joint use between two or more parties.

Driveway, individual. The paved area strictly leading to the garage/carport of a residence. This paved area serves vehicle parking purposes and does not extend beyond the garage/carport unless a curvilinear design is necessary for the turning radius.

Dwelling, single-family. "Dwelling, single-family" or "single-family dwelling" is a building of permanent character placed in a permanent location which is designed or used for residential occupancy by one family. A single mobile home on a foundation system on a single lot is a single-family dwelling. (See Manufactured housing).

Dwelling, multi-family. "Dwelling, multi-family" or "multi-family dwelling" is a building or buildings of permanent character placed on one lot which is designed or used for residential occupancy by two or more families.

Dwelling unit. One or more rooms in any building designed for occupancy by one family, and containing one kitchen unit, including manufactured housing. (See Manufactured housing).

Easement. A grant of one or more property rights by the owner for use by the public, a corporation or another person or entity.

Electronic cigarette. An electronic and/or battery-operated device used to provide an inhalable dose of nicotine by delivering a vaporized solution. The term includes any such device manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. The term does not include any medical inhaler prescribed by a licensed doctor.

Electronic game machine. Any electronic or mechanical device which upon insertion of a coin, slug, or token in any slot or receptacle attached to the device or connected therewith, operates, or which may be operated for use as a game, contest, or amusement through the exercise of skill or chance.

Emergency shelters. A facility that provides immediate and short-term housing for homeless persons that is limited to occupancy of six months or less. Supplemental services may include counseling and access to social programs. No individual or household may be denied to emergency shelter because of an inability to pay.

Entertainment (live). Any act, play, revue, pantomime scene, dance act, musical performance, or any combination thereof, performed by one or more persons whether or not they are compensated for the performance.

Establishment where food or beverages are served. Any commercial use that sells prepared food and/or beverages for consumption on site or off site, either solely or in conjunction with an ancillary or complementary use. Excluded from this definition are grocery stores, convenience stores, movie theaters, and other such uses, as determined by the development services director, where the sale of food or beverages is clearly incidental to the primary use. All establishments selling alcoholic beverages for consumption on-site are included within this definition

Fair housing laws. The Federal Fair Housing Act, the Americans with Disabilities Act, and the California Fair Employment and Housing Act, as each statute may be amended from time to time, and each statute's implementing regulations.

Family. One or more persons occupying one dwelling unit and living together as a single housekeeping unit.

Family day care home, large. A home which provides family day care to seven to 14 children as defined in section 1596.78 of the State Health and Safety Code.

Family day care home, small. A home which provides family day care to eight or fewer children as defined in section 1596.78 of the State Health and Safety Code.

Floor area ratio. The gross floor area of a building or project divided by the project lot area upon which it is located.

Garage. An accessory or attached enclosed building with doors, designed and/or used for vehicle parking.

Garage sale. An event for the purpose of selling or trading personal property. Garage

sale includes yard sale.

General plan. The City of Costa Mesa General Plan as adopted or amended from time to time by the city council.

Grade. 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 feet from the building, between the building and a line five feet from the building.

Grade, finished. The surface of the ground at a stated location as it exists after completion of precise grading.

Grade, natural. The unaltered natural surface of the ground at a stated location.

Gross acreage. The total area within the lot lines of a lot of land before public streets, easements or other areas to be dedicated or reserved for public use are deducted from such lot, and not including adjacent lands already dedicated for such purposes.

Gross floor area. The area of all floors within the walls of a structure except elevator and other vertical shafts (including stairwells) and elevator equipment areas..

Gross leasable area. The total floor area designed for tenant occupancy and exclusive use, including both owned and leased areas.

Group home. A facility that is being used as a supportive living environment for persons who are considered handicapped under state or federal law. A group home operated by a single operator or service provider (whether licensed or unlicensed) constitutes a single facility, whether the facility occupies one or more dwelling units. Group homes shall not include the following: (1) residential care facilities; (2) any group home that operates as a single housekeeping unit.

Guestroom. A room occupied or intended, arranged, or designed for occupancy by one or more guests.

Handicapped. As more specifically defined under the fair housing laws, a person who has a physical or mental impairment that limits one or more major life activities, a person who is regarded as having that type of impairment, or a person who has a record of that type of impairment, not including current, illegal use of a controlled substance.

Hazardous materials. Any material of quantity, concentration, physical or chemical characteristics, that poses a significant present or potential hazard to human health and safety or to the environment if released into the work place or environment; or any material requiring a Material Safety Data Sheet according to Title **8**, section 339 of the State Code of Regulation.

Height. See Building height and Antenna height.

Home occupation. Any business or commercial use conducted within a dwelling unit.

Hookah lounge. See Smoking lounge.

Hotel. Any building or combination of buildings generally three or more stories in height containing six or more guest rooms offering transient lodging accommodations to the general public and providing incidental guest services such as food and beverage service, recreation facilities, retail services and banquet, reception and meeting rooms. Typically, room access is provided through a main or central lobby.

Household includes all the people occupying a dwelling unit, and includes people who live in different units governed by the same operator.

Individual counseling. A single-operator business that provides individual and/or family counseling and occupies no more than 500 square feet of total square footage, including but not limited to an office suite and corresponding proportion of any common waiting areas. Any counseling use with a floor area of more than 500 square feet shall be considered a group counseling use.

Integral facilities. Any combination of two or more group homes which may or may not be located on the same or contiguous parcels of land, that are under the control and management of the same owner, operator, management company or licensee or any affiliate of any of them, and are integrated components of one operation shall be referred to as integral facilities and shall be considered one facility for purposes of applying federal, state and local laws to its operation. Examples of such integral facilities include, but are not limited to, the provision of housing in one facility and recovery programming, treatment, meals, or any other service or services to program participants in another facility or facilities or by assigning staff or a consultant or consultants to provide services to the same program participants in more than one licensed or unlicensed facility.

Integral uses. Any two or more residential care programs commonly administered by the same owner, operator, management company or licensee, or any affiliate of any of them, in a manner in which participants in two or more care programs participate simultaneously in any care or recovery activity or activities so commonly administered. Any such integral use shall be considered one use for purposes of applying federal, state and local laws to its operation.

Intersection. The general area where two or more roadways join or cross.

Kitchen. Any room, all or part of which is designed and/or used for storage, refrigeration, cooking and preparation of food.

Landscaping. Plant materials such as lawn, groundcover, trees and shrubs.

Loft. An intermediate floor placed within a room, where the clear height above and below the loft is not less than seven feet, and where the aggregate area of the loft does not exceed 1/3 of the area of the room in which it is located.

Lot.

(a) A parcel of real property when shown as a delineated parcel of land with a number or designation on a subdivision map or parcel map recorded in the office of the county recorder, and created in conformance with the Subdivision Map Act and

applicable local ordinances.

(b) A parcel of real property when shown on a record of survey map or deed filed in the office of the county recorder, when such map or deed was filed as the result of and was made a condition of a lot division approved under the authority of prior ordinances.

Lot area. The total land area of a project after all required dedications or reservations for public improvements, including, but not limited to, streets, parks, schools, and flood control channels. This phrase does not apply in the planned development zones where the phrase "site area," as defined in Chapter V, Development Standards, is used.

Lot, corner. A lot abutting on and at the intersection of two or more streets which intersect at an angle that is equal to or less than 135 degrees.

Lot, depth. The average of the horizontal distance between the front and the rear lot lines.

Lot, development. The master lot or project site upon which a development will be constructed.

Lot, individual dwelling unit. An individual building site or lot within a development intended for construction of a single attached or detached dwelling unit.

Lot, interior. A lot abutting only one street, or a lot abutting two streets which intersect at an angle greater than 135 degrees.

Lot, width. The horizontal distance between the side lot lines measured at right angles to the lot depth at the front building setback line.

Manufactured housing. Detached housing that is built to the National Manufactured Housing Construction and Safety Standards Act of 1974, including structures known as manufactured homes and mobile homes. For the purpose of this Zoning Code, a factory-built single-family structure that is manufactured under the authority of 42 U.S.C. section 5401, the National Manufactured Home Construction and Safety Standards Act, transportable in one or more sections, built on a permanent chassis and used as a place of human habitation, shall be considered a single-family home and shall be reviewed under the same standards as a sitebuilt structure.

Marijuana. Has the same definition as that set forth in California Health and Safety Code section 11018.

Marijuana cultivation and/or medical marijuana cultivation. The planting, growing, harvesting, drying or processing of marijuana plants or any part thereof for any purpose, including medical marijuana, and shall include both indoor and outdoor cultivation.

Master plan. The overall development plan for a parcel or parcels which is depicted in both a written and graphic format.

Master plan of highways. The graphic representation of the city's ultimate circulation system contained in the general plan. It illustrates the alignment of the major, primary, secondary and collector highways.

Median. A paved or planted area separating a parking area, street, or highway, into two or more lanes or directions of travel.

Medical marijuana. Marijuana used for medical purposes in accordance with California Health and Safety Code section 11362.5.

Medical marijuana dispensary. A facility or location where medical marijuana is cultivated or by any other means made available to and/or distributed by or to three or more of the following: a primary caregiver, a qualified patient, or a person with an identification card in strict accordance with State Health and Safety Code sections 11362.5 et seq., and 11362.7 et seq., which shall include, but not be limited to, any facility or location engaging in the retail sale, dispensation, or distribution of marijuana for medical purposes that does not have an active role in the cultivation of the marijuana product that it sells, dispenses, or distributes, or when its cultivation of the marijuana product is off-site from the facility or location for retail sale, dispensation, or distribution.

Minor conditional use permit. A discretionary approval granted by the zoning administrator which allows a use or activity not allowed as a matter of right, based on specified findings.

Minor modification. A discretionary entitlement granted by the planning division, which permits limited deviation from the strict application of the development standards contained in this Zoning Code, based on specified findings.

Mixed use development. The development of lot(s) or structure(s) with two or more different land uses such as, but not limited to a combination of residential, office, manufacturing, retail, public, or entertainment in a single or physically integrated group of structures.

Mobile home. See Manufactured housing.

Mobile home park. Any area or tract of land where two or more mobile home lots are rented or leased, held out for lease or rent, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate manufactured homes or mobile homes. A mobile home park also means a mobile home development constructed according to the requirements of Part 2.1 (commencing with section 18200) of Division 13 of the State Health and Safety Code, and intended for use and sale as a mobile home condominium or cooperative park, or as a mobile home planned unit development.

Motel. Any building or combination of buildings of one to three stories in height having six or more guest rooms with parking located convenient to the guest rooms and providing temporary lodging for automobile tourists and transient visitors. Typically, guest rooms have direct access to available parking without passing through a common lobby area. Motels also include auto courts, tourist courts, motor lodges, motor inns and motor hotels.

Municipal Code. City of Costa Mesa Municipal Code.

Open space. An area that is intended to provide light and air, and is designed for either environmental, scenic or recreational purposes. Open space may include, but is not

limited to, lawns, decorative planting, walkways, active and passive recreational areas, playgrounds, fountains, swimming pools, wooded areas; first floor decks; unenclosed patios with solid or lattice roofs; water courses; and surfaces covered by not more than five feet in depth by projections which are at least eight feet above grade.

Open space shall not include the following: driveways; parking lots; other surfaces designed or intended for vehicular travel; and upper floor decks, balconies or areas under projections which are less than eight feet above grade.

Open space, common. An area of land reserved primarily for the leisure and recreational use of all residents of a planned development or common interest development and owned in common by them, generally through a homeowners' association.

Open space, private. An area of land located adjacent to an individual dwelling unit, owned or leased and maintained by its residents, and reserved exclusively for their use.

Operator means a company, business or individual who provides residential services, i.e., the placement of individuals in a residence, setting of house rules, and governing behavior of the residents as residents. Operator does not include a property owner or property manager that exclusively handles real estate contracting, property management and leasing of the property and that does not otherwise meet the definition of operator.

Organizational documents. The declaration of restrictions, articles of incorporation, bylaws, and any contracts for the maintenance, management or operation of all or any part of a project.

Parcel. Same as Lot.

Parkway. The area of a public street that lies between the curb and the adjacent property line or physical boundary definition, which is used for landscaping and/or passive recreational purposes.

Paved area. Ground surface covered with cobblestone, clay-fired bricks, concrete precast paver units, poured concrete with or without decorative surface materials, or asphaltic or rubber mixture which may include sand, stone, or gravel as an ingredient to create a hard surface. A graded natural surface or one covered with rolled stone or overlaid with loose gravel is not considered paved area.

Peak hour. The hour during the AM peak period (typically 7:00 a.m.—9:00 a.m.) or the PM peak period (typically 3:00 p.m.—6:00 p.m.) in which the greatest number of vehicle trips are generated by a given land use or are traveling on a given roadway.

Permitted use. Any use allowed in a land use zoning district without requiring a discretionary approval, and subject to the provisions applicable to that district.

Planned development. A land area which is developed as an integrated unit under single ownership or control and having planned development zoning designation.

Planning application. A broad term for any development project or land use which requires the discretionary review and approval of either the planning division, zoning

administrator, planning commission, or city council. Planning applications include administrative adjustments, conditional use permits, development reviews, variances, etc.

Planning division. The planning division of the development services department of the City of Costa Mesa.

Project. See Development.

Property line. A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

Property line, front. For interior lots, the narrowest property line of a lot abutting a public or private street. If two or more equal property lines are narrowest, the front shall be that property line across which the development takes its primary access (if the primary access is determined to be equal, there shall be two front property lines). However, for non-residentially zoned property, any property line abutting a public street designated as a secondary, primary or major street on the master plan of highways shall be deemed a front property line. A non-residentially zoned property shall have more than one front property line when it abuts more than one street designated as secondary, primary, or major on the master plan of highways.

For R-1 zoned property located on corner lots, the front property line may be the property line towards which the front of the dwelling unit is oriented.

Property line, rear. The property line opposite the front property line. A corner lot with more than one front property line shall have more than one rear property line. Irregularly shaped lots may also have more than one rear property line.

Property line, side. Any property line which is not a front or rear property line.

Property line, ultimate. The boundary of a lot after the dedication of land for use as public right(s)-of-way, whether dedicated in fee or by easement. A setback is measured from the ultimate property line.

Public area. Establishments where food or beverages are served. That portion of an establishment reserved for the exclusive use of the public for the receipt or consumption of food and/or beverages. For the purpose of this Zoning Code, public area shall not include restrooms, kitchens, hallways or other areas restricted to employees only.

Public hearing. A public proceeding conducted for the purpose of acquiring information or evidence which may be considered in evaluating a proposed action, and which affords to any affected person or persons the opportunity to present their views, opinions, and information on such proposed applications. "Mandatory hearings" are those required to be held by law, and "discretionary hearings" are those which may be held within the sole discretion of the hearing body.

Public right-of-way. A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer and/or other public uses.

Recyclable materials. Reusable materials, including, but not limited to, metals, glass,

plastic and paper which are intended for reuse, remanufacture or reconstruction. Recyclable materials do not include refuse, hazardous materials or hazardous waste.

Recycling. The process by which waste products are reduced to raw materials and transformed into new products.

Recycling and collection facility. A building or enclosed space used for the collection and processing of recyclable materials for preparation for shipment, or to an end user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning or remanufacturing.

Referral facility. A residential care facility or a group home where one or more person's residency in the facility is pursuant to a court order or directive from an agency in the criminal justice system.

Residential care facility. A residential facility licensed by the state where care, services, or treatment is provided to persons living in a supportive community residential setting. Residential care facilities include, but may not be limited to, the following: intermediate care facilities for the developmentally disabled (Health & Safety Code §§ 1267.8, 1267.9); community care facilities (Health & Safety Code § 1500 et seq.); residential care facilities for the elderly (Health & Safety Code § 1569 et seq.); residential care facilities for the chronically ill (22 C.C.R. § 87801(a)(5); Health & Safety Code § 1568.02); alcoholism and drug abuse facilities (Health & Safety Code §§ 11834.02—11834.30); pediatric day health and respite care facilities (Health & Safety Code § 1760 et seq.); residential health care facilities, including congregate living health facilities (Health & Safety Code §§ 1265—1271.1, 1250(i), 1250(e), (h)); family care home, foster home, group home for the mentally disordered or otherwise handicapped persons or dependent and neglected children (Wel. & Inst. Code §§ 5115—5120).

Residential, multi-family. Apartments, common interest developments, townhouses and similar multiple-family residential developments, including detached single-family homes where there is more than one primary dwelling unit on a lot.

Residential, single-family. Detached single-family home where there is no more than one primary dwelling unit on a lot.

Room, bedroom. A fully-enclosed room designed or intended to be used for sleeping purposes within a residence that typically includes a closet and is separated from the other living spaces with a door.

Room, home office. A room designed and intended to be used for a household office or small business related activity within a residence. Within a single-family detached residence, this room is strictly not intended for sleeping purposes, and lacks direct access to a bathroom. The home office may also be referred to as a studio, den, study or library.

Senior congregate care facility. A structure(s) providing residence for 13 or more senior citizens with kitchen, dining, recreational, etc. facilities with separate bedrooms and/or living quarters.

Setback. The required distance that a building, structure, parking or other designated

item must be located from a property line or lot line. A setback is measured from the ultimate property line.

Single housekeeping unit. The occupants of a dwelling unit have established ties and familiarity with each other, including jointly use of and responsibility for common areas, and may include interaction with each other, shared meals, household activities, and expenses and responsibilities.; membership in the single housekeeping unit is fairly stable as opposed to transient, members have some control over who becomes a member of the household, and the residential activities of the household are conducted on a nonprofit basis. There is a rebuttable presumption that integral facilities do not constitute single housekeeping units. Additional indicia that a household is not operating as a single housekeeping unit include, but are not limited to: the occupants do not share a lease agreement or ownership of the property; members of the household have separate, private entrances from other members; members of the household have locks on their bedroom doors; members of the household have separate food storage facilities, such as separate refrigerators.

Single room occupancy residential hotel. A residential hotel, allowed in certain commercial zones, that contains units designed for long-term occupancy by a single person, although double occupancy may be permitted.

Slope. The degree of deviation of a surface from the horizontal plane, usually expressed in percent or degrees.

Small lot subdivision. A residential development containing a maximum of 15 detached or townhome style units with no common walls where each unit is independently constructed on an individual parcel and the land is subdivided into fee simple parcels containing each unit. Each individual lot is provided with either a direct access to public street/alley or an easement access through a recorded subdivision map.

Smoking lounge. Any facility or location whose business operation, whether as a primary use or an ancillary use, is characterized by the sale, offering, and/or preparation of smoking of tobacco, cigars, hookah, electronic cigarettes, or similar products, including but not limited to establishments known variously as hookah parlors, vaping lounges, or cigar bars.

Smoking/vaping retailer. A smoke shop, electronic cigarette retailer, vapor cigarette retailer, or any other retail business that sells tobacco, electronic cigarettes, and related products primarily for off-site consumption. Smoking/vaping retailers shall not include food or beverage service, outdoor seating, or an indoor seating area greater than 100 square feet in area.

Sober living home. A group home for persons who are recovering from a drug and/or alcohol addiction and who are considered handicapped under state or federal law. Sober living homes shall not include the following: (1) residential care facilities; (2) any sober living home that operates as a single housekeeping unit.

Specialty store. A retail store less than 3,000 square feet in area with hours of operation between 6:00 a.m. and 11:00 p.m. A specialty store offers a combination of foods and beverages for off-site use or consumption and provides for alcoholic beverage sales

that are incidental to the primary use. No more than 10% of the total merchandise area of the retail floor may be devoted to display or sale of alcoholic beverages and only non-refrigerated alcoholic beverages may be offered. A specialty store must comply with the operational standards of section 13-200.72.

Specific plan. A plan consisting of text, maps, and other documents and exhibits regulating development within a defined area of the city, consistent with the general plan and the provisions of State Government Code section 65450 et seq.

State. State of California.

Story. For purposes related to zoning regulations, a story is that portion of a building included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space between such floor and the ceiling next above it shall constitute a story. An attic shall not be considered a story. A basement or cellar shall not be considered a story, if the finished floor level directly above the basement or cellar is less than four feet above finish grade at all locations. Any uncovered deck or activity area above the first story shall be considered a story.

Street. A public or private thoroughfare that provides primary access to adjacent land and local traffic movements. Streets do not include driveways which only provide access to parking areas.

Structure. Anything, including a building, located on the ground in a permanent location or attached to something having a permanent location on the ground.

Supportive housing. Housing with no limit on length of stay, that is occupied by the target population, and that is linked to on site or off site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing that is provided in single-family dwelling, multi-family dwelling units, residential care facilities, or boarding house uses, shall be permitted, conditionally permitted or prohibited in the same manner as the other single-family dwelling, multi-family dwelling units, residential care facilities, or boarding house uses under this Code.

Tandem parking. An arrangement of parking spaces one behind the other in a row of maximum two cars including one in the garage space. Tandem garage parking is defined as the placement of standard parking spaces one behind the other within the enclosed area of a garage.

Townhouse. A single-family attached dwelling unit located on an individual dwelling unit lot, and is part of a row of units that contains three or more dwelling units.

Transitional housing. A development with buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Transitional housing that is provided in single-family dwelling, multi-family dwelling units, residential care facilities, or boarding house uses, shall be permitted, conditionally permitted or prohibited in the same manner as the other single-family dwelling, multi-

family dwelling units, residential care facilities, or boarding house uses under this Code.

Trip (vehicle). A one-way vehicular journey either to or from a site, or totally within the site i.e. internal trip. Each trip has two trip ends, one at the beginning and the other at the destination.

Trip rate (vehicular). The anticipated number of vehicle trips to be generated by a specific land use type or land use classification. The trip rate is expressed as a given number of vehicle trips for a given unit of development intensity (i.e., trip per unit, trip per 1,000 square feet, etc.).

Uncontrolled environment. A location where there is the exposure (to radiofrequency radiation) of individuals who have no knowledge or control of their exposure. The exposures may occur in living quarters or work places where there are no expectations that the exposure levels may exceed the exposure and induced current levels permitted for the general public.

Underroof. All of the area within the walls of the building that a roof covers. Areas under porches, roof overhangs, garage protrusions, breezeways and other similar architectural design features are not considered as underroof.

Unit. A particular building or structure, or portion thereof, that is designed, intended or used for exclusive occupancy, possession or control of individual owners or occupiers, whether or not they have interests in common areas of the project.

Use. The purpose (type and extent) for which land or a building is arranged, designed, or intended, or for which either land or a structure is occupied or maintained.

Warehouse, mini. A structure or group of structures for the dead storage of customer's goods and wares where individual stalls or lockers are rented out to different tenants for storage and where at least one of the stalls or lockers has less than 500 square feet of floor area.

Warehouse, public. A structure or group of structures for the dead storage of customer's goods and wares where individual stalls or lockers are rented out to different tenants for storage and where all the stalls or lockers have more than 500 square feet of floor area.

Vacancy rate (common lot development conversion). The ratio of vacant apartments being offered for rent or lease in the City of Costa Mesa, shown as a percentage of the total number of apartments in the city.

Vape lounge. See Smoking lounge.

Vape shop. See Smoking/vaping retailer.

Variance. A discretionary entitlement, usually granted by the planning commission, which permits departure from the strict application of the development standards contained in this Zoning Code, based on specified findings.

Yard. Any open space on a lot unoccupied and unobstructed from the ground upward, except an inside court.

Yard, front. The yard between the front line of a building and the front line of the lot upon which the building is located.

Yard, rear. The yard extending from the extreme rear line of the main building to the rear lot line on which the building is situated.

Yard, side. The yard extending from the front yard, or from the front lot line where no front yard is required, to the rear yard or rear lot line, between the side lot line and the nearest wall of the main building or any accessory structure attached thereto.

Zero lot line. The location of a structure on a lot in such a manner that one or more of the structure's sides rest directly on a lot line.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-5, § 4, 3-2-98; Ord. No. 00-5, § 1(a), 3-20-00; Ord. No. 01-16, § 1a., 6-18-01; Ord. No. 05-11, § 2a., 7-19-05; Ord. No. 06-18, § 1, 9-5-06; Ord. No. 09-3, §§ 1a., b., 5-19-09; Ord. No. 09-4, § 1a., 5-5-09; Ord. No. 10-13, § 1, 10-19-10; Ord. No. 10-14, § 1, 11-16-10; Ord. No. 11-10, § 1, 9-20-11; Ord. No. 13-1, § 2A., 3-19-13; Ord. No. 13-05, § 1, 12-3-13; Ord. No. 14-04, § 2A., 4-1-14; Ord. No. 14-13, § 1, 10-21-14; Ord. No. 15-10, § 2A, 9-15-15; Ord. No. 15-11, § 1, 11-17-15; Ord. No. 16-01, § 1, 1-19-16; Ord. No. 18-03, § 2, 1-16-18; Ord. No. 21-03, § 3, 3-2-21; Ord. No. 21-20, § 1, 12-7-21)

Section 13-28 Types

(a) Administrative adjustment. Any deviation from an adopted development standard in this Zoning Code that meets the criteria listed in Table 13-28(a).

TABLE 13-28(a)
ADMINISTRATIVE ADJUSTMENTS

Standard	Deviation Range
Decrease in required front yard depth; provided that in residential zones, the garage is set back a minimum of 19 feet from the front property line.	More than 20% but no more than 40%
Decrease in required rear yard depth.	More than 20% but no more than 40%
Decrease in required side yard width.	More than 20% but no more than 40%
Increase in maximum fence/wall height, except within setbacks adjacent to the public right-of-way.	More than 33 1/3 % but no more than 50%
Increase in depth of permitted projections into required yards.	More than 20% but no more than 40%
Deviation in sign area, height, setbacks, separation and other sign specifications	More than 10% but no more than 20%
Decrease in required distance between main structures	More than 20% but no more than 40%
Decrease in required distance between accessory	More than 20% but no more than

TABLE 13-28(a) ADMINISTRATIVE ADJUSTMENTS	
Standard	**Deviation Range**
and main structures	40%

(b) Conditional use permit. Any use specified in this Zoning Code as requiring a conditional use permit.

(1) Common interest development conversion. For residential projects, a proposal to convert an occupied or previously occupied apartment complex to a residential common interest development project. To request a conversion for a newly constructed project, the apartment complex shall have received final building approval for occupancy. For non-residential projects, a proposal to convert an occupied or previously occupied non-residential complex to a non-residential common interest development. Non-residential includes industrial, commercial, office, and/or mixed-use project.

(c) Density bonus or incentive. Any request for incentives to produce lower income and senior housing per State Government Code section 65915.

(d) Design review. Any construction that results in three or more dwelling units on a development lot in any residential zone, except planned development, shall be subject to design review.

(e) Development review. The following shall be subject to development review:

(1) Two-story residential construction. In the R2-MD, R2-HD, and R3 zones, any two-story construction on a lot where there are two or fewer dwelling units or any second-story addition on a lot with more than two dwelling units that complies with any residential design guidelines adopted by city council.

(2) Construction of new buildings or additions to existing buildings in the AP, CL, C1, C2, C1-S, MG, or MP zones. However, building additions that do not exceed 2,000 square feet or 50% of the existing building area, whichever is less, and comply with all applicable development standards shall not be subject to development review; and,

(3) Any other use specified in this Zoning Code as requiring development review.

(f) Lot line adjustment. Any adjustment to an existing lot line between two lots, where the land taken from one lot is added to an abutting lot and/or where a greater number of lots than originally existed is not created. A lot line adjustment may be used to combine no more than four abutting lots.

(g) Master plan. Prior to development in the planned development (PD), town center (TC), shopping center (C1-S), mixed-use overlay (MU), and all types of institutional and recreational (I&R, I&R-S, and I&R-MLT) zoning districts, a master plan is

required. Preliminary master plans are required in the TC and I&R-MLT zone, are optional in PD and MU zones, and are not required in C1-S, I&R-S, and I&R zones.

(1) Minor changes. Minor changes in the location, siting or character of buildings and structures may be authorized by the planning division if required by the final engineering or other circumstances not foreseen at the time the master plan was approved. No change authorized under this section may cause any of the following:
   a. A change in the use or character of the development;
   b. An increase in the overall density or floor area ratio of the development;
   c. An increase in overall coverage of structures;
   d. A reduction or change in character of approved open space;
   e. A reduction of required off-street parking;
   f. A detrimental alteration to the pedestrian, vehicular and bicycle circulation and utility networks;
   g. A reduction in required street pavement widths;
   h. An increase of more than six inches in building height; or
   i. A decrease in building setback greater than can be approved by a minor modification by the development services director.

(2) Major amendments. Substantial amendments to the master plan encompassing one or more of the minor changes listed in subparagraphs (1)a. through (1)i., or any proposed change determined by the development services director as a major amendment, shall be subject to review and approval by the zoning administrator. Furthermore, if the major amendment results in an overall building square footage that exceeds the maximum density or building square footage allowed by the approved master plan, the zoning administrator must find that the major amendment is consistent with the density, floor area ratio, and trip budget standards established by the general plan, as applicable.

(3) Minor amendments.
   a. Minor amendments to existing master plans in planned development zones are subject to section 13-56, master plan required.
   b. Minor amendments to existing master plans in the TC, C1-S, MU, I&R, I&R-S, and I&R-MLT zones may be approved by development review if the planning division finds that the proposed construction does not materially affect required open space, floor area ratio, and parking requirements specified in the approved master plan. Furthermore, if the minor amendment results in an overall building square footage that exceeds the maximum building square footage allowed by the approved master plan, the planning division must find that the minor amendment is consistent with the floor area ratio and trip budget standards established by the general plan, as applicable.

(4) Mixed-use development plan screening application. Applicants for residential or mixed-use development projects in a mixed-use overlay district shall submit a screening application for consideration by city council at a public meeting. No other concurrent application for development may be submitted for processing until city council comments have been received. The purpose of the screening application is to receive city council comments on the merits and appropriateness of the proposed development. No other action on the screening application will be taken by city council. The submittal requirements for the screening review are specified on the city's planning application form, and the city council's review comments on the proposed project for processing shall not set precedent for approval of the master plan.

(h) Minor conditional use permit. Any use or deviation from development standards specified in this Zoning Code as requiring a minor conditional use permit.

(i) Minor design review. The following shall be subject to minor design review:

(1) Two-story residential construction that does not comply with any residential design guidelines adopted by the city council in the following zones:

a. R1 zone. Any two-story construction or second-floor addition; and

b. R2-MD, R2-HD, and R3 zones. Any two-story construction on a lot that results in two or fewer dwelling units or any second-story addition on a lot with more than two dwelling units.

(2) Reserved for future use.

(3) Any deviation from development standards specified in this Zoning Code as requiring a minor design review.

(j) Minor modification. Any deviation from an adopted development standard in this Zoning Code that meets the criteria listed in Table 13-28(j)(1).

TABLE 13-28(j)(1)
MINOR MODIFICATION

Standard	Deviation Range
Decrease in required front yard depth; provided that in residential zones, the garage is set back a minimum of 19 feet from the front property line	20% or less
Decrease in required rear yard depth	20% or less
Decrease in required side yard width	20% or less
Increase in maximum fence/wall height, except within setbacks adjacent to the public right-of-way	33 1/3 % or less
Decrease in five-foot setback on street side for fences/walls in excess of 36 inches on corner lots in multi-family	100% or less

TABLE 13-28(j)(1) MINOR MODIFICATION	
Standard	**Deviation Range**
residential zones	
Increase in depth of permitted projections into required yards	20% or less
Decrease in minimum driveway width for two or more dwelling units	to not less than 10 feet
Deviation in sign area, height, setbacks, separation and other sign specifications	10% or less
Decrease in required distance between main structures	20% or less
Decrease in required distance between accessory and main structures	20% or less
Decrease in minimum width and length of garage dimensions	5% or less

(2) Minor building additions that encroach into required setbacks no further than the existing main structure, excluding architectural features. However, no nonconforming setback width or depth may be decreased further, and the building addition shall comply with all other applicable sections of this Zoning Code and other codes.

(3) Fabric awnings that project no more than five feet from the building face.

(4) Minimum length of no less than 18 feet for driveways as measured from the ultimate property line.

(5) Any deviation from development standards specified in this Zoning Code as requiring a minor modification.

(k) Mobile home park conversion. Any conversion of an existing mobile home park to any other use permitted or conditionally permitted in the applicable zoning district.

(l) Planned signing program. A voluntary, optional alternative to the general sign regulations, except in the C1-S zone where it is required.

(m)Reasonable accommodation. As defined in section 13-200.62

(n) (Reserved)

(o) Rezone. Any proposed change to the official zoning map.

(p) Special use permit. Refer to Chapter XV of the Zoning Code.

(q) Specific plan conformity review. Any proposed action or land use which is required by the applicable specific plan to be reviewed for conformity with the purpose and intent of the plan.

(r) Tentative tract or parcel map (including vesting). Any proposed subdivision of land which is required by a provision of the Subdivision Map Act or this Zoning Code to file a tentative tract or parcel map.

(s) Variance. Any deviation from a development standard in this Zoning Code that is not specified as a minor modification or administrative adjustment, or a deviation that is not allowed by approval of conditional use permit, minor conditional use permit, or specific plan conformity procedure.

(t) Landmarks and historic districts located within the city. A person may request placement of a significant historic structure on the local Register of Historic Places subject to the criteria and procedures established in Chapter IX, Article 14, Historic Preservation.

(u) Certificate of appropriateness. A certificate issued by the planning commission (or other commission/committee designated by the city council), approving plans, specifications, or statements of work for any proposed alteration, restoration, or rehabilitation, construction, relocation, or demolition, in whole or in part, of a "designated cultural resource" listed on the city's local Register of Historic Places.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 99-17, § 3, 11-15-99; Ord. No. 01-10, §§ 1a., 1b., 3-5-01; Ord. No. 01-16, § 1b., 6-18-01; Ord. No. 02-4, § 1m, 3-18-02; Ord. No. 03-4, § 1(a), 6-2-03; Ord. No. 03-8, §§ 1, 2, 9-2-03; Ord. No. 05-3, § 1b., 2-7-05; Ord. No. 05-2, § 1a.—c., 2-22-05; Ord. No. 06-9, § 1b., 4-18-06; Ord. No. 07-17, § 1a., b., 10-2-07; Ord. No. 11-10, § 1, 9-20-11; Ord. No. 16-09, § 3, 10-4-16; Ord. No. 21-20, § 1, 12-7-21)

Section 13-30 Purpose.

The purpose of this chapter is to provide a comprehensive list of uses which are permitted, conditionally permitted, or prohibited in the various zoning districts, as represented by Table 13-30, Land Use Matrix. In evaluating a proposed use, the following criteria shall also be considered:

(a) Uses determined as permitted may be subject to a discretionary review when construction is proposed, pursuant to Chapter III, Planning Applications.

(b) Uses proposed in the planned development zones are subject to verification of consistency with the master plan adopted for planned development zones. A proposed use not expressly allowed by the adopted master plan may require additional discretionary review pursuant to Table 13-30, Land Use Matrix.

(c) All listed uses in the matrix are subject to verification of compliance with density and floor area ratio limits, parking requirements and performance standards which may, in certain cases, prevent the establishment of the use.

(d) Any proposed use not listed in the Land Use Matrix shall be reviewed by the development services director to determine its similarity to another listed use. If no substantial similarity exists, the proposed use shall require approval of a conditional use permit prior to establishment of the use.

(e) For the purpose of Table 13-30, Land Use Matrix, the various zoning districts are labeled as follows:

Residential zones: R1, R2-MD, R2-HD, and R3

Commercial zones: AP, CL, C1, C2, C1-S, and TC

Industrial zones: MG and MP

Planned Development Residential zones: PDR-LD, PDR-MD, PDR-HD, and PDR-NCM

Planned Development Commercial zone: PDC

Planned Development Industrial zone: PDI

The Parking zone: P

Institutional and Recreational zones: I & R, I & R-S, and I & R-MLT

(f) For zoning districts located in a specific plan area, please refer to the appropriate specific plan text to determine if any additional regulations related to land uses are applicable.

(g) For the mixed-use overlay district located in an urban plan area, please refer to the appropriate urban plan text for additional regulations related to development standards and allowable land uses as applicable.

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																					
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
RESIDENTIAL USES																						
1. Single-family dwellings (single housekeeping units)	P[4]	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P	P	•	•	P	•
2. Multi-family dwellings	•	P	P	P	•	•	•	•	•	P	•	•	P	P	P	P	P	P	•	•	P	•
2.1 Common interest developments, residential	•	P	P	P	•	•	•	•	•	P	•	•	P	P	P	P	P	P	•	•	P	•
2.2 Small lot subdivisions, residential	•	P	P	P	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
3. Mobile home parks	•	C	C	C	•	•	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•
4. Boarding-house, small[7]	•	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P	P	•	•	•	•
5. Boarding-house, large[7]	•	C	C	C	•	•	•	•	•	•	•	•	•	C	C	C	C	C	•	•	•	•
6. Residential care facility, six or fewer persons (State licensed)	P	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P	P	P	•	P	•
7. Group homes, six or fewer	S	S[6]	S[6]	S[6]	•	•	•	•	•	•	•	•	S[6]	S[6]	S[6]	S[6]	S[6]	S[6]	P	•	P	•
7.1 Sober living homes, six or fewer	S[5]	S[6]	S[6]	S[6]	•	•	•	•	•	•	•	•	S[6]	S[6]	S[6]	S[6]	S[6]	S[6]	P	•	•	•

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																				
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RM LT[1]	P
8. Residential care facility, seven or more	•	C[6]	C[6]	C[6]	•	•	•	•	•	•	•	•	•	C[6]	C[6]	C[6]	C[6]	C[6]	P	•	•	•
9. Group homes, seven or more	•	C[6]	C[6]	C[6]	•	•	•	•	•	•	•	•	•	C[6]	C[6]	C[6]	C[6]	C[6]	P	•	•	•
9.1 Sober living homes, seven or more	•	C[6]	C[6]	C[6]	•	•	•	•	•	•	•	•	•	C[6]	C[6]	C[6]	C[6]	C[6]	P	•	•	•
10. Referral facility (Subject to the requirements of section 13-32.2, referral facility).	•	C[2]	C[2]	C[2]	•	•	•	C[2]	•	•	•	•	•	C[2]	C[2]	•	•	•	•	•	•	•
11. Single room occupancy residential hotel (subject to City Council Policy 500-5)	•	•	•	•	•	•	C[2]	C[2]	•	•	•	•	•	•	•	•	•	•	•	•	•	•
ACCESSORY USES																						
12. Reserved for future use.																						
13. Animals, keeping of	SEE TITLE 3, ANIMALS AND FOWL																					
14. Antennas: Amateur radio, Satellite dish, Communication	SEE CHAPTER IX, ARTICLE 2, ANTENNAS																					
15. Reserved for future use																						
15.1 Incidental residential use that includes a toilet in combination with a bathtub or shower. This applies to an accessory use contained in a detached structure, or contained within the main structure with no interior connection between the main and incidental use. Land use restriction required.	P	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P	P	•	•	•	•
16. Day care facilities (15 children or more) (see also Nursery schools)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	•
17. Family day care—Large (7 to 14 children) (subject to the requirements of section 13-37, large family day care homes)	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2,3]	P[2,3]	P	•	P[2]	•
18. Family day care—Small (up to 8 children)	P	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P[3]	P[3]	P	•	P[3]	•
19. Garage/yard sales—No more than 2 events permitted a year, not to exceed 3 consecutive days	P	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P[3]	P[3]	•	•	P[3]	•
20. Reserved for future use.																						
21. Home occupations (subject to the requirements of chapter IX, article 6, home occupations)	P[2]	P[2]	P[2]	P[2]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2]	P[2]	P[2]	P[2]	P[2,3]	P[2,3]	P[2]	•	P[2]	•
22. Home occupations that generate traffic and do not involve more than 1 customer/ client at a time or more than 8 customers/clients per day (subject to the requirements of ch. IX, article 6, home occupations)	MC[2]	MC[2]	MC[2]	MC[2]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2]	MC[2]	MC[2]	MC[2]	MC[2,3]	MC[2,3]	MC[2,3]	•	MC[2,3]	•
22.1 Non-residential accessory uses in a residential development not otherwise specified in this table	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
22.2 Accessory dwelling unit (subject to the requirements of ch. V, section 13-35, accessory dwelling units)	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	P[2]	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	P[2]	•
22.3 Junior accessory dwelling unit (subject to the requirements of ch. V, section 13-35, accessory dwelling units)	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	P[2]	•
22.4 Temporary real estate and construction offices (subject to the requirements of ch. IX, art. 10, temporary trailers)	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]
INSTITUTIONAL AND RECREATIONAL USES																						
23. Cemeteries	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•	•
24. Churches and other places of religious assembly (Subject to the requirements of article **4.5**, development standards for churches and other places of religious assembly)	C[2]	C[2]	C[2]	C[2]	C[2]	C[2]	P[2]	P[2]	C[2]	C[2]	P[2]	P[2]	C[2]	C[2]	C[2]	C[2]	C[2]	C[2]	P[2]	C[2]	C[2]	•

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																					
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
25. Civic and community clubs	C	C	C	C	C	C	P	P	P	P	C	C	C	C	C	C	C	C	C	•	P	•
26. Convalescent hospitals; nursing homes	•	C	C	C	C	C	C	C	•	•	•	•	•	•	•	•	•	•	P	•	•	•
27. Country clubs; golf courses	C	C	C	C	•	•	•	•	•	•	•	•	C	C	C	C	•	•	P	C	•	•
28. Crematories (See also Mortuary services)	•	•	•	•	•	•	•	C	•	•	C	C	•	•	•	•	•	•	C	•	•	•
29. Fairgrounds; outdoor festival (permanent)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•	•
30. Hospitals, general	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	P	•	P	•
31. Libraries, privately-operated	C	C	C	C	•	•	C	C	C	C	C	C	C	C	C	C	C	C	P	C	•	•
31a. Marijuana and/or medical marijuana cultivation	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
31b. Cannabis and/or marijuana distributer	•	•	•	•	•	•	•	•	•	•	•	C[9]	•	•	•	•	•	C[9]	•	•	•	
31c. Cannabis and/or marijuana manufacturer or processor	•	•	•	•	•	•	•	•	•	•	•	C[9]	•	•	•	•	•	C[9]	•	•	•	
31d. Cannabis and/or marijuana retail sales storefront	•	•	•	•	•	C[9]	C[9]	C[9]	C[9]	C[9]	•	•	•	•	•	•	•	•	•	•	•	
31e. Cannabis and/or marijuana retail sales nonstorefront (deliveries)	•	•	•	•	•	C[9]	C[9]	C[9]	C[9]	C[9]	•	C[9]	•	•	•	•	•	C[9]	•	•	•	•
31f. Cannabis and/or marijuana research and development and/or testing laboratories	•	•	•	•	•	•	•	•	•	•	•	C[9]	•	•	•	•	•	C[9]	•	•	•	
32. Mortuary services without crematories	•	•	•	•	C	C	C	C	C	•	C	C	•	•	•	•	•	•	C	•	•	•
32a. Needle exchange program	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
33. Nursery schools—See also Day care facilities for 15 or more children	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	•
34. Parks and playgrounds	C	C	C	C	•	•	•	•	•	C	•	•	C	C	C	C	C	C	P	P	P	•
35. Public offices and facilities, such as city halls, court-houses, police/ fire stations, etc.	C	C	C	C	C	C	P	P	P	P	C	C	C	C	C	C	C	C	P	•	•	•
36. Schools: primary, secondary and colleges	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	•
37. Schools: trade and vocational; group counseling	•	•	•	•	•	MC	P	P	P	P	MC	MC	•	•	•	•	P	MC	P	P	•	•
38. Senior congregate care facility	•	C	C	C	C	C	C	C	C	C	•	•	•	C	C	C	C	•	C	•	•	•
39. Swap meets	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	C	•	•
39a. Emergency shelters	•	•	•	•	•	•	•	•	•	•	•	C[10]	•	•	•	•	•	P[10]	•	•	•	•
SPECIAL SEASONAL EVENTS																						
40. Reserved.																						
41. Christmas tree lots; pumpkin patches; fireworks stands; produce stands (subject to the requirements of title **9**, chapter II, regulation of certain businesses)	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	•	P[2]	P[2]	P[2]	P[2]	•	•
COMMERCIAL AND INDUSTRIAL USES																						
42. Acupressure; massage (subject to the requirements of title **9**, chapter ii, article 22, Massage establishments and practitioners)	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	P[2]	•	•	•	•	•
43. Adult businesses (See Sexually-oriented businesses)																						
44. Aggregate batch plants; Rock or asphalt crushing; Sand blasting	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
45. Ambulance services	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	MC	•	•	•	•	MC	MC	•	•	•	•
46. Amusement centers (subject to the requirements of chapter IX, article 5, electronic game machines)	•	•	•	•	•	•	C[2]	C[2]	C[2]	C[2]	•	•	•	C[2]	C[2]	C[2]	C[2]	•	•	•	•	•
47. Animal hospitals; veterinary services (kenneling only when incidental to principal hospital use)	•	•	•	•	•	C	C	P	P	C	C	C	•	•	•	•	P	•	•	•	•	•
48. Animal shelters, pounds, kennels, training schools	•	•	•	•	•	•	•	C	•	•	C	C	•	•	•	•	•	•	C	•	•	•
48a. Antique malls	•	•	•	•	•	•	P	P	P	•	MC	MC	•	•	•	•	P	MC	•	•	•	•
49. Artists, sculptors studios	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
50. Auction houses	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•	•
51. Automobile (See Motor vehicle)																						

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																				
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
52. Banks; savings and loans; and other financial institutions	•	•	•	•	P	P	P	P	P	P	•	•	•	P	P	P	P	P	•	•	•	•
53. Bars; nightclubs (See Establishments where food or beverages are served)																						
54. Barber and beauty shops with accessory uses such as permanent make up, facials, and accessory massage	•	•	•	•	•	P	P	P	P	P	•	•	•	P	P	P	P	P	•	•	•	•
55. Billiards parlors	•	•	•	•	•	•	C	C	C	C	C	C	•	C	C	C	C	C	•	•	•	•
56. Botanical gardens; Zoos	•	•	•	•	•	•	C	C	C	C	•	•	•	•	•	•	•	•	C	•	•	•
57. Bowling centers	•	•	•	•	•	•	C	C	C	C	•	•	•	•	•	C	C	•	•	•	•	•
58. Breweries; Distilleries	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	•	•	•	•
59. Reserved																						
60. Building supplies; Hardware stores (retail)	•	•	•	•	•	•	P	P	P	•	•	•	•	P	P	P	P	•	•	•	•	•
61. Business services—See Offices																						
62. Car washes	•	•	•	•	•	•	C	C	C	C	C	C	•	C	C	C	C	C	•	•	•	•
63. Carts— Outdoor retail sales in conjunction with an established business	•	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	•	MC	MC	MC	MC	MC	MC	•	•	•
64. Catering	•	•	•	•	•	MC	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•	•
65. Coffee roasting	•	•	•	•	•	•	•	•	•	•	MC	MC	•	•	•	•	•	•	•	•	•	•
66. Coffee roasting (in conjunction with establishments where food or beverages are served)	•	•	•	•	•	•	MC	MC	MC	MC	MC	MC	•	MC	MC	MC	MC	MC	•	•	•	•
67. Commercial art; Graphic design	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
68. Commercial testing laboratories	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•	•
69. Computer and data processing	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
70. Contracting: general contractors; operative builders	•	•	•	•	•	C	C	P	C	•	P	P	•	•	•	•	•	P	•	•	•	•
71. Convenience stores; mini-markets (subject to the requirements of chapter IX, article 16, liquor stores, convenience stores, and mini-markets)	•	•	•	•	•	•	C[2]	C[2]	C[2]	C[2]	•	•	•	•	C[2]	C[2]	C[2]	•	•	•	•	•
72. Department stores (retail)	•	•	•	•	•	•	P	P	P	P	•	•	•	•	•	•	P	•	•	•	•	•
73. Electronic game machines (four or more), incidental to the primary use, (subject to the requirements of chapter IX, article 5, electronic game machines)—Excluding amusement centers listed separately	•	•	•	•	•	MC[2]	MC[2]	MC[2]	MC[2]	MC[2]	MC[2]	MC[2]	•	MC[2]	MC[2]	MC[2]	MC[2]	MC[2]	•	•	•	•
74. Engineering; architectural; and surveying services—See Offices																						
75. Entertainment, live or public	•	•	•	•	•	SEE TITLE 9, ARTICLE 11, REGULATORY PERMITS FOR PUBLIC ENTERTAINMENT							•	SEE TITLE 9, ARTICLE 11, REGULATORY PERMITS FOR PUBLIC ENTERTAINMENT							•	•
76. Establishments where food or beverages are served	•	•	•	•	•	SEE CHAPTER V, ARTICLE 4, ESTABLISHMENTS WHERE FOOD OR BEVERAGES ARE SERVED							•	SEE CHAPTER V, ARTICLE 4, ESTABLISHMENTS WHERE FOOD OR BEVERAGES ARE SERVED						•	•	•	•
77. Exhibition of products produced on premises or available for wholesale distribution	•	•	•	•	•	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
78. Flower stands—See also Carts	•	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	•	MC	MC	MC	MC	MC	MC	•	•	•
79. Furniture repair and refinishing with incidental sales	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	•	P	•	•	•	•
80. Grocery stores—See also Supermarkets; excluding convenience stores; and liquor stores listed separately	•	•	•	•	•	•	P	P	P	P	•	•	•	MC	MC	MC	MC	•	•	•	•	•
81. Hazardous waste facilities, off-site (subject to chapter IX article 9, off-site hazardous waste facilities)	•	•	•	•	•	•	C[2]	C[2]	C[2]	C[2]	C[2]	C[2]	•	•	•	•	C[2]	C[2]	C[2]	•	•	•
82. Heliports; Helistops	•	•	•	•	•	•	•	•	C	C	C	C	•	•	•	•	C	C	C	C	•	•
83. Hotels— Excluding motels listed separately	•	•	•	•	•	•	C	C	C	P	•	•	•	C	C	C	P	•	•	•	•	•
84. Landscape services (installation and maintenance)	•	•	•	•	•	MC	MC	P	P	•	P	P	•	•	•	•	•	P	•	•	•	•
85. Laundry, cleaning and garment services, including	•	•	•	•	•	P	P	P	P	P	P	P	•	P	P	P	P	P	•	•	•	•

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																					
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
plants																						
86. Leather tanning and finishing	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	C	•	•	•	•
87. Limousine services	•	•	•	•	•	C	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•	•
88. Liquor stores (subject to the requirements of chapter IX, article 16, liquor stores, convenience stores, and mini-markets)	•	•	•	•	•	•	C[2]	C[2]	C[2]	C[2]	•	•	•	•	•	•	C[2]	•	•	•	•	•
89. Lumber and building materials dealers, (wholesale)	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•	•
90. Manufacturing: Light EXCEPT the following which are prohibited: • Manufacture of fertilizer • Manufacture of products involving the use of explosives • Manufacture of rubber (including tires), steel	•	•	•	•	•	•	•	•	•	•	P[2]	P[2]	•	•	•	•	•	P[2]	•	•	•	•
91. Manufacturing of chemical products, paints, pharmaceuticals, and plastics	•	•	•	•	•	•	•	•	•	•	C[2]	C[2]	•	•	•	•	•	C[2]	•	•	•	•
92. Manufacturing of stone, clay, glass and concrete products EXCEPT the following which are prohibited: • Manufacture of flat glass • Manufacture of cement and structural clay products • Manufacture of concrete, gypsum and plaster products • Manufacture of abrasive and asbestos products • Manufacture of nonclay refractories and crucibles • Processing and preparation of clay, ceramic and refractory minerals	•	•	•	•	•	•	•	•	•	•	P[2]	P[2]	•	•	•	•	•	P[2]	•	•	•	•
93. Manufac-turing or processing of foods and beverages EXCEPT the following which are prohibited: • Meat and poultry packing plants • Grain mills • Sugar refining • Fats and oils processing mills • Seafood canneries and packaging (See also Breweries; Distilleries; Coffee roasting)	•	•	•	•	•	•	•	•	•	•	P[2]	P[2]	•	•	•	•	•	P[2]	•	•	•	•
94. Massage— See also Acupressure (subject to the requirements of title **9**, chapter II, article 22, massage establishments and practitioners)	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	P[2]	•	•	•	•	•
95. Medical laboratories	•	•	•	•	MC	MC	P	P	P	P	MC	MC	•	•	•	•	MC	MC	•	•	•	•
96. Metal fabrication, welding, foundry, die casting (subject to subsection 13-54(a), performance standards)	•	•	•	•	•	•	•	•	•	•	P[2]	P[2]	•	•	•	•	•	•	•	•	•	•
97. Motels— (Subject to requirements of chapter IX, article 8, motels) Excluding Hotels listed separately	•	•	•	•	•	•	C[2]	C[2]	•	•	•	•	•	•	•	•	•	•	•	•	•	•
98. Motion picture and television studios	•	•	•	•	C	C	C	C	•	•	P	P	•	•	•	•	P	P	•	•	•	•
99. Motion picture theaters and other theaters not within 200 feet of residential zones	•	•	•	•	•	•	P	P	P	P	•	•	•	•	•	•	P	•	•	•	•	•
100. Motion picture theaters and other theaters within 200 feet of residential zones	•	•	•	•	•	•	C	C	C	C	•	•	•	•	•	•	C	•	•	•	•	•
101. Motor oil, used—Collection facility (subject to the requirements of chapter IX, article 9, off-site hazardous waste facilities)	•	•	•	•	•	•	P[2]	P[2]	P[2]	•	P[2]	P[2]	•	•	•	•	P[2]	P[2]	P[2]	P[2]	•	•
102. Motor vehicle, boat, and motorcycle retail sales, leasing, rentals and service with two or more outdoor display parking spaces	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•	•
103. Motor vehicle, boat, and motorcycle retail sales, leasing, and rentals with one or less outdoor display	•	•	•	•	•	•	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																					
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
parking space and no service (subject to verification of parking availability)																						
104. Motor vehicle service stations	•	•	•	•	•	•	C	C	C	•	•	•	•	•	•	•	C	•	•	•	•	•
105. Motor vehicle service stations with concurrent sale of alcoholic beverages (subject to requirements of chapter IX, article 3, concurrent sale of alcoholic beverages and motor vehicle fuel)	•	•	•	•	•	•	C[2]	C[2]	C[2]	•	•	•	•	•	•	•	C[2]	•	•	•	•	•
106. Motor vehicle; boat; and motorcycle repair services (including body and paint work), not within 200 feet of residential zone (subject to subsection 13-54(b))	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•	•
107. Motor vehicle; boat; and motorcycle repair services (including body and paint work), within 200 feet of residential zone (subject to subsection 13-54(b))	•	•	•	•	•	•	C	C	C	•	C	C	•	•	•	•	C	C	•	•	•	•
108. Nurseries (retail with no bulk fertilizer)	•	•	•	•	•	C	C	P	P	•	C	C	•	•	•	•	•	•	•	•	•	•
109. Offices: central administrative	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
110. Offices: engineering; architectural; and surveying services; management; consulting and public relations	•	•	•	•	P	P	P	P	P	P	P	P	•	MC	MC	MC	P	P	•	•	•	•
111. Offices: general; individual counseling	•	•	•	•	P	P	P	P	P	P	MC	MC	•	MC	MC	MC	P	P	•	•	•	•
112. Reserved																						
113. Offices: medical and dental	•	•	•	•	P	P	P	P	P	P	•	•	•	MC	MC	MC	P	MC	MC	•	•	•
114. Offices: services to businesses such as bookkeeping and data processing	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
115. Off-street parking lots and structures including related maintenance buildings	•	•	•	•	C	C	C	C	C	P	C	C	•	•	•	C	C	C	C	C	•	P
116. Off-street parking lots and structures, incidental uses within	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	MC	•	•	•	MC	MC	MC	MC	MC	•	MC
117. Oil fields; oil wells (see chapter XIV, oil drilling)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
118. Pawn shops	•	•	•	•	•	C	C	C	C	•	•	•	•	•	•	•	•	•	•	•	•	•
119. Photocopying; blueprinting and related services	•	•	•	•	•	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
120. Photofinishing laboratories	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•	•
121. Photofinishing stores	•	•	•	•	•	P	P	P	P	P	•	•	•	•	•	•	P	P	•	•	•	•
122. Photography: Commercial	•	•	•	•	P	P	P	P	P	P	MC	MC	•	•	•	•	P	MC	•	•	•	•
123. Photography: portrait studio	•	•	•	•	P	P	P	P	P	P	•	•	•	•	•	•	P	MC	•	•	•	•
124. Physical fitness facilities	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•	•
125. Printing and publishing	•	•	•	•	•	•	MC	P	MC	MC	P	P	•	•	•	•	P	P	•	•	•	•
126. Recording studios	•	•	•	•	•	•	MC	MC	MC	•	MC	MC	•	•	•	•	MC	MC	•	•	•	•
127. Recycling and collection facilities for nonhazardous materials	•	•	•	•	•	MC	MC	MC	MC	•	MC	MC	•	•	•	•	MC	MC	MC	MC	•	•
128 Research and development laboratories— Other than cannabis and/or marijuana testing laboratories	•	•	•	•	C	C	C	P	C	C	P	P	•	•	•	•	•	P	•	•	•	
129. Restaurants—See Establishments where food or beverages are served																						
130. Retail: general— Excluding antique malls, pawn shops, supermarkets, grocery stores, convenience stores; and liquor stores listed separately	•	•	•	•	•	P	P	P	P	P	•	•	•	P	P	P	P	P	•	•	•	•
131. Retail, incidental sales to the main use (subject to the requirements of section 13-54(a), incidental retail sales)	•	•	•	•	P	P	P	P	P	P	P[2]	P[2]	•	P	P	P	P	P[2]	•	•	•	•
132. Retail: nonstore	•	•	•	•	P	P	P	P	P	P	P	P	•	P	P	P	P	P	•	•	•	•
133. Rifle, pistol, and firing ranges	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	C	•	•	•
134. Sexually-oriented businesses (subject to the	•	•	•	•	•	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	•	P[2]	•	•	•	•	•

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																					
	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
requirements of title **9**, chapter IV and title **13**, chapter IX, sexually-oriented businesses)																						
135. Skating rinks	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	C	C	C	C	C	•	•
135a. Smoking lounge (subject to chapter IX, article 19, smoking and vaping uses)	•	•	•	•	•	•	•	•	C[2]	•	•	P[2]	•	•	•	•	C[2]	•	•	•	•	•
135b. Smoking/ vaping retailer (subject to chapter IX, article 19, smoking and vaping uses)	•	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	•
136. Storage of chemicals and allied products (except as incidental use)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
137. Storage of explosives	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
138. Storage of fertilizer	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	•	•	•	•
139. Storage of motor vehicles— Outdoor (not including impound yard)	•	•	•	•	•	•	C	C	C	•	MC	MC	•	•	•	•	C	MC	•	•	•	•
139a. Storage of motor vehicles— Indoor only (not including impound yard)	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•	•
140. Storage of petroleum and coal products	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
141. Storage of rock, sand, crushed aggregate and gravel	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	•	•	•	•
143. Supermarkets— See also Grocery stores	•	•	•	•	•	•	P	P	P	P	•	•	•	MC	MC	MC	MC	•	•	•	•	•
143a. Specialty stores	•	•	•	•	•	•	P	P	P	P	•	•	•	•	MC	MC	MC	•	•	•	•	•
144. Tattoo parlors	•	•	•	•	•	•	C	C	C	•	•	•	•	•	•	•	C	•	•	•	•	•
145. Tire sales and installation not within 200 feet of residential zone	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•	•
146. Tire sales and installation within 200 feet of residential zone	•	•	•	•	•	•	MC	MC	MC	•	MC	MC	•	•	•	•	MC	MC	•	•	•	•
147. Tow companies with or without impound yard	•	•	•	•	•	•	C	C	C	•	MC	MC	•	•	•	•	•	MC	•	•	•	•
148. Transfer station for refuse, sewage treatment	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	C	C	•	•	•
149. Trucking: local and long distance	•	•	•	•	•	•	•	C	•	•	P	P	•	•	•	•	•	C	•	•	•	•
150. Warehouses, mini (subject to the requirements of chapter IX, article 7, mini-warehouses)	•	•	•	•	•	•	C[2]	C[2]	C[2]	•	MC[2]	MC[2]	•	•	•	•	•	MC[2]	•	•	•	•
151. Warehouses, public	•	•	•	•	•	•	C	C	C	•	P	P	•	•	•	•	•	P	•	•	•	•
152. Warehousing of durable and nondurable goods except livestock and poultry—See also Storage	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•	•
153. Wholesale trade of motor vehicles, boats and motorcycles with outdoor storage of vehicles	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•	•
154. Wholesale trade of motor vehicles, boats and motorcycles without outdoor storage of vehicles	•	•	•	•	•	MC	MC	P	P	P	P	P	•	P	P	P	P	P	•	•	•	•
155. Wholesale trade of durable, nondurable goods, except livestock, poultry and perishable goods	•	•	•	•	•	MC	MC	P	P	P	P	P	•	P	P	P	P	P	•	•	•	•

Notes:

1	Uses proposed in this zone are subject to verification of consistency with the adopted master plan. Uses not specified in the master plan, could be allowed, subject to the review process indicated in this matrix, if the proposed use is determined to be compatible with the adopted master plan. Residential uses shall not be permitted on any site or parcel of land on which residential uses are expressly prohibited by the general plan.
2	This use is subject to the requirements of the referenced Municipal Code article or section.
3	If residential uses exist, accessory uses shall be permitted.
4	For the purposes of this table, the symbols in the non-shaded areas shall have the following meaning: C—Conditional Use Permit; MC—Minor Conditional Use Permit; P—Permitted; •—Prohibited; and S—Special Use Permit.
5	Six hundred fifty foot separation required between sober living homes, or from state licensed alcohol or drug abuse recovery or treatment facilities. CMMC 13-311(a)(10)(i).
6	Subject to the separation requirement set forth in sections 13-322(a)(3) and 13-323(b).
7	Small boardinghouses shall locate at least 650 feet from any other small boardinghouse. Large boardinghouses shall be located at least 1,000 feet away from any other boardinghouse.
8	Uses prohibited in the base zoning district of a mixed-use overlay zone shall also be prohibited in the overlay zone.
9	Prohibited at the SoCo property, 3303 through 3323 Hyland Ave.
10	Emergency shelters located on sites owned, controlled, and/or operated by the city in the MP and/or the PDI zone are a permitted use, not subject to a master plan requirement and the standards in section 13-200.79(1), (2), (4), (8), (10) and (13) do not

TABLE 13-30 CITY OF COSTA MESA LAND USE MATRIX																					
	ZONES																				
LAND USES	R1	R2-MD	R2-HD	R3	AP	CL	C1	C2	C1-S1	TC[1]	MG	MP	PDR-LD[1]	PDR-MD[1]	PDR-HD[1]	PDR-NCM[1]	PDC[1]	PDI[1]	I&R[1]	I&R-S1	I&RMLT[1]	P
apply to such uses.																					

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-4, § 2, 2-2-98; Ord. No. 98-5, § 8, 3-2-98; Ord. No. 00-5, § 1(b), 3-20-00; Ord. No. 01-1, § 1, 1-15-01; Ord. No. 01-30, § 1a(Att. A), 1-7-02; Ord. No. 02-4, § 1b(Att. A), 3-18-02; Ord. No. 02-12, § 1c, 6-17-02; Ord. No. 05-2, § 1f.(Att. A), 2-22-05; Ord. No. 05-11, § 2b., 7-19-05; Ord. No. 06-2, § 1a., 2-7-06; Ord. No. 06-9, § 1d., 4-18-06; Ord. No. 06-18, § 1b., 9-5-06; Ord. No. 07-2, § 1d., 2-6-07; Ord. No. 11-10, § 1, 9-20-11; Ord. No. 13-1, § 2B., 3-19-13; Ord. No. 14-04, § 2B., 4-1-14; Ord. No. 14-13, 10-21-14; Ord. No. 15-06, §§ 1—3, 7-7-15; Ord. No. 15-10, § 2B, 9-15-15; Ord. No. 15-11, §§ 3—5, 11-17-15; Ord. No. 16-01, § 4, 1-19-16; Ord. No. 16-09, §§ 4, 5(Exh. A), 10-4-16; Ord. No. 16-13, § 2, 11-15-16; Ord. No. 16-15, § 5, 11-8-16; Ord. No. 18-03, § 3, 1-16-18; Ord. No. 18-04, § 3, 4-3-18; Ord. No. 19-13, § 3, 9-3-19; Ord. No. 19-15, § 1, 9-17-19; Ord. No. 21-03, § 4, 3-2-21; Ord. No. 21-08, § 1, 6-15-21; Ord. No. 21-20, § 1, 12-7-21)

Section 13-32 Development standards.

Table 13-32 identifies development standards in the residential zones, with the exception of development standards for common interest developments (see Article 2, common interest developments. See also Article 9, general site improvement standards of this chapter for additional requirements for all the residential zones.

TABLE 13-32
RESIDENTIAL DEVELOPMENT STANDARDS

STANDARDS	R1	R2-MD	R2-HD	R3
Minimum Lot Area	6,000 square feet	12,000 square feet	12,000 square feet	12,000 square feet
Minimum Lot Area for newly subdivided lots	6,000 square feet	12,000 square feet	12,000 square feet	12,000 square feet
Minimum Lot Width for newly subdivided lots	Interior lot: 50 feet Corner lot: 60 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width. An exception to this requirement is when the existing R-1 lot (that is proposed to be subdivided) has an average depth that equals to or exceeds 200 feet		Interior lot: 100 feet Corner lot: 100 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width; with the exception of common interest developments.	
Maximum Number of Stories & Building Height	2 stories/27 feet for residential land uses. The maximum number of stories and building height for nonresidential land uses shall be determined in conjunction with the conditional use permit review process. Note: Lofts, as defined in section 13-6, without exterior access and having only clerestory windows will not be regarded as a story. See also Attic discussion below.			
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets, or operable windows. Attics above second stories shall be an integral part of the second story roofline and not appear as a third story on any building elevation. Windows in any attic space above the second story shall be incidental and limited to a dormer style.			
Maximum Density (Based on gross acreage.)	1 dwelling unit per 6,000 square feet (Note: Only 1 dwelling unit is permitted per lot.)	1 dwelling unit per 3,630 square feet 1 unit per 3,000 square feet for legal lots existing as of March 16, 1992, that are less than 7,260 square feet in area but not less than 6,000 square feet in area.	1 dwelling unit per 3,000 square feet	1 dwelling unit per 2,178 square feet
Minimum Open Space	40% of total lot area		40% of total lot area.	
Distance Between Buildings	10-foot minimum between main buildings 6-foot minimum between main buildings and accessory structures			
Driveway width	For all individual driveways: Ten-foot minimum width For lots less than 50 feet wide: 26-foot maximum width [1] For lots greater than 50 feet wide: Driveway width shall be a maximum of 50 percent of the lot width, or a maximum 36-foot width, whichever is less. [1]		Same as R1, except 16-foot minimum driveway is required if the driveway serves tenants and/or guest parking for more than one dwelling unit	

TABLE 13-32 RESIDENTIAL DEVELOPMENT STANDARDS				
STANDARDS	**R1**	**R2-MD**	**R2-HD**	**R3**
Driveway length	Straight-in driveways to garages shall have a minimum length of 19 feet from the ultimate property line.			
Storage	Not applicable.		Each unit shall be provided with 200 cubic feet of securable storage exterior to the unit. If this storage is provided within the garage or carport it shall be located so as not to obstruct the required clear dimensions of the covered parking space (per the City of Costa Mesa Parking Design Standards) at any point less than 4 feet above the finished surface level of the parking stall.	
Mechanical equipment, excluding antennas and flush-mounted solar panels on roofs	Roof-top location is prohibited on single-family dwelling units. All other locations: Screening required from public rights-of-way and adjacent properties. Antennas are subject to Chapter IX, Article 2, antennas.			
SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS AND STRUCTURES (Minimum distances given, unless otherwise noted. All setbacks from streets are measured from the ultimate property line shown on the master plan of highways).				
Front	20 feet	20 feet	20 feet	20 feet
Side	Interior property line: 5 feet. Note: Accessory structures that do not exceed 6½ feet in height in the R1 zone or 15 feet in height in the other residential zones may have a zero side setback. Property line abutting a public street: 10 feet. Note: Driveways providing straight-in access from a public street to a garage shall be at least 19 feet long, as measured from the property line. Property line abutting an alley: 5 feet			
Rear (not abutting a publicly dedicated alley)	20 feet for 2 story structures. 10 feet for 1 story structures (15 foot maximum height) provided that maximum rear yard coverage is not exceeded. Note: Accessory structures that do not exceed 6½ feet in height in the R1 zone or 15 feet in height in the R2 zones may have a zero rear yard setback, except on corner lots in the R2 zones. Corner lots in the R2-MD, R2-HD & R3 zones: a. Where the rear property line of a corner lot adjoins the side property line of another lot, no detached accessory structure shall be allowed on the corner lot, except within the rear quarter of the corner lot farthest from the side street. b. Where the rear property line of a corner lot abuts a public or private street, accessory structures shall maintain setbacks for main structures.		15 feet for 2 story structures. 10 feet for 1 story structures (15-foot maximum height). Note: Accessory structures that do not exceed 15 feet in height may have a zero rear yard setback, except on corner lots (see R2-MD and R2-HD column for setbacks for corner lots).	
Rear yard coverage (maximum)	Rear (not abutting a publicly dedicated alley, street, or park): Main Buildings: 25% of rear yard area.* Accessory Buildings: 50% of rear yard area.* * Rear yard area equals lot width, measured from side property line to side property line, multiplied by 20 feet. Rear abutting a publicly dedicated alley, street, or park: Not applicable		Not applicable	

TABLE 13-32 RESIDENTIAL DEVELOPMENT STANDARDS				
STANDARDS	**R1**	**R2-MD**	**R2-HD**	**R3**
Rear abutting a publicly dedicated alley, street, or park	5 feet; however, garages may be required to setback further to ensure adequate back up distance. Rear Yard Coverage does not apply. Note: Accessory structures that do not exceed 6½ feet in height in the R1 zone or 15 feet in height in the other residential zones may have a zero rear yard setback, except on corner lots in the R2 and R3 zones where accessory structures shall maintain setbacks for main structures.			
Bluff top setback	No building or structure closer than 10 feet from bluff crest (see section 13-34 BLUFF-TOP DEVELOPMENT).			
PROJECTIONS (Maximum depth of projections given)				
Roof or eaves overhang; awning	2 feet 6 inches into required side setback or building separation area. 5 feet into required front or rear setback.			
Open, unenclosed stairways.	2 feet 6 inches into required setback or building separation area.			
Chimneys	2 feet above maximum building height.			
Fireplaces	2 feet into required setback or building separation area.			
PARKING STANDARDS (See Chapter VI).				
LANDSCAPING (See also Chapter VII).				
Landscaping Required.	All unpaved areas visible from the public right-of-way shall be landscaped and the landscaping shall be maintained in a healthy condition, free of dying, dead, diseased, decayed, discarded, and/or overgrown vegetation.		See Chapter VII, LANDSCAPING.	
SIGNS (See Chapter VIII).				
POOLS AND SPAS				
Above-ground pools and spas shall not be located in the required front yard setback from a public street and are subject to 5-foot side and 10-foot rear yard setbacks for main structures. Additional setbacks may be applicable pursuant to building code requirements.				
RAISED DECKS				
Any raised deck with a finished floor height of 18 inches or greater, as measured from finished grade, shall comply with the main building setback requirements for the underlying zone.				
FENCES AND WALLS				
Fences and walls placed between the property line and required setback line for main buildings shall conform [to] the city's walls, fences, and landscaping standards. See ARTICLE 9, GENERAL SITE IMPROVEMENT STANDARDS, of this chapter for further information.				
[1.] The maximum driveway width standards are only applicable to the construction of new single-family residences.				

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 01-16, §§ 1f., g., 6-18-01; Ord. No. 02-4, § 1c, 3-18-02; Ord. No. 02-9, § 1a, 7-1-02; Ord. No. 03-8, § 4, 9-2-03; Ord. No. 05-3, § 1c., 2-7-05; Ord. No. 09-4, § 1b., 5-5-09; Ord. No. 21-20, § 1, 12-7-21)

Section 13-35 Accessory dwelling units.

(a) Purpose, general plan consistency, definitions.

(1) Purpose and interpretation. The intent of this section is to ensure that accessory dwelling units (ADUs) and Junior ADUs remain as an accessory uses in residential and mixed-use zones, that the structures on parcels are organized to accommodate an ADU and/or Junior ADU, and that such dwelling units do not adversely impact surrounding residents or the community. This section 13-35 is intended to retain the ability of the city to regulate ADUs in terms of design, aesthetics, massing and integration with existing structures and to comply with the requirements of state law.

(2) General plan consistency. In adopting these standards, the city recognizes that the approval of dwelling units may, in some instances, result in dwelling densities exceeding the maximum densities prescribed by the general plan. The city finds that this occurrence is consistent with the general plan, as allowed under state planning and zoning law applicable to ADUs, and that the amendment furthers the goals, objectives, and policies of the general plan housing element.

(3) Definitions. For purpose of this section 13-35 only:

a. The terms "accessory dwelling unit" (ADU), "public transit," "passageway" and "tandem parking" all have the same meaning as that stated in Government Code section 66313 as that section may be amended from time to time.

b. "Junior ADU" shall have the same meaning as that stated in Government Code section 66313(d) as that section may be amended from time to time.

c. A structure is considered "existing" if a building permit was issued and finalized before an ADU or JADU application is submitted under this section.

d. The terms "single-family dwelling" and "multifamily dwelling" exclude all detached accessory structures.

e. The term "single-family dwelling" is a dwelling (excluding any ADU or Junior ADU) that is not attached to another dwelling. Single-family dwellings may include detached single-family homes where there is more than one primary dwelling on a lot.

f. A "multifamily dwelling" is a dwelling (excluding any ADU or Junior ADU) within a multifamily dwelling structure.

g. A "multifamily dwelling structure" is a structure which contains at least two lawful dwellings within the structure, excluding ADUs and Junior ADUs. Storage rooms, boiler rooms, passageways, attics, basements, garages and other non-habitable spaces are considered within a "multifamily dwelling structure" if such non-habitable spaces are within the same structure as at least two other multifamily dwellings.

(b) Accessory dwelling units.

(1) Residential and mixed use zones only. ADUs are permitted in single-family, multifamily, mixed-use zones (i.e., zones where single-family and/or multifamily dwellings are allowed), and within approved master plan sites with residential

uses in other zones, and only on a legal lot with proposed or existing residential dwelling(s) which will remain on site. By way of illustration only, the zones where accessory dwellings are allowed are shown on the Citywide Land Use Matrix at section 13-30. If there is any conflict between the requirement that ADUs be approved in (and only in) zones where single-family and multifamily dwellings are allowed and the Land Use Matrix, the former shall control.

(2) Reserved.

(3) Ministerial. Any application for an ADU that meets the requirements of this section shall be approved ministerially by the city by applying the standards herein and without a public hearing or notice of decision or zoning approval in compliance with government code section 66317.

(4) Maximum number of dwelling units. The following is the maximum number of ADUs and or Junior ADUs allowed on any lot.

a. Single-family. One detached, new construction ADU, one conversion ADU, and one junior ADU may be permitted on a lot with a proposed or existing single-family dwelling subject to the following:

1. Conversion within a single-family dwelling.

(i) An ADU and Junior ADU may be within the existing footprint of a lawful single-family dwelling. Alternatively, an ADU may be within a lawfully constructed existing detached accessory structure; in this case up to 150 square feet may be added beyond the physical dimensions of the existing accessory structure solely to accommodate ingress and egress to the ADU; and

(ii) ADUs and Junior ADUs must have independent exterior access from the single-family dwelling, and have side and rear setbacks sufficient for fire safety; and

2. New construction (attached or detached). One new construction ADU may be permitted on a lot with proposed or existing single-family dwelling. One new construction Junior ADU may be allowed on the lot if the Junior ADU is to be in a single-family dwelling that meets all applicable legal standards.

b. Multifamily. One ADU is allowed within new construction residences where, after construction, there will be at least two residences on the lot (e.g. detached residential structures, duplexes, apartments); up to two ADUs are allowed with such structures pursuant to subsection 2, below. For lots with an existing legal multifamily dwelling (e.g., a legal non-conforming multifamily dwelling), the applicant may have ADU(s) pursuant to the following:

1. Maximum ADUs within existing multifamily dwelling structure. No more than 25%, with any partial unit rounded down) of the number of existing multifamily dwelling units on the lot, but at least one unit, shall be permitted as ADU(s) constructed within the enclosed nonlivable space (e.g., a space in a dwelling not intended for human habitation, including

living, sleeping, eating, cooking, or sanitation)) of the existing multifamily dwelling structures; or

2. Maximum detached ADUs. No more than eight detached ADUs are permitted, provided that the number of accessory dwelling units allowable pursuant to this clause shall not exceed the number of existing units on the lot. The units shall be detached from every residence on site (but need not be detached from each other) with the exception of one ADU, which may be attached to the multifamily dwelling structure. This section shall apply to detached structures that are converted and new construction detached ADUs. Conversion detached ADUs are not subject to height, setbacks, and maximum square footage; or

(5) Maximum size.

a. Single-family.

1. Detached. For lots with a proposed or existing single-family dwelling, a detached ADU shall not have more than 1,200 square feet.
2. Attached. An ADU attached to a single-family dwelling shall be no more than the greater of 50% of the square footage of the existing single-family dwelling or 1,000 square feet.

b. Multifamily, new construction.

1. Detached. For lots with an existing legal multifamily dwelling structure the maximum square footage for a detached ADU is 850 square feet or 1,000 square feet for an ADU that provides more than one bedroom, except as allowed in Government Code Section 66323.; or
2. Attached. For lots with an existing legal multifamily dwelling structure, an attached ADU shall not exceed the greater of 1,000 square feet or 50% of the average floor area of the existing multiple family dwelling units.

c. Interior conversions. Notwithstanding subsections a and b immediately above, ADUs which are converted from space entirely within existing structures, and ADUs entirely within proposed lawful single-family dwellings, are not subject to a limit on maximum square footage.

(6) Minimum size.

a. ADUs may be efficiency units. Notwithstanding the general limitation on efficiency units being no smaller than 220 square feet, ADUs may also be less than 220 square feet, provided that they are no smaller than 150 square feet, and comply with all other legal requirements.

(7) Conversions of dwelling units.

a. Total conversion of single-family dwelling. An entire existing single-family dwelling may be converted to an ADU if the ADU complies with all applicable requirements of this section and a new single-family residence with a total gross floor area exceeding that of the ADU is constructed in full compliance with code requirements.

b. Partial conversion/addition. A portion of the existing single-family or multifamily dwelling may be converted to an ADU with new additional square

footage, which additional square footage shall comply with all standards applicable to the underlying zone, and all converted square footage shall comply with standards applicable to conversions. The maximum square footage of the ADU shall be based upon the size of the existing dwelling before construction of the ADU addition.

(8) Short-term rentals prohibited. An ADU shall not be rented for periods of less than 31 days.

(c) Junior ADUs.

(1) Rule. Junior ADUs shall comply with the requirements of this subsection, in addition to the requirements of subsection (d) of this section 13-35.

(2) Maximum size. A Junior ADU shall not exceed 500 square feet in gross floor area.

(3) Owner occupancy requirement. The owner of a parcel proposed for a Junior ADU shall occupy as a primary residence either the primary dwelling unit or the Junior ADU. Owner-occupancy is not required if the owner is a governmental agency, land trust, or "housing organization" as that term is defined in Government Code section 65589.5(k)(2), as that section may be amended from time to time.

(4) Short-term rentals prohibited. A Junior ADU shall not be rented for periods of less than 31 days unless otherwise authorized by the municipal code.

(5) Location of Junior ADU. A Junior ADU shall be entirely within an existing or proposed single-family dwelling, including an attached garage.

(6) Kitchen requirements. A Junior ADU shall include an efficiency kitchen, including a cooking facility with appliances, outlet for a small refrigerator, food preparation counter and storage cabinets that are of reasonable size in relation to the size of the Junior ADU.

(7) Parking. No additional parking is required beyond that already required for the primary dwelling.

(8) Fire protection; utility service. For the purposes of any fire or life protection ordinance or regulation or for the purposes of providing service for water, sewer, or power, a Junior ADU shall not be considered a separate or new unit, unless the Junior ADU was constructed in conjunction with a new single-family dwelling. No separate connection between the Junior ADU and the utility shall be required for units created within a single-family dwelling, unless the Junior ADU is being constructed in connection with a new single-family dwelling.

(9) Exterior and interior access. The Junior ADU shall include an exterior entrance separate from the main entrance to the single-family dwelling. If the Junior ADU shares bathroom facilities with the main dwelling, the Junior ADU shall also have interior entry to the main dwelling's living area.

(d) Development standards and requirements. The following development standards shall not apply to a unit built subject to Government Code section 66323 (a), which includes: 1.) all converted ADUs (converted accessory structures are eligible for a 150 square foot expansion for purposes of ingress and egress), 2.) all converted Junior ADUs (JADUs), 3.) maximum 800-square-foot, new-construction, detached

ADUs with four-foot side and rear setbacks and height not exceeding 18 feet (two additional feet of height may be permitted to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary unit), with single-family primary dwellings, and 4.) detached units with multifamily primary dwelling structures with four-foot side and rear setbacks and height not exceeding 18 feet (two additional feet of height may be permitted to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary units). Otherwise, all other ADUs ~~and Junior ADUs~~ must comply with the following requirements unless the below standards and requirements preclude the development of an 800 square foot ADU with four-foot side and rear setbacks:

(1) Ministerial project. Any application for an ADU or Junior ADU that meets the requirements of this section or as permissible in Government Code Section 66332 shall be approved without a public hearing.

(2) Application by owner. An application for a building permit for an ADU or Junior ADU building permit shall be made by the owner of the parcel on which the primary unit sits and shall be filed with the city on a city-approved application form and subject to the established fee set by city council resolution as it may be amended from time to time.

(3) Separate sale prohibited. Except as otherwise provided by law, ADUs and Junior ADUs may not be sold or otherwise conveyed separate from the primary residence.

(4) Utilities.

a. All ADUs and Junior ADUs must be connected to public utilities (or their equivalent), including water, electric, and sewer services.

b. Except as provided in subsection c immediately below, the city may require the installation of a new or separate utility connection between the ADU and the utility. For Junior ADUs, see subsection (c)(8), above.

c. No separate connection between the ADU and the utility shall be required for units created within a single-family dwelling, unless the ADU is being constructed in connection with a new single-family dwelling.

d. Each ADU and Junior ADU shall have a separate mailing address as assigned by the City.

(5) Recorded covenants. Prior to final inspection and occupancy of JADUs, the owner shall file with the county recorder, in a form approved by the city attorney, a covenant which does all of the following:

a. Prohibit the sale of Junior ADU separate from the single-family residence; and

b. Unless subsequently prohibited by an amendment to state law, the JADU shall be considered legal only as long as either the primary residence or the JADU is occupied by the owner of record unless the owner is another governmental agency, land trust, or housing organization; and

c. Restrict the JADU to the maximum size allowed by Municipal Code section 13-35, as it may be amended from time to time; and

d. Confirm that the restrictions shall be binding upon any successor in ownership of the property, and lack of compliance shall result in legal action against the property owner for noncompliance.

(6) Passageway. No passageway shall be required in conjunction with the construction of an ADU.

(7) Building permits required. Applications for ADUs and Junior ADUs shall conform to the requirements for, and shall obtain, a building permit consistent with the requirements of Title 5 (Buildings and Structures). By way of reference only, current requirements generally require all dwellings to have no less than 220 square feet. Fire sprinklers shall not be required for ADUs or JADUs if they are not required for the primary residence; ~~if, however, the ADU is attached to the primary dwelling, and if an addition to the dwelling would require sprinklers for an addition to the primary dwelling in the same location, then sprinklers shall be required~~ The construction of an ADU or JADU alone shall not trigger the requirement for sprinklers in the primary residence.

(8) Setbacks.

a. None. No setbacks are required for either: (1) those portions of ADUs that are created by converting existing living area or existing accessory structures to a new ADU; or (2) constructing new ADUs in the same location, while not exceeding the existing dimensions of an existing structure, including height. Notwithstanding the foregoing, ADUs shall, at minimum, comply with setbacks that are sufficient for fire and life safety.

b. Other setbacks. For all other ADUs, there shall be a minimum of setbacks of four feet from side and rear property lines and full compliance with all applicable front yard setbacks for the underlying zone (except as required by (Gov. Code, § 66321, subd. (b)(3)). Second floor ADUs shall provide setbacks in conformance with the underlying zone. All mechanical equipment associated with the ADU shall maintain the minimum setbacks.

c. Distance between structures. The minimum required distance between a detached ADU and the primary dwelling unit, and all other structures on the property, including garages, shall be six feet unless otherwise established by the California Building Code.

(9) Height. Except as authorized in subsection b, below, in no event may any portion of a new construction ADU exceed 27 feet or two stories. Furthermore, except as authorized in subsection a and b, below, an ADU shall be entirely only on the first floor.

a. Second floor or two-stories. An ADU on a lot which has an existing lawfully constructed dwelling, may be in whole or in part on a second floor, or be a two-story ADU, if all five of the following occur:

1. All portions of the ADU structure on a second floor are at least 25 feet from the front property line; and
2. Each stairwell for the ADU is interior or complies with subsection (10), below; and

3. The second floor of any portion of the ADU, if built above a detached garage, does not exceed the footprint of the garage; and
4. No windows are installed on the second floor on side elevations if such windows are within 25 feet of a neighboring dwelling and face the neighboring property unless such windows have a minimum sill height of at least five feet; and
5. The second floor (or the entire two story ADU as applicable) meets the setbacks applicable to additions for the underlying zone.

b. Within structure. The ADU is built entirely within either:
1. A proposed or existing lawfully constructed single-family dwelling, except that an external stairwell to the ADU which meets all requirements of this Code, including the requirements of subsection (10), below, may be constructed to allow access to the ADU; or
2. The non-habitable space of an existing multifamily structure or within an accessory structure on a lot with a multifamily structure.

(10) Exterior stairways, balconies.

a. Exterior stairways. A new exterior stairway to a second-floor ADU shall not be <u>located on a front facade within 20 feet of a property line abutting a public right of way</u> ~~visible from the public right of way at the front of the property~~. Second floor landings using an exterior stairway shall be kept to the minimum size required to comply with applicable codes. Stairways and landings shall incorporate screening materials designed to eliminate views into abutting properties. Stairways and landings, which exceed building code minimum sizes, are prohibited. Stairways and landings shall not be counted toward residential open space requirements.

b. Balconies. New balconies which face the street and are located at the front of the main residential structure are permitted provided that the balcony be set back a minimum of 20 feet from the front property line. On corner properties, balconies may face the side street provided that they maintain the setback for the underlying zone. Balconies within 25 feet of a neighboring residence shall incorporate screening to ensure there are no direct views into the abutting property. New construction balconies that are not facing the front of the property or a side street, are prohibited.

c. Roof decks. No new roof decks are allowed for ADUs.

(11) Architectural standards.

a. Attached and detached ADUs. Attached and detached ADUs shall have the same materials, finishes, and colors as the primary dwelling.

b. New construction Junior ADUs. New construction Junior ADUs shall match exterior appearance with the primary unit in terms of materials, finishes, and colors within the same property on which it is proposed to be constructed.

(12) Recommended garage conversion design considerations.

a. Blank facade. When a garage is converted to an ADU, if the facade of the converted garage is visible from a public right-of-way, the following design considerations are recommended:
    1. Be covered with landscaping that covers at least 50% of the wall, or
    2. Include openings of at least 10% of the facade with at least one door that complies with section (13) below or one window which matches the material and design of the existing windows on the residence.

(13) Driveway removal. If a driveway leading to a garage being converted to an ADU is removed, it must be replaced with landscaping or open space, and the curb cut and driveway apron must be removed and replaced with a curb and gutter and parkway which meets city standards. If a driveway is partially removed, the remaining driveway must provide the minimum parking dimensions per subsection (15) below.

(14) Entry. The entrance to an ADU or Junior ADU shall match the materials and color of the primary residence(s), not be located on the same building elevation as the main entrance of the primary residence(s) and shall be located along the building side, rear, or within the interior of the property, unless the economic and development services director approves an alternative configuration due to unique development circumstances.

(15) Parking.

a. The owner may provide parking that is at least eight and a half (8.5) feet wide and 18 feet long and may be provided as:
    1. Tandem parking on an existing driveway in a manner that does not encroach onto a public sidewalk; or
    2. Within a setback area or in locations determined feasible by the city. Locations will be determined infeasible based upon specific site or regional topographical or fire and life safety conditions, or that such parking is not permitted anywhere else in the city.
b. When any parking space or parking structure is converted or demolished in conjunction with the construction of an ADU or converted to an ADU, the off-street parking spaces do not have to be replaced, notwithstanding any other provision of this code to the contrary (e.g., the definition of "driveway" in section 13-6, Table 20-8(c) a driveway does not lose its status as a lawful "driveway" if it leads to a structure that was either converted from a garage into either an ADU or Junior ADU or demolished in conjunction with the construction of an ADU or Junior ADU. In no event shall the demolition of a parking space or parking structure be considered "in conjunction with" the construction of an ADU if the ADU will not be constructed within any portion of the footprint of the demolished garage.

(16) Non-conforming. The city shall not require, as a condition of a permit for an ADU or Junior ADU the correction of nonconforming development standards.

(17) Open space and landscaping. ADUs which exceed 800 square feet in gross floor area shall meet the open space requirements of section 13-32 and shall be subject to provide landscaping as required in section 13-106.

Section 13-36 Two-unit Housing Development

(a) For purposes of this section, the following definition shall apply:

(1) "Housing development" shall mean no more than two primary residential units within a single-family zone that meets the requirements of this section. ~~The two units may consist of two new units or one new unit and one existing unit~~ The total number of units, including ADUs and JADUs, shall not exceed four.

(b) The city shall ministerially approve a housing development containing no more than two residential units if it meets the following requirements:

(1) The parcel is located within a single-family residential zone.

(2) The parcel is located at least partially in an urbanized area or urban cluster as designated by the United States Census Bureau.

(3) The parcel is not located in any of the following areas and does not fall within any of the following categories:

a. A historic district or property included on the State Historic Resources Inventory, as defined in section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.

b. Prime farmland or farmland of statewide importance as further defined in Government Code section 65913.4(a)(6)(B).

c. Wetlands as defined in the Unites States Fish and Wildlife Service Manual, Part 660 FW 2(June 21, 1993).

d. A hazardous waste site that is listed pursuant to section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

e. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.

f. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an

applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or

ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the Nation Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);

g. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.

h. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code section 65913.4(a)(6)(I).

i. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with section 1900) of Division 2 of the Fish and Game Code).

j. Lands under a conservation easement.

(4) The proposed housing development would not require demolition or alteration of any of the following types of housing:

a. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;

b. Housing that is subject to any form of rent or price control by the city;

c. A parcel or parcels on which an owner of residential real property exercised

rights under Government Code section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date of the application; or

d. Housing that has been occupied by a tenant in the last three years.

(5) Demolition of an existing unit shall not exceed more than 25 percent of the existing exterior structural walls unless the site has not been occupied by a tenant in the last three years.

(c) Standards and Requirements. Except where superseded by the following provisions, two-unit housing development pursuant to Government Code Section 65852.21 shall comply with development standards applicable to the R1 Single- Family Residential District including but not limited to Section 13-32 of this code:

(1) No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(2) Except for those circumstances described in section C1 above, the setback for side and rear lot lines shall be four feet. The front setback shall be as set forth in the R-1 Single-Family Residential District standards.

(3) The applicant shall provide easements for the provision of public services and facilities as required.

(4) All lots shall have a minimum street frontage of ten feet to provide for vehicular access, or 16-foot if the driveway serves two units. For a lot without physical street frontage, access to street frontage shall be provided by the granting of a duly recorded permanent easement for ingress and egress purposes in favor of the lot without physical street frontage.

(5) In order to preserve the City's inventory of on-street parking, existing and proposed development pursuant to Government Code section 65852.21 shall be limited to one driveway ingress/egress <u>per resultant lot</u>.

(6) Required off-street parking shall ~~be limited to~~ <u>consist of at least</u> one garage space per unit and the location and configuration of such parking shall be in compliance with the provisions of this code, except that no parking requirements shall be imposed in either of the following circumstances:

a. The parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code section 21155(b) or a major transit stop as defined in Public Resources Code section 21064.3; or

b. There is a car share vehicle located within one block of the parcel.

(7) For residential units connected to an onsite wastewater treatment system (septic tank), the applicant provides a percolation test completed within the last 5 years, or if the percolation test has been recertified, within the last 1O years, which shows that the system meets acceptable infiltration rates.

(d) The city shall not require or deny an application based on any of the following:

(1) The city shall not impose any objective zoning, subdivision, or design review standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet. If the city determines that the strict application of objective zoning, subdivisions or design standards would physically preclude the development of two units on a lot each with a minimum unit size of 800 square feet, the city may ministerially allow deviations from development standards generally applicable to the R-1 zoning district pursuant to city policies and/or regulations implementing this section if such deviation is in compliance with applicable building and fire code standards and regulations and if there are no other feasible means of complying with state law.

(2) The city shall not deny an application solely because it proposes adjacent or connected structure provided that that all building code safety standards are met and they are sufficient to allow a separate conveyance.

(e) An applicant shall be required to sign an affidavit in a form approved by the City Attorney to be recorded against the property stating the following:

(1) That the uses shall be limited to residential uses.

(2) That the rental of any unit created pursuant to this section shall be for a minimum of thirty-one days.

(3) That the maximum number of units to be allowed on the parcels is two, including but not limited to units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, junior accessory dwelling units, or units allowed pursuant to section 13-35.

(f) The city may deny the housing development if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(g) The provisions of this section supersede any contrary provisions contained elsewhere in this code.

Section 13-41 Residential common interest development standards and requirements.

(a) *Applicability.* The provisions of this section shall apply to all proposed new residential common interest development projects and the conversion of existing apartments to residential common interest developments.

(b) *Development standards.* Table 13-41(b) identifies the development standards for residential common interest developments. See also Article 9 General Site Improvement Standards of this chapter for additional requirements. Projects shall comply with all applicable standard plans and specifications and adopted city and state codes, as well as the following provisions:

(1) The location and orientation of all buildings shall be designed and arranged to preserve natural features by minimizing the disturbance to the natural environment. Natural features such as trees, groves, waterways, scenic points, historic spots or landmarks, bluffs or slopes shall be delineated on the site plan and considered when planning the location and orientation of buildings, open spaces, underground services, walks, paved areas, playgrounds, parking areas and finished grade elevations.

(2) All structures proposed to be constructed within a project shall conform to the following requirements:

a. Structures having dwelling units attached side by side shall avoid the long-row effect by being composed of no more than six dwelling units. Alternative designs which accomplish the same purpose may be approved by the final review authority.

b. Structures having dwelling units attached side by side shall avoid the long-row effect with a break in the facade by having an offset in the front building line of at least four feet for every two dwelling units within such structure. Alternate designs which accomplish the same purpose may be approved by the final review authority.

c. Consideration shall be given to the effect of proposed development on the light, air and privacy of adjacent properties.

(3) Outside uncovered and unenclosed storage of boats, trailers, recreational vehicles and other similar vehicles shall be prohibited unless specifically designated areas for the exclusive storage of such vehicles are set aside on the final master plan and provided for in the association's covenants, conditions, and restrictions. Where such areas are provided, they shall be enclosed and screened from view on a horizontal plane from adjacent areas by a combination of six-foot high opaque fences and permanently maintained landscaping.

(4) For high-rise residential projects, see the North Costa Mesa Specific Plan for additional development standards.

(5) The developer shall install an on-site lighting system 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, and shall be of a type approved by the development service department.

(6) The development shall comply with the provisions of Chapter XI. Subdivisions, which may include, but are not limited to land dedication and improvements, such as drainage improvements and payment of fees.

TABLE 13-41(b) RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS		
STANDARDS	**SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)**	**OTHER UNITS**
Individual Dwelling Unit Minimum Lot Area	All zones: 3,000 square feet with an overall average of 3,500 square feet. The required common lot shall not be included in the calculation of lot area. Note: Lot sizes may be reduced proportionately if other useable open space is provided within the overall development.	No minimum requirement.
Common Lot Required	All projects shall be designed with a minimum of one lot to be held in common ownership and maintained by a homeowners association. This lot shall be used for common driveways, parking areas, and at least 10 feet of street setback landscaped areas.	
Maximum Number of Stories & Building Height	2 stories/27 feet, except as allowed in the Planned Development or Town Center zoning districts. Note: Lofts, as defined in section 13-6, without exterior access and having only clerestory windows will not be regarded as a story. See also Attic discussion below.	
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. In zoning districts where the maximum number of stories is two stories, attics above second stories shall be an integral part of the second story roofline and not appear as a 3rd story on any building elevation. Windows in any attic space above the second story shall be incidental and limited to a dormer style.	
Maximum Density (based on gross acreage)	Same as underlying zoning district or as specified in an applicable specific plan.	
Minimum Open Space Development Lot	40% of total lot area. *Exception:* For high-rise residential projects, see the North Costa Mesa Specific Plan.	
Individual Dwelling Unit Lot	40% overall, with a minimum 400 square-foot area with no dimension less than 15 feet.	Not applicable.
Private Open Space	Same as individual dwelling unit lot above.	An adjoining patio required with no dimension less than 10 feet. *Exception:* Not applicable to high-rise residential projects in the North Costa Mesa Specific Plan.
Common Open Space	Common open space areas shall be designed and located within the development to allow maximum use by all residents. Enclosed buildings used for recreation or leisure facilities should not be used to satisfy more than 15 percent of required open space.	
Distance Between Buildings	10-foot minimum between main buildings 6-foot minimum between main buildings and accessory structures	
Driveway Width	10-foot minimum, except 16-foot minimum driveway is required if the driveway serves tenants and/or guest parking for more than one dwelling unit.	
Driveway Length	Straight-in driveways to garages shall have a minimum length of 19-feet from the ultimate property line.	
Storage	Not applicable.	Each unit shall be provided with 200 cubic feet of securable storage exterior to the unit. If this storage is

TABLE 13-41(b) RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS		
STANDARDS	**SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)**	**OTHER UNITS**
		provided within the garage or carport it shall be located at the front of the parking area so as not to obstruct the required clear dimensions of the covered parking space (per the City of Costa Mesa Parking Design Standards) at any point less than 4 feet above the finished surface level of the parking stall. *Exception:* Not applicable to high-rise residential projects in the North Costa Mesa Specific Plan.
Mechanical equipment, excluding antennas and flush-mounted solar panels on roofs	Roof-top location is prohibited.	Screening required from public rights-of-way and adjacent properties.
SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS AND STRUCTURES (Minimum distances given, unless otherwise noted. All setbacks from streets to development lots are measured from the ultimate property line shown on the Master Plan of Highways.)		
Front Development Lot	20 feet	20 feet
Individual Dwelling Unit Lot	None	Not applicable
Side (interior) Development Lot	5 feet	
Side (street side, if applicable) Development Lot	10 feet Note: Driveways providing straight-in access from a public street to a garage shall be at least 19 feet long, as measured from the property line.	
Rear (not abutting a publicly dedicated alley) Development Lot	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 1 story structures (15-foot maximum height) provided that maximum rear yard coverage is not exceeded. *Exception:* Rear yard coverage does not apply to the R-3 zone. *Note:* Accessory structures that do not exceed 15 feet in height may have a zero rear yard setback, except on corner lots. Corner lots in the R2-MD, R2-HD & R3 zones: a. Where the rear property line of a corner lot adjoins the side property line of another lot, no detached accessory structure shall be allowed on the corner lot, except within the rear quarter of the corner lot farthest from the side street. b. Where the rear property line of a corner lot abuts a public or private street, accessory structures shall maintain setbacks for main structures.	
Rear Yard Coverage (maximum) in the R2-MD and R2-HD zones	Main Buildings: 25% of rear yard area.* Accessory Buildings: 50% of rear yard area.* * Rear yard area equals lot width, measured from side property line to side property line, multiplied by 20 feet.	
Rear Abutting a Publicly Dedicated Alley	5 feet; however, garages may be required to set back further to ensure adequate back up distance. Rear Yard Coverage does not apply. Note: Accessory structures that do not exceed 15 feet in height may have a zero rear yard setback, except on corner lots where accessory structures shall maintain setbacks for main structures.	
Bluff Top Setback	No building or structure closer than 10 feet from bluff crest (see section 13-34 BLUFF-TOP	

TABLE 13-41(b) RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS		
STANDARDS	**SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)**	**OTHER UNITS**
	DEVELOPMENT).	
PROJECTIONS (maximum depth of projections given)		
Roof or Eaves Overhang; Awning	2 feet 6 inches into required side setback or building separation area. 5 feet into required front or rear setback.	
Open, unenclosed stairways	2 feet 6 inches into required setback or building separation area.	
Chimneys	2 feet above maximum building height.	
Fireplaces	2 feet into required setback or building separation area.	
PARKING (See CHAPTER VI)		
2-car garage required	Yes	Not required.
Automatic roll-up garage door with remote controlled door opener required	Yes	Yes, if garages are provided.
Location of Covered Parking	Required covered tenant parking shall be located within a reasonable distance of the unit it serves. Detached garages that are not located within a reasonable distance to the units they are intended to serve are prohibited.	
LANDSCAPING		
A detailed landscape plan prepared pursuant to CHAPTER VII LANDSCAPING STANDARDS shall be approved by the Planning Division prior to issuance of any building permits.		
Landscape parkways with a combined width of 10 feet, but not less than 3 feet on one side, shall be provided along the sides of interior private streets and/or common driveways. The parkway on the house side of private streets or common driveways shall be a minimum of 5 feet in width.		
SIGNS (See CHAPTER VIII)		
POOLS AND SPAS		
Above-ground pools and spas shall not be located in the required front yard setback from a public street and are subject to 5-foot side and 10-foot rear yard setbacks for main structures. Additional setbacks may be applicable pursuant to building code requirements.		
RAISED DECKS		
Any raised deck with a finished floor height of 18 inches or greater, as measured from finished grade, shall comply with the main building setback requirements for the underlying zone.		
FENCES AND WALLS		
Fences and walls placed between the property line and required setback line for main buildings shall conform to the City's walls, fences, and landscaping standards. See ARTICLE 9 GENERAL SITE IMPROVEMENT STANDARDS of this chapter for further information.		

(c) *Documents required.*

(1) A project may be approved subject to submission of all organizational documents setting forth a plan or manner of permanent care and maintenance of open spaces, recreational areas, and common facilities pursuant to state law (Civil Code 1350-1359). No such documents shall be acceptable until approved by the city attorney as to legal form and effect, and by the planning division as to

suitability for the proposed use of the open areas.

(2) The developer shall file a declaration of covenants to be submitted with the application for approval, which will govern the association. The provisions shall include, but not be limited to, the following:

a. The homeowners' association shall be established prior to the sale of any unit(s).

b. Membership shall be mandatory for each owner and any successive owner.

c. Provisions to restrict parking upon other than approved and developed parking spaces and to require that garages be kept available for tenant parking shall be written into the covenants, conditions and restrictions for each project.

d. If the development is constructed in increments or phases which require one or more final maps, reciprocal covenants, conditions, and restrictions and reciprocal management and maintenance agreements shall be established which will cause a merging of increments as they are completed, and embody one homeowners' association with common areas for the total development.

e. The declaration of covenants shall contain language or provisions substantially as follows:

i. The covenants, conditions and restrictions of this declaration shall run to the City of Costa Mesa insofar as they shall apply to the maintenance of the "common areas" as herein defined.

ii. In the event the association or other legally responsible person(s) fail to maintain the common area in such manner as to cause same to constitute a public nuisance, the city may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon the common area, individual units or the whole thereof as provided by law.

(Ord. No. 07-17, § 1e., 10-2-07)

Section 13-42.3 Development standards and requirements.

(a) *Applicability.* The provisions of this section shall apply to all new residential small lot subdivisions of 15 lots or less in multi-family zones and not in combination with other development standards in the overlays zones.

(b) *Development standards.* Table 13-42 identifies the development standards for small lot subdivision developments. See also Article 9 general site improvement standards of this chapter for additional requirements. Projects shall comply with all applicable standard plans and specifications and adopted city and state codes, as well as the following provisions:

(1) The location and orientation of all buildings shall be designed and arranged to preserve natural features by minimizing the disturbance to the natural environment. Natural features such as trees, groves, waterways, scenic points, historic spots or landmarks, bluffs or slopes shall be delineated on the site plan and considered when planning the location and orientation of buildings, open spaces, underground services, walks, paved areas, playgrounds, parking areas and finished grade elevations. Pre-existing development should guide the building setbacks and new development should preserve the existing character of the neighborhood.

(2) The site design must consider both the design elements of each unit and how these designs will enhance the overall neighborhood character and vitality of the street and sidewalk. Building setbacks and site planning must relate to surrounding built form, respecting the overall neighborhood character and existing topography. Additionally, each unit must exhibit a high level of design quality with well-articulated entries and façades, proportionate windows, quality building materials and contextual landscaping.

(3) All structures proposed to be constructed within a project shall conform to the following requirements:

a. Each unit shall be provided with direct pedestrian and vehicular access to a public street, or an alley or a common drive connecting to a public street/alley.

b. Structure shall be constructed to minimize impact of the proposed development on the light, air and privacy of adjacent properties.

(4) 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, and shall be of a type approved by the development services department.

(5) The development shall comply with the provisions of Chapter XI, subdivisions, which may include, but are not limited to, land dedication and improvements, such as drainage improvements and payment of fees.

(6) Outside uncovered and unenclosed storage of boats, trailers, recreational vehicles and other similar vehicles shall be prohibited unless specifically designated areas for the exclusive storage of such vehicles are set aside on the final master plan and provided for in the covenants, conditions, and restrictions. Where such areas are provided, they shall be enclosed and screened from view on a horizontal plane from adjacent areas by a combination of six-foot high opaque fences and permanently maintained landscaping.

Table 13-42
SMALL LOT SUBDIVISION STANDARDS

STANDARDS	SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)
Maximum Number of Stories & Building Height	2 stories/27 feet, except as allowed in the Westside Overlay Districts. Note: Lofts, as defined in section 13-6, without exterior access and having only clerestory windows will not be regarded as a story. See also Attic discussion below.
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. In zoning districts where the maximum number of stories is two stories, attics above second stories shall be an integral part of the second story roofline and not appear as a 3rd story on any building elevation. Windows in any attic space above the second story shall be incidental and limited to a dormer style.
Maximum Density (based on gross acreage)	Same as underlying zoning district or as specified in an applicable specific plan.
Minimum Open Space (development lot)	35% of total lot area. No asphalt shall be permitted for paved areas. Parking and driveways shall consist of decorative concrete, pavers or other materials as deemed appropriate by the Development Services Director. This requirement may be decreased to a minimum of up to 30%, if the difference in the area is provided as additional open guest parking, located in a common area, and not exclusive for any specific unit.
Minimum Open Space (individual unit)	200 square feet with no dimension less than 10 feet.
Development Lot	Separately owned private property interests or any portion thereof, necessary or desirable for common use, are subject to recordation of an easement for reciprocal access and maintenance. All areas of a development with 5 or more parcels, subject to a reciprocal access and/or maintenance easement shall be maintained by an association that may be incorporated or unincorporated. The association may be referred to as a maintenance association.
Parking	• Three-bedroom or more units (including a den or home office) – 2 garage spaces and 2 open parking spaces. • Two-bedroom or less units (including a den) – 2 garage spaces and one open parking. • No tandem parking is permitted for open or guest parking spaces. For developments with 5 or more units (up to 10 units) where open/guest parking spaces are provided in driveways in front of garages for exclusive use of that unit, one additional on-site guest parking shall be provided. Two additional open guest-parking shall be provided for developments with more than 10 units. • For all small lot developments subject to the provisions of this article, all open parking not located within an individual driveway shall be unassigned and nonexclusive.
Distance Between Buildings	6 feet minimum
Driveway Width (development lot)	10-foot minimum, except 16-foot minimum driveway is required if the driveway serves tenants and/or guest parking for more than one dwelling unit. Driveway width shall be a maximum of 26 feet for lots less than 50 feet wide and a maximum of 50% for lots greater than 50 feet wide.
Driveway Length	Straight-in driveways to garages shall have a minimum length of 19 feet from the ultimate public or private right-of-way. No driveways shall be more than 5 feet in length if parking is not provided in front of garage.

Table 13-42 SMALL LOT SUBDIVISION STANDARDS	
STANDARDS	**SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)**
	Driveways accessing rear parcels shall be in compliance with the requirements of the Parking Design Standards, minimum separation between driveways and maximum 50% hardscape requirement.
Mechanical Equipment (excluding antennas and flush-mounted solar panels on roofs)	Roof-top location is prohibited unless completely screened from public rights-of-way and adjacent properties.
Front Development Lot	20 feet
Side yard (interior)	5 feet.
Rear yard (interior)	15 feet
Side (street side, if applicable)	10 feet Note: Driveways providing straight-in access from a public street to a garage shall be at least 19 feet long, as measured from the ultimate public or private right-of-way.
Rear Abutting a Publicly Dedicated Alley	5 feet; however, garages may be required to be set back further to ensure adequate back up distance. Rear Yard Coverage does not apply.
Flag Lots and Alley Fronting Lots	Flag lots are required to be accessed with a minimum 16-foot wide driveway. Parcels with alley frontage should include a minimum 8-foot wide pedestrian access to the public street in the front. Parcels with frontage only on public alleys are prohibited.
Bluff Top Setback	No building or structure closer than 10 feet from bluff crest (see section 13-34 Bluff-top development).
Roof or Eaves Overhang; Awning	2 feet 6 inches into required side setback or building separation area. 5 feet into required front or rear setback.
Open, Unenclosed Stairways	Not permitted
Chimneys	May extend 2 feet above maximum building height.
Fireplaces	2 feet into required setback of building separation area
Automatic Roll-Up Garage Doors	Required
Location of Open Parking	Guest parking shall be located within a reasonable distance of the unit it serves. Detached garages that are not located within a reasonable distance to the units they are intended to serve are prohibited.
Trash Storage	All units shall be provided with a small alcove inside or outside the unit to allow storage of at least three trash carts without encroaching into the garage space. All efforts shall be made to provide on-site trash service. Trash carts shall be stored on-site for trash pick up to the greatest extent possible.
Above-Ground Pools and Spas	Prohibited in front yards and subject to 5-foot side and rear setback from the main structures.
Raised Decks	Any raised deck with a finished floor height of 18 inches or greater, as measured from finished grade, shall comply with the main building setback requirements for the underlying zone.
LANDSCAPING	
A detailed landscape plan prepared pursuant to Chapter VII Landscaping Standards shall be approved by the Planning Division prior to issuance of any building permits.	
SIGNS (See Chapter VIII).	
FENCES AND WALLS	

Table 13-42 SMALL LOT SUBDIVISION STANDARDS	
STANDARDS	**SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)**
Fences and walls placed between the property line and required setback line for main buildings shall conform to the city's walls, fences, and landscaping standards. See Article 9 General Site Improvement Standards of this chapter for further information.	
PREEXISTING DEVELOPMENT	
Small lot subdivisions and structures constructed, permitted or approved under the small lot ordinance prior to October 18, 2018 shall be considered conforming with regard to the above provisions.	

(c) *Documents required.*

(1) Project approval is subject to submission of complete organizational documents setting forth a plan or manner of permanent care and maintenance of any open spaces, recreational areas and commonly used areas/facilities. No such documents shall be acceptable until approved by the city attorney as to legal form and effect, and by the planning division as to suitability for the proposed use of the open areas.

(2) Prior to entering into a sales agreement for any property within a small lot subdivision, the developer shall disclose general information regarding the property to the future homebuyers, including, but not limited to, the following:

a. The type, thickness, and R-value of the insulation that has been installed in the home.

b. Any exposed hazards during and after construction (lead-based paint, asbestos, etc.).

c. Uses other than residential in proximity to the project.

d. Unusual adjacent zoning.

e. Distance to airport if within two miles.

f. Where soils, filled ground and geologic information is available.

g. Any special costs that will be incurred by the lot buyer as a result of the installation of a building foundation or any other construction due to unusual soil/geological conditions.

h. If there is fill in excess of two feet.

i. Schools servicing subdivision and any special conditions.

j. Any unusual flooding conditions.

k. Conditions of approval by the city and any resale restrictions.

l. Dedications and easements.

m. Project phasing plan.

n. CC&Rs.

(3) All small lot subdivisions shall file a declaration of covenants to be submitted with the application for approval. The declaration of covenants shall include, but not be limited to, the following provisions.

a. The homeowners' association or a maintenance association (as applicable) shall be established prior to the sale of any unit(s).

b. Membership in the homeowners or maintenance association shall be mandatory for each owner and any successive owner.

c. Provisions to restrict parking upon other than approved and developed parking spaces and to require that garages be kept available for resident parking shall be written into the covenants, conditions and restrictions for each project.

d. If the development is constructed in increments or phases which require one or more final maps, reciprocal covenants, conditions, and restrictions and reciprocal management and maintenance agreements shall be established which will cause a merging of increments as they are completed, and embody one homeowners' association with common areas for the total development.

e. The declaration of covenants shall contain language or provisions substantially as follows:

i. "The covenants, conditions and restrictions of this declaration shall run to the City of Costa Mesa insofar as they shall apply to the maintenance of the "common areas" as herein defined."

ii. "In the event the association or other legally responsible person(s) fail to maintain the common area in such manner as to cause same to constitute a public nuisance, the city may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon the common area, individual units or the whole thereof as provided by law."

(Ord. No. 14-04, § 2B., 4-1-14; Ord. No. 15-03, § 2, 4-21-15; Ord. No. 18-10, § 2, 9-18-18; Ord. No. 21-20, § 1, 12-7-21)

Section 13-74 Elevation and screening requirements.

(a) The finished elevations of all buildings, structures, walls and fences shall be approved by the planning division ~~prior to issuance of building permits~~.

(b) All trash containers and mechanical equipment, such as air conditioning compressors, duct work, and vents shall be screened from public rights-of-way and adjacent properties.

(c) Temporary receptacles, as approved by the public services department for the purposes of public participation in the collection of recyclable products, shall not be considered a trash bin, container or receptacle subject to the requirements of this section. For the purposes of this section, *temporary* shall mean a period, or periods, of time not exceeding 90 days during any twelve-month period.

(d) Pipes and conduits including, but not limited to, plumbing pipes, vents, ducting, fire sprinkler systems and electrical conduits shall not be mounted on exterior walls and roofs.

(1) For existing pipes and conduits, painting to match the surrounding façade shall satisfy this requirement.

(2) If the wall, roof or other element(s) on which the pipe or conduit is located is structurally modified or demolished, the element(s) shall be relocated to conform with this standard.

(e) In residential zones, or in any zone adjacent to a residential development, ground mounted mechanical or electrical equipment proposed within eight feet of a neighboring property's windows or doors must comply with one of the mitigation methods listed below (1-3):

(1) A minimum six foot-high block wall separates the equipment from the abutting property’s window(s) and/or door(s) with a minimum separation of four feet between equipment and neighboring window(s) and/or door(s).

(2) The equipment does not generate more than 50 decibels (based on manufacturer specifications), is not greater than the minimum distance required by the building code and is setback at least five feet from between the equipment and neighboring window(s) and/or door(s).

(3) The equipment maintains the same setbacks and separations required for main structures.

Section 13-75 Fences and walls.

(a) In residential zones, including planned development, except R-1:

(1) All interior property lines of the master development lot shall have six-foot high solid opaque walls or fences that conform to the city's walls, fences and landscaping standards.

(2) All exterior property lines of the master development lot shall have solid masonry

walls that conform to the city's walls, fences and landscaping standards in respect to height and location as well as the following standards. The final review authority shall approve the wall location, height, masonry materials, and finish.

(i) Only one type of wall design with the appropriate mix of masonry materials and finishes shall be permitted for the development lot.

(ii) Wall materials such as uncolored cinder block shall be treated with a decorative finish that complements and enhances the project and surrounding neighborhood.

(iii) Exceptions to the requirements stated in subsections (2)(i) through (2)(ii) may be approved by the final review authority. These exceptions may include, but are not limited to, combination masonry walls with vinyl fencing, stained/treated wood, wrought iron fencing, green wall, and green sustainable composite materials.

(iv) The development services director shall review and approve any future additions to the exterior walls, after project completion, which shall be constructed of materials which are either identical and/or compatible with the original wall.

(b) In all residential zones, fences, walls and landscaping shall comply with the standards outlined in Figure 13-75(a).

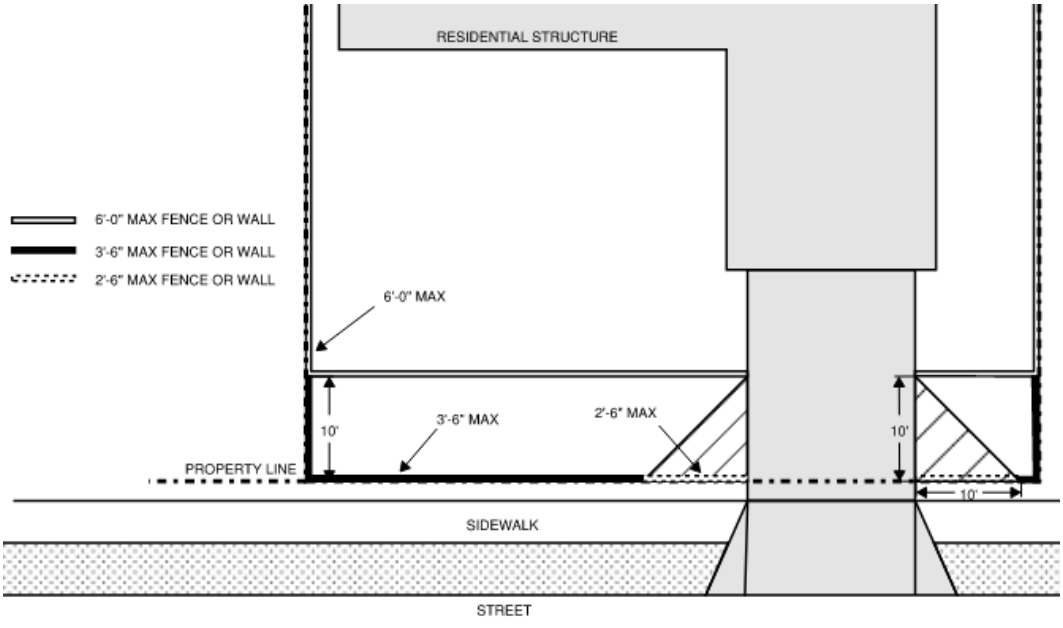


Figure 13-75(a)

(c) On corner lots, wall and fences in excess of three and a half feet in height shall be set back five feet from the street side property line.

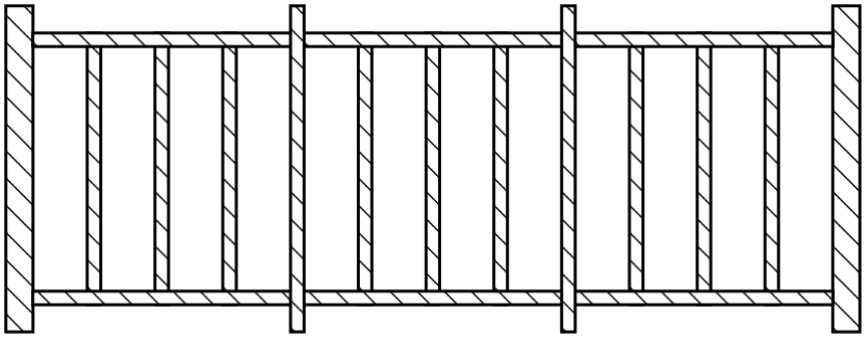
(d) ~~(b)~~ In commercial zones, including planned development: All interior property lines abutting residentially zoned property shall have solid masonry walls, at least 6 feet

but no more than eight feet in height, unless an environmental study requires additional height.

(e) ~~(c)~~ In industrial zones, including planned development: A solid masonry wall, at least six feet in height shall be constructed along all property lines which abut a residential or commercial zone. The maximum wall height shall not exceed eight feet, unless an environmental study requires additional height.

(f) Decorative details and lights such as finials, light fixtures, pilaster caps, pots and similar decorative items may extend no more than twelve inches above the maximum height limit. Decorative items shall be limited to no more than one item for every six lineal feet of fence or wall. Decorative details are prohibited within visibility triangles.

(g) In nonresidential zones, walls and fences within a landscape setback shall be a maximum of 40% solid. This shall be measured as illustrated in Figure 13-75(b).



Hatched elements shall be counted towards solid area

Figure 13-75(b)

(h) ~~(d)~~ If a fence or wall is constructed adjacent to a public street, the fence or wall shall be approved by the planning division in terms of its compatibility and harmony with the proposed building and site development and buildings and site developments existing or approved for the general neighborhood. For arterial streets that are adjacent to residential developments, new arterial walls shall comply with the city's streetscape and median development standards. No fence or wall located in any street setback shall obscure the required street setback landscaping in the commercial and industrial zones.

(i) ~~Fences and walls placed on interior property lines or between the property line and the required setback line for main buildings shall conform to the city's walls, fences and landscaping standards.~~

(i) ~~(f)~~ Fences, walls and landscaping located within a visibility triangle ~~in proximity to street intersections or where a driveway intersects a sidewalk~~ shall ~~conform to the city's walls, fences and landscaping standards~~ be limited to two and a half feet in height, as illustrated in Figure 13-75(c).

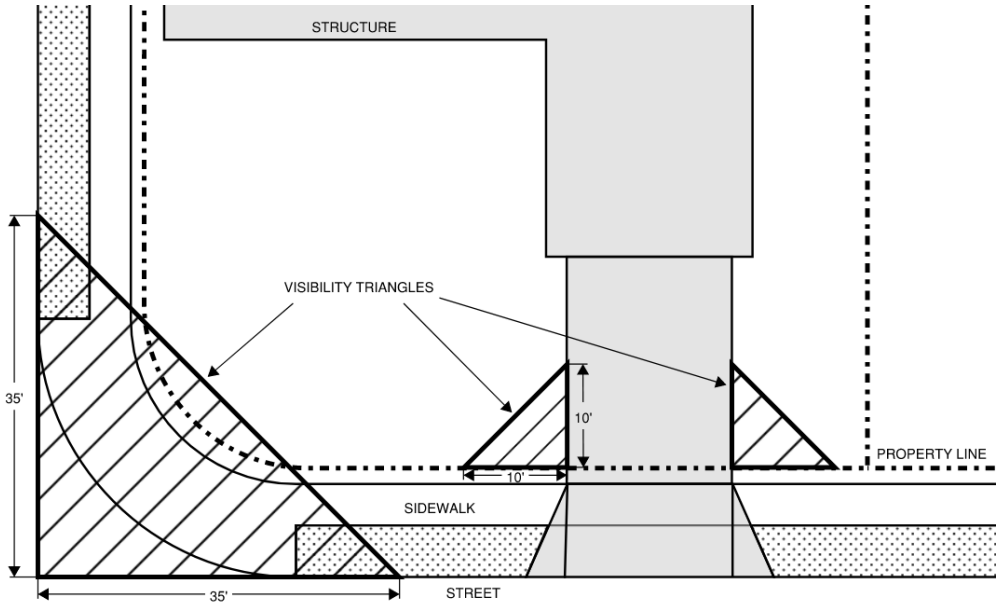


Figure 13-75(c)

(j) ~~The standards referred to in subsections **(e)** and **(f)** shall be adopted by resolution of the city council.~~

(j) In all zones, retaining walls shall comply with the standards outlined in figure 13-75(d).

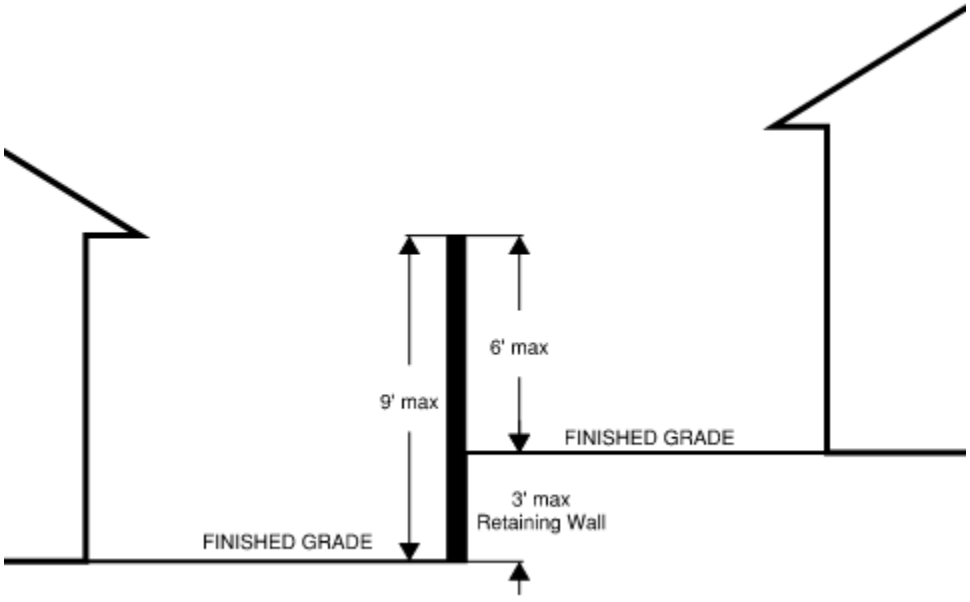


Figure 13-75(d)

(k) Wall and fence heights shall be measured from the highest finished grade at the base of the wall or fence.

(l) ~~(h)~~ It is unlawful to construct, install, maintain or allow to exist any barbed wire, razor

wire, concertina ribbon or similar item in any required setback abutting a public right-of-way, a required setback adjacent to a residential development or on a property with residential development. In all other locations, barbed wire, razor wire, concertina ribbon and similar items shall maintain a minimum vertical clearance of six feet eight inches from grade.

(m) ~~(i)~~ It is unlawful to install, maintain or allow to exist any electrified fence or any glass, nails or similar items embedded in walls or fences at any location.

(n) ~~(j)~~ *Chain link fences.* In all nonresidential zones, chain link fencing is prohibited in any required setback abutting a public right-of-way. In all residential zones, including planned developments, chain link fencing is prohibited in any area visible from a public street or alley.

Chain link fence removal. A property owner of any residential or planned development property that has an existing chain link fence visible from a public street or alley, shall remove the chain link fence at such time the property owner obtains a building permit, or cumulative building permits over a consecutive twelve-month period, for property improvements valued at $30,000 or more. The chain link fence shall be completely removed prior to the finalization of the last building permit(s) that exceeds the thirty thousand dollar ($30,000.00) valuation.

(o) ~~(k)~~ Security gates, in all zones, are subject to review and approval by the planning division in conjunction with the fire department and transportation division.

Section 13-89 Parking required.

The minimum amount of off-street parking as established in Table 13-89 shall be provided at the time:

(a) Any building and/or structure is constructed;

(b) Any building or structure is enlarged or increased in capacity by adding gross floor area, gross leasable area or seats;

(c) A specific use is proposed for a building site; or

(d) An existing use is changed to one which requires additional parking.

At all times, with the exception of the provisions of section 13-98, Declaration of land use restriction, parking shall be provided according to the requirements of Table 13-89.

TABLE 13-89
NON-RESIDENTIAL PARKING STANDARDS

USE	PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)
Retail; offices; central administrative offices; individual counseling; group counseling; establishments where food or beverages are served with a maximum of 300 square feet of public area [1]	4 spaces per 1,000 square feet with a minimum of 6 spaces [2]
Office buildings exceeding 2 stories in height and 100,000 square feet in area	3 spaces per 1,000 square feet
Banks; savings and loans; credit unions	5 spaces per 1,000 square feet with a minimum of 6 spaces
Medical and dental offices; acupressure; massage	6 spaces per 1,000 square feet with a minimum of 6 spaces
Furniture and appliance stores with floor area greater than 5,000 square feet	2 spaces per 1,000 square feet with a minimum of 20 spaces
Churches; theaters; mortuaries; auditoriums; services and fraternal clubs and lodges; amphitheaters and other similar places of assembly	Within the main auditorium or assembly area: 1 space for each 3 fixed seats or 1 space for every 35 square feet of seating area if there are no fixed seats. 18 lineal inches of bench shall be considered equal to 1 fixed seat.
Racquetball and tennis facilities	3 spaces per court plus parking required for incidental uses such as restaurants which shall be calculated as noted below
Establishments where food or beverages are served with more than 300 square feet of public area [1, 4]	10 spaces per 1,000 square feet for the first 3,000 square feet; [2] 12 spaces per 1,000 square feet for each additional 1,000 square feet above the first 3,000 square feet. [2]
Health clubs; spas; figure salons; skating rinks; game arcades	Parking requirement is 10 spaces per 1,000 square feet

Bowling alleys	3 spaces per lane plus parking required for incidental uses such as restaurants which shall be calculated as noted under "Establishments where food or beverages are served"
Trade schools; business colleges; dancing and music academies	10 spaces per 1,000 square feet
Motels	1 space for each rentable unit without cooking facilities. Each rentable unit with cooking facilities shall be governed by residential parking standards
Hotels	1 space for each 2 rentable units plus 10 spaces per 1,000 square feet for the first 3,000 square feet, and 20 spaces per 1,000 square feet for each additional 1,000 square feet above the first 3,000 square feet for restaurant, banquet, meeting room and kitchen spaces
Establishments with live entertainment; i.e., go-go dancers, topless dancers, bikini dancers	1 parking space for each person for the first 100 persons as authorized by capacity signs posted by the fire department; 1 parking space for each 2 persons for every 101 to 300 persons as authorized by capacity signs posted; 1 parking space for each 3 persons for every 301 plus persons as authorized by capacity signs posted by the fire department.
Shopping centers with a minimum of 600,000 square feet of contiguous gross leasable area:	
Main structure or group of abutting structures	
Retail	5 spaces per 1,000 square feet of gross leasable area
Establishments where food or beverages are served occupying 5% or less of the total contiguous gross leasable area	1 space per 1,000 square feet of gross leasable area
Establishments where food or beverages or served in excess of 5% of the total contiguous gross leasable area	5 spaces per 1,000 square feet of gross leasable area
Office Space occupying 10% or less of the total contiguous gross leasable area	None
Office Space in excess of 10% of the total contiguous gross leasable area	4 spaces per 1,000 square feet of gross leasable area with a minimum of 6 spaces
Theaters (cumulative)	
750 seats and less	5 spaces per 1,000 square feet of gross leasable area
More than 750 seats	5 spaces per 1,000 square feet of gross leasable area plus 3 spaces for each additional 100 seats
Uses within freestanding structures	
Establishments where food or beverages are served	10 spaces per 1,000 square feet of gross leasable area
All others	Pursuant to this table
Mixed use developments	When there are mixed uses within a single development which share the same parking facilities, the total

	requirement for parking should be determined as outlined in "City of Costa Mesa Procedure for Determining Shared Parking Requirements" which are included herein by this reference and which may be amended from time to time by resolution of the city council. A greater reduction in parking than would be allowed under this procedure may be approved by minor conditional use permit where it can be demonstrated that less parking is needed due to the hours of operation or other unusual features of the users involved. For mixed-use developments located in the mixed-use overlay zone, refer to the applicable urban plan for parking rates.
Industrial	3 parking spaces shall be provided per 1,000 square feet of gross floor area for the first 25,000 square feet of building; 2 parking spaces shall be provided per 1,000 square feet of gross floor area between 25,000 and 50,000 square feet of building; and one and one-half parking spaces shall be provided per 1,000 square feet of gross floor area over 50,001 square feet of building.
Garden centers; plant nurseries	4 spaces per 1,000 square feet of gross floor area; and 2 spaces per 1,000 square feet of outdoor display area.
Smoking lounges	17 spaces per 1,000 square feet

Notes:	
1	Establishments limited to seating for 12 or fewer persons prior to June 4, 1997, shall remain at that seating limit unless additional parking is provided pursuant to this Zoning Code.
2	The outdoor patio seating area(s) shall not be included in the floor area calculations for purposes of determining the required parking.
3	The final review authority may apply a maximum credit of one parking space due to the provision of bicycle racks. This credit shall only apply to the overall parking supply and not to multiple uses.
	When the approval of a use permit is required, the final review authority may require additional parking spaces at a ratio not to exceed 30 spaces per 1,000 square feet of floor area of the entire building. Factors that may warrant additional parking include, but are not limited to, the provision of entertainment and/or dancing, or substantial ratio of floor area devoted to bar as compared to restaurant use. The maximum parking rate shall be applicable to uses that have substantially maximized the building's occupancy due to design and provision of concentrated uses.
4	When the approval of a use permit is required, the final review authority may require additional parking spaces at a ratio not to exceed 30 spaces per 1,000 square feet of floor area of the entire building. Factors that may warrant additional parking include, but are not limited to, the provision of entertainment and/or dancing, or substantial ratio of floor area devoted to bar as compared to restaurant use. The maximum parking rate shall be applicable to uses that have substantially maximized the building's occupancy due to design and provision of concentrated uses.
5	The square footage of electrical and mechanical equipment and the surrounding three feet for clearance shall be excluded from the calculation of gross floor area for the purpose of determining parking requirements

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-5, § 16, 3-2-98; Ord. No. 02-4, § 1j, 3-18-02; Ord. No. 06-9, § 1g., 4-18-06; Ord. No. 12-4, § 1, 5-15-12; Ord. No. 15-10, § 2C, 9-15-15; Ord. No. 21-20, § 1, 12-7-21)

Section 13-111 Definitions.

As used in this chapter, the following terms shall have the meanings set forth below:

Advertising statuary. An imitation, representation or similitude of a person or thing which is sculptured, molded, modeled, or cast in any solid or plastic substance, material, or fabric and used for commercial purposes.

Area (of sign). The area included within the outer dimensions of a sign. The area of multiple face signs and advertising statuary shall mean one-half the total surface area. In the case of "skeleton letters" or other signs placed on a wall without any border, the area shall be the sum of the areas of each letter or figure. The area of each letter or figure shall be computed by enclosing the letter or figure within sets of parallel lines.

Balloon sign. Any inflatable object having no dimension that exceeds 24 inches, including, but not limited to, objects made of plastic, cloth, rubber, or canvas, having the shape of any object, and regardless of whether or not it contains copy.

Banner, flag, or pennant. Any cloth, bunting, plastic, paper, or similar material used for advertising purposes on private property and not within the public right-of-way. Flags of a nation or of the State of California, displayed as such in an appropriate manner, are excepted from these regulations. See also street banner.

Billboard. A sign that advertises a business, product, service or activity which is not available at or is not conducted on the premises on which the sign is located.

Changeable copy sign. A sign whose copy consists of nonelectronic detachable lettering or numbers that must be manually installed, usually on a series of parallel tracks, including, but not limited to, service station price signs and theater marquees.

Commercial portable sign. Any sign which can be moved from place to place which is not permanently affixed to the ground or to a building used for commercial purposes. The term portable sign includes, but is not limited to, any sign affixed to an automobile, truck, trailer, or other vehicle where such sign solicits patronage to a specific business by means of parking such a vehicle primarily for the purpose of advertising such business. The term portable sign shall also include a sign posted in or on a vehicle parked on public or private property without written consent of the property owner, advertising that vehicle for sale.

Construction site sign. A sign located on a construction site used to identify the name of the future site occupant and which may include the names, addresses, and telephone numbers of businesses directly related to the construction project, including but not limited to the architect, engineer, contractor and financing entity.

Contiguous window area. Total surface area of a window or individual window panes separated only by vertical or horizontal mullions that are three inches wide or less. Window areas separated by columns, wide mullions or other elements greater than three inches in width are not considered contiguous. Window area is not considered contiguous if it is located on a separate façade.

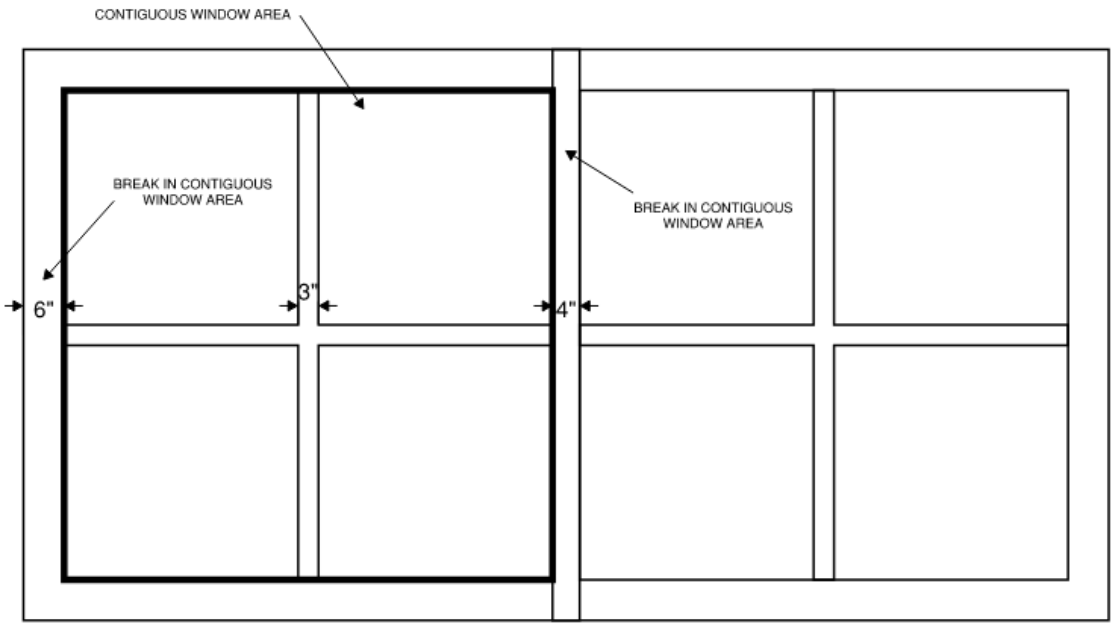


Figure 13-111(a)

Convenience sign. A sign, not larger than nine square feet, providing directional information and designed to be viewed on site or adjacent to the site by pedestrians and/or motorists. The term convenience sign shall also include electronic time/temperature signs.

Electronic changeable copy sign. A sign that uses video displays, lamps, fiber optics, light-emitting diodes (LED's) liquid crystal displays, plasma displays, or any other mechanical or light emitting medium to convey messages, movement, or animation imagery during or between messages.

For sale sign. A real estate sign indicating that the premises on which the sign is located, or any portion thereof, is for sale, lease or rent.

Freestanding sign. A sign supported permanently upon the ground by poles, braces or other supports, and not attached to any building.

Governmental sign. A sign installed by the city or other public agency pursuant to city approval, including, but not limited to, signs for motorist or pedestrian safety.

Height (of sign). The vertical distance from grade to the highest point of the sign or sign structure.

Illegal sign. Any sign installed or modified in violation of the Costa Mesa Municipal Code at the time the sign was installed or modified.

Illumination exterior. Illumination cast on a sign from an exterior source, such as a floodlight.

Illumination interior. Illumination generated from the interior of a sign.

Illumination interior with opaque background. Interior illumination of a sign where the

background of the sign face is opaque and only the copy is illuminated.

Inflatable sign. Any inflatable object having any dimension in excess of 24 inches, including, but not limited to, objects made of plastic, cloth, rubber, or canvas, having the shape of any object, and regardless of whether or not it contains copy.

Mural or super graphic. A large image, picture, or design painted on or affixed to the exterior of a building or structure. A mural or super graphic is a sign only if it is related by language and/or logo to the advertisement of any product or service or the identification of any business.

Neighborhood identification sign. A sign identifying the entrance to a residential area consisting of five or more acres.

Non-commercial banner, flags, or pennants. Any cloth, bunting, plastic, paper, or similar material which is not used for advertising purposes on private property and not within the public right-of-way. Examples of non-commercial banners generally include, but are not limited to, signs that espouse a political or religious viewpoint, and signs commenting on public official(s) or matter(s) of public discourse.

Non-commercial portable sign. Any sign which can be moved from place to place which is not permanently affixed to the ground or to a building which is not used for commercial purposes. Examples of noncommercial signs generally include, but are not limited to, signs that espouse a political or religious viewpoint, and signs commenting on public official(s) or matter(s) of public discourse.

Nonconforming sign. A sign which was legally installed under laws or ordinances in effect at the time of its installation, but which is in conflict with the current provisions of this chapter.

Open house sign. A real estate sign with the words "Open House" as the primary copy for the premises on which the sign is located.

Painted wall sign. Any sign painted directly on the exterior surface of a building or structure, except awnings or canopies. (See "mural or super graphic").

Permanent window sign. A sign that is placed on or behind a window for a period of time in excess of 60 days. Paper or cardboard signs, or signs painted directly onto the surface of a window are not considered permanent window signs regardless of the duration of display.

Public baseball/softball field. Any baseball and/or softball field owned, rented, or leased by the city or used by the city under a joint use agreement.

Public property. Any building, park, grounds, structures, or other real property (collectively referred to as "property" for the purpose of this definition) owned, rented, or leased by the city not within the public right-of-way or any such property used by the city under a joint use agreement. For the purposes of this definition, public property does not include public baseball and softball fields.

Public right-of-way. Any public sidewalk, street, alley or highway improved to allow vehicular and pedestrian access and adjacent city landscape areas including trees

therein, traffic control devices, street name signs, fire hydrants and other structures, under the ownership and jurisdiction of the city or the state.

Real estate sign. A temporary sign placed for the purposes of advertising the premises on which the sign is located as either for sale, lease or rent, and includes for sale sign and open house sign.

Sign. Any medium for visual communication, including its copy, structure and component parts, which is used or intended to be used to attract attention to, or identify, or advertise a business, product, service, activity, or location or to provide information. "Sign" includes statuary and graphic wall designs used for advertising purposes. "Sign" includes billboards, but does not include handbills.

Site. One or more parcels of land identified by the assessor's records and for which an integrated building development exists or has been proposed.

Street. A public or private alley, street or highway improved to allow vehicular access.

Street banner. Any cloth, bunting, plastic, paper, or similar material used for advertising purposes on a light standard within the public right-of-way.

Temporary window sign. A non-illuminated sign placed on or behind a window for a period of time not in excess of 60 days for the purpose of advertising special sales, prices, products or services, including paper or cardboard signs, or signs painted directly onto the surface of a window.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 99-10, § 1, 7-19-99; Ord. No. 02-8, § 1a, 4-15-02; Ord. No. 04-11, §§ 1, 2, 10-18-04; Ord. No. 11-11, § 1, 9-20-11; Ord. No. 16-04, § 2, 8-2-16; Ord. No. 18-02, § 2, 1-16-18)

Section 13-142 Development standards.

Table 13-142 identifies the development standards for antennas. Proposed antennas not in compliance with the applicable development standards shall require the approval of a minor conditional use permit pursuant to section 13-144, Minor conditional use permit requirements.

TABLE 13-142
ANTENNA DEVELOPMENT STANDARDS

STANDARDS	SATELLITE DISH	AMATEUR RADIO	COMMUNICATION
Maximum Height (measured from the property's grade to the highest point of the antenna)			
Residential Zone or Nonresidential Zone Adjacent to a Residential Zone:	15 feet	75 feet	30 feet
Other Nonresidential Zone:	Not to exceed allowable building height	Same as above	Same as above
Front Yard Location Permitted	No		
Side and Rear Setbacks (setbacks apply to antenna support structure and to arrays and projections attached thereto, unless otherwise noted)			
Residential Zone:	Side: Comply with setbacks for accessory structures, with a minimum setback of 5 feet. Rear: Ground-mounted antenna support structures may be located in a required rear yard if located as far forward as possible from the rear property line. Minimum of 5 feet for arrays and projections attached to the antenna support structure.		
Nonresidential Zone:	Side and Rear: Comply with setbacks for main structures, with a minimum setback of 5 feet. Exception: Side and/or Rear, when adjacent to a Residential Zone: Minimum of 5 feet from the residential property line. Additionally, the antenna support structure shall be located as far as possible from the residential property line.		
Roof-mounted Location	Shall be located on the portion of the roof farthest from any adjacent street, residential zone (if applicable), bluff, and/or park, whichever location will result in the least visual impact.		
Maximum Number Residential Zone or Nonresidential Zone adjacent to a Residential Zone:	One Exception: Legally subdivided residential units in small lot subdivision projects, and units in Planned Unit Development projects with individual lots, shall each be allowed one satellite dish antenna unless otherwise prohibited.	One antenna support structure in excess of 30 feet. One whip antenna in excess of 30 feet. Note: There is no limit on the number of antennas which do not exceed 30 feet in height.	One antenna support structure
Other Nonresidential Zone:	No regulation	No regulation	No regulation
Maximum Diameter Residential Zone or Nonresidential Zone adjacent to a Residential Zone:	10 feet	Any dish-shaped element attached to an antenna: 2 feet Exception: Any dish-shaped element in excess of 2 feet in diameter that is attached to an antenna shall require approval of a minor conditional use permit and comply with the satellite dish antenna development standards regarding maximum height (applicable to dish element only) diameter, screening and materials, as applicable.	
Other Nonresidential Zone:	No regulation	Dish-shaped elements in excess of 2 feet in diameter shall comply with the satellite dish antenna development standards regarding maximum height (applicable to dish element only) and materials.	
Screening Required	Screening, either partial or total, may be	Ground-mounted: No regulation.	Ground-mounted:

TABLE 13-142 ANTENNA DEVELOPMENT STANDARDS			
STANDARDS	**SATELLITE DISH**	**AMATEUR RADIO**	**COMMUNICATION**
Residential Zone or Nonresidential Zone adjacent to a Residential Zone:	required by the planning division when the antenna is visible from off-site. The screening may consist of a solid, opaque fence, wall, vegetation, landscaping and/or any other material deemed acceptable by the planning division.	Roof-mounted: Antennas less than 30 feet in height: No regulation. Antennas 30 feet or more in height: Screening may be required in Nonresidential Zones if necessary to lessen visual impacts on the adjacent Residential Zone(s), under the direction of the planning division.	Screening ~~either partial or total, may~~ shall be required ~~by the planning division~~ when the antenna and support structures/equipment is visible from off site. Roof-mounted: Screening may be required if necessary to lessen visual impacts, under the direction of the planning division.
Other Nonresidential Zone:	No regulation		Same as above
Color	All antennas visible from off-site shall be finished in a color deemed unobtrusive to the neighborhood in which it is located, under the direction of the planning division.		
Signs	No sign of any kind shall be posted or displayed on any antenna.		
Radiofrequency (RF) Radiation	No transmitting antenna or facility, except as categorically excluded by the Federal Communication Commission, shall exceed the radiofrequency (RF) radiation and maximum permissible exposure (MPE) limits for electrical and magnetic field strength and power density established by the National Council on Radiation Protection and Measurements (NCRP) and the 1992 ANSI/IEEE for an "uncontrolled environment." It shall be the responsibility of the applicant to provide evidence of compliance with applicable standards.		
Wiring	All electrical and antenna wiring shall be encased in tubing or other devices acceptable to the planning division and/or concealed to the maximum extent feasible to minimize visual impact.		
Materials	When the antenna exceeds 6 feet in height above grade, the dish-shaped element shall be of a mesh construction. Not applicable.		
Other Requirements	Ground-mounted antennas shall not reduce the area required for parking, internal circulation or other development standards in this Zoning Code. All antennas shall be permanently mounted, and no antenna may be installed on a portable or movable structure.		

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-5, § 23, 3-2-98; Ord. No. 21-20, § 1, 12-7-21)

Section 13-265.5 Parcel Maps for Urban Lot Splits.

(a) Definitions. For purposes of this section, the following definition shall apply:

(1) "Urban lot split" means a lot split of a single-family residential lot into two parcels that meets the requirements of this section.

(b) The city shall ministerially approve a parcel map for a lot split that meets the following applicable requirements:

(1) The parcel is located within a single-family residential zone.

(2) The parcel is located at least partially in an urbanized area or urban cluster as designated by the United States Census Bureau.

(3) The parcel map divides an existing parcel to create no more than two new parcels of approximately equal lot area, provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel.

(4) Both newly created parcels are no smaller than 1,200 square feet.

(5) The parcel is not located in any of the following areas and does not fall within any of the following categories:

a. A historic district or property included on the State Historic Resources Inventory, as defined in section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.

b. Prime farmland or farmland of statewide importance as further defined in Government Code section 65913.4(a)(6)(B).

c. Wetlands as defined in the Unites States Fish and Wildlife Service Manual, Part 660 FW 2(June 21, 1993).

d. A very high fire hazard severity zone as further defined in Government Code section 65913.4(a)(6)(D). This does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

e. A hazardous waste site that is listed pursuant to Government Code section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

f. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted

by the California Building Standards Commission under the California Building Standards Law and by the city's building department.

g. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or

ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the Nation Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);

h. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.

i. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code section 65913.4(a)(6)(I).

j. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with section 1900) of Division 2 of the Fish and Game Code).

k. Lands under a conservation easement.

(6) The proposed lot split would not require demolition or alteration of any of the following types of housing:

a. Housing that is subject to a recorded covenant, ordinance or law that

restricts rents to levels affordable to persons and families of moderate, low, or very low income;

b. Housing that is subject to any form of rent or price control by the city;

c. A parcel or parcels on which an owner of residential real property exercised rights under Government Code section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date of the application; or

d. Housing that has been occupied by a tenant in the last three years.

(7) The lot split does not create more than two units on a parcel, including any accessory dwelling units or junior accessory dwelling units.

(c) Standards and Requirements. Except where superseded by the following provisions or state law, Parcel Maps for Urban Lot Splits pursuant to Government Code Section 66411.7 shall comply with the development standards applicable to the R1 Single-Family Residential District including but not limited to Section 13-32 of this code:

(1) The lot split conforms to all applicable objective requirements of the Subdivision Map Act and Title 13 of this code, except as the same are modified by this section.

(2) No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(3) Except for those circumstances described in section C2 above, the setback for side and rear lot lines shall be four feet. The front setback shall be as set forth in the R-1 Single-Family Residential District standards.

(4) The applicant shall provide easements for the provision of public services and facilities as required.

(5) Units constructed on sites created pursuant to Government Code Section 66411.7 shall adhere to the following:

a. All new development shall be constructed, in accordance with code standards and design guidelines applicable to the R1 Single-Family Residential District.

b. Each unit which is attached to an existing or proposed dwelling shall have the same design, materials, finishes, and colors as the attached dwelling and shall be in accordance with code standards and design guidelines applicable to the R1 Single-Family Residential District.

c. Any proposed detached units on the same lot shall be compatible in exterior appearance with an existing unit in terms of design, materials, finishes, and colors within the same property on which it is proposed to be constructed, in accordance with code standards and design guidelines

applicable to the R1 Single-Family Residential District.

(6) All lots shall have a minimum street frontage of ten feet to provide for vehicular access, or 16-foot frontage if the driveway serves two units. For a lot without physical street frontage, access to street frontage shall be provided by the granting of a duly recorded permanent easement for ingress and egress purposes in favor of the lot without physical street frontage.

(7) In order to preserve the City's inventory of on-street parking, existing and proposed development pursuant to Government Code section 66411.7 shall be limited to one driveway ingress/egress per resultant lot.

(8) Required off-street parking shall ~~be limited to~~ consist of at least one garage parking space per unit and the location and configuration of such parking shall be in compliance with the standards set forth in this code, except that no parking requirements shall be imposed in either of the following circumstances:

a. The parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code section 21155(b) or a major transit stop as defined in Public Resources Code section 21064.3; or

b. There is a car share vehicle located within one block of the parcel.

(d) The city shall not deny an application based on any of the following:

(1) The city shall not require dedications of rights-of-way or the construction of offsite improvements for the parcels being created as a condition of issuing a parcel map.

(2) The city shall not impose any objective zoning, subdivision, or design standards that would have the effect of physically precluding the creation of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet. If the city determines that the strict application of objective zoning, subdivisions or design standards would physically preclude the development of two units on a lot each with a minimum unit size of 800 square feet, the city may ministerially allow deviations from development standards generally applicable to the R-1 zoning district pursuant to city policies and/or regulations implementing this section if such deviation is in compliance with applicable building and fire code standards and regulations and if there are no other feasible means of complying with state law.

(3) The city shall not require the correction of nonconforming zoning provisions as a condition for the lot split.

(4) The city shall not deny an application solely because it proposes an adjacent or connected structure provided that all building code safety standards are met and they are sufficient to allow a separate conveyance.

(e) An applicant for an urban lot split shall be required to sign an affidavit in a form approved by the City Attorney to be recorded against the property stating the

following:

(1) That applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval. This requirement does not apply when the applicant is a "community land trust" or a "qualified nonprofit corporation" as the same are defined in the Revenue and Taxation Code.

(2) That the uses shall be limited to residential uses.

(3) That any rental of any unit created by the lot split shall be for a minimum of thirty-one days.

(4) That the maximum number of units to be allowed on the parcels is ~~two~~ four, including but not limited to units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, junior accessory dwelling units, or units allowed pursuant to section 13-36.

(f) The city may deny the lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(g) This section shall not apply to:

(1) Any parcel which has been established pursuant to a lot split in accordance with this section; or

(2) Any parcel where the owner of the parcel being subdivided or any person acting in concert with the owner has previously subdivided an adjacent parcel in accordance with this section. For purposes of this section, it will be assumed that where a lot owner purchased the property from an adjacent owner who subdivided his property pursuant to this division within five years of the lot split, the owner is acting in concert with the then owner of the adjacent lot. However, acting in concert is not limited to this situation.

(h) The provisions of this section supersede any contrary provisions contained elsewhere in this code.