



CITY OF COSTA MESA

PLANNING COMMISSION

Agenda

Monday, January 26, 2026

6:00 PM

**City Council Chambers
77 Fair Drive**

The Commission 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 system outages or experiencing other critical issues, the meeting will continue in person.

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Members of the public are welcome to speak during the meeting when the Chair 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 Commission.

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.

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- 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.

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4. 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 PCPublicComments@costamesaca.gov. Comments received by 12:00 p.m. on the date of the meeting will be provided to the Commission, made available to the public, and will be part of the meeting record.

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All pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. 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. Please e-mail to PCPublicComments@costamesaca.gov NO LATER THAN 12:00 Noon on the date of the meeting.

Note regarding agenda-related documents provided to a majority of the Commission after distribution of the agenda packet (GC §54957.5): Any related documents provided to a majority of the Commission after distribution of the 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>.

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].

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PLANNING COMMISSION REGULAR MEETING

JANUARY 26, 2026 – 6:00 P.M.

**JEFFREY HARLAN
CHAIR**

**JON ZICH
VICE CHAIR**

**ANGELY ANDRADE
PLANNING COMMISSIONER**

**ROBERT DICKSON
PLANNING COMMISSIONER**

**KAREN KLEPACK
PLANNING COMMISSIONER**

**DAVID MARTINEZ
PLANNING COMMISSIONER**

**JOHNNY ROJAS
PLANNING COMMISSIONER**

**TARQUIN PREZIOSI
ASSISTANT CITY ATTORNEY**

**CARRIE TAI
DIRECTOR**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ANNOUNCEMENTS AND PRESENTATIONS

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA
Comments are limited to three (3) minutes, or as otherwise directed.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS

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 Planning Commission, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion. The public can make this request via email at PCPublicComments@costamesaca.gov and should include the item number to be addressed. Items removed from the Consent Calendar will be discussed and voted upon immediately following Planning Commission action on the remainder of the Consent Calendar

1. [DECEMBER 8, 2025 UNOFFICIAL MEETING MINUTES](#) [26-113](#)

RECOMMENDATION:

Planning Commission approve the regular meeting minutes of December 8, 2025.

Attachments: [December 8, 2025 Unofficial Meeting Minutes](#)

PUBLIC HEARINGS:

1. [CONDITIONAL USE PERMIT PCUP-25-0014 TO CONVERT TWO 26-109 EXISTING TWO-STORY OFFICE BUILDINGS INTO A CHURCH \("GRACE FELLOWSHIP CHURCH"\) FACILITY AT 3146 AND 3152 RED HILL AVENUE](#)

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1) Existing Facilities; and
2. Approve Conditional Use Permit PCUP-25-0014 based on findings of fact and subject to conditions of approval.

Attachments: [Agenda Report](#)

- [1. Planning Commission Draft Resolution](#)
- [2. Applicant Letter](#)
- [3. Vicinity Map](#)
- [4. Zoning Map](#)
- [5. Site Photos](#)
- [6. Project Plans](#)
- [7. Trip Generation Letter](#)

2. **THREE-YEAR TIME EXTENSION FOR ZA-22-08, WHICH ALLOWED A 26-110 MAJOR AMENDMENT TO THE AVENUE OF THE ARTS HOTEL MASTER PLAN (PA-16-50) AT 3350 AVENUE OF THE ARTS**

RECOMMENDATION:

Staff recommends the Planning Commission:

1. Adopt a Resolution approving a three-year extension of time for ZA-22-08, which allowed a major amendment to the Avenue of the Arts Hotel Master Plan (PA-16-50), and
2. Determine that Pursuant to CEQA Guidelines Section 15168(c), no subsequent or supplemental EIR is required, and the previously certified EIR adequately addresses the environmental impacts of the proposed project

Attachments: [Agenda Report](#)

- [1. Draft Resolution](#)
- [1. Exhibit B - ZA-22-07 Approval](#)
- [2. Applicant Letter](#)
- [3. Master Plan](#)

OLD BUSINESS:

1. **CONDITIONAL USE PERMIT (PA-21-34) CONDITION OF APPROVAL 26-111 NO. 31 - SIX-MONTH REVIEW ("420 FLOWER FACTORY")**

RECOMMENDATION:

Planning Commission Receive and File.

Attachments: [Agenda Report](#)

- [1. PA-21-34 - Resolution](#)
- [2. Calls for Service Log](#)

NEW BUSINESS:

1. [OVERVIEW OF THE AMENDMENTS TO THE ZONING CODE TO 26-112 REZONE SIXTH CYCLE \(2021-2029\) HOUSING ELEMENT SITES, IMPLEMENT SPECIFIC HOUSING ELEMENT PROGRAMS TO ENCOURAGE AND FACILITATE HOUSING DEVELOPMENT PER STATE REQUIREMENTS, AND AMENDMENTS TO THE NORTH COSTA MESA SPECIFIC PLAN FOR CONSISTENCY WITH THE HOUSING ELEMENT SITES REZONING - PCTY-25-0008](#)

RECOMMENDATION:

Staff recommends the Planning Commission receive a presentation from staff and provide feedback regarding the proposed amendments to the Zoning Code and Zoning Map to rezone sixth cycle (2021-2029) Housing Element Sites, implement specific housing element programs to encourage and facilitate housing development per State requirements, and amendments to the North Costa Mesa Specific Plan for consistency with the Housing Element sites rezoning.

Attachments: [Agenda Report](#)[1. HE and Measure K Sites](#)[2. Draft Amendments](#)**DEPARTMENTAL REPORTS:**

1. PUBLIC WORKS REPORT
2. DEVELOPMENT SERVICES REPORT

CITY ATTORNEY REPORTS:

1. CITY ATTORNEY REPORT

ADJOURNMENT

PLANNING COMMISSION MEETING:

Costa Mesa Planning Commission meets on the second and fourth Monday of each month at 6:00 p.m.

APPEAL PROCEDURE:

Unless otherwise indicated, the decision of the Planning Commission is final at 5:00 p.m., seven (7) days following the action, unless an affected party files an appeal to the City Council, or a member of City Council requests a review. Applications for appeals are available through the City Clerk's Office; please call (714) 754-5225 for additional information.

CONTACT CITY STAFF:

77 Fair Drive, Costa Mesa, CA 92626
Planning Division (714) 754-5245
planninginfo@costamesaca.gov



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 26-113

Meeting Date: 1/26/2026

TITLE:

DECEMBER 8, 2025 UNOFFICIAL MEETING MINUTES

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION

RECOMMENDATION:

Planning Commission approve the regular meeting minutes of December 8, 2025.



REGULAR PLANNING COMMISSION MONDAY, DECEMBER 8, 2025 - MINUTES

CALL TO ORDER - The Regular Planning Commission Meeting was called to order by Chair Harlan at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Vice Chair Zich 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:

Jay Humphrey, thanked City staff for their continued work on the Fairview Park Master Plan Update, stating that it is a strong document that will guide the park's preservation for future generations. He also extended holiday well-wishes to the Commission, wishing them a Merry Christmas and Happy New Year, and said he looks forward to seeing them again after the new year.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Martinez announced that the Costa Mesa Sanitary District is accepting applications for its Citizens Advisory Committee and encouraged interested residents to apply. He also highlighted the return of the Snoopy House holiday event, noting it begins Friday evening and includes decorations, Santa, food, and performances. Additionally, he raised concerns about outdated City Council policies. Such as, procedures for General Plan amendments, FAR deviations, and the requirement for the Planning Commission to review and make recommendations on changes to the Fairview Park Master Plan. He noted that, under current policy, the Planning Commission may be seeing the Fairview Park Master Plan again unless Council policies are updated.

Commissioner Dickson encouraged residents to stay engaged by watching and participating in City Council and Planning Commission meetings, noting that doing so helps people better understand the city, their neighbors, and how decisions are made. He emphasized the importance of civic involvement despite low online viewership. He also commended Commissioner Martinez for his comments on the Fairview Park Master Plan update, particularly regarding the need for consistency with the General Plan and related documents like the Bike Plan and Active Transportation Plan. Commissioner Dickson expressed support for the Fairview Park Master Plan returning to the Planning Commission and reiterated its importance.

Commissioner Andrade expressed appreciation for City staff and her fellow Commissioners and extended holiday wishes to everyone, encouraging a season filled with gratitude.

CONSENT CALENDAR:

Vice Chair Zich requested a brief discussion on Item Consent Calendar item No. 1, the unofficial meeting minutes from November 10, 2025. He complimented staff for accurately capturing his prior comments regarding Tessa, the gym on 17th Street, and his interest in seeing a list of active planning applications. He noted that he has not yet seen progress on those suggestions but appreciated that his comments were clearly reflected in the minutes and stated he would not raise the items again.

1. NOVEMBER 10, 2025, UNOFFICIAL MEETING MINUTES

MOVED/SECOND: ZICH/ 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. CALL TO REVIEW (PAPL-25-0004) ZONING ADMINISTRATOR APPROVAL OF A MINOR CONDITIONAL USE PERMIT (PMCP-24-0029) FOR A NEW WIRELESS COMMUNICATION FACILITY AT 2065 PLACENTIA AVENUE

MOVED/SECOND: MARTINEZ/DICKSON

MOTION: To continue the item to the March 23, 2026 Planning Commission meeting.

Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Rojas, Commissioner Martinez

Nays: None

Absent: None

Recused: None

Motion carried: 7-0

ACTION:

The Planning Commission continued the item to the March 23, 2026 Planning Commission meeting.

2. DESIGN REVIEW (PDES-25-0002) AND TENTATIVE PARCEL MAP 2025-141 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 2396 ORANGE AVENUE

One ex-parte communication reported.

Presentation by Assistant Planner, Jeffery Rimando.

Rod J. Bear stated he read and agreed to the conditions if approval.

Public comments:

None.

Motion Discussion:

Commissioners praised the project as well designed, code-compliant, thoughtfully landscaped, and a significant improvement to the site and neighborhood. Commissioner Dickson suggested a friendly amendment regarding fencing materials, but the original motion remained unchanged. Commissioner Martinez expressed he liked the project but expressed

reservations about staff's interpretation of the Housing Crisis Act and could not support the project without confirmation it was not a protected unit. Commissioner Andrade supported the project, emphasizing the need for pathways from renting to homeownership. The discussion concluded with confirmation that the original motion stood as presented.

MOVED/SECOND: ZICH/DICKSON

MOTION: To move staff recommendations with a minor change to remove the words "or wood" to Condition of Approval 5.

Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Rojas

Nays: Commissioner Martinez

Absent: None

Recused: None

Motion carried: 6-1

ACTION:

The Planning Commission adopted a resolution to:

1. Find that the project 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 (Housing Development Projects); and

2. Approve Parcel Map No. 2025-141 and Design Review PDES-25-0002 based on findings of fact and subject to conditions of approval.

3. DESIGN REVIEW (PDES-25-0002) AND TENTATIVE PARCEL MAP 2025-141 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 2396 ORANGE AVENUE

Presentation by Senior Planner, Chris Yeager.

Public comments:

None.

Motion Discussion:

Commissioners discussed a City initiated proposal to streamline small lot and two-unit split projects through a ministerial approval process, with some members strongly supporting the effort to speed housing production while ensuring compliance with state law and protection of any protected units. Supporters emphasized that small lot splits have historically been noncontroversial, make up a significant share of new housing, and could benefit from faster processing and potentially reduced fees. Opposing commissioners, however, argued that the change would improperly eliminate public notice, hearings, staff reports, and appeal rights, reducing transparency and public participation. They criticized reliance on SB 9, expressed concern about cutting the public out of local land-use decisions, and stated that the current process is not burdensome enough to justify ministerial approval. Both opposing commissioners concluded they could not support the proposal, urging City Council to consider alternative approaches that preserve public involvement.

MOVED/SECOND: MARTINEZ/HARLAN

MOTION: To move staff recommendations a minor amendment to remove the words or fewer from the tentative parcel map row and table, 1320, 9c

Ayes: Chair Harlan, Commissioner Andrade, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas

Nays: Vice Chair Zich, Commissioner Dickson

Absent: None

Recused: None

Motion carried: 5-2

ACTION:

The Planning Commission adopted a resolution to:

1. Find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant CEQA Guidelines Section 15061(b)(3); and
2. Recommend that the City Council adopt an Ordinance approving Code Amendment PCTY-25-0007, amending Title 13 of the Costa Mesa Municipal Code (Zoning Code) pertaining to two-unit Small Lot Ordinance projects.

OLD BUSINESS: None.

NEW BUSINESS:

1. HOUSING ELEMENT IMPLEMENTATION (NEIGHBORHOODS WHERE WE ALL BELONG) PUBLIC ENGAGEMENT UPDATE

Presentation by Senior Planner, Michelle Halligan and Cathy Tang Saez, Dudek.

Staff explained the study session was mainly to describe the proposed approach to rezoning Housing Element sites by creating a new section of the Mixed-Use Overlay District and invite general feedback. Staff described a new law that exempts most actions to implement housing elements from CEQA. The new law, SB 131, would likely allow the City to expedite the rezoning of Housing Element sites. Detailed amendments (including Zoning Code changes) would be presented to the Planning Commission in February. Commissioners then asked questions on key issues like whether Housing Element site property owners can opt out of residential and mixed-use standards (they can't without withdrawing from the Housing Element), what outreach was done, why Costa Mesa's buffer assumptions are higher than in other cities, and how "by-right" rules, affordability percentages, density caps, and how "no net loss" would work if sites don't build out as assumed. There was also a long back-and-forth about "sunsetting" urban plans and specific plans—staff said while the PDF urban plans be sunset, many rules must be carried into the Zoning Code because Measure Y limits changes on non-Measure K sites, and some areas are especially complex to untangle without creating nonconforming uses. Commissioners asked for clear mapping of what regulations would apply where, strong incentives (especially for deeper affordability), reduced parking mandates to lower costs and traffic, better integration with circulation/active transportation, and a practical "plan B" if the overlay approach is challenged—staff said the overlay strategy is being prepared with HCD input and provisions may adjust based on HCD guidance/case law.

Public comments:

Jay Humphrey questioned why the Measure K property list was provided only by parcel numbers rather than including street addresses, noting that this makes it difficult for the public to understand which properties are affected and suggesting the City provide both parcel numbers and addresses for clarity. He also discussed past General Plan allowances that could have supported significant housing growth without voter measures, citing a successful pre-Measure Y project as an example of for-sale housing built without a public vote. He expressed concern that current policies and in-lieu affordable housing fees incentivize market-rate rentals over homeownership. He concluded by thanking the Commission for their work and wishing everyone a happy holiday season.

Richard Huffman stated that the agenda report does a good job explaining a complex process and represents a step in the right direction, though it has some gaps. They discussed the Mixed-Use Overlay District approach, noting that while the Housing Element proposes higher-density residential zoning through overlays and specific plans, the Measure K map applies only to non-residential portions of existing overlays. As a result, some new high-density areas in existing residential zones would still require voter approval under Measure Y, which the speaker viewed positively to ensure informed community consensus. The

speaker also raised concerns about the lack of discussion regarding traffic and the Circulation Element, questioned how increased housing density would be accommodated, and suggested that voter-approved rezonings, such as potential residential use in the airport area, could be a viable and appropriate approach if supported by effective outreach and planning.

Cynthia McDonald raised concerns about the Notice of Preparation process, arguing that the short timeline limits meaningful public participation and transparency. She stated that the City is planning far beyond its RHNA requirement by rezoning for over 21,500 housing units and significant commercial development, despite acknowledging major environmental and infrastructure impacts, particularly to transportation, which she noted will not be fully addressed. She criticized Measure K for allowing broad land use changes with limited community oversight, questioned the City's housing approach as exclusionary rather than inclusionary, and said public outreach has been inadequate and unclear. She also emphasized that promised visioning under Measure K has not occurred and requested that Planning Commission presentations be posted online to comply with the Brown Act and ensure the public has equal access to information.

MOVED/SECOND: MARTINEZ/ANDRADE

MOTION: To move staff recommendation.

Ayes: Chair Harlan, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Rojas, Commissioner Martinez

Nays: Vice Chair Zich

Absent: None

Recused: None

Motion carried: 6-1

ACTION:

The Planning Commission received staff presentation.

2. REVIEW AND APPROVE THE 2026 PLANNING COMMISSION MEETING CALENDAR

Presentation by Economic and Development Services Director Carrie Tai.

Public comments:

None.

MOVED/SECOND: MARTINEZ/HARLAN

MOTION: To move staff recommendation.

Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Rojas, Commissioner Martinez

Nays: None

Absent: None

Recused: None

Motion carried: 7-0

ACTION:

The Planning Commission Approved the 2026 Planning Commission meeting calendar.

REPORT - PUBLIC WORKS - None.

REPORT - DEVELOPMENT SERVICES - Director Tai gave a quick update and look-ahead: the Ohio House appeal was on the City Council agenda but the applicant requested a continuance to February, so it will be heard next year; staff also reminded everyone about the Neighborhoods Where We All Belong EIR scoping meeting on Wednesday, December 10 at 5:30 PM in the Council Chambers; and they noted that the first half of 2026 Planning Commission work will be heavily focused on major housing initiatives, including Neighborhoods and the Fairview Developmental Center Specific Plan, aimed at supporting a state-certified, compliant Housing Element. They closed by wishing everyone a restful holiday season and noting there's a lot of work ahead next year.

REPORT - ASSISTANT CITY ATTORNEY - None.

ADJOURNMENT AT 8:33 p.m.

Submitted by:

CARRIE TAI, SECRETARY
COSTA MESA PLANNING COMMISSION



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 26-109

Meeting Date: 1/26/2026

TITLE:

CONDITIONAL USE PERMIT PCUP-25-0014 TO CONVERT TWO EXISTING TWO-STORY OFFICE BUILDINGS INTO A CHURCH ("GRACE FELLOWSHIP CHURCH") FACILITY AT 3146 AND 3152 RED HILL AVENUE

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTED BY: JEFFREY RIMANDO, ASSISTANT PLANNER

CONTACT INFORMATION: JEFFREY RIMANDO, 714-754-5012;
Jeffrey.Rimando@costamesaca.gov

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1) Existing Facilities; and
2. Approve Conditional Use Permit PCUP-25-0014 based on findings of fact and subject to conditions of approval.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 26, 2025 ITEM NUMBER: PH-1

SUBJECT: CONDITIONAL USE PERMIT PCUP-25-0014 TO CONVERT TWO EXISTING TWO-STORY OFFICE BUILDINGS INTO A CHURCH ("GRACE FELLOWSHIP CHURCH") FACILITY AT 3146 AND 3152 RED HILL AVENUE

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

PRESENTATION BY: JEFFREY RIMANDO, ASSISTANT PLANNER

**FOR FURTHER JEFFREY RIMANDO
INFORMATION 714-754-5012
CONTACT: Jeffrey.Rimando@costamesaca.gov**

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1) Existing Facilities; and
2. Approve Conditional Use Permit PCUP-25-0014 based on findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT:

The applicant and authorized agent is Anthony Massaro representing the property owner, Glenn Bianchi.

PLANNING APPLICATION SUMMARY

Location:	3146 & 3152 Red Hill Avenue	Application Number:	PCUP-25-0014
Request:	To convert two existing two-story office buildings into a church facility and to construct a 195-square-foot addition to each building to facilitate new elevators and equipment and storage rooms.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	CL (Commercial Limited)	North (across Red Hill Ave):	MP (Industrial Park)
General Plan:	Industrial Park	South:	CL (Commercial Limited)
Lot Dimensions:	<u>3146 Red Hill Ave:</u> 215 FT (W) x 263 FT (D) <u>3152 Red Hill Ave:</u> 215 FT (W) x 265 FT (D)	East:	CL (Commercial Limited)
Lot Area:	<u>3146 Red Hill Ave:</u> 56,584 SF <u>3152 Red Hill Ave:</u> 56,975 SF Total = 113,559 SF	West:	CL (Commercial Limited)
Existing Development:	One single tenant commercial building (3146 Red Hill Avenue) and one multi-tenant commercial building (3152 Red Hill Avenue) with surface parking.		

DEVELOPMENT STANDARDS COMPARISON

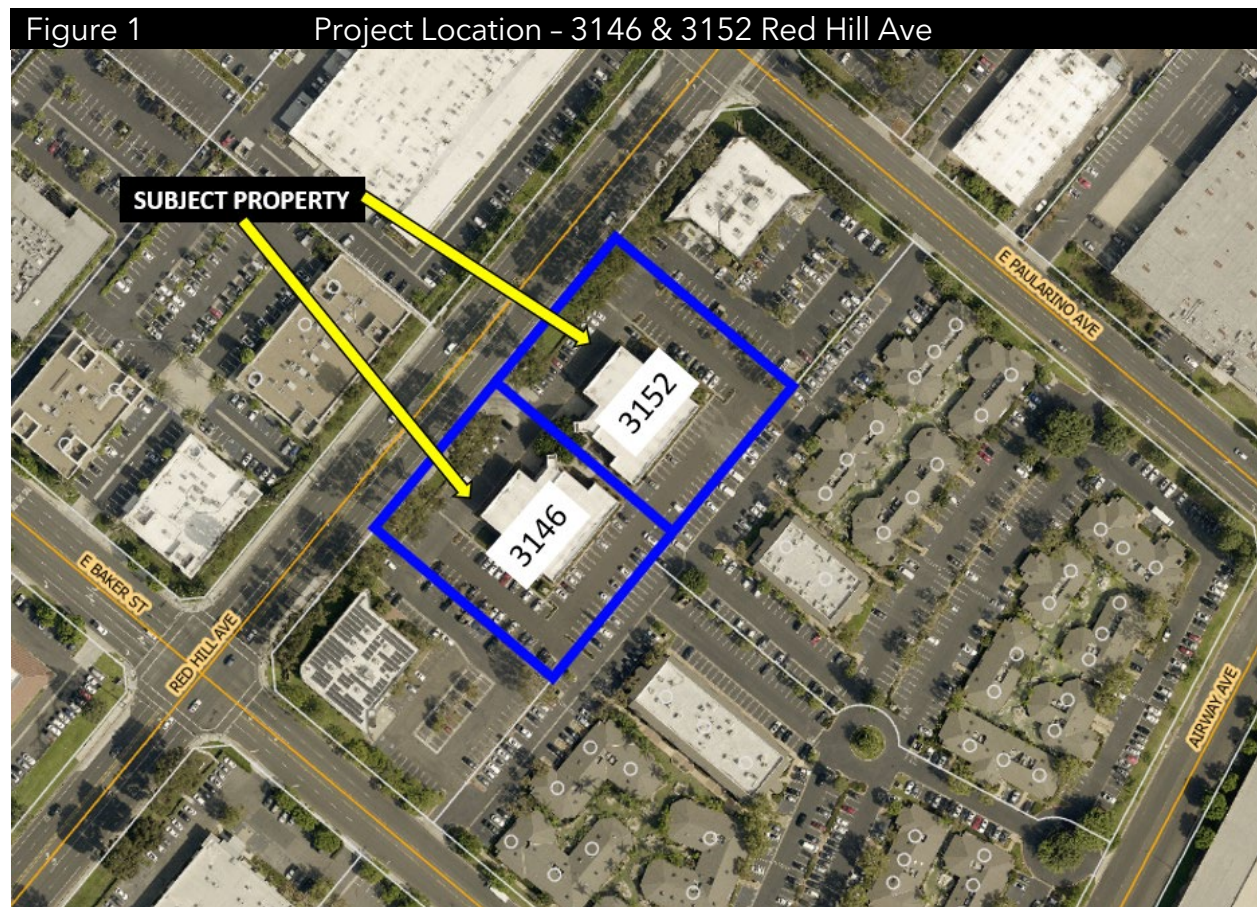
Development Standard		Required	Existing/Proposed
Building Height			
		2 Stories / 30 FT	2 Story / 28 FT (no change)
Setbacks:			
Front		20 FT	74 FT 4 IN (no change)
Side (left/right)		15 FT / 0 FT	70 FT 7 IN left (no change) 70 FT 7 IN right (no change)
Rear		0 FT	74 FT 6 IN (no change)
Floor Area Ratio			
		0.40	0.388/0.391
Parking			
		174	177 (no change)
CEQA Review	Exempt per CEQA Guidelines Section 15301 (Existing Facilities)		
Final Action	Planning Commission		

EXECUTIVE SUMMARY

Grace Fellowship Church is requesting Planning Commission approval to convert two existing two-story office buildings into a church facility. Staff supports the request in that the proposed use will operate in a way that would be compatible with nearby uses, and provides a community service. Additionally, the use is consistent with applicable goals, objectives, and policies of the General Plan, complies with applicable provisions of the Zoning Ordinance and respective findings. Staff recommends that the Planning Commission find that the project is exempt from the California Environmental Quality Act (CEQA), and approve the application based on findings of fact and subject to conditions of approval.

SETTING

The subject properties are located at 3146 and 3152 Red Hill Avenue, each developed with a one detached 22,015-square-foot, two-story office building. The subject properties are located on the east side of Red Hill Avenue, mid-block between Paularino Avenue and Baker Street (see Figure 1). The proposed church facility would occupy both office buildings.



The site is designated Industrial Park by the City's Land Use Element of the General Plan and is zoned CL (Commercial Limited). The Industrial Park designation is intended for large districts that contain a variety of industrial and compatible offices and support commercial uses. The CL zone is intended for industrial areas where commercial uses must be considered according to their compatibility with existing or permitted industrial uses.

The subject property is adjacent to CL-zoned properties to the east, south and west and MP (Industrial Park) zoned properties across Red Hill Avenue. To the southeast is an existing business park known as the "John Wayne Executive Guild". To the northeast and southwest are existing two-story office buildings. The development across Red Hill Avenue consists of multiple multi-tenant industrial buildings.

BACKGROUND

On February 1981, Conditional Use Permit ZE-81-23 was approved by the Planning Commission to allow compact parking in conjunction with construction of two 22,500 square foot office buildings. Each building was constructed on a separate parcel (3146 & 3152 Red Hill Avenue) as a mirror image of the other. Each structure is 28 feet high. Both parcels are under one ownership with reciprocal access and parking.

REQUEST

The applicant is requesting a Conditional Use Permit (CUP) pursuant to Costa Mesa Municipal Code (CMMC) Section 13-30 to occupy and convert each existing building into a single church facility.

STANDARD OF REVIEW

To approve a CUP application under CMMC Section 13-29(g)(2)(a-c), the Planning Commission must find that the proposed use must meet specific criteria. The project must be compatible with surrounding developments and should not be detrimental to nearby properties. Additionally, granting the CUP must not harm public health, safety, or welfare, nor permit a use, density, or intensity that is inconsistent with the general plan or applicable specific plans. Each application is project-specific and evaluated on its unique merits to ensure it aligns with the City's development standards and the zoning code.

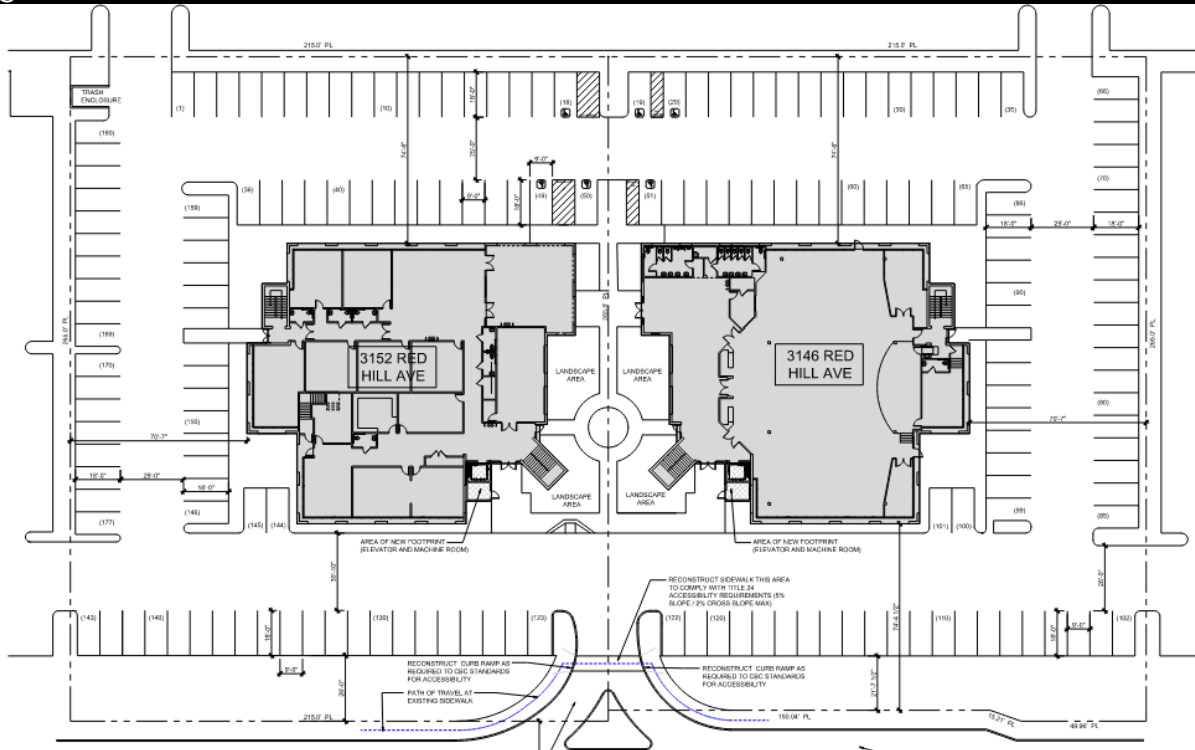
As necessary, proposed conditional uses may have conditions of approval applied to the development or their operations to ensure that the required findings can be met. An assessment of the project's relationship to the findings and General Plan is provided later in this report.

PROJECT DESCRIPTION

Use and Operations

The applicant proposes a church facility with different uses throughout the two buildings. The main sanctuary area is proposed to be located at 3146 Red Hill Ave and educational classrooms are proposed at 3146 Red Hill Avenue. Parking will remain in its existing condition. See further information below.

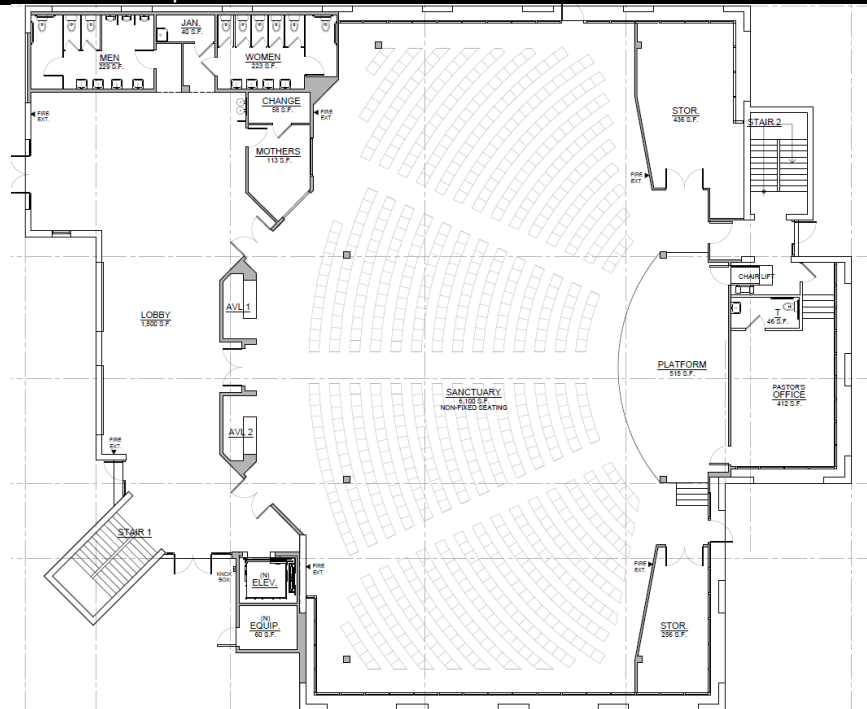
Figure 2 Site Plan - 3146 & 3152 Red Hill Ave



The applicant proposes to remodel the first floor of 3146 Red Hill Ave to provide the church sanctuary (Figure 3). The sanctuary would consist of a 6,100-square-foot assembly area with non-fixed seating. A 195 square-foot expansion to accommodate a new elevator and equipment room on the first floor and a storage room on the second floor. The first floor would also contain two bathrooms, two storage rooms, an office, a mother's room, and a changing room.

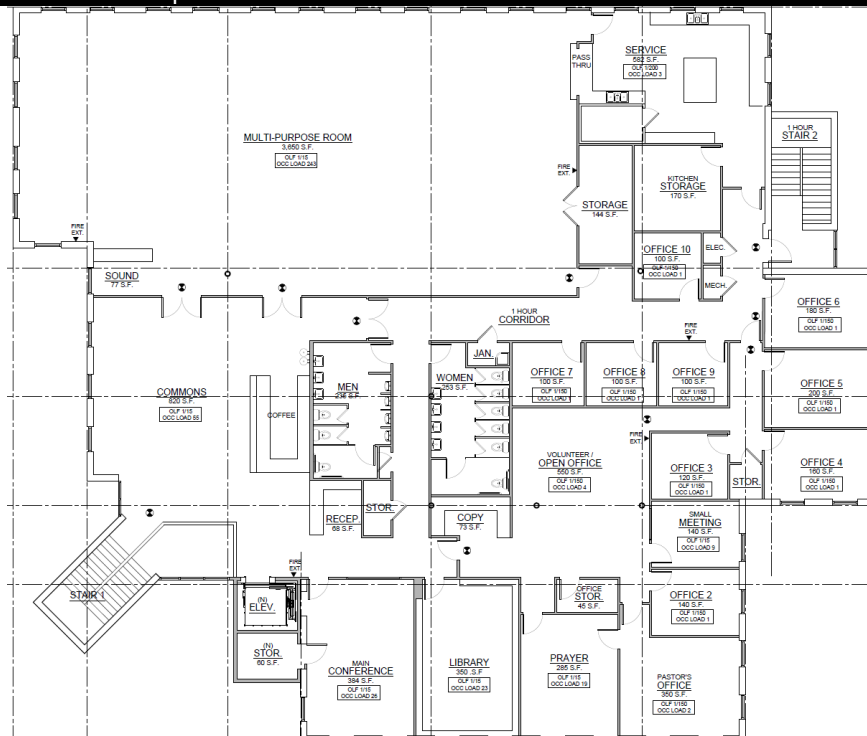
According to the applicant's project letter (Attachment 2), the church services would primarily be provided within the main sanctuary on Saturdays from 4:00 p.m. to 8:00 p.m. and Sundays from 8:00 a.m. to 12:00 p.m.

Figure 3 Proposed First Floor Plan - 3146 Red Hill Ave



The second floor (Figure 4) would contain a common area with a coffee bar, administrative offices, multi-purpose rooms, library, bathrooms, kitchen and storage rooms.

Figure 4 Proposed Second Floor Plan - 3146 Red Hill Ave



As shown on the proposed first and second floor plans (Figures 5 and 6) for the building on 3152 Red Hill Avenue, the building would consist of classrooms, bible study rooms, bathrooms and assembly areas. In the rear southwest corner of the first floor the applicant proposes to create a 1,314-square-foot covered outdoor play area by removing the four existing storefront glass window areas. During the church services on Sundays, the building classrooms and play area would be utilized for children to be supervised during the church services.

Figure 5 Proposed First Floor Plan - 3152 Red Hill Ave

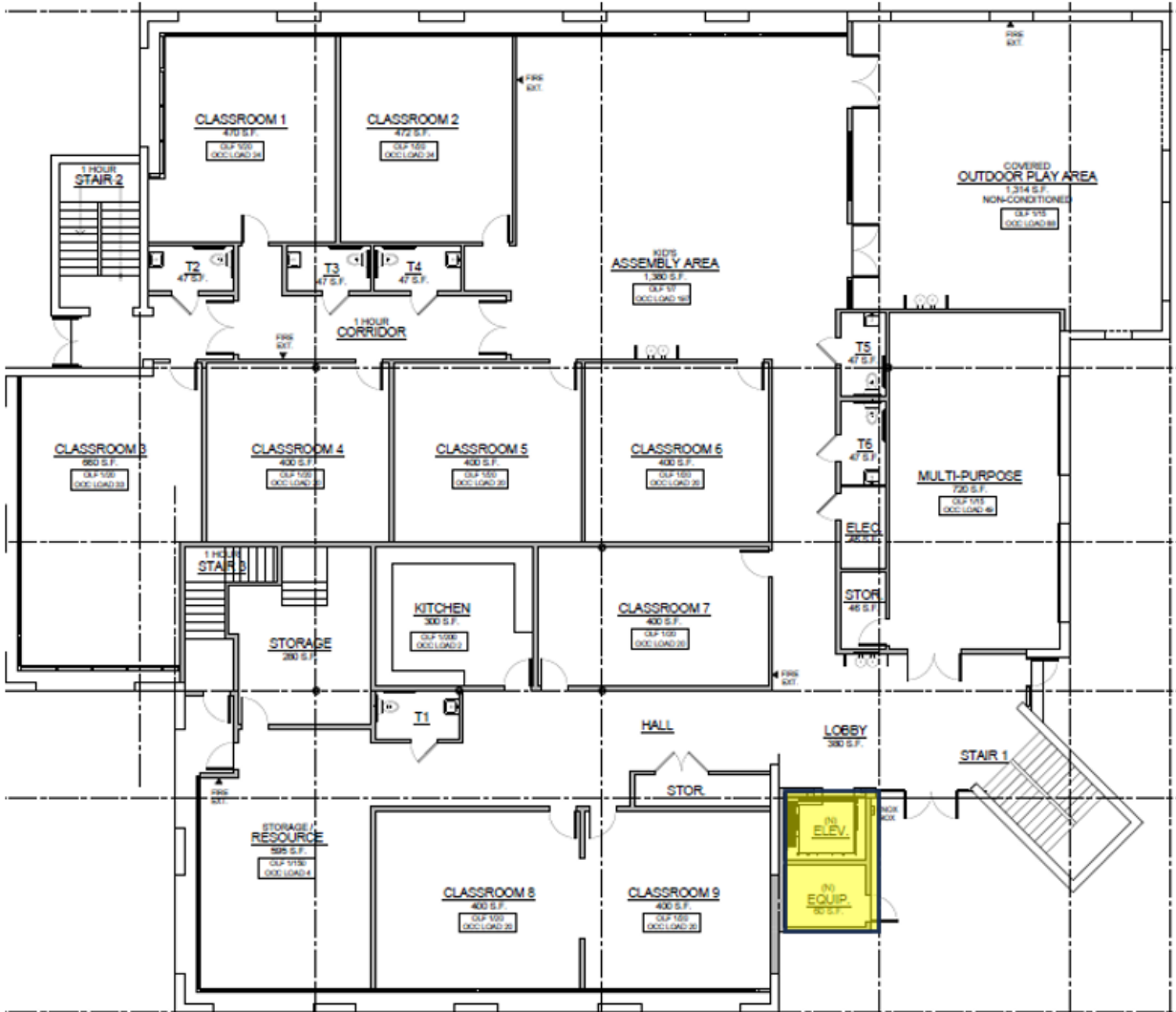
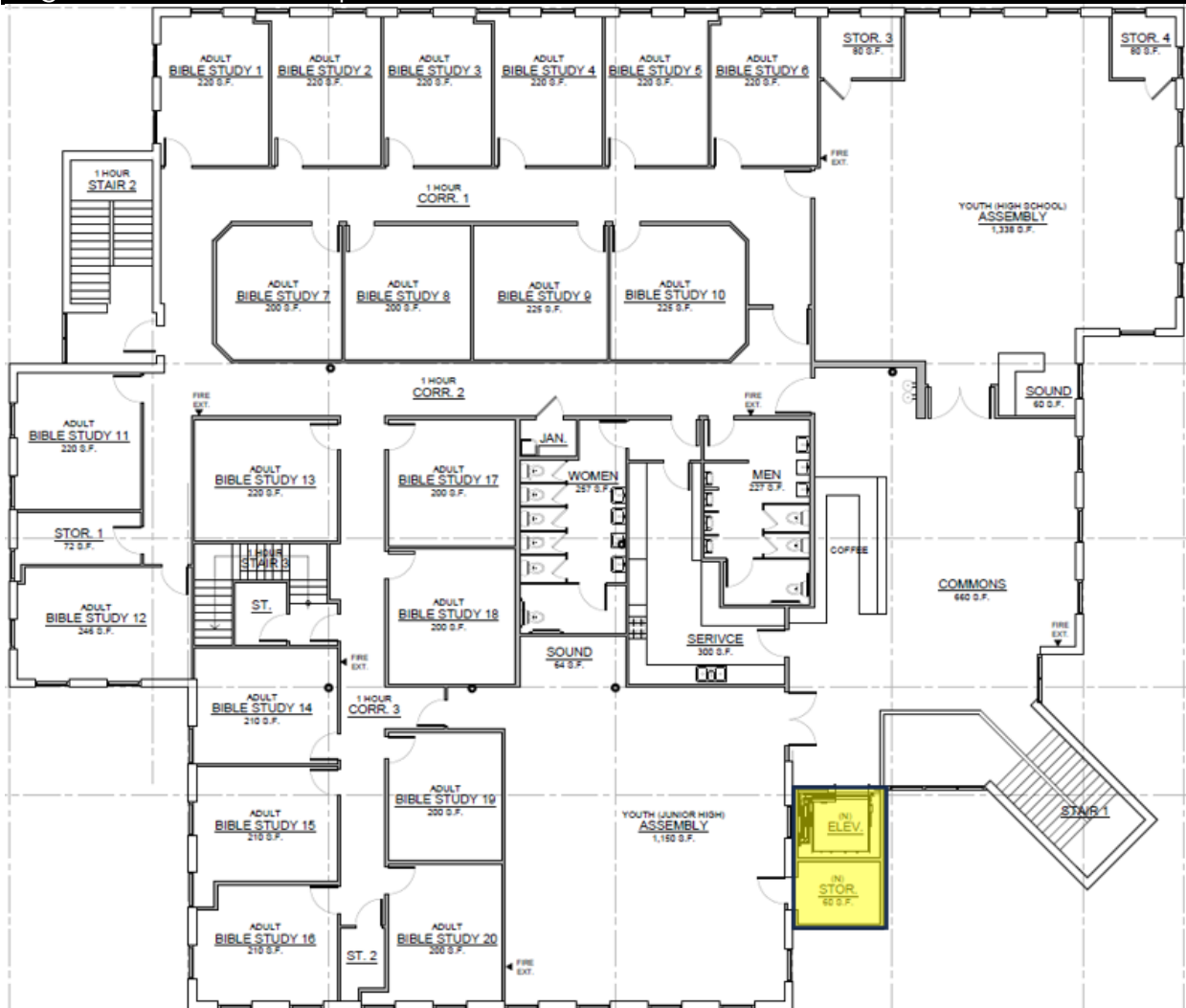


Figure 6 Proposed Second Floor Plan - 3152 Red Hill Ave



Similar to 3146 Red Hill Avenue, a 195-square-foot expansion (in yellow) would be proposed to accommodate an elevator and an equipment room on the first floor and a storage room on the second floor as highlighted in yellow.

Both buildings would be utilized throughout the weekdays ranging between the hours of 7 a.m. to 11 p.m. for office hours and group gatherings for bible studies. The main sanctuary within 3146 Red Hill Avenue would be the primary gathering space for religious studies with the 3152 Red Hill Avenue building utilized in conjunction for children to be supervised during religious study sessions. At this time, the day care services are not proposed. A detailed schedule of services provided throughout the week is provided in the applicant's project letter (Attachment 2).

Parking

The City's parking ratio for a church use is one (1) space for every 35 square feet of seating area if there are no fixed seats. The church does not propose fixed seating; therefore, the church would consist of 6,100 square feet of assembly area which results in a parking requirement of 174 spaces for the entire development. The project site (3146 & 3152 Red Hill Avenue) contains a total of 177 parking spaces leaving a surplus of three spaces for the site.

ANALYSIS

The project includes a request for a church use with ancillary services such as bible studies and offices. Pursuant to Costa Mesa Municipal Code (CMMC) Section 13-51.52, accessory facilities related to churches that are in the same or separate building are permitted including religious classrooms, assembly rooms, restrooms, kitchens and libraries. Although the main sanctuary for the church would be located on the first floor of the building located on 3146 Red Hill Avenue, the church would be occupying the second floor of the building as well as the two-story building on 3152 Red Hill Avenue for classrooms, assembly rooms and offices. The additional space would allow the church to provide additional services such as religious studies for a variety of groups from children to adult men and women.

The proposed church is surrounded by commercial and industrial uses and is not within 200 feet from a residential zoned property. The activities of the church would be conducted primarily indoors and would have a covered outdoor play area located at the rear (southwest) corner of the first floor of 3152 Red Hill Avenue. The play area would be set back a minimum 150 feet from the closest neighboring business and would not have an adverse impact to the neighboring business park to the south and the existing office buildings to the east and west. Furthermore, parking would not be impacted and there will be surplus of three spaces onsite.

Additionally, a trip generation letter was provided by the applicant (Attachment 7) and reviewed by the Transportation Division staff with the determination that the conversion of the existing office buildings into a church would generate 142 fewer trips per day during the weekday peak hours than the existing office building. Therefore, the proposed project would not significantly impact the operations of the nearby intersections to the site.

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. **Goal LU-1:** "A balanced community with a mix of land uses to meet resident and business needs."

Consistency: The proposed project involves the conversion of two existing office buildings to accommodate a church facility. The proposed church would provide a local service and a valuable support system to meet residential needs of the community.

FINDINGS

Pursuant to Title 13, Section 13-29(g), Findings, of the CMMC, to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required Conditional Use Permit findings:

- a) The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Consistent. The project includes the conversion of two existing buildings previously occupied by office uses to a church facility. Minor building additions totaling 195 square feet are proposed to accommodate an elevator, equipment room, and storage room. The proposed use would operate primarily indoors and is compatible with surrounding commercial and institutional uses. The project would not result in substantial noise, traffic, or other operational impacts that would be materially detrimental to nearby properties.

- b) Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Consistent. Granting approval of the church would not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. All business activities would be conducted primarily within the building, with the exception of the covered outdoor play area, which would be set back a minimum 150 feet from the closest neighboring business. The use would not generate noise, excessive traffic or other detrimental effects on the surroundings.

- c) Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.

Consistent. The General Plan designation is "Industrial Park," which is intended to permit a wide range of industrial and institutional uses that serve both the local and regional needs. The proposed church is located in an area that includes a variety of industrial and commercial uses, including administrative offices and medical offices. Furthermore, the proposed project is consistent with General Plan Land Use Goal LU-1 as indicated previously.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (e)(2) (Class 1 - Existing Facilities), as the project involves a negligible 195-square-foot addition to each of the two existing buildings to accommodate an elevator and an equipment/storage room, with no expansion of use beyond existing developed areas. Lastly, none of the exceptions to the use of categorical exemptions set forth in CEQA Guidelines Section 15300.2 apply. Specifically, the project would not result in cumulative impacts, does not involve unusual circumstances, would not impact scenic resources, is not located on a hazardous site, and would not affect 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.

LEGAL REVIEW

The draft Resolution and this report has 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 January 14, 2026. 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 January 15, 2026.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on January 16, 2026.

As of the completion date of this report, no written public comments have been received. Any public comments received prior to the January 26, 2026, Planning Commission meeting will be provided separately.

CONCLUSION

Approval of the project would allow for the use of a church within two existing two-story office buildings. The proposed use is in conformance with the General Plan, Zoning Code, Planning Application Review Criteria, and the required CUP findings can be made. The proposed use, as conditioned, would be compatible with the surrounding industrial and commercial businesses and would not be materially detrimental to other properties within the area. Therefore, staff recommends approval of the proposed project, subject to the conditions of approval contained in the attached resolution.

RESOLUTION NO. PC-2026-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION PCUP-25-0014 TO CONVERT TWO EXISTING TWO-STORY OFFICE BUILDINGS INTO A CHURCH (“GRACE FELLOWSHIP CHURCH”) AT 3146 AND 3152 RED HILL AVENUE

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, Planning Application PCUP-25-0014 was filed by Anthony Massaro, authorized agent for the property owner, Glenn Bianchi, requesting approval of a Conditional Use Permit to operate a church;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 26, 2026 with all persons having the opportunity to speak for and against the proposal;

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 15301 (Class 1, for Existing Facilities); and

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 PCUP-25-0014 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 PCUP-25-0014 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 26th day of January, 2026.

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-2026- was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on January 26, 2026 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Carrie Tai, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2026-

EXHIBIT A

FINDINGS

- A. Pursuant to Title 13, Section 13-29(g), Findings, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required Conditional Use Permit findings:

Finding: *The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.*

Facts in Support of Findings: The project includes the conversion of two existing buildings previously occupied by office uses to a church facility. Minor building additions totaling 195 square feet are proposed to accommodate an elevator, equipment room, and storage room. The proposed use would operate primarily indoors and is compatible with surrounding commercial and institutional uses. The project would not result in substantial noise, traffic, or other operational impacts that would be materially detrimental to nearby properties.

Finding: *Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.*

Facts in Support of Finding: Granting approval of the church would not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. All business activities would be conducted primarily within the building, with the exception of the covered outdoor play area, which would be set back a minimum 150 feet from the closest neighboring business. The use would not generate noise, excessive traffic or other detrimental effects on the surroundings.

Finding: *Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.*

Facts in Support of Finding: The General Plan designation is "Industrial Park," which is intended to permit a wide range of industrial and institutional uses that serve both the local and regional needs. The proposed church is located in an area that includes a variety of industrial and commercial uses, including administrative offices and medical offices. Furthermore, the proposed project is consistent with General Plan Land Use Goal LU-1 as indicated previously.

- B. **Environmental Determination.** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA

Guidelines Section 15301 (e)(2) (Class 1 – Existing Facilities), as the project involves a negligible 195-square-foot addition to each of the two existing buildings to accommodate an elevator and an equipment/storage room, with no expansion of use beyond existing developed areas. Lastly, none of the exceptions to the use of categorical exemptions set forth in CEQA Guidelines Section 15300.2 apply. Specifically, the project would not result in cumulative impacts, does not involve unusual circumstances, would not impact scenic resources, is not located on a hazardous site, and would not affect any historic resources. Lastly, none of the exceptions to the use of categorical exemptions set forth in CEQA Guidelines Section 15300.2 apply. Specifically, the project would not result in cumulative impacts, does not involve unusual circumstances, would not impact scenic resources, is not located on a hazardous site, and would not affect any historic resources.

- C. The project is not 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 Planning Application PCUP-25-0014 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 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.
 3. The conditions of approval for PCUP-25-0014 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 4. No day care services, or schools shall be provided at the site without City approval.
 5. Outdoor activity areas are only permitted when the activity area does not encroach into required street setback, parking and circulation, or interior landscaped areas.
 6. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or operator shall institute whatever security and operational measures are necessary to comply with this requirement.
 7. Any change in the operational characteristics of the use shall be subject to Planning Division review and may require an amendment to the Conditional Use

Permit. Modifications are subject to the final review authority determined by the Economic and Development Services Director or his/her designee.

8. The project shall be limited to the type of operation/building as described in this staff report and in the attached plans. Any change in the use, size, or design shall require review by the Planning Division and may require an amendment to the Conditional Use Permit.
9. If any section, division, sentence, clause, phrase or portion of this approval is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.
10. No signage shall be installed until a sign permit is issued by the City's Development Services Department.
11. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.

CODE REQUIREMENTS

The following list of federal, State and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Plng.
1. Permits shall be obtained for all signs and window signs according to the provisions of the Costa Mesa Sign Ordinance.
 2. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time.
 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. Street addresses shall be visible from the public street and may be displayed either on the front door, on the fascia adjacent to the main entrance, or on another prominent location. When the property has alley access, address numerals shall be displayed in a prominent location visible from the alley. Numerals shall be a minimum six (6) inches in height with not less than one-half-inch stroke and shall contrast sharply with the background.
 5. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.

Bldg.	<ol style="list-style-type: none"> 6. Comply with the requirements of the most recent adopted, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, California Existing Building Code, and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa at the time of plan submittal or permit issuance. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with Chapter 11B of the California Building Code. A change of occupancy shall require compliance with the Disabled access requirements of Chapter 11B of the California Building Code. 7. 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. 8. Change of Use from an office use (B occupancy) to assembly use (A-3) required the structure to be evaluate the existing floor for the changes to the increase live loads to comply with the Existing Building Code. 9. The change of use of the building require the existing main lateral resistance elements to be evaluated by an engineer. 10. Buildings whose primary occupancy is public assembly with an occupant load greater than 300 shall be assigned a risk category III in accordance with Table 1604.5. [CBC 1604.5] 11. Maximum allowable area shall be determined in accordance with the applicable provisions of California Building Code sec. 506.2. 12. Maximum area of exterior wall openings shall be determined in accordance with the applicable provisions of California Building Code 705.8. 13. Facilities shall maintain a sanitary environment to avoid sources and transmission of infection. This is to include the proper routine of disposal of waste materials. [CBC 1251.4.1] 14. The temperature and ventilation of the facility shall be maintained so as to assure the comfort. [CBC 1251.4.3] 15. An approved automatic sprinkler system shall be installed. [CBC 441.2] 16. If required, provide a plan to the County of Orange Health Dept. for review and approval.
Fire	<ol style="list-style-type: none"> 17. Comply with the requirements of the 2022 California Fire Code, including the reference standards, as adopted and amended by Costa Mesa Fire & Rescue.
Bus. Lic.	<ol style="list-style-type: none"> 18. 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.

19. Business license shall be obtained prior to the initiation of the business.



Planning Department
City of Costa Mesa, CA

November 17, 2025

Subject: Detailed Project Description – Grace Fellowship Church
Occupancy Upgrade to Convert Office Building to Church
3146 / 3152 Red Hill, Ave, Costa Mesa, CA.

Project Overview:

Grace Fellowship Church is seeking a Conditional Use Permit to convert an existing office building which, per the CBC, would be a B Occupancy to a Church occupancy of A3. The two structures would accommodate all church uses including a main assembly area, smaller youth gathering areas, Sunday school classrooms and staff offices.

Existing Property and Proposed Use:

The proposed project consists of two separate buildings on separate parcels at 3146 and 3152 Red Hill Ave. While the site is technically two parcels, it both appears and functions as one. The buildings on each site are identical but mirrored. The exterior facades are identical. The buildings share a common landscaped courtyard. Both buildings are currently used as offices (B Occupancy).

Each structure is two stories with 10,980 square feet on the 1st floor and 10,840 square feet on the 2nd floor for a total of 21,820 square feet per building.

The building at 3146 Redhill Ave will be used for the main church sanctuary, plus lobby and restrooms on the first floor) and administrative offices and multi-purpose spaces on the second floor.

The building at 3152 Redhill Ave will be used for church classrooms for small children, elementary, junior high and high school on both floors. It is important to note that a school (E Occupancy) or day care is not being proposed. The classrooms are only used for the time when the parents are in church service. The children are supervised and receive religious education. The classrooms are only accessory to the main Sanctuary which is the main religious worship room. The young children up to elementary school ages will use the rooms on the first floor. The "Youth" (High School and Junior High School ages) will use the gathering areas and Bible study rooms on the second floor. There is no intention of opening a school or day care.

Please note that both buildings are being classified as A3 (Church) per the CBC:

CBC 305.1.1 Accessory to Places of Religious Worship *Religious educational rooms and religious auditoriums, which are accessory to places of religious worship in accordance with Section 303.1.4 and have occupant loads of less than 100 per room or space, shall be classified as Group A-3 occupancies.*

The pickup and drop-off schedules for the children and youth using the classrooms are identical to the main church services. The children and youth's classroom schedule coincides with the adult's in the main sanctuary.

For comprehensive church use schedule, see the attachment at the end of this letter.

MARS HILL STUDIO, INC.
2533 Greenbriar Lane, Costa Mesa, CA 92626 (949)294-4026 tony@marshillstudio.com

Building Construction and Upgrades:

Based on the size of the structures and the proposed assembly occupant load, the occupancy upgrade from B to A3 will require seismic upgrades on both buildings. Additionally, fire sprinklers will be required, and an elevator will be added to both buildings.

The majority of this project will be an interior only Tenant Improvement. However, the elevators that are being added to both buildings will be located on the exterior facing Red Hill Ave and will create a minor exterior change.

Parking Analysis:

Per the city zoning code of Costa Mesa, one parking space shall be provided for every 35 square feet of area within the main assembly room.

The proposed main assembly space is 6,100 square feet which requires 174 parking spaces.

The site currently has 177 available parking spaces, six of which are accessible stalls; thus, the site can accommodate all required parking for both peak weekend uses and daily weekday uses.

Please feel free to contact me at my office if you have any specific questions or comments at (949) 294-4026.

Best Regards,



Anthony P. Massaro,
Architect

GRACE COMMUNITY CHRISTIAN CHURCH PROPOSED SCHEUDLE

SUNDAY

Time of Day	Facility Usage	Number of People	Purpose	Location
6:45-8:00a	Main Sanctuary	10	rehersal and set up for Sunday service	3146 Building Main Sanctuary
8:20-9:50a	Classrooms 1-9	100	Children's church rooms	3152 Building - cooincides with main church service
8:20-9:50a	Main Sanctuary	360	Sunday Service	3146 Building Main Sanctuary
10:20-12p	Classrooms 1-9	100	Children's church rooms	3152 Building - cooincides with main church service
10:20-12p	Main Sanctuary	380	Sunday Service	3146 Building - Main church service
10:20-12p	Youth Assembly Room 1	40	Junior High	3152 Building - cooincides with main church service
10:20-12p	Youth Assembly Room 2	50	High School	3152 Building - cooincides with main church service
12:30-3:30p	Multipurpose Room	10	Student Leader Meeting	3152 Building 2nd floor

MONDAY

Time of Day	Facility Usage	Number of People	Purpose	Locatoin
8:00a-3:00p	Office	15	CRU Office Hours	3146 Buidling 2nd floor offices
9:00a-5:00p	Offices	15	Spiritual Direction Training	3146 Buidling 2nd floor offices
6:00-9:00p	Assembly Room	20	Bible Study	3152 Building 1st floor assembly room

TUESDAY

Time of Day	Facility Usage	Number of People	Purpose	Location
8-8:45a	Classrooms	10	Blessing Childcare Set Up	3152 Builidng offices 1st floor
7:30-8:30a	Youth Assembly Room 1	20	Men's Bible Study	3152 2nd floor Assembly Room
8:45-11:15a	Main Sanctuary	120	Mothers Group	3152 1st floor Assembly Room
8:45a-5p	Offices	20	Office Hours for staff	3146 Building 2nd floor offices
6:00-9:00p	Classrooms 7-9	20	Bible Study Child Care	3152 Building 1st floor
7:00-10:00p	Sanctuary	100	Young Adults Bible Study	3146 Building Main Sanctuary

WEDNESDAY

Time of Day	Facility Usage	Number of People	Purpose	Location
8:15-8:50a	Classrooms 7-9	5	Abide Childcare Set Up	3152 Building 1st floor
8:00-9:00a	Main Sanctuary	5	Abide Set Up	3146 Building Main Sanctuary
9:00-11:30a	Main Sanctuary	240	Womens Bible Study	3146 Building Main Sanctuary
9p-5p	Offices	20	Office Hours for staff	3146 Building 2nd floor offices
5-6:45p	Main Sanctuary	5	OVERFLOW Set Up	3146 Building Main Sanctuary
5:00-6:30p	Classrooms 7-9	15	Children's Ministry	3152 Building 1st floor
6:45-9:30p	Main Sanctuary	200	Youth Group	3146 Building Main Sanctuary
9:30-10p	Multi-purpose Room	20	OVERFLOW Leader Meeting	3152 Building 2nd floor
9:30-11p	Main Sanctuary	4	Cleaning Crew	3146 Building Main Sanctuary

THURSDAY

Time of Day	Facility Usage	Number of People	Purpose	Location
7:00-8:30a	Multi-purpose Room	12	Axios Study Group	3152 Building 2nd floor
8:15-8:50a	Classrooms 7-9	5	Church Childcare Set Up	3152 Building 1st floor
9:00a-12p	Multi-purpose Room	10	Bible Study	3152 Building 2nd floor
9:00a-12p	Classrooms 7-9	20	Church Childcare	3152 Building 1st floor
9:00a-5p	Offices	20	Office Hours for staff	3146 Building 2nd floor offices
10:45a-11:45a	Multi-purpose Room	15	Staff Bible Study	3152 Building 2nd floor
4:45-7:00p	Main Sanctuary	5	Worship Rehersal	3146 Building Main Sanctuary
5:30-7:00p	Multi-purpose Room	6	Elders Meeting	3152 Building 2nd floor
6:00-9:00p	Multi-purpose Room	20	Bible Study	3152 Building 2nd floor

FRIDAY

Time of Day	Facility Usage	Number of People	Purpose	Location
6:30-7:00a	Main Sanctuary	3	Facility Setup	3146 Building Main Sanctuary

7:00-8:30a	Main Sanctuary	250	Mens Bible Study	3146 Building Main Sanctuary
8:15-8:50a	Classrooms 7-9	5	Church Childcare Set Up	3152 Building 1st floor
9:00a-12p	Classrooms 7-9	20	Church Childcare	3152 Building 1st floor
9:00a-5:00p	Office 6-9	20	Office Hours for Staff	3146 Building 2nd floor offices
6:00-9:00p	Multi-purpose Room	20	Bible Study	3152 Building 2nd floor

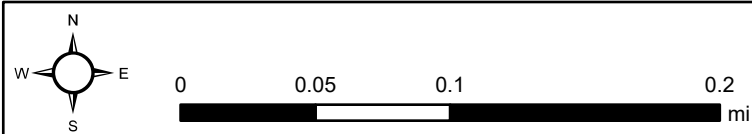
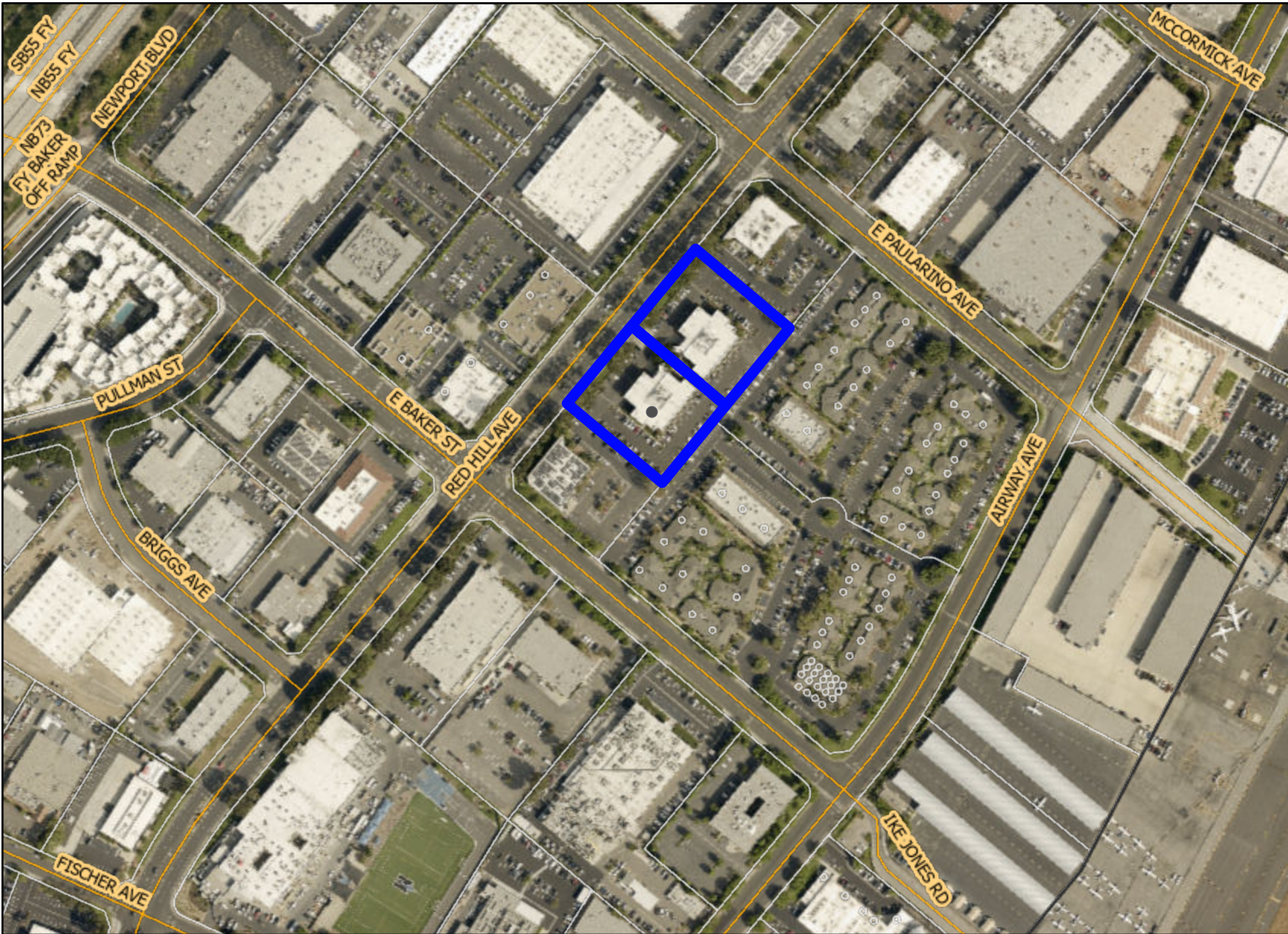
SATURDAY

Time of Day	Facility Usage	Number of People	Purpose	Location
4:00-8:00p	Main Sanctuary	50	Worship Service	3146 Building Main Sanctuary

3146 & 3152 Red Hill Ave - Vicinity Map

Legend

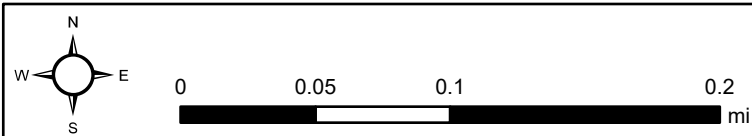
-  City Limit
-  Streets
-  Silver



The City of Costa Mesa makes no guarantee as to the accuracy of any of the information provided and assumes no liability for any errors, omissions, or inaccuracies.

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3146 & 3152 Red Hill Ave - Zoning Map



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3146 & 3152 Red Hill Ave



3146 Red Hill Ave (Front View)



3152 Red Hill Ave (Front View)



3146 Red Hill Ave (Rear View)



3152 Red Hill Ave (Rear View)



GRACE CHRISTIAN FELLOWSHIP

3146 / 3152 RED HILL AVE
COSTA MESA, CA

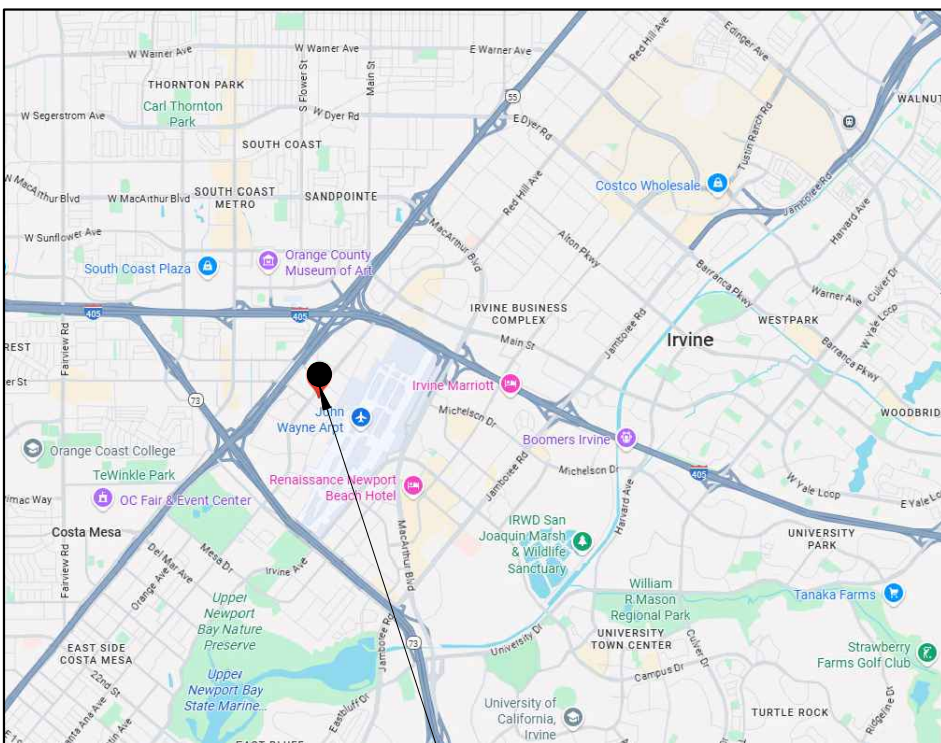
GENERAL NOTES

- GENERAL CONTRACTOR SHALL VISIT THE BUILDING SITE AND SHALL FIELD VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO STARTING ANY WORK AND SHALL BE RESPONSIBLE FOR COORDINATION OF ALL WORK AND MATERIALS. THE ARCHITECT SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES FOUND. THE GENERAL CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SHORING, EXCAVATIONS, TEMPORARY STRUCTURES AND PARTIALLY COMPLETED PORTIONS OF WORK TO ASSURE SAFE WORKING CONDITIONS.
- ALL MATERIAL AND WORKMANSHIP SHALL BE PERFORMED IN ACCORDANCE WITH LOCAL STANDARDS AND TO APPLICABLE PROVISIONS IN THE LATEST EDITIONS OF CALIFORNIA BUILDING CODE, LOCAL ORDINANCES SUCH AS BUT NOT LIMITED TO CITY, COUNTY, FIRE AND ZONING CODES AND WITH THE BEST PRACTICES OF THE TRADE. GENERAL CONTRACTOR SHALL VERIFY ALL CODE REQUIREMENTS BEFORE COMMENCEMENT OF CONSTRUCTION AND BRING ANY CODE DISCREPANCIES TO THE IMMEDIATE ATTENTION OF THE ARCHITECT.
- GENERAL CONTRACTOR SHALL PROVIDE SAFE AND ADEQUATE TEMPORARY ERECTION BRACING ON ALL BEAMS, WALLS, ETC. TO PROVIDE FULL STRUCTURAL STABILITY. TEMPORARY BRACING SHALL NOT BE REMOVED UNTIL THE PERMANENT BRACING HAS BEEN COMPLETELY INSTALLED AND SECURED AND THE ELEMENT SUPPORTED IS CAPABLE OF SUPPORTING THE DESIGN LOADING. THE CONTRACT DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE. UNLESS OTHERWISE SHOWN THEY DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE GENERAL CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES.
- ASBESTOS REMOVAL AND DISPOSAL WHERE REQUIRED SHALL BE PERFORMED BY FIRMS DULY LICENSED FOR SUCH WORK AND SHALL COMPLY WITH ALL APPLICABLE AGENCY REQUIREMENTS.
- THE BUILDER SHALL PROVIDE THE ORIGINAL OCCUPANT WITH A LIST OF THE HEATING, COOLING, WATER HEATING, AND LIGHTING SYSTEMS, AND CONSERVATION OR SOLAR DEVICES INSTALLED IN THE BUILDING AND INSTRUCTIONS ON HOW TO USE THEM EFFICIENTLY.
- AFTER INSTALLING THE INSULATION, THE INSTALLER SHALL POST IN A CONSPICUOUS LOCATION IN THE BUILDING A CERTIFICATE SIGNED BY THE INSTALLER STATING THAT THE INSTALLATION COMPLIES WITH THE REQUIREMENTS OF TITLE 24. THE CERTIFICATE SHALL STATE THE MANUFACTURER'S NAME AND MATERIAL IDENTIFICATION, THE INSTALLED R-VALUE AND WEIGHT PER SQUARE FOOT.
- ISSUANCE OF A BUILDING PERMIT BY THE CITY OF NEWPORT BEACH DOES NOT RELIEVE APPLICANTS OF THE LEGAL REQUIREMENTS TO OBSERVE COVENANTS, CONDITIONS AND RESTRICTIONS WHICH MAY BE RECORDED AGAINST THE PROPERTY OR TO OBTAIN PLANS. YOU SHOULD CONTACT YOUR COMMUNITY ASSOCIATION PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION AUTHORIZED BY THIS PERMIT.
- PRIOR TO PERFORMING ANY WORK IN THE CITY RIGHT OF WAY AN ENCROACHMENT PERMIT MUST BE OBTAINED FROM THE PUBLIC WORKS DEPARTMENT.
- Separate permit(s) are required for any work not specifically included with this permit application and may include but not be limited to any proposed accessory buildings, site work, landscaping, parking, outdoor lighting, patio covers, trash enclosures, fences, retaining walls, demolition, etc.
- Where fire-detection or alarm systems are provided for the building, the smoke detectors shall be supervised by such systems in an approved manner, and installed in accordance with NFPA 72 and the California Building and Fire Codes.

SYMBOLS

DETAIL REFERENCE		DETAIL REFERENCE
		SHEET NUMBER
ELEVATION REFERENCE		ELEVATION NUMBER
		SHEET NUMBER
SECTION REFERENCE		SECTION NUMBER
		SHEET NUMBER
REVISION REFERENCE		REVISION NUMBER
KEYNOTE REFERENCE		KEYNOTE NUMBER
WINDOW REFERENCE		WINDOW NUMBER
DOOR REFERENCE		DOOR NUMBER

VICINITY MAP



PROJECT
LOCATION

PLUMBING FIXTURES

2022 CPC TABLE 422.1					
GROUP A3 - CHURCH (1F: 3152 RED HILL)					
Plumbing Fixture Occ Load Factor			Plumbing Fixture		
Total Area	per Table 4	Occ Load	Occ Load		
6100	11	554.5	299		
Main Assembly			Males		
485	11	44.1	299		
Stage					
TOTAL A3		598.6			
Water Closets		Water Closets	Water Closets		
Factor	Required	Provided			
3 per 201-400	3	3	Male		
6 per 201-400	6	6	Female		
Urinals		Urinals	Urinals		
Factor	Required	Provided			
3 per 201-400	3	3	Male		
Lavatory		Lavatories	Lavatories		
Factor	Required	Provided			
2 per 201-400	2	4	Male		
4 per 201-300	4	4	Female		
Drinking					
Fountains	Required	Provided			
1 per 150	1	2			
Service		Required	Provided		
Sinks	1	1			

2022 CPC TABLE 422.1					
3146 RED HILL BOTH FLOORS					
Note: Actual Building Occupancy is A3. Per CPC Table 4-1 the nearest equivalent occupancy based on the actual use is E for determining fixtures					
Plumbing Fixture Occ Load Factor			Plumbing Fixture		
Total Area	per Table 4-1	Occ Load	Occ Load		
15,194	30	506.47	Males	253	
			Females	253	
Water Closets		Water Closets	Water Closets		
Factor	Required	Provided			
1 per 50	5.06	1	Male		
1 per 30	8.44	2	Female		
Urinals		Urinals	Urinals		
Factor	Required	Provided			
1 per 100	2.53	1	Male		
Lavatory		Lavatories	Lavatories		
Factor	Required	Provided			
1 per 40	5.06	1	Male		
1 per 40	5.06	1	Female		

2022 CPC TABLE 422.1				
GROUP B - OFFICES (2F: 3152 REDHILL)				
Plumbing Fixture Occ Load Factor			Plumbing Fixture	
Total Area	per Table 4	Occ Load	Occ Load	
9850	150	65.7	Males	33
Main Assembly			Females	33
TOTAL A3		65.7		
Water Closets Factor	Water Closets Required	Water Closets Provided		
1 per 1-50	1	1	Male	
3 per 31-50	3	3	Female	
Urinals Factor	Urinals Required	Urinals Provided		
1 per 1-100	1	1	Male	
Lavatory Factor	Lavatories Required	Lavatories Provided		
1 per 1-75	1	2	Male	
1 per 1-50	1	2	Female	
Drinking Fountains	Required	Provided		
1 per 150	1	2		
Service Sinks	Required	Provided		
	1	1		

PROJECT DATA

APPLICANT: GRACE FELLOWSHIP CHURCH
3170 Red Hill Ave, Costa Mesa, CA 92626
(714) 549-8599

PROJECT ADDRESS: 3146 & 3152 RED HILL AVE

APPLICABLE CODES:
2022 CALIFORNIA BUILDING CODE
2022 CALIFORNIA ELECTRICAL CODE
2022 CALIFORNIA MECHANICAL CODE
2022 CALIFORNIA PLUMBING CODE
2022 CALIFORNIA ENERGY CODE
2022 CALIFORNIA UNIFORM ADMINISTRATIVE CODE
2022 CALIFORNIA FIRE CODE

OCCUPANCY GROUP: A-3
No. OF STORIES: 2 STORIES
CONSTRUCTION TYPE: TYPE V-B, SPRINKLERED
SCOPE OF WORK:
1. TENANT IMPROVEMENT TO CONVERT EXISTING OFFICES (B) TO CHURCH (A-3)
2. SEISMIC RETROFIT
3. NEW FIRE SPRINKLERS (DEFERRED SUBMITTAL)

3146 RED HILL AVE BUILDING AREA TOTALS:	
(E) 1ST FLOOR CONDITIONED SPACE:	10,980 SF
(N) 1ST FLOOR CONDITIONED SPACE:	135 SF
(E) 2ND FLOOR CONDITIONED SPACE:	10,840 SF
(N) 2ND FLOOR CONDITIONED SPACE:	60 SF
TOTAL CONDITIONED SPACE:	22,015 SF

3152 RED HILL AVE BUILDING AREA TOTALS:	
(E) 1ST FLOOR CONDITIONED SPACE:	10,980 SF
(N) 1ST FLOOR CONDITIONED SPACE:	135 SF
(E) 2ND FLOOR CONDITIONED SPACE:	10,840 SF
(N) 2ND FLOOR CONDITIONED SPACE:	60 SF
TOTAL CONDITIONED SPACE:	22,015 SF

3146 RED HILL AVE - OCCUPANCY ANALYSIS			
NAME	AREA	EXIST. OCCUPANCY	PROPOSED OCCUPANCY
(E) 1ST FLOOR	10,980 SF	B	A3
(N) 1ST FLOOR	135 SF	-	A3
(E) 2ND FLOOR	10,840 SF	B	A3
(N) 2ND FLOOR	60 SF	-	A3

3152 RED HILL AVE - OCCUPANCY ANALYSIS			
NAME	AREA	EXIST. OCCUPANCY	PROPOSED OCCUPANCY
(E) 1ST FLOOR	10,980 SF	B	A3
(N) 1ST FLOOR	135 SF	-	A3
(E) 2ND FLOOR	10,840 SF	B	A3
(N) 2ND FLOOR	60 SF	-	A3

3146 RED HILL AVE - OCCUPANCY ANALYSIS - 1st & 2nd FLOORS		
3152 RED HILL AVE - OCCUPANCY ANALYSIS - 1st & 2nd FLOORS		
A-3 OCCUPANCY TYPE V-B CONSTRUCTION NO ALLOWABLE AREA INCREASE DUE TO FRONTAGE IS NECESSARY		
TYPE V-B (SPRINKLERED)	ALLOWABLE	PROPOSED
HEIGHT PER CBC TABLE 504.3	60'	28'
STORIES PER CBC TABLE 504.4	2	2
AREA PER STORY CBC TABLE 506.2	18,000 S.F.	11,115 S.F. (1F: 3146 RED HILL) 10,900 S.F. (2F: 3146 RED HILL) 11,115 S.F. (1F: 3152 RED HILL) 10,900 S.F. (2F: 3152 RED HILL)

FIRE DEPT. NOTES:

- The proposed Church facility is not a day-care or school. The classrooms are only used for the time when the parents are in church service. The children are supervised and receive religious education during church services. The classrooms are only accessory to the main Sanctuary which is the main religious worship room. There is no intention of opening a school or day care. Both buildings have been classified A3 per the CBC:

CBC 305.1.1 Accessory to Places of Religious Worship Religious educational rooms and religious auditoriums, which are accessory to places of religious worship in accordance with Section 303.1.4 and have occupant loads of less than 100 per room or space, shall be classified as Group A-3 occupancies.

- This building will be required to maintain an Annual Operational Assembly Permit through Costa Mesa Fire & Rescue due to the occupancy exceeding 49 persons per 2022 CFC 105.5 and 1055.5.39.

SITE AERIAL



PROJECT
LOCATION



PROJECT TEAM

PROJECT ARCHITECT:
MARS HILL STUDIO, INC.
ANTHONY P. MASSARO
2533 GREENBRIAR LANE
COSTA MESA, CA 92626
P: (949)294-4026

SHEET INDEX

ARCHITECTURAL:
A-0.1 TITLE SHEET
A-1.1 SITE PLAN
A-2.0.1 OVERALL 1ST FLOOR PLAN
A-2.0.2 OVERALL 2ND FLOOR PLAN
A-2.1.1 3146 RED HILL 1ST FLOOR PLAN
A-2.1.2 3152 RED HILL 1ST FLOOR PLAN
A-2.2.1 3146 RED HILL 2ND FLOOR PLAN
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A-2.3.1 3146 RED HILL 1ST FLOOR EGRESS PLAN
A-2.3.2 3152 RED HILL 1ST FLOOR EGRESS PLAN
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A-2.4.1 OVERALL 1ST FLOOR EXISTING OVERLAY PLAN
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A-3.1 EXTERIOR BUILDING PHOTOS
A-3.2 EXTERIOR ELEVATIONS
A-3.3 EXTERIOR ELEVATIONS

GRACE FELLOWSHIP CHURCH

3146 & 3152 RED HILL AVE
COSTA MESA, CA

CUP
SUBMITTAL 3

Issue Date 11/04/25

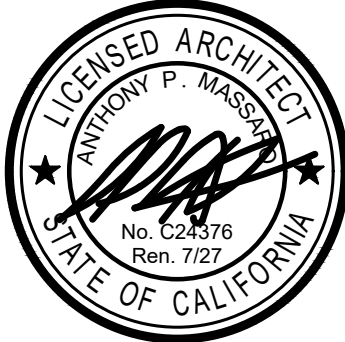
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TITLE SHEET
& SITE
KEY PLAN

Sheet No.

A-0.1

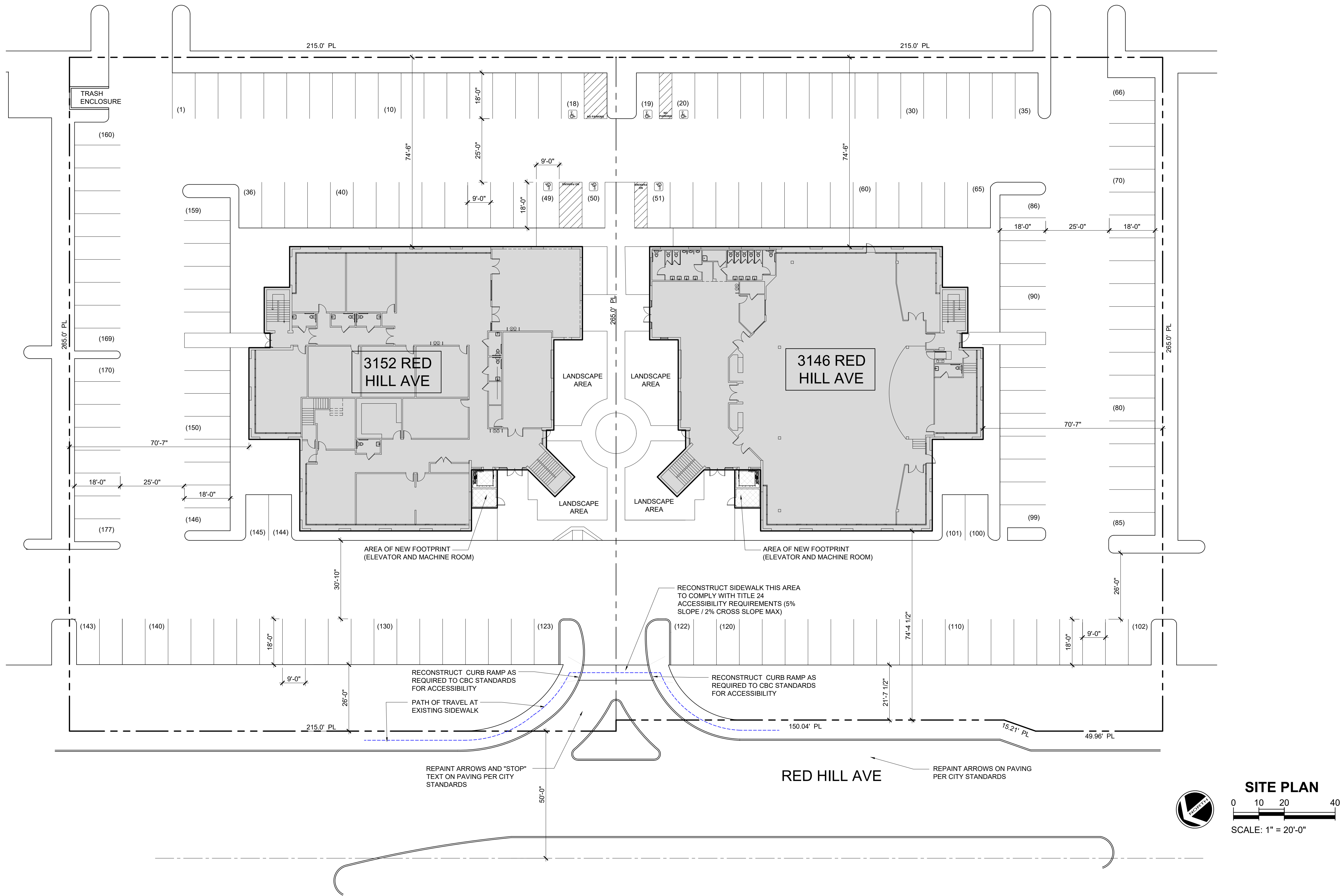
MARS HILL
ARCHITECTURE
PLANNING studio

MARS HILL STUDIO, INC.
2533 Greenbriar Lane
Costa Mesa, CA 92626
(949) 294-4026 Phone
marshillstudio.com

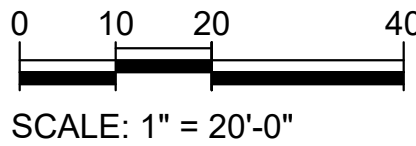


DATE OF SIGNING:
*

Revisions



SITE PLAN



SCALE: 1" = 20'-0"

3146 RED HILL AVE - OCCUPANCY ANALYSIS - 1st & 2nd FLOORS		
3152 RED HILL AVE - OCCUPANCY ANALYSIS - 1st & 2nd FLOORS		
A-3 OCCUPANCY		
TYPE V-B CONSTRUCTION		
NO ALLOWABLE AREA INCREASE DUE TO FRONTAGE IS NECESSARY		
TYPE V-B (SPRINKLERED)	ALLOWABLE	PROPOSED
HEIGHT PER CBC TABLE 504.3	60'	28'
STORIES PER CBC TABLE 504.4	2	2
AREA PER STORY CBC TABLE 506.2	18,000 S.F.	11,115 S.F. (1F: 3146 RED HILL) 10,900 S.F. (2F: 3146 RED HILL) 11,115 S.F. (1F: 3152 RED HILL) 10,900 S.F. (2F: 3152 RED HILL)

3146 RED HILL AVE - OCCUPANCY ANALYSIS			
NAME	AREA	EXIST. OCCUPANCY	PROPOSED OCCUPANCY
(E) 1ST FLOOR	10,980 SF	B	A3
(N) 1ST FLOOR	135 SF	-	A3
(E) 2ND FLOOR	10,840 SF	B	A3
(N) 2ND FLOOR	60 SF	-	A3

3152 RED HILL AVE - OCCUPANCY ANALYSIS			
NAME	AREA	EXIST. OCCUPANCY	PROPOSED OCCUPANCY
(E) 1ST FLOOR	10,980 SF	B	A3
(N) 1ST FLOOR	135 SF	-	A3
(E) 2ND FLOOR	10,840 SF	B	A3
(N) 2ND FLOOR	60 SF	-	A3

3146 RED HILL AVE BUILDING AREA TOTALS:	
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3152 RED HILL AVE BUILDING AREA TOTALS:	
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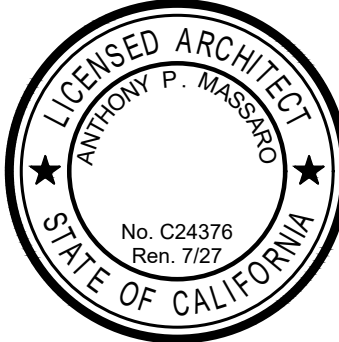
PROJECT DATA:

APPLICANT: GRACE FELLOWSHIP CHURCH
3170 Red Hill Ave, Costa Mesa, CA 92626
(714) 549-8599

PROJECT ADDRESS: 3146 & 3152 RED HILL AVE

APPLICABLE CODES:
2022 CALIFORNIA BUILDING CODE
2022 CALIFORNIA ELECTRICAL CODE
2022 CALIFORNIA MECHANICAL CODE
2022 CALIFORNIA PLUMBING CODE
2022 CALIFORNIA ENERGY CODE
2022 CALIFORNIA UNIFORM ADMINISTRATIVE CODE
2022 CALIFORNIA FIRE CODE

OCCUPANCY GROUP: A-3
No. OF STORIES: 2 STORIES
CONSTRUCTION TYPE: TYPE V-B, SPRINKLERED
SCOPE OF WORK:
1. TENANT IMPROVEMENT TO CONVERT EXISTING OFFICES (B) TO CHURCH (A-3)
2. SEISMIC RETROFIT
3. NEW FIRE SPRINKLERS (DEFERRED SUBMITTAL)



DATE OF SIGNING: *

Revisions

GRACE FELLOWSHIP CHURCH

3146 & 3152 RED HILL AVE
COSTA MESA, CA

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SUBMITTAL 3

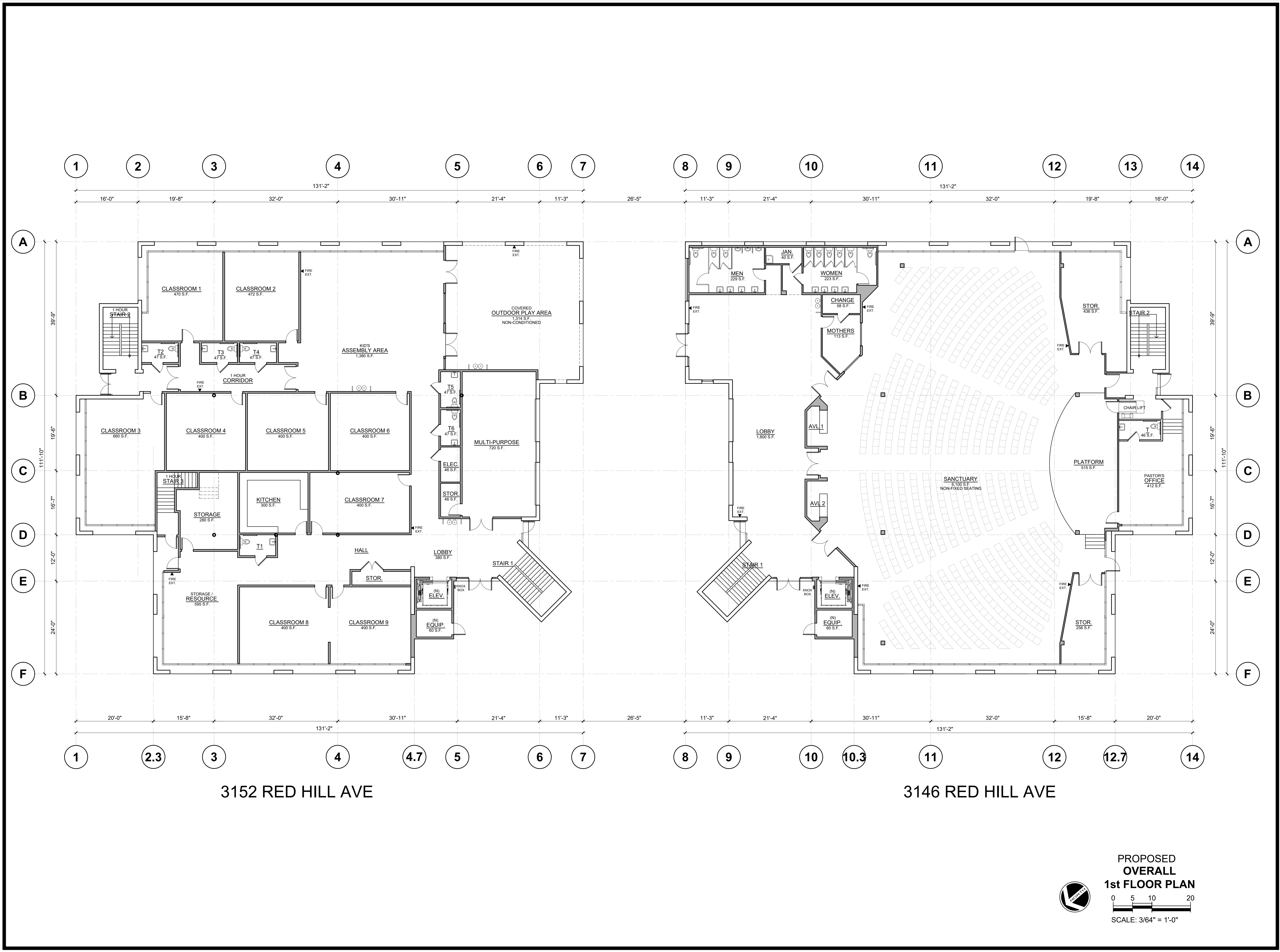
Issue Date 11/04/25

Title

SITE PLAN

Sheet No.

A-1.1



MARS HILL studio

ARCHITECTURAL PLANNING

MARS HILL STUDIO, INC.
2533 Greenbriar Lane
Costa Mesa, CA 92625
(949) 294-4026 Phone
marshillstudio.com

LICENSED ARCHITECT

ANTHONY P. MARSHO

No. C24376
Ren. 7/27

STATE OF CALIFORNIA

DATE OF SIGNING: *

Revisions

GRACE FELLOWSHIP CHURCH

3146 & 3152 RED HILL AVE

COSTA MESA, CA

CUP

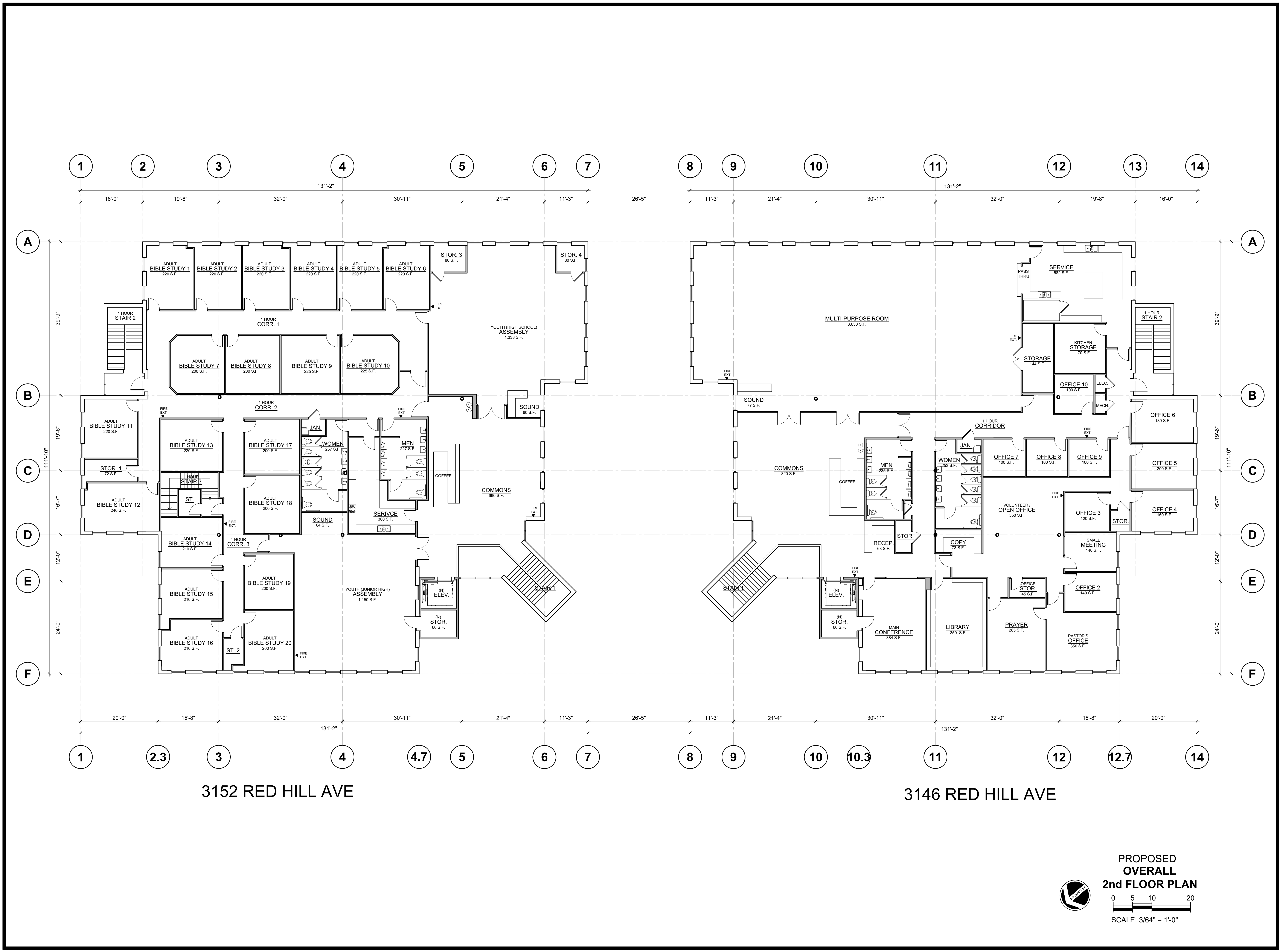
SUBMITTAL 3

Issue Date 11/04/25

Title 1ST FLOOR OVERALL FLOOR PLAN

Sheet No. A-2.0.1

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MARS HILL studio

ARCHITECTURAL PLANNING

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marshillstudio.com

LICENSED ARCHITECT

ANTHONY P. MARSH

No. C24376
Ren. 7/27

STATE OF CALIFORNIA

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Revisions

GRACE FELLOWSHIP CHURCH

3146 & 3152 RED HILL AVE

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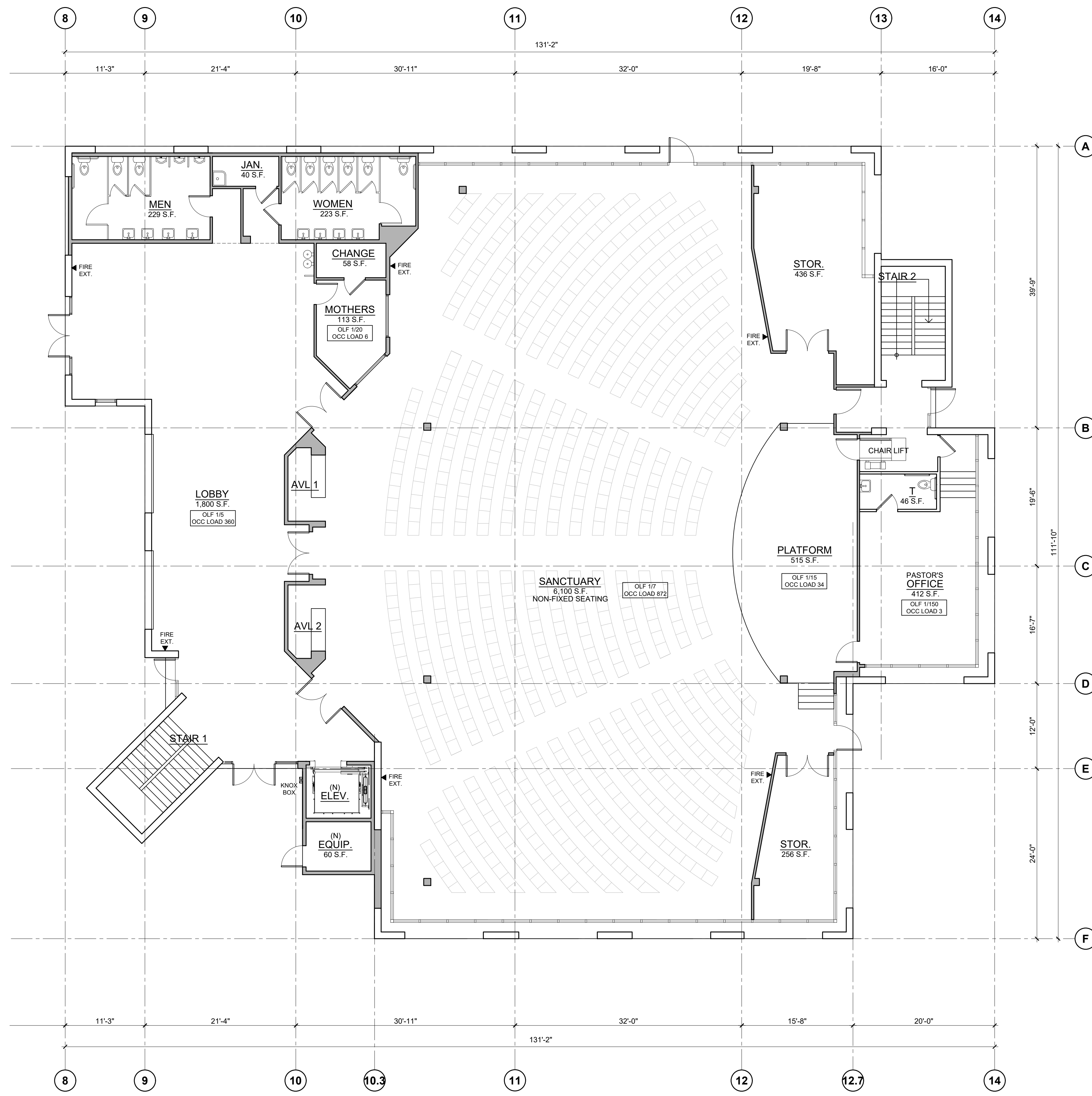
CUP
SUBMITTAL 3

Issue Date 11/04/25


Title
2ND FLOOR
OVERALL
FLOOR PLAN

Sheet No.
A-2.0.2

55



3146 RED HILL AVE



PROPOSED
3146 RED HILL
1ST FLOOR PLAN


04816

0 4 8 16

SCALE: 1/8" = 1'-0"

MARS HILL
ARCHITECTURE
PLANNING
studio

MARS HILL STUDIO, INC.
2533 Greenbriar Lane
Costa Mesa, CA 92625
(949) 294-4026 Phone
marshillstudio.com



DATE OF SIGNING:
*

Revisions

GRACE FELLOWSHIP CHURCH

3146 & 3152 RED HILL AVE
COSTA MESA, CA

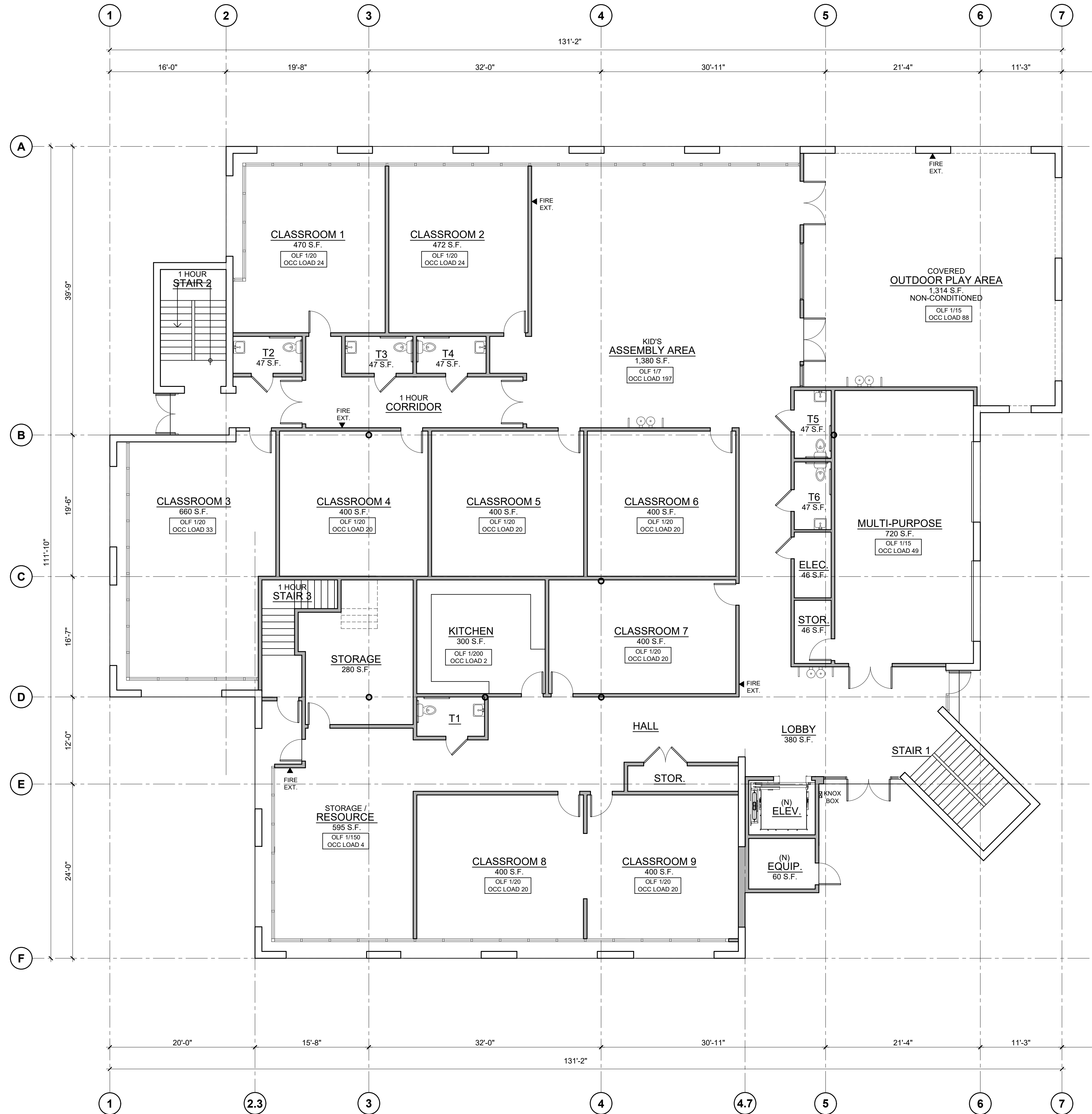
CUP
SUBMITTAL 3

Issue Date 11/04/25

Title
3146 RED HILL
1ST FLOOR
PLAN

Sheet No.

A-2.1.1



3152 RED HILL AVE



PROPOSED
3152 RED HILL
1ST FLOOR PLAN

0 4 8 16

SCALE: 1/8" = 1'-0"

Revisions

GRACE FELLOWSHIP CHURCH
3146 & 3152 RED HILL AVE
COSTA MESA, CA

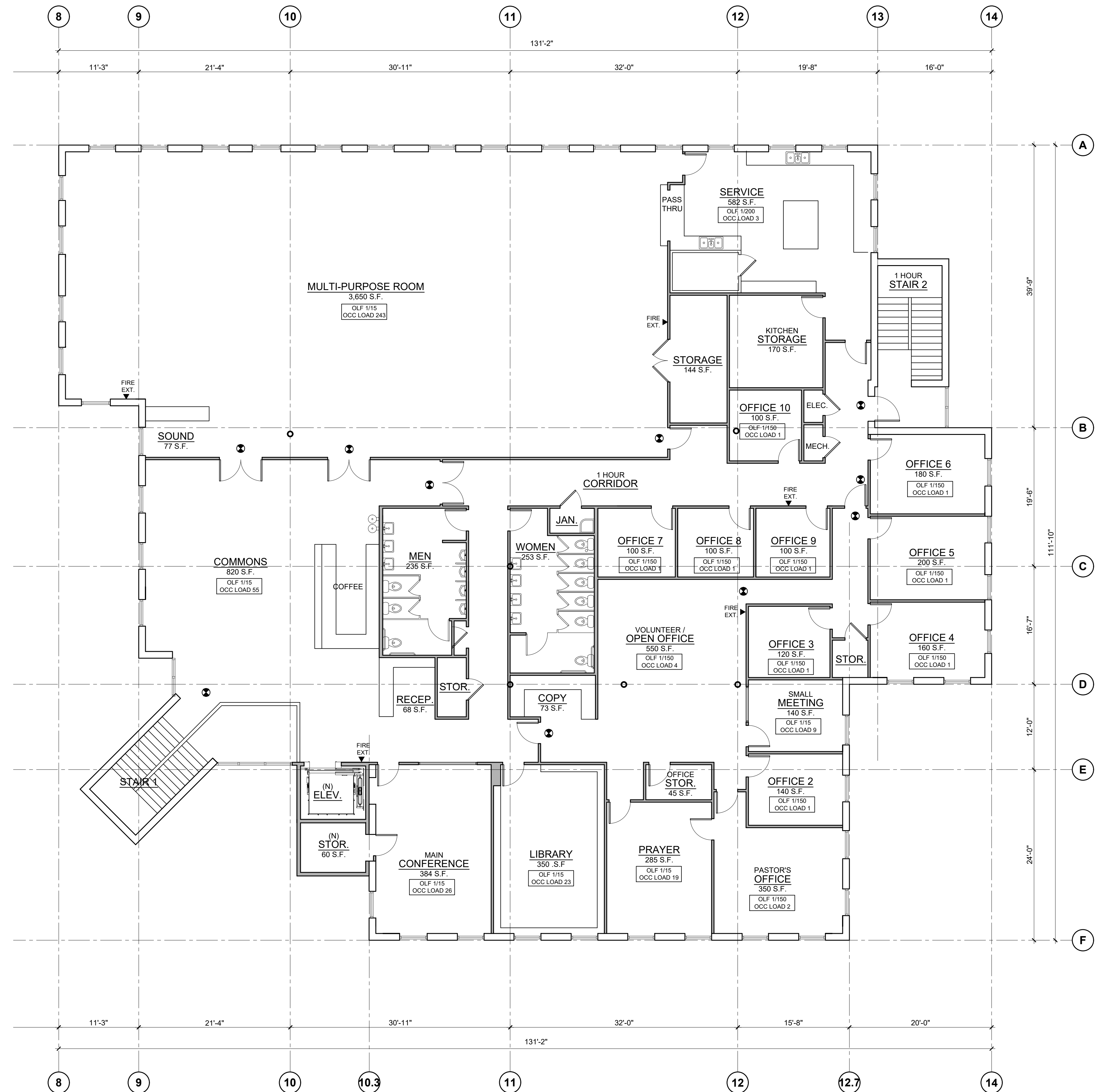
CUP
SUBMITTAL 3

Issue Date 11/04/25


Title
3152 RED HILL
1ST FLOOR
PLAN

Sheet No.

A-2.1.2



3146 RED HILL AVE



PROPOSED
3146 RED HILL
2ND FLOOR PLAN

04816

04816

04816

04816

SCALE: 1/8" = 1'-0"

MARS HILL
ARCHITECTURE
PLANNING studio

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2533 Greenbriar Lane
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LICENSED ARCHITECT
ANTHONY P. MARSHILL
No. C24376
Ren. 7/27
STATE OF CALIFORNIA

DATE OF SIGNING:
*

Revisions

GRACE FELLOWSHIP CHURCH

3146 & 3152 RED HILL AVE
COSTA MESA, CA

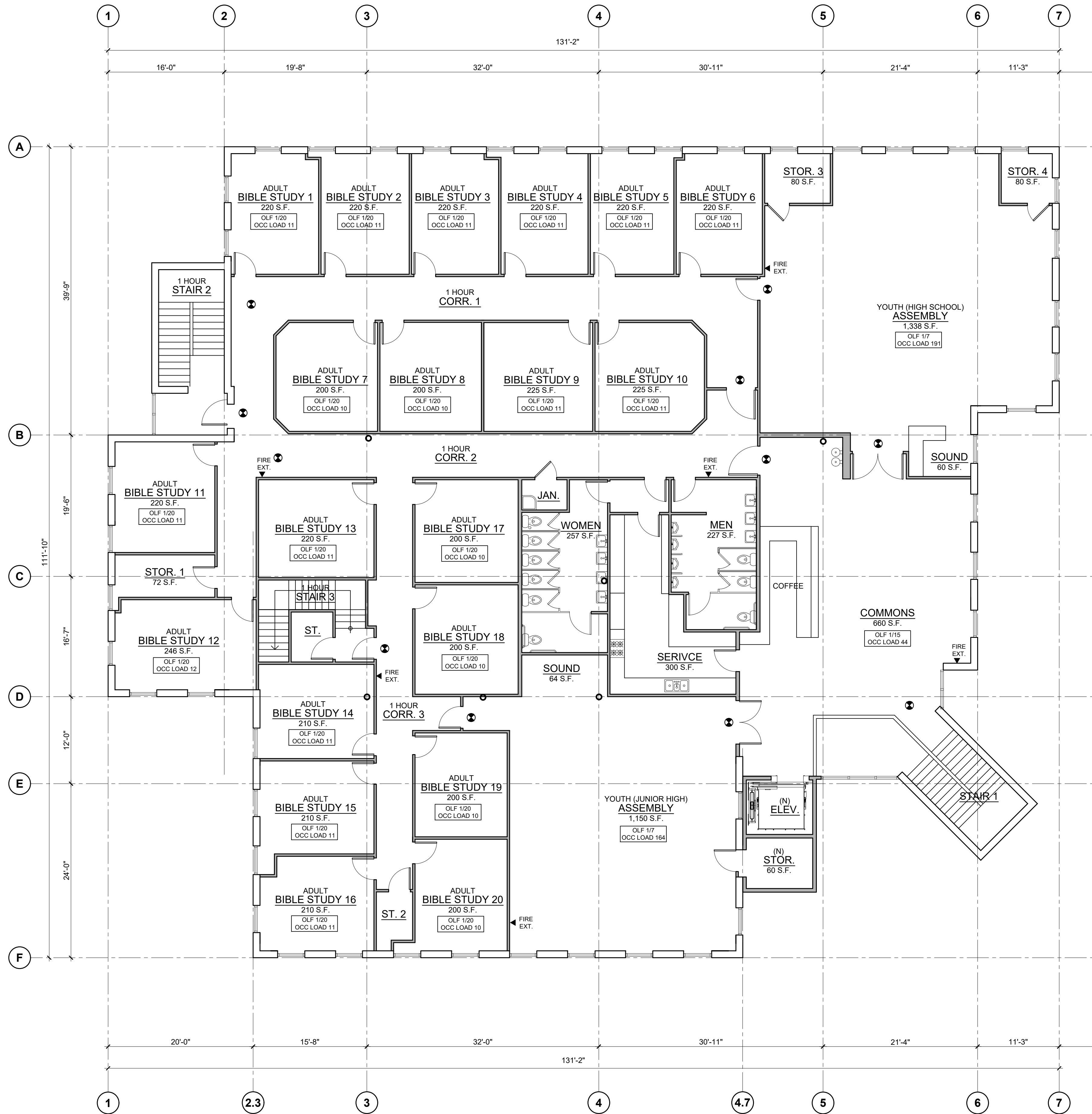
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Issue Date 11/04/25

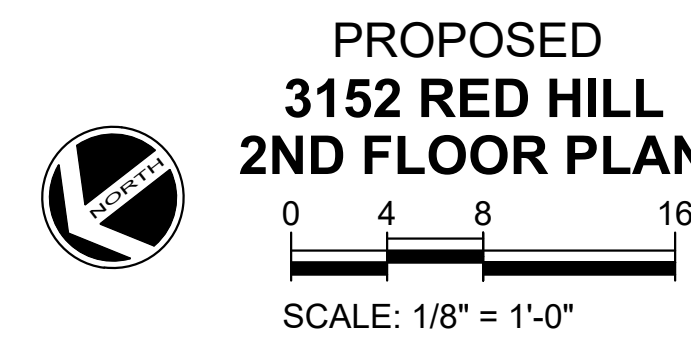
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2ND FLOOR
PLAN

Sheet No.
A-2.2.1

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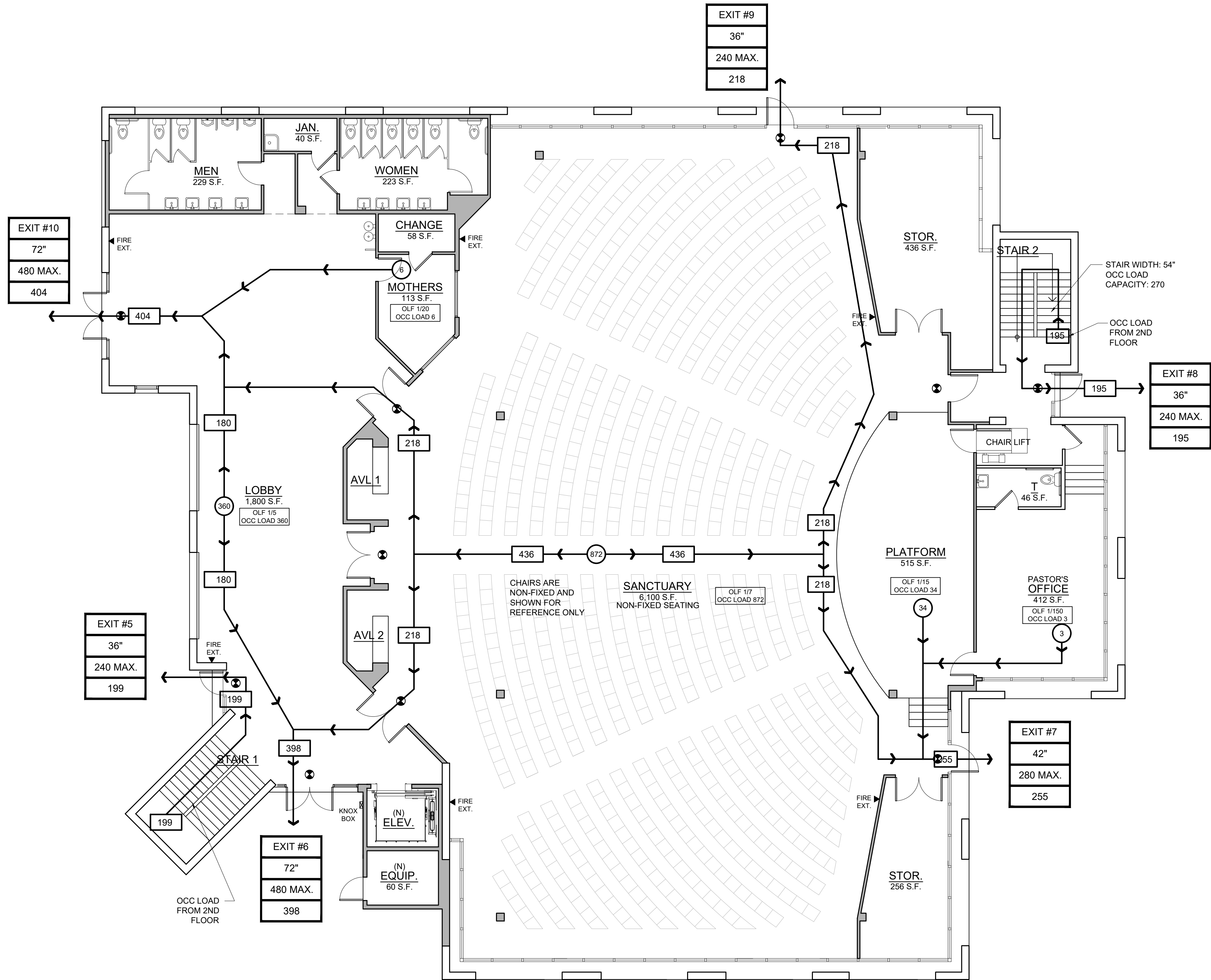
3152 RED HILL AVE



Revisions

GRACE FELLOWSHIP CHURCH
3146 & 3152 RED HILL AVE
COSTA MESA, CA

CUP SUBMITTAL 3
Issue Date 11/04/25
Title 3152 RED HILL 2ND FLOOR PLAN
Sheet No. A-2.2.2



DOORS:

The capacity, in inches, of means of egress components other than stairways shall be calculated by multiplying the occupant load served by such component by a means of egress capacity factor of 0.2 inch (5.1 mm) per occupant.

Exceptions:

For other than Group H and I-2 occupancies, the capacity, in inches, of means of egress components other than stairways shall be calculated by multiplying the occupant load served by such component by a means of egress capacity factor of 0.15 inch (3.8 mm) per occupant in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

STAIRS:

The capacity, in inches, of means of egress stairways shall be calculated by multiplying the occupant load served by such stairways by a means of egress capacity factor of 0.3 inch (7.6 mm) per occupant.

Exceptions:

For other than Group H and I-2 occupancies, the capacity, in inches, of means of egress stairways shall be calculated by multiplying the occupant load served by such stairways by a means of egress capacity factor of 0.2 inch (5.1 mm) per occupant in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

- LEGEND**
- | | |
|---------|---------------------|
| EXIT# X | EXIT NUMBER |
| X | EXIT WIDTH (INCHES) |
| X | EXIT CAPACITY |
| X | ACTUAL USE |
| ⊙ | EXIT SIGN |
| XXX | ROOM OCCUPANT LOAD |
| XXX | CUMULATIVE LOAD |
| → | DIRECTION OF TRAVEL |

**3146 RED HILL
1ST FLOOR EGRESS PLAN**

0 4 8 16

SCALE: 1/8" = 1'-0"



Revisions

GRACE FELLOWSHIP CHURCH
3146 & 3152 RED HILL AVE
COSTA MESA, CA

CUP SUBMITTAL 3
Issue Date 11/04/25
Title 3146 RED HILL 1ST FLOOR EGRESS PLAN
Sheet No. A-2.3.1



Revisions

GRACE FELLOWSHIP CHURCH
3146 & 3152 RED HILL AVE
COSTA MESA, CA

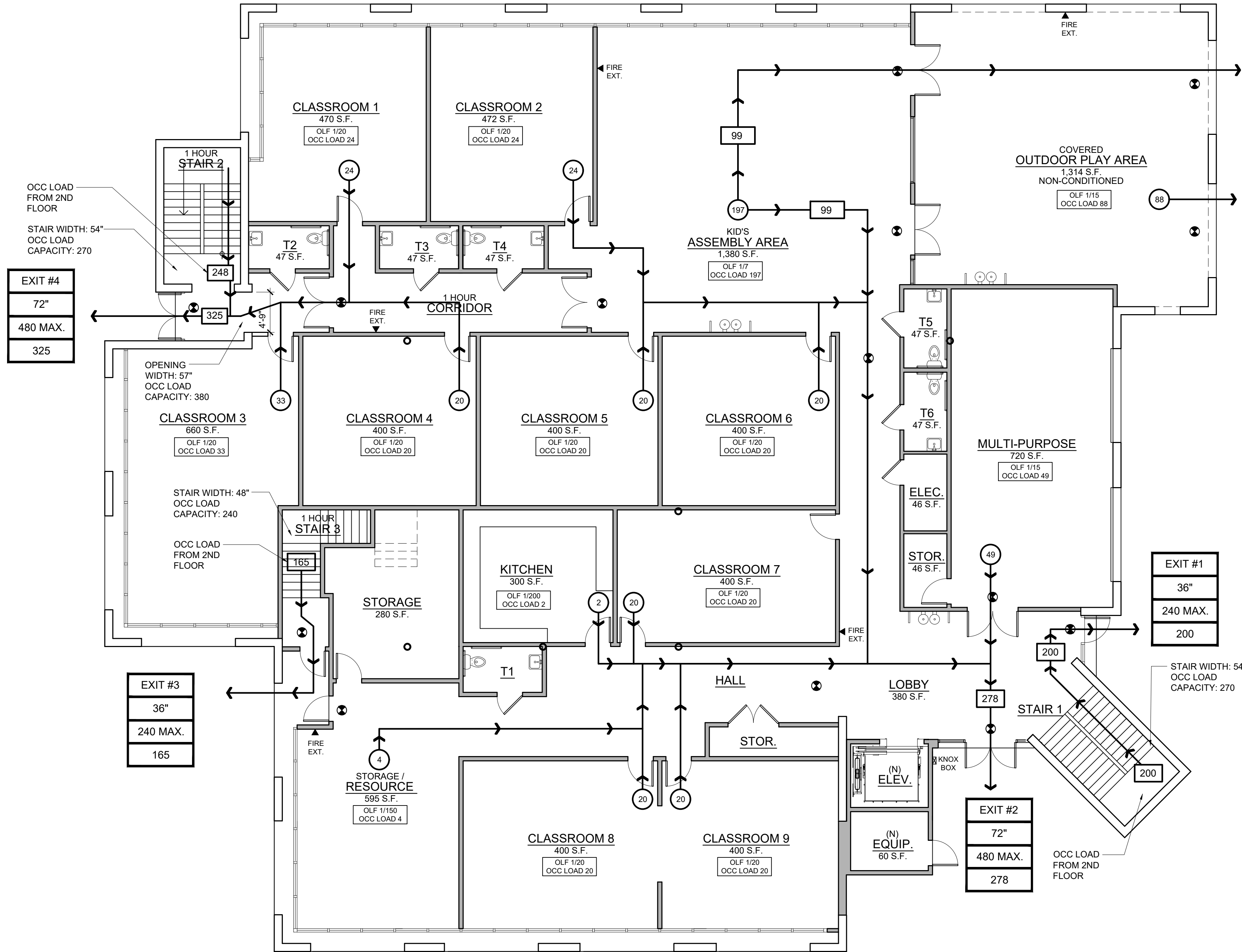
CUP
SUBMITTAL 3

Issue Date 11/04/25

Title
3152 RED HILL
1ST FLOOR
EGRESS PLAN

Sheet No.

A-2.3.2



DOORS:
The capacity, in inches, of means of egress components other than stairways shall be calculated by multiplying the occupant load served by such component by a means of egress capacity factor of 0.2 inch (5.1 mm) per occupant.

Exceptions:
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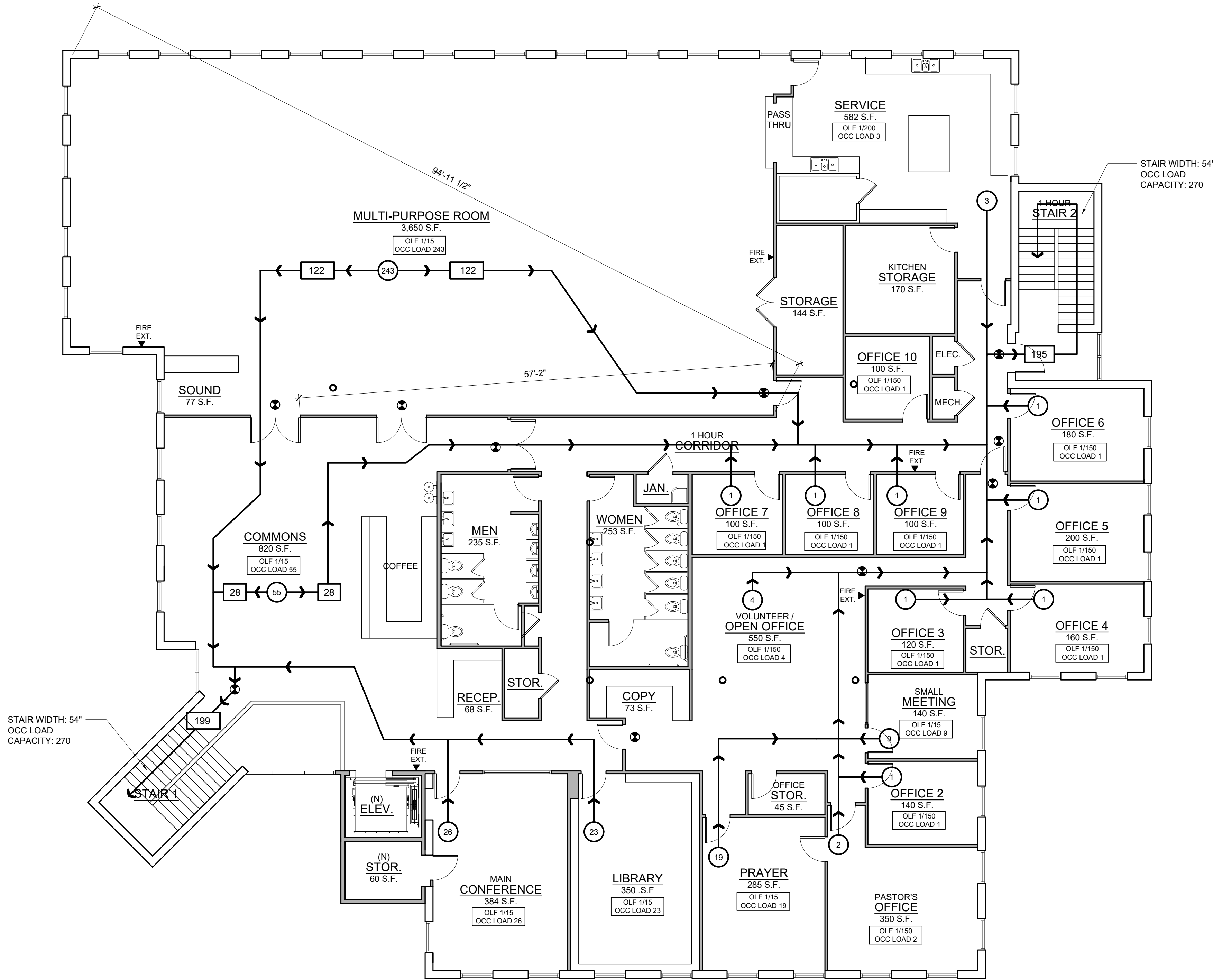
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- LEGEND**
- | | |
|---------|---------------------|
| EXIT# X | EXIT NUMBER |
| X | EXIT WIDTH (INCHES) |
| X | EXIT CAPACITY |
| X | ACTUAL USE |
| ● | EXIT SIGN |
| XXX | ROOM OCCUPANT LOAD |
| XXX | CUMULATIVE LOAD |
| ← | DIRECTION OF TRAVEL |

3152 RED HILL
1ST FLOOR EGRESS PLAN

0 4 8 16
SCALE: 1/8" = 1'-0"



EGRESS NOTES:

DOORS:
The capacity, in inches, of means of egress components other than stairways shall be calculated by multiplying the occupant load served by such component by a means of egress capacity factor of 0.2 inch (5.1 mm) per occupant.

Exceptions:
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LEGEND

- | | |
|---------------------|---------------------|
| EXIT# X | EXIT NUMBER |
| X | EXIT WIDTH (INCHES) |
| X | EXIT CAPACITY |
| X | ACTUAL USE |
| EXIT SIGN | EXIT SIGN |
| XXX | ROOM OCCUPANT LOAD |
| XXX | CUMULATIVE LOAD |
| DIRECTION OF TRAVEL | DIRECTION OF TRAVEL |

**3146 RED HILL
2ND FLOOR EGRESS PLAN**

0 4 8 16
SCALE: 1/8" = 1'-0"

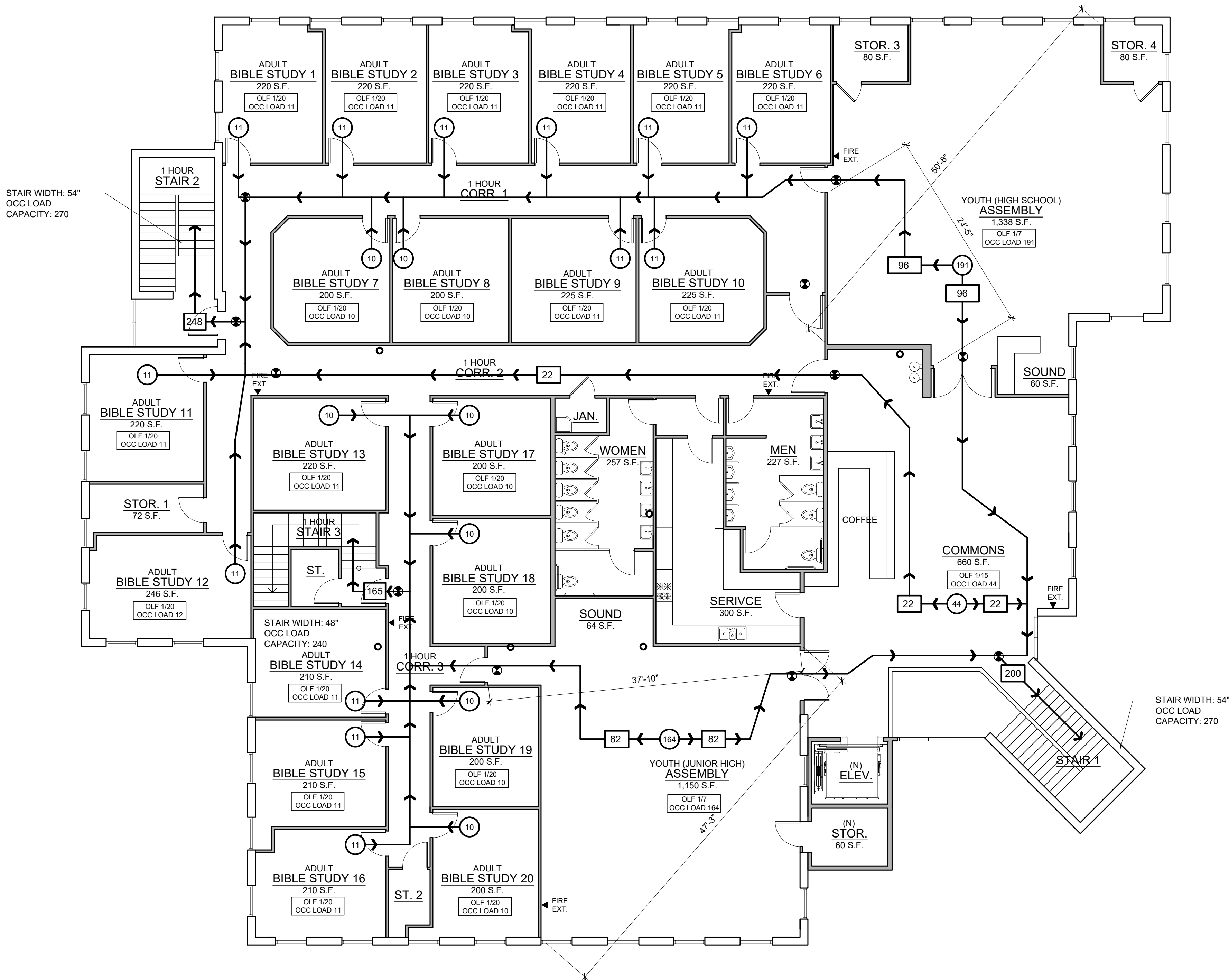


Revisions

GRACE FELLOWSHIP CHURCH
3146 & 3152 RED HILL AVE
COSTA MESA, CA

CUP SUBMITTAL 3
Issue Date 11/04/25
Title 3146 RED HILL 2ND FLOOR EGRESS PLAN
Sheet No.

A-2.3.3



DOORS:

The capacity, in inches, of means of egress components other than stairways shall be calculated by multiplying the occupant load served by such component by a means of egress capacity factor of 0.2 inch (5.1 mm) per occupant.

Exceptions:

For other than Group H and I-2 occupancies, the capacity, in inches, of means of egress components other than stairways shall be calculated by multiplying the occupant load served by such component by a means of egress capacity factor of 0.15 inch (3.8 mm) per occupant in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

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- LEGEND**
- | | |
|---------|---------------------|
| EXIT# X | EXIT NUMBER |
| X | EXIT WIDTH (INCHES) |
| X | EXIT CAPACITY |
| X | ACTUAL USE |
| ● | EXIT SIGN |
| XXX | ROOM OCCUPANT LOAD |
| XXX | CUMULATIVE LOAD |
| ← | DIRECTION OF TRAVEL |

**3152 RED HILL
2ND FLOOR EGRESS PLAN**

0 4 8 16
SCALE: 1/8" = 1'-0"



Revisions

GRACE FELLOWSHIP CHURCH
3146 & 3152 RED HILL AVE
COSTA MESA, CA

**CUP
SUBMITTAL 3**

Issue Date 11/04/25

Title
**3152 RED HILL
2ND FLOOR
EGRESS PLAN**

Sheet No.
A-2.3.4



MARS HILL

ARCHITECTURE

PLANNING

studio

MARS HILL STUDIO, INC.

2533 Greenbriar Lane

Costa Mesa, CA 92625

(949) 294-4026 Phone

marshillstudio.com

LICENSED ARCHITECT

ANTHONY P. MARSH

No. C24376

Exp. 7/27

STATE OF CALIFORNIA

DATE OF SIGNING:
*

Revisions

GRACE FELLOWSHIP CHURCH

3146 & 3152 RED HILL AVE

COSTA MESA, CA

CUP

SUBMITTAL 3

Issue Date

11/04/25

Title

1ST FLOOR
EXIST / NEW
OVERLAY

Sheet No.

A-2.4.1

64



MARS HILL studio

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marshillstudio.com

LICENSED ARCHITECT
ANTHONY P. MARSH
No. C24376
Exp. 7/27
STATE OF CALIFORNIA

DATE OF SIGNING:
*

Revisions

GRACE FELLOWSHIP CHURCH

3146 & 3152 RED HILL AVE
COSTA MESA, CA

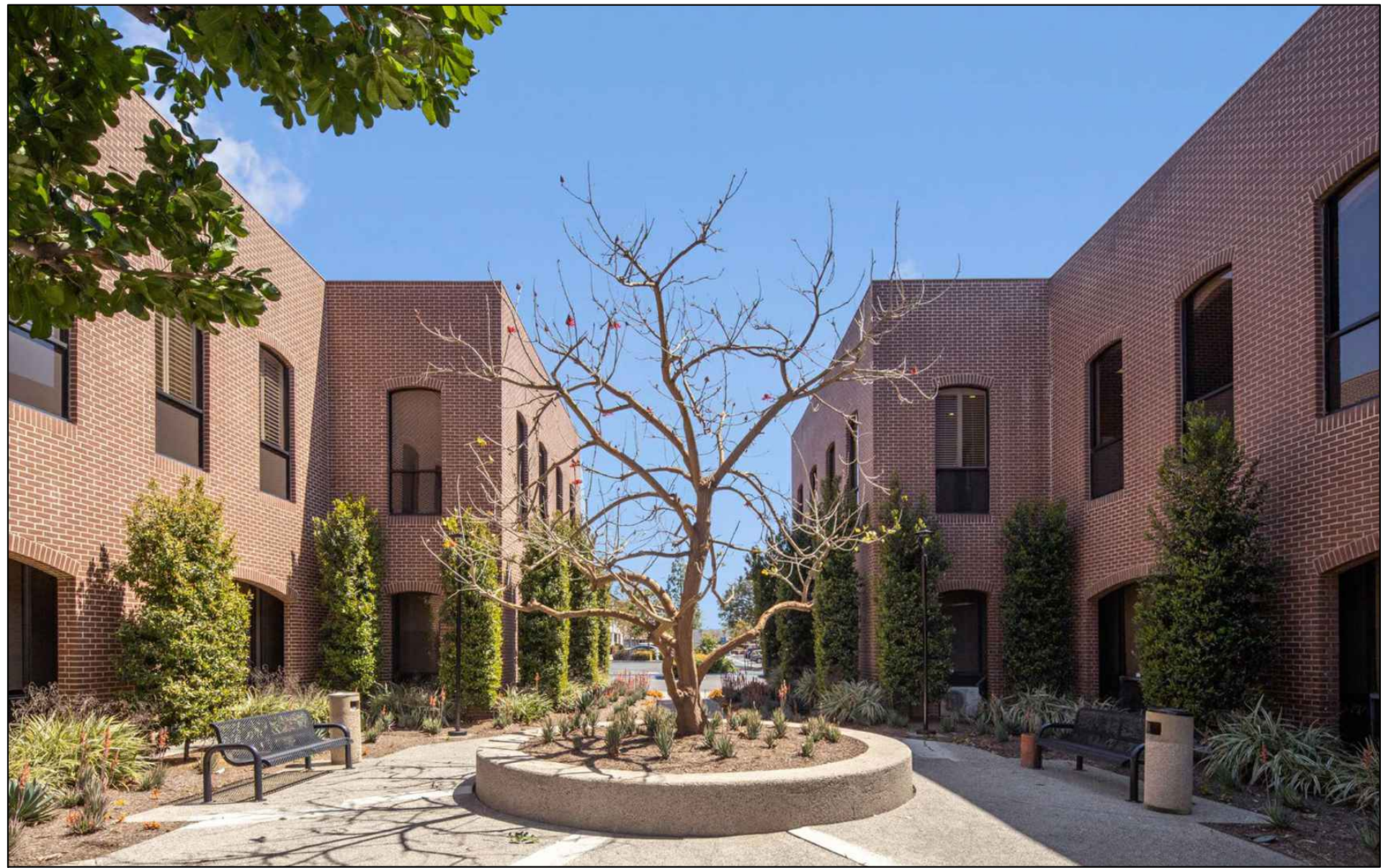
CUP
SUBMITTAL 3

Issue Date 11/04/25

Title
2ND FLOOR
EXIST / NEW
OVERLAY

Sheet No.
A-2.4.2

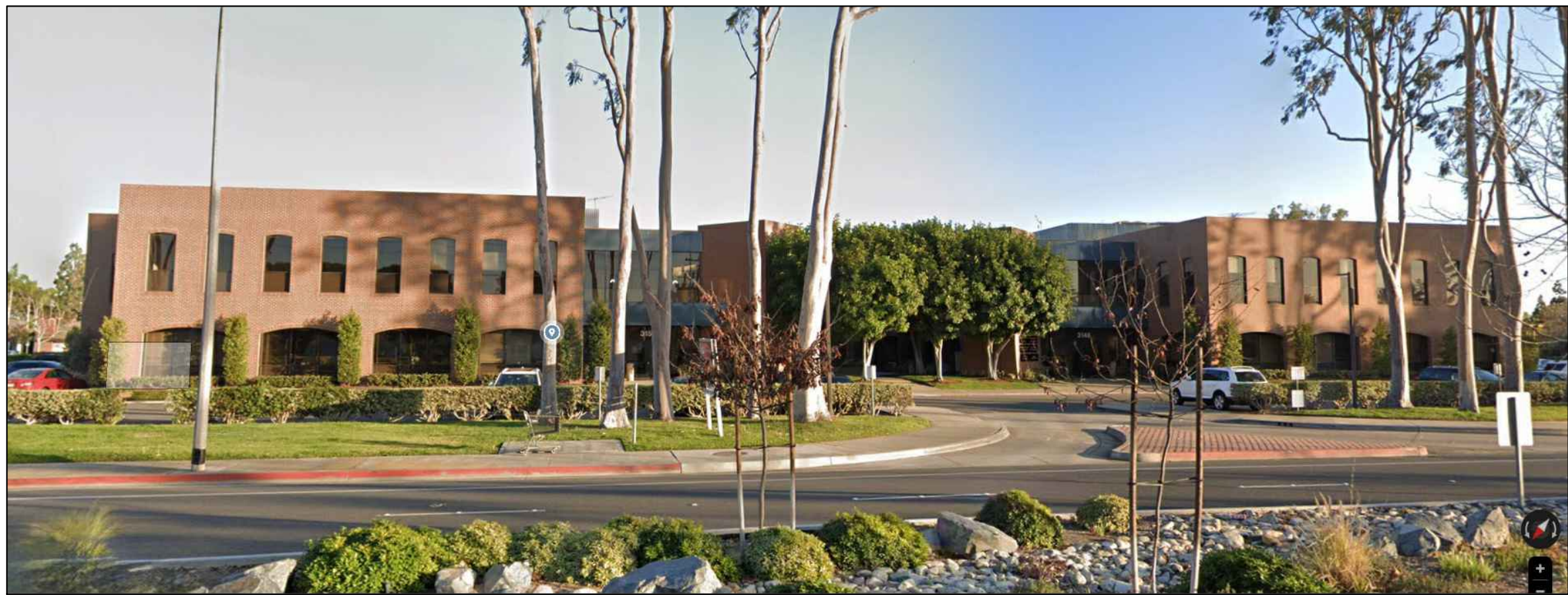
65



COURTYARD



MAIN ENTRY AT RED HILL AVE



NORTHWEST VIEW FROM RED HILL AVE



SOUTHWEST VIEW (SIDE)



MAIN ENTRY AT RED HILL AVE



NORTHEAST VIEW (SIDE)

MARS HILL

ARCHITECTURE

PLANNING

studio

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LICENSED ARCHITECT

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Ren. 7/27

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Revisions

GRACE FELLOWSHIP CHURCH

3146 & 3152 RED HILL AVE

COSTA MESA, CA

CUP

SUBMITTAL 3

Issue Date

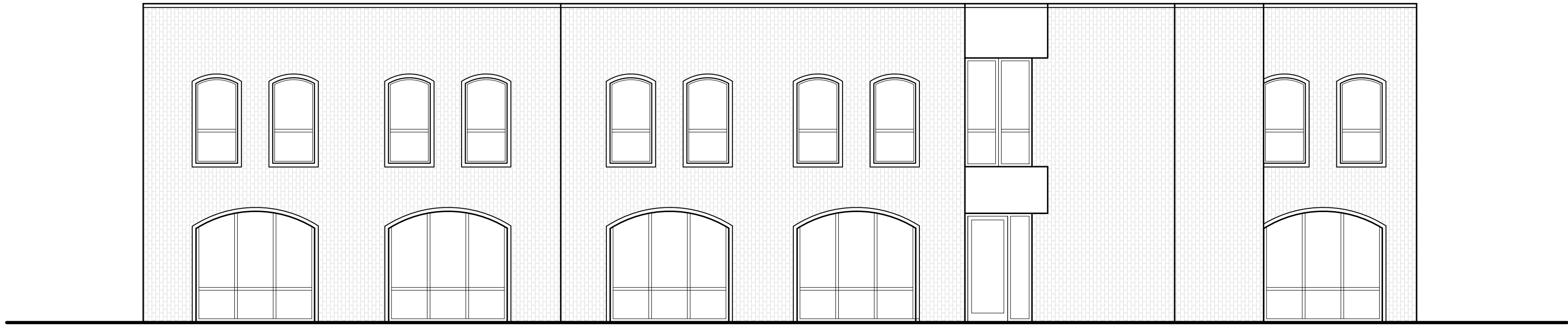
11/04/25

Title

EXTERIOR PHOTOS

Sheet No.

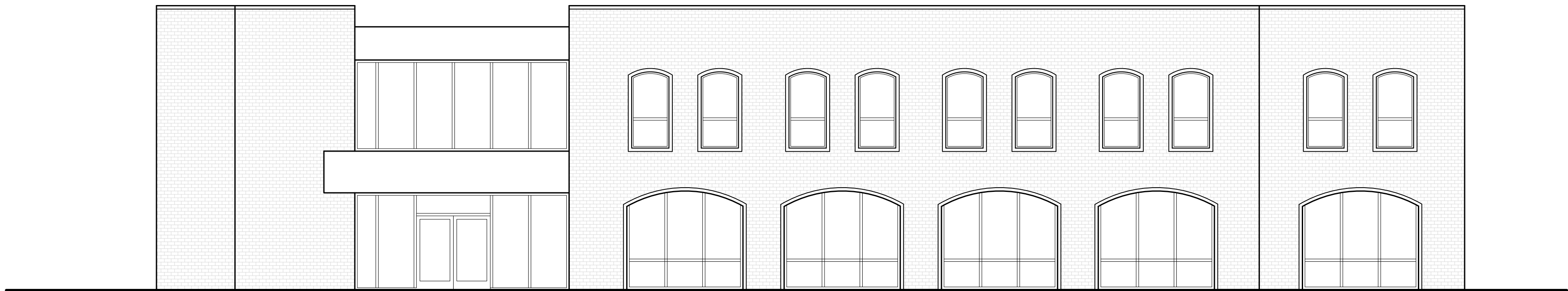
A-3.1



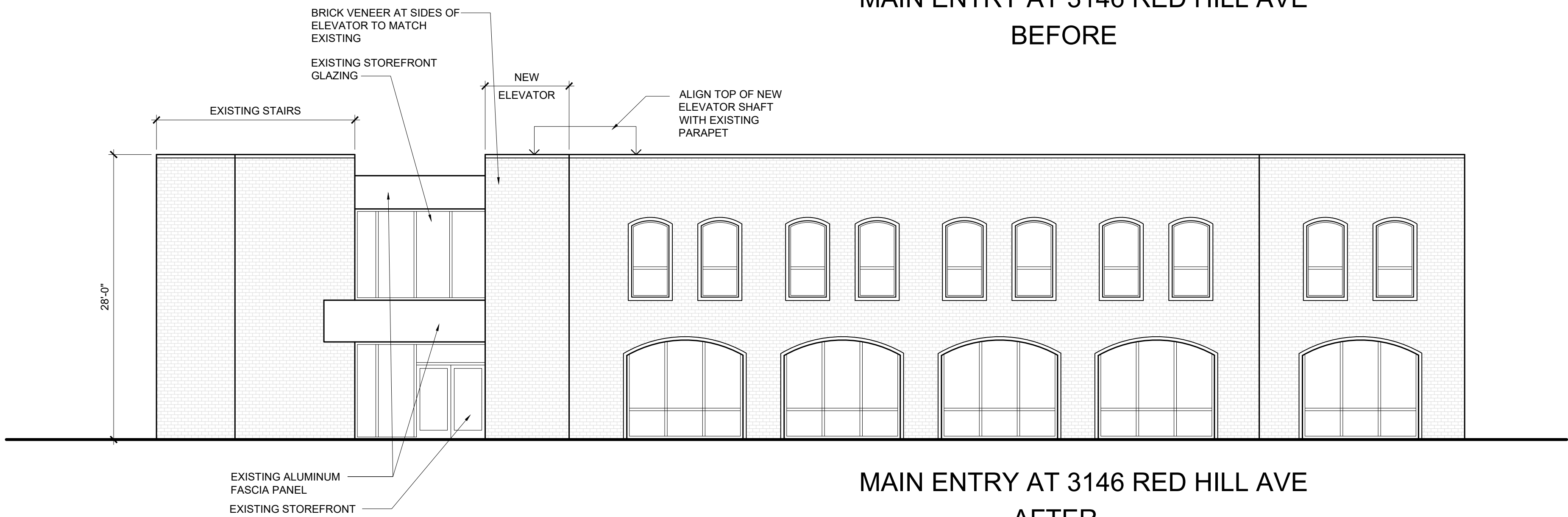
NORTHEAST ELEVATION AT 3146 RED HILL AVE
BEFORE



NORTHEAST ELEVATION AT 3146 RED HILL AVE
AFTER



MAIN ENTRY AT 3146 RED HILL AVE
BEFORE



MAIN ENTRY AT 3146 RED HILL AVE
AFTER

Revisions

GRACE FELLOWSHIP CHURCH
3146 & 3152 RED HILL AVE
COSTA MESA, CA

CUP
SUBMITTAL 3

Issue Date 11/04/25

Title
EXTERIOR
ELEVATIONS

Sheet No.

A-3.2



MARS HILL studio
ARCHITECTURE
PLANNING

MARS HILL STUDIO, INC.
2533 Greenbush Lane
Costa Mesa, CA 92625
(949) 294-4026 Phone
marshillstudio.com

LICENSED ARCHITECT
ANTHONY P. MARSH
No. C24376
Exp. 7/27
STATE OF CALIFORNIA

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*

Revisions

GRACE FELLOWSHIP CHURCH

3146 & 3152 RED HILL AVE
COSTA MESA, CA

CUP
SUBMITTAL 3

Issue Date 11/04/25

Title
EXTERIOR
ELEVATIONS

Sheet No.
A-3.3

TRAMES SOLUTIONS INC.

4225 Oceanside Blvd.,
#354H
Oceanside, CA 92056
(760) 291 - 1400

October 24, 2025

Mr. Anthony Massaro
Mars Hill Studio, Inc.
2533 Greenbriar Lane
Costa Mesa, CA 92626

Subject: Grace Church Trip Generation Evaluation (JN 0412-0003)

Dear Mr. Massaro:

Trames Solutions Inc. is pleased to submit the following trip generation evaluation for the proposed Grace Church project. It is our understanding that the project consists of converting two existing office buildings (22,015 sf and 21,820 sf) to a church (See Attachment A). The site is located at 3146/3152 Red Hill Ave. in the City of Costa Mesa.

Study Area/Project Description

The project will be located at 3146/3152 Red Hill Ave. The site will have an access point directly to Red Hill Ave. and secondary access points to Baker St. and Paularino Ave. Currently, site is occupied by an office building that will be converted to a church.

Trip Generation

The number of vehicular trips generated by a project on a weekday is typically determined from the trip rates included in the ITE **Trip Generation** manual (11th edition). For the office and church uses, the building area is used as the variable in determining the number of trips that will be generated.

Table 1 shows the trip rates during a typical weekday for the existing office and proposed church. Table 2 indicates that the existing office generates a total of approximately 475 trip-ends per day with 67 vehicle trips per hour during the AM peak hour and 64 vehicle trips per hour during the PM peak hour on a weekday. The proposed church is projected to generate a total of approximately 333 trip-ends per day with 14 vehicle trips per hour during the AM peak hour and 22 vehicle trips per hour during the PM peak hour on a weekday. Since the office is currently in use and generates traffic, the difference in the

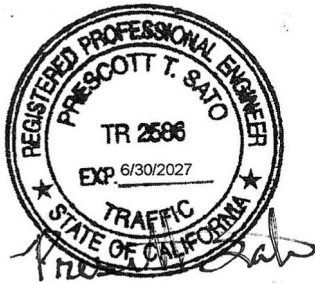
number of trips are presented in Table 2. Based on the conversion to a church, a total of 142 trips per day would be reduced with a reduction of 53 trips during the AM peak hour and 42 trips during the PM peak hour.

CONCLUSIONS

The proposed project would consist of converting an office building to a church. Based on the analysis presented above, it appears that the church would generate fewer trips during the weekday peak hours than the existing office building. Therefore, the proposed project would likely not significantly impact the operations of the adjacent intersections and a full traffic study should not be required.

Please let me know if you have any questions. I can be contacted directly at (949) 244-2436.

Respectfully submitted,
Trames Solutions Inc.



Scott Sato, P.E.
Vice President

Attachment A – Site Plan

TABLE 1
PROJECT TRIP GENERATION RATES¹

Land Use	ITE Code	Quantity ²		Peak Hour Trip Rates						Daily
				AM			PM			
				IN	OUT	Total	IN	OUT	Total	
General Office Building	710	43.835	TSF	1.34	0.18	1.52	0.24	1.20	1.44	10.84
Church	560	43.835	TSF	0.20	0.12	0.32	0.22	0.27	0.49	7.60

¹ Trip Generation Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, 11th Edition (2021).

² TSF = Thousand Square Feet

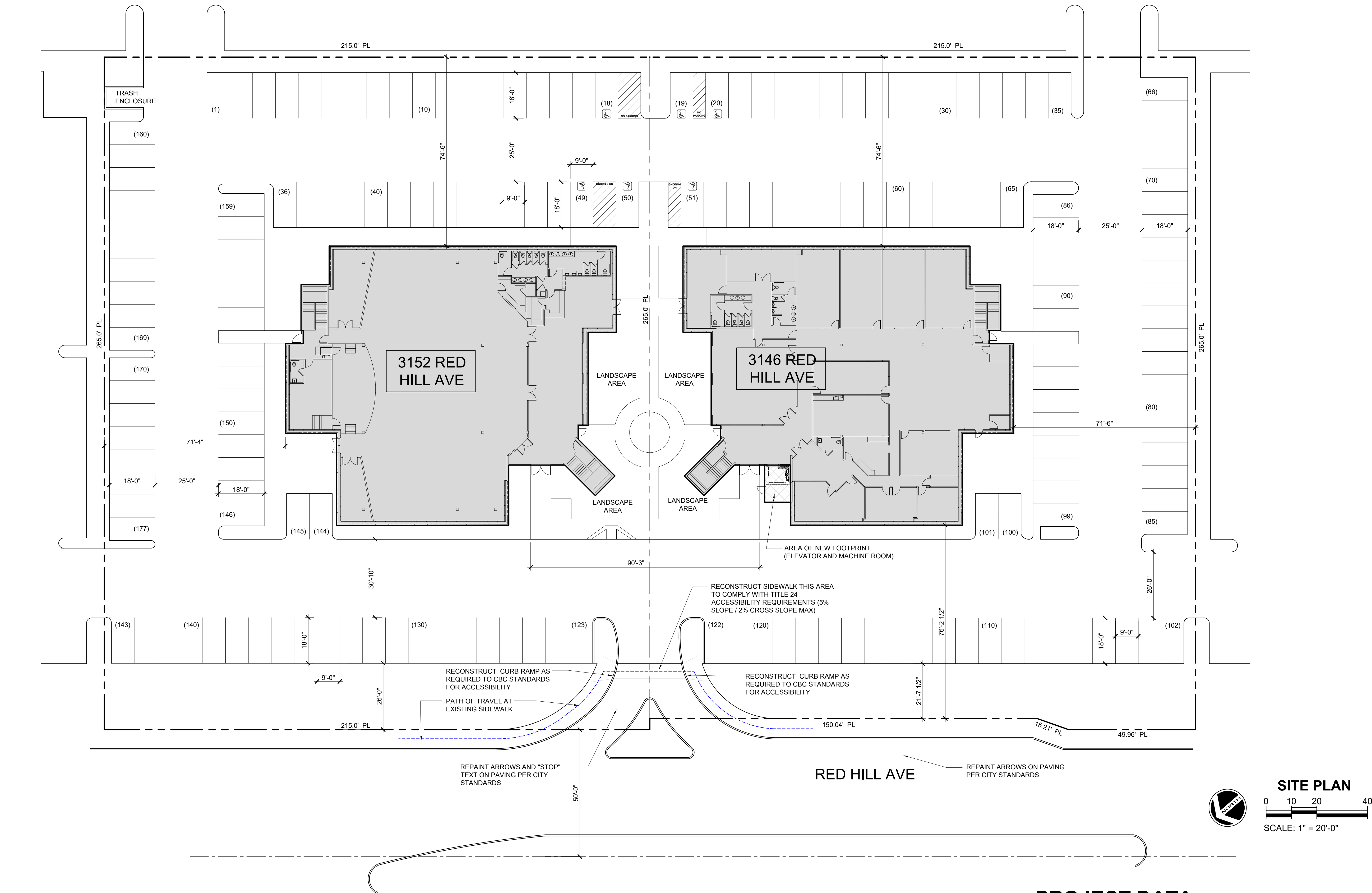
TABLE 2
PROJECT TRIP GENERATION SUMMARY

Land Use	ITE Code	Quantity ¹		Peak Hour						Daily
				AM			PM			
				In	Out	Total	In	Out	Total	
General Office Building	710	43.835	TSF	59	8	67	11	53	64	475
Church	560	43.835	TSF	9	5	14	10	12	22	333
Net Change in Trips				-50	-3	-53	-1	-41	-42	-142

¹ TSF = Thousand Square Feet

Attachment A

SITE PLAN



3146 RED HILL AVE - OCCUPANCY ANALYSIS - 1st FLOOR			
3152 RED HILL AVE - OCCUPANCY ANALYSIS - 1st & 2nd FLOORS			
A-3 OCCUPANCY			
TYPE V-B CONSTRUCTION			
NO ALLOWABLE AREA INCREASE DUE TO FRONTAGE IS NECESSARY			
TYPE V-B (SPRINKLERED)	ALLOWABLE	PROPOSED	
HEIGHT PER CBC TABLE 504.3	60'	28'	
STORIES PER CBC TABLE 504.4	2	2	
AREA PER STORY CBC TABLE 506.2	18,000 S.F.	11,115 S.F. (1F: 3146 RED HILL) 10,900 S.F. (2F: 3146 RED HILL) 10,980 S.F. (1F: 3152 RED HILL)	

3152 RED HILL AVE - OCCUPANCY ANALYSIS - 2nd FLOOR			
B OCCUPANCY			
TYPE V-B CONSTRUCTION			
NO ALLOWABLE AREA INCREASE DUE TO FRONTAGE IS NECESSARY			
TYPE V-B (SPRINKLERED)	ALLOWABLE	PROPOSED	
HEIGHT PER CBC TABLE 504.3	60'	28'	
STORIES PER CBC TABLE 504.4	3	2	
AREA PER STORY CBC TABLE 506.2	27,000 S.F.	10,840 S.F. (2F: 3152 RED HILL)	

3146 RED HILL AVE - OCCUPANCY ANALYSIS				
NAME	AREA	EXIST. OCCUPANCY	PROPOSED OCCUPANCY	
(E) 1ST FLOOR	10,980 SF	B	A3	
(N) 1ST FLOOR	135 SF	-	A3	
(E) 2ND FLOOR	10,840 SF	B	A3	
(N) 2ND FLOOR	60 SF	-	A3	

3152 RED HILL AVE - OCCUPANCY ANALYSIS				
NAME	AREA	EXIST. OCCUPANCY	PROPOSED OCCUPANCY	
(E) 1ST FLOOR	10,980 SF	B	A3	
(E) 2ND FLOOR	10,840 SF	B	B	

3146 RED HILL AVE BUILDING AREA TOTALS:	
(E) 1ST FLOOR CONDITIONED SPACE:	10,980 SF
(N) 1ST FLOOR CONDITIONED SPACE:	135 SF
(E) 2ND FLOOR CONDITIONED SPACE:	10,840 SF
(N) 2ND FLOOR CONDITIONED SPACE:	60 SF
TOTAL CONDITIONED SPACE:	22,015 SF

3152 RED HILL AVE BUILDING AREA TOTALS:	
(E) 1ST FLOOR CONDITIONED SPACE:	10,980 SF
(E) 2ND FLOOR CONDITIONED SPACE:	10,840 SF
TOTAL CONDITIONED SPACE:	21,820 SF

PROJECT DATA:

APPLICANT: GRACE FELLOWSHIP CHURCH
3170 Red Hill Ave, Costa Mesa, CA 92626
(714) 549-8599

PROJECT ADDRESS: 3146 & 3152 RED HILL AVE

APPLICABLE CODES:
2022 CALIFORNIA BUILDING CODE
2022 CALIFORNIA ELECTRICAL CODE
2022 CALIFORNIA MECHANICAL CODE
2022 CALIFORNIA PLUMBING CODE
2022 CALIFORNIA ENERGY CODE
2022 CALIFORNIA UNIFORM ADMINISTRATIVE CODE
2022 CALIFORNIA FIRE CODE

OCCUPANCY GROUP: A-3 / B
No. OF STORIES: 2 STORIES
CONSTRUCTION TYPE: TYPE V-B. SPRINKLERED
SCOPE OF WORK:
1. TENANT IMPROVEMENT TO CONVERT EXISTING OFFICES (B) TO CHURCH (A-3 / B)
2. SEISMIC RETROFIT
3. NEW FIRE SPRINKLERS (DEFERRED SUBMITTAL)

MARS HILL studio
ARCHITECTURE
PLANNING
MARS HILL STUDIO, INC.
2533 Greenbriar Lane
Costa Mesa, CA 92626
(949) 294-4026 Phone
marshillstudio.com

LICENSED ARCHITECT
ANTHONY P. MARSHO
No. C24376
Ren. 7/27
STATE OF CALIFORNIA
DATE OF SIGNING:
*

Revisions

GRACE FELLOWSHIP CHURCH
3146 & 3152 RED HILL AVE
COSTA MESA, CA

CUP
SUBMITTAL 2

Issue Date 09/17/25

Title

SITE PLAN

Sheet No.

A-1.1



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 26-110

Meeting Date: 1/26/2026

TITLE:

THREE-YEAR TIME EXTENSION FOR ZA-22-08, WHICH ALLOWED A MAJOR AMENDMENT TO THE AVENUE OF THE ARTS HOTEL MASTER PLAN (PA-16-50) AT 3350 AVENUE OF THE ARTS

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES
DEPARTMENT/PLANNING DIVISION

PRESENTED BY: CHRIS YEAGER, SENIOR PLANNER

CONTACT INFORMATION: CHRIS YEAGER, 714-754-4883;
Christopher.Yeager@costamesaca.gov

RECOMMENDATION:

Staff recommends the Planning Commission:

1. Adopt a Resolution approving a three-year extension of time for ZA-22-08, which allowed a major amendment to the Avenue of the Arts Hotel Master Plan (PA-16-50), and
2. Determine that Pursuant to CEQA Guidelines Section 15168(c), no subsequent or supplemental EIR is required, and the previously certified EIR adequately addresses the environmental impacts of the proposed project



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 26, 2026

ITEM NUMBER: PH-2

SUBJECT: THREE-YEAR TIME EXTENSION FOR ZA-22-08, WHICH ALLOWED A MAJOR AMENDMENT TO THE AVENUE OF THE ARTS HOTEL MASTER PLAN (PA-16-50) AT 3350 AVENUE OF THE ARTS
FROM: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: CHRIS YEAGER, SENIOR PLANNER

**FOR FURTHER INFORMATION CONTACT: CHRIS YEAGER
714-754-4883
Christopher.Yeager@costamesaca.gov**

RECOMMENDATION:

Staff recommends the Planning Commission:

1. Adopt a Resolution approving a three-year extension of time for ZA-22-08, which allowed a major amendment to the Avenue of the Arts Hotel Master Plan (PA-16-50), and
2. Determine that Pursuant to CEQA Guidelines Section 15168(c), no subsequent or supplemental EIR is required, and the previously certified EIR adequately addresses the environmental impacts of the proposed project

APPLICANT OR AUTHORIZED AGENT:

The authorized agent is Joshua Reitz representing the property owner Rosanna, Inc.

BACKGROUND:

The property is zoned Planned Development Residential High Density (PDR-HD) and has a General Plan designation of High Density Residential. The project site is located within “Area 5 - The Lakes” subarea of the North Costa Mesa Specific Plan and is subject to specific use and development standards identified in the specific plan.

The project site fronts Avenue of the Arts and is located south of Sunflower Avenue and north of Anton Boulevard. The property is approximately three acres in area and is currently developed with a six-story, 238-room hotel. The site includes a three-level detached parking structure developed with 280 parking spaces. The hotel was constructed in the early 1980’s and began operation in 1986. The site is in proximity to the mid-rise residential project - 580 Anton, Orange County Museum of Art (OCMA), the Segerstrom Center for the Arts, and various other office and residential uses.

Since 2007, the existing hotel has requested approvals for various site modifications. A Master Plan was originally approved in 2007 with subsequent Master Plan amendments in 2010, 2015¹, 2016, 2019, and 2023. The following is a timeline and summary of the previously approved entitlements to the existing Hotel:

- Master Plan PA-06-75 and Vesting Tentative Tract Map No. 17172 were approved by the City Council on November 20, 2007. At the time, the City Council also adopted the project Final Program EIR - SCH No. 20070111125 (Resolution No. 07-89). The entitlement included demolition of the hotel’s three-level parking structure, remodeling the hotel to reduce the number of rooms to 200 units, construction of a seven-level parking structure containing 480 parking stalls, and the construction a 23-story (maximum 270 feet) residential tower with 120 condominium units.
- On November 15, 2010, the Planning Commission approved PA-10-31 and permits were subsequently issued to upgrade the hotel. The upgrades included adding a new outdoor seating area, a separate entrance to the existing hotel restaurant (Silver Trumpet), and the renovation of all hotel rooms which was completed in early 2013.
- On November 28, 2016, the Planning Commission approved the basis of the currently entitled Master Plan, PA-16-50, which allowed the demolition of the existing parking structure and the one-story hotel lobby while retaining the 238

• ¹ On April 13, 2015, the Planning Commission approved PA-14-33 to modify the previous approvals and allowed the retention of the existing 238 hotel rooms, the addition of a 100-unit condominium tower (reduced from the 120 units approved in 2007), and a six-story parking structure with 364 parking spaces (a reduction of the seven-story, 480 parking space structure approved in 2007). This amended Master Plan expired on November 20, 2017, and no permits were issued or completed.

existing hotel rooms. The proposal included a new six-level parking structure and a 15-story high-rise hotel with 150 rooms, for a total of 388 rooms (238 existing hotel rooms plus 150 new rooms), and a new front entry pavilion and lobby connecting the new tower to the existing hotel. Residential was not proposed with this project. The Master Plan included a variance for the encroachment of development into the perimeter open space setback and a deviation from parking. The approval also included an addendum to the Final Program EIR No. 1054.

- On September 24, 2018, the Planning Commission approved a three-year extension of time for PA-16-50 extending the approval until November 28, 2021.
- On November 7, 2019, the Zoning Administrator processed Minor Conditional Use Permit, ZA-19-87, to amend the Master Plan for design modifications. At this time, the Zoning Administrator also approved an addendum to the Final Program Environmental Impact Report. The modifications included vehicular circulation modifications, the reconstruction of the restaurant, new parking design with two levels of subterranean parking, new building design which lowered the overall building height to ten stories (approximately 104 feet), a new ground level banquet facility, and a revised plan for landscaping and hardscaping. The Master Plan entitlements remained valid because the City Council adopted pandemic related urgency ordinances that allowed for an automatic two-year time extension, and the Hotel applied for the amendment below prior to the two-year time frame expiring.
- On November 8, 2023, the Zoning Administrator processed ZA-22-08, a major amendment to the Master Plan (Exhibit B of Attachment 1). Modifications included reducing the total hotel building area by 10,949 square feet, reconfiguring the parking configuration, increase the building height by approximately five feet (approximately 110 feet for the building and 115 feet for the elevator shafts), reconfiguring the previously approved rooftop terrace, and modifying the west elevation for the relocation of the rooftop lounge. This is the currently approved Master Plan site configuration.

DESCRIPTION

For economic reasons explained in the applicant letter (Attachment 2), the applicant requests that the Planning Commission extend the approval of the project for three years until November 15, 2028.

The currently approved Master Plan (Attachment 3) includes 388 hotel rooms, 15,537 square feet of public serving amenities including a ballroom, restaurant, outdoor dining, roof bar and terrace, 6,927 square feet of amenities available to hotel guests, and 327

parking spaces. The request is limited to an extension of time, and no changes are proposed to the previously approved Master Plan entitlement.

ANALYSIS

Pursuant to the Costa Mesa Municipal Code (CMMC) Section 13-29(k), an extension of time over six months must be considered by the original review authority. Although the current iteration of the Master Plan was amended and approved by the Zoning Administrator, the extension request should be reviewed by the Planning Commission since the original Master Plan was considered by the Planning Commission.

Pursuant to CMMC Section 13-29(k)(6), the Planning Commission is authorized to grant the extension if it finds that there have been no changes in the conditions or circumstances of the site, such as a Zoning Code or General Plan amendment or other regulations affecting the approved development standards that serve as grounds for denial of the original project or any changes to the General Plan or Zoning Code that would preclude approval of the same project at the time of the requested extension.

The application remains in compliance with the current Zoning Code and there have been no amendments to the General Plan or Zoning Code that would require reconsideration and/or denial of the original project approval. In addition, there have been no changes in the conditions or circumstances of the site that would warrant reconsideration and/or denial of the previous project approvals.

GENERAL PLAN CONFORMANCE

The Costa Mesa General Plan establishes the long-range planning and policy direction that guides change and preserves the qualities that define the community. The 2015-2035 General Plan sets forth the vision for Costa Mesa over two decades. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhood, accommodating an array of businesses that both serve local needs and attract regional and international spending, and continuing to provide cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives and policies contained in the Plan. The project would continue to comply with the following General Plan provisions and policies:

1. **Policy LU-1.1:** "Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community."

Consistency: The hotel and improvements are anticipated to provide additional visitor serving amenities, commercial services, and employment opportunities.

2. **Objective LU-6A:** "Ensure the long-term productivity and viability of the community's economic base."

Consistency: The viability of the City's economic base will benefit by the proposed development in that the hotel expansion will facilitate a use that provides visitor serving amenities in the City and will encourage local economic growth by providing business and visitor serving lodging. Consequently, hotel guests will purchase local commercial goods and services.

3. **Policy LU-6.1:** "Encourage a mix of land uses that maintain and improve the City's long-term fiscal health"

Consistency: The hotel expansion will facilitate a use that provides visitor serving amenities in the City and consequently, the hotel guests will likely purchase local commercial goods and services. In addition, the hotel is required to pay a City transient occupancy tax.

4. **Policy LU-6.8:** "Provide efficient and timely review of development proposals while maintaining quality customer service standards for the business, development, and residential community."

Consistency: Approval of the extension would help promote the policy by avoiding applicant development costs and time associated with filing a new application.

5. **Objective LU-10A:** "Promote structural improvements of visitor-oriented land uses."

Consistency: The hotel additions and ancillary improvements will enhance a local visitor-oriented land use and provide significant investment in both hotel design and lodging capacity.

6. **Policy LU-10.4:** "Consider the interest of quality of stay for visitors when evaluating projects near visitor-oriented land use by requiring on-site amenities and upscale guest services."

Consistency: The project would include amenities such as private meeting rooms, banquet areas, and a roof-top dining terrace, would provide guest valet services.

ENVIRONMENTAL DETERMINATION

The City Council adopted the project's original Final Program EIR on November 20, 2007 under Resolution No. 07-89. On April 13, 2015, the Planning Commission approved an addendum to the Final Program EIR, and on November 7, 2019, the Zoning Administrator approved an addendum to the Final Program EIR No. 1054 (SCH No. 20070111125). The extended approval will not result in new significant environmental effects and the project remains consistent with the original master plan approval, the North Costa Mesa Specific Plan, and no changes to environmental mitigation measures are required. Therefore, the proposed approval extension to the previously approved master plan falls within the scope of the previously approved EIR and its addendum, and no further environmental analysis is necessary.

ALTERNATIVES

- Deny the time extension. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission may deny the request and provide facts in support of denial. If denied, the entitlement will be expired.

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 January 15, 2026. 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 January 15, 2026.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on January 16, 2026.

CONCLUSION

Staff supports the applicant's request to extend the approval of the Avenue of the Arts Hotel Master Plan. The Master Plan remains consistent with the Zoning Code, General Plan, and North Costa Mesa Specific Plan and the project site complements the surrounding uses including the OCMA, Segerstrom Center for the Arts, and the surrounding office and residential uses. The approval extension would vest the project

until November 15, 2028, at which point, permits will need to be issued, and construction commenced to fully vest the project.

ATTACHMENTS

1. Draft Resolution
2. Applicant Letter
3. Master Plan

RESOLUTION NO. PC-2026-**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING A THREE-YEAR TIME EXTENSION FOR ZONING APPLICATION ZA-22-08, A MAJOR AMENDMENT TO AVENUE OF THE ARTS HOTEL MASTER PLAN**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, a time extension was filed by Joshua Reitz, authorized agent for the property owner, Rosanna, Inc. requesting approval of a three-year time extension of Zoning Application ZA-22-08, Master Plan Amendment for the Avenue of the Arts Hotel;

WHEREAS, the Zoning Administrator approved Zoning Application ZA-22-08 on November 8, 2023 authorizing amendments to the Avenue of the Arts Hotel Master Plan, which is attached hereto as Exhibit "B";

WHEREAS, the time extension will extend the entitlement approved under ZA-22-08 for three years until November 15, 2028.

WHEREAS, the applicant requests approval of a three-year time extension to develop construction drawings, pull permits, and start construction of the approved project until November 15, 2028;

WHEREAS, a duly noticed public hearing held by the Planning Commission on January 26, 2026 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, City Council certified the original Program EIR No. 1054 on November 20, 2007 by adoption of Resolution No. 07-89 and an addendum to the EIR was adopted by the Planning Commission on November 28, 2015 (SCH No. 2007011125);

WHEREAS, the time extension does not change the previously adopted findings and conditions of approval for Zoning Application ZA-22-08, as specified in Exhibit "B";

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** the three-year extension of Zoning Application ZA-22-08 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 Zoning Application ZA-22-08 and upon applicant's compliance with each and all of the conditions in Exhibit B and prior approvals as indicated 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 26 day of January, 2026.

Jeff Harlan, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2026-__ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on January 26, 2026 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Carrie Tai, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2024-__

EXHIBIT A

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(k)(6) because:

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

Facts in Support of Findings: The applicant indicates that the purpose of the time extensions is due to economic reasons. The approved Zoning Application ZA-22-08 remains in substantial compliance with the current Zoning Code and there have been no amendments to the General Plan, Zoning Code, or North Costa Mesa Specific Plan that would affect the original project approval. Approval of the time extension would promote General Plan Policy LU-1.1, Objective LU-6A, Policy LU-6.1, Policy LU-6.8, Objective LU-10A, and Policy LU-10.4.

- B. The City Council adopted the project's original Final Program EIR on November 20, 2007 under Resolution No. 07-89. On November 7, 2019, the Zoning Administrator approved an addendum to the Final Program Environmental Impact Report No. 1054 (SCH No. 20070111125). The extended approval will not result in new significant environmental effects and the project remains consistent with the original master plan approval, the North Costa Mesa Specific Plan, and no changes to environmental mitigation measures are required. Therefore, the proposed approval extension to the previously approved master plan falls within the scope of the previously approved EIR and its addendum, and no further environmental analysis is necessary.
- C. Conditions of Approval for Zoning Application ZA-22-08 dated November 8, 2023 shall remain in full force and effect.

EXHIBIT B

**Zoning Application ZA-22-08
November 8, 2023
Approval**



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT

November 8, 2023

Paul Sanford
888 S. Disneyland Drive, Suite #100
Anaheim, CA 92802

**RE: ZONING APPLICATION 22-08 (PA-16-50 A2)
MAJOR AMENDMENT TO AVENUE OF THE ARTS HOTEL MASTER PLAN (PA-14-33) TO MODIFY THE PREVIOUSLY APPROVED PARKING CONFIGURATION, INCREASE IN BUILDING HEIGHT, RECONFIGURE THE PREVIOUSLY APPROVED ROOFTOP TERRACE AMENITIES AND MODIFY THE PROPOSED HOTEL WEST ELEVATION FOR THE RELOCATION OF THE ROOFTOP "CLUB LOUNGE"
3350 AVENUE OF THE ARTS, COSTA MESA**

Dear Mr. Sanford:

City staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been approved based on the findings and subject to conditions of approval and code requirements (see attached). The decision will become final at 5:00 p.m. on November 15, 2023, unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Daniel Inloes, at 714.754.5088, or at daniel.inloes@costamesaca.gov.

Sincerely,

Scott Drapkin
Assistant Director of Development Services/Zoning Administrator

Attachments: Report, Applicant's Letter, Neighbor Letter, Applicant Response Letter and Plans

cc: Engineering
Fire Marshal

PLANNING APPLICATION SUMMARY TABLE

Location:	3350 Avenue of the Arts
Application:	Zoning Application 22-08 (PA-16-50 A2) Major Amendment to Master Plan
General Plan Designation:	High Density Residential/North Costa Mesa Specific Plan
Zoning:	Planned Development Residential-High Density

Development Standard	Zoning or NCMSP Requirement	Proposed/Provided
Lot Size:	3 Acres	
Floor Area Ratio (FAR):	2.29	2.10
Setbacks		
Perimeter Open Space	20' abutting public right-of-way	20' on Avenue of the Arts
Open Space:	42 percent	45 percent
Rear:	None Required	5 ft. Existing Hotel/17 ft. Proposed
Side:	None Required	5 ft. south and 25 ft. north
Building Height:	270 feet above grade level (304 feet above mean sea level)	115 ft. above grade level
Parking:	Shared Parking Demand Analysis: Peak parking demand 243 spaces at 9 PM, on a weekend.	249 parking spaces with an additional 78 parking spaces provided in a combination of double and triple valet tandem.
Hotel Rooms:	388	

Project Site and Surrounding Uses

The property is zoned Planned Development Residential High Density (PDR-HD) and has a General Plan designation of High Density Residential. The site is located in the North Costa Mesa Specific Plan area and is therefore subject to the applicable Specific Plan provisions. The North Costa Mesa Specific Plan includes specific use and development standards for this site pursuant to “Area 5 – The Lakes”.

The project site fronts “Avenue of the Arts” public right-of-way, and is located south of Sunflower Avenue and north of Anton Boulevard. The property is 130,680 square feet (three-acres) in area and is developed with a six-story, 238-room hotel. The site also includes a three-level detached parking structure developed with 280 parking spaces. The hotel was constructed in the early 1980s and began operations in 1986. The site is situated to the north of a recently constructed mid-rise residential project (580 Anton Boulevard), south of the 3400 Avenue of the Arts apartment complex and to the west (across Avenue of the Arts) is the recently completed Orange County Museum of Art (OCMA), and the Segerstrom Center for the Arts.

Approved Entitlements

Since 2007, the existing Hotel has requested approvals for various site modifications. A Master Plan was originally approved in 2007 with subsequent Master Plan amendments in 2015, 2016, and 2019. The following is a timeline and summary of the previously approved entitlements to the existing Hotel (based on modified applicant submittals, several of the below described entitlements were never permitted, expired or subsequently amended):

- Master Plan 06-75 and Vesting Tentative Tract Map No. 17172 were approved by the City Council on November 20, 2007. At this time, the City Council also adopted the project Final Program EIR - SCH#2007011125 (Resolution No. 07-89). The entitlement included demolition of the hotel's three-level parking structure, remodeling the hotel to reduce the number of rooms from 238 units to 200 units, construction of a seven-level parking structure containing 480 parking stalls, and adding a 23-story (maximum 270 feet from grade level) residential tower with 120 condominium units.
- Subsequent to the 2007 City Council approval, the Hotel ownership changed and the new Hotel ownership obtained permits for site renovations primarily consisting of existing Hotel upgrades (the aforementioned intensifications approved by the City Council in 2007 remained valid during this time; however, they were not part of this permit for site upgrades). The upgrades included adding a new outdoor seating area, a separate entrance to the existing hotel restaurant (Silver Trumpet) from Avenue of the Arts, and the renovation of all hotel rooms (this permit was approved pursuant to PA-10-31 and the work was completed).
- On April 13, 2015, the Planning Commission approved PA-14-33 to allow retention of the existing 238 hotel rooms, the addition of a 100-unit condominium tower

(reduced from the 120 units approved in 2007), and a six-story parking structure with 364 parking spaces (instead of the seven-level, 480 parking space structure approved in 2007). This amended Master Plan expired on November 20, 2017 and no permits were issued and/or completed.

- On November 28, 2016, the Planning Commission approved Master Plan PA-16-50 to demolish the existing parking structure and the one-story hotel lobby while retaining the 238 existing hotel rooms (this design is the basis of the current proposal). The proposal included a new six-level parking structure and a 15-story high-rise hotel with 150 rooms, for a total of 388 rooms (238 existing hotel rooms plus 150 new rooms), and a new front entry pavilion and lobby connecting the new tower to the existing hotel. No residential was proposed with this project. The proposed amendment also included a variance for the encroachment of development into the perimeter open space setback, and a parking deviation.
- On September 24, 2018, the Planning Commission approved a three-year time extension to PA-16-50 entitlement extending the approval until November 28, 2021.
- On November 7, 2019, the Zoning Administrator processed a Minor Conditional Use Permit ZA-19-87 to amend Master Plan PA-16-50 for design modifications to the approved Master Plan. At this time, the Zoning Administrator also approved an addendum to the Final Program Environmental Impact Report. The modifications included a new driveway approach leading to the upper level lobby, demolition of former and development of a new restaurant, new parking design with two levels of subterranean parking, a secondary vehicular access using the existing driveway on the northern portion of the site, new building design which lowered the overall building height to ten levels (approximately 104 feet), a new ground level banquet facility, and a revised plan for landscaping and hardscaping. The current hotel entitlements are valid as a result of the previously adopted City Council pandemic related urgency ordinances that allowed for a two-year time extension, and the Hotel applying for entitlement modifications prior to the two-year time frame.

ANALYSIS

Master Plan Compliance

Pursuant to Costa Mesa Municipal Code (CMMC) Section 13-28(g)(2), a "major amendment" to a master plan is required if one or more of the following is proposed:

1. *A change in the use or character of the development;*
2. *An increase in the overall density or floor area ratio of the development;*
3. *An increase in overall coverage of structures;*
4. *A reduction or change in character of approved open space;*
5. *A reduction of required off-street parking;*
6. *A detrimental alteration to the pedestrian, vehicular and bicycle circulation and utility networks;*
7. *A reduction in required street pavement widths;*

8. *An increase of more than six (6) inches in building height; or*
9. *A decrease in building setback greater than can be approved by a minor modification by the development services director.*

As further discussed below, since the proposed hotel Master Plan amendments include a decrease in previously required off-street parking and an increase in the height of the Hotel, the proposed modifications necessitate processing a “major amendment” pursuant to the CMMC. Pursuant to CMMC Section 13-28 (G)(2), any proposed change determined by the Development Services Director as a “major amendment”, shall be subject to review and approval by the Zoning Administrator. Lastly, the CMMC requires that the following findings must be made prior to approval of a “master plan” (or the modification of a “master plan”):

1. “The master plan meets the broader goals of the general plan, any applicable specific plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.”
2. Compliance with “master plan findings for mixed-use development projects in the mixed-use overlay district are identified in Chapter V, Article 11, mixed-use overlay district”; and
3. “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.” A detailed discussion of the applicable aforementioned findings is provided below under the “Findings” section of this report.

Summary of Proposed Hotel Modifications

The applicant is proposing to amend the current Hotel project design approved in 2019 pursuant to ZA-19-78. The proposed changes generally reduce the previously approved Hotel project (approved in 2019). The proposed Hotel facility changes generally include:

- (1) Reduction of previously approved overall hotel facility floor area (however, the total number of hotel rooms remains the same);
- (2) Modification of the previously approved parking configuration by raising the garage levels, minor reduction in total parking, and alteration of rear site circulation;
- (3) Increase in Hotel building height; and
- (4) Modifications to the proposed hotel west elevation (along Avenue of the Arts) for the relocation of the rooftop “club lounge” and the reconfiguration of the rooftop level terrace and bar.

1. Reduction of previously approved hotel facility floor area and parking area –

As shown in Table 1 below, the hotel ownership is proposing to reduce the intensity of the development in regards to floor area and parking areas as compared to the 2019 approved project design.

Table 1

	2019 Approved (ZA-19-87)	Proposed	Change
Hotel Rooms	388 rooms	388 rooms	No change
Hotel Public Serving Areas (ballroom, restaurant, outdoor dining, roof bar and terrace)	20,650 SF (not including hotel room floor areas)	15,537 SF (not including hotel room floor areas)	Decrease of 5,113 SF (-25%)
Hotel Non-public Serving Areas (areas exclusive to Hotel guests only)	12,100	6,927	Decrease of 5,173 SF (-43%)
Total Gross Hotel Building Area (including hotel rooms, public/non-public serving areas)	131,809 SF	120,860 SF	Decrease of 10,949 SF (-8%)
Total Gross Hotel Parking Area	135,126 SF (335 parking spaces - including valet/tandem parking)	121,855 (327 parking spaces - including valet/tandem parking)	Decrease of 13,271 SF and (-9% garage area and -8 parking spaces)

The floor area changes include both a reduction in public serving areas (such as restaurants, roof terrace bar, outdoor dining and ballroom that are available to hotel guests and non-hotel guests), and also includes reduction in non-public serving areas (areas exclusive to hotel guests such as pool areas, private decks, hospitality areas and fitness areas). Although the number of hotel rooms remains the same as approved in 2019 (388 rooms), the hotel ownership is now proposing a 43 percent reduction in floor area allocated to guest amenities, and a 25 percent reduction in public serving amenities. Overall, the Hotel is proposing an approximate eight-percent decrease in overall gross Hotel area, and a reduction in the garage area of approximately nine-percent.

The below Exhibit 1 (as included in the application plans), identifies the specifically proposed changes to hotel amenities and compares the 2019 approved plans with the currently proposed floor area changes.

Exhibit 1 – Hotel Floor Area

2019 Approved				Currently Proposed	
Use	Lv.	Public/Hotel Use	Net Area(sf)		
Ballroom	1	Public	7,000	7,000	
Meeting (Fire court)	1	Public	1,350	<i>Eliminated</i>	
Meeting (Lakeside)	1	Public	1,300	<i>Eliminated</i>	
Boardroom	1	Public	400	500	
Restaurant	2	Public	4,500	3,551	
Outdoor Dining	2	Public	1,100	970	
Lobby Lounge	2	Hotel	1,750	1,232	
Fitness	5&6	Hotel	1,200	0, Expand Existing	
Hospitality Suite	5	Hotel	500	<i>Eliminated</i>	
Pool	5	Hotel	700 exterior	700 exterior	
Pool Deck	5	Hotel	6,500 exterior	3,300 exterior	
Club Lounge	10	Hotel	1,450	1,695	
Roof Bar & Terrace	10	Public	5,000 exterior	800 + 2,716 exterior	
Total			32,750	22,464	
Total Restaurant			10,600	8,037	
Total Conference			10,050	7,500	
Total Public Areas =			20,650	15,537	

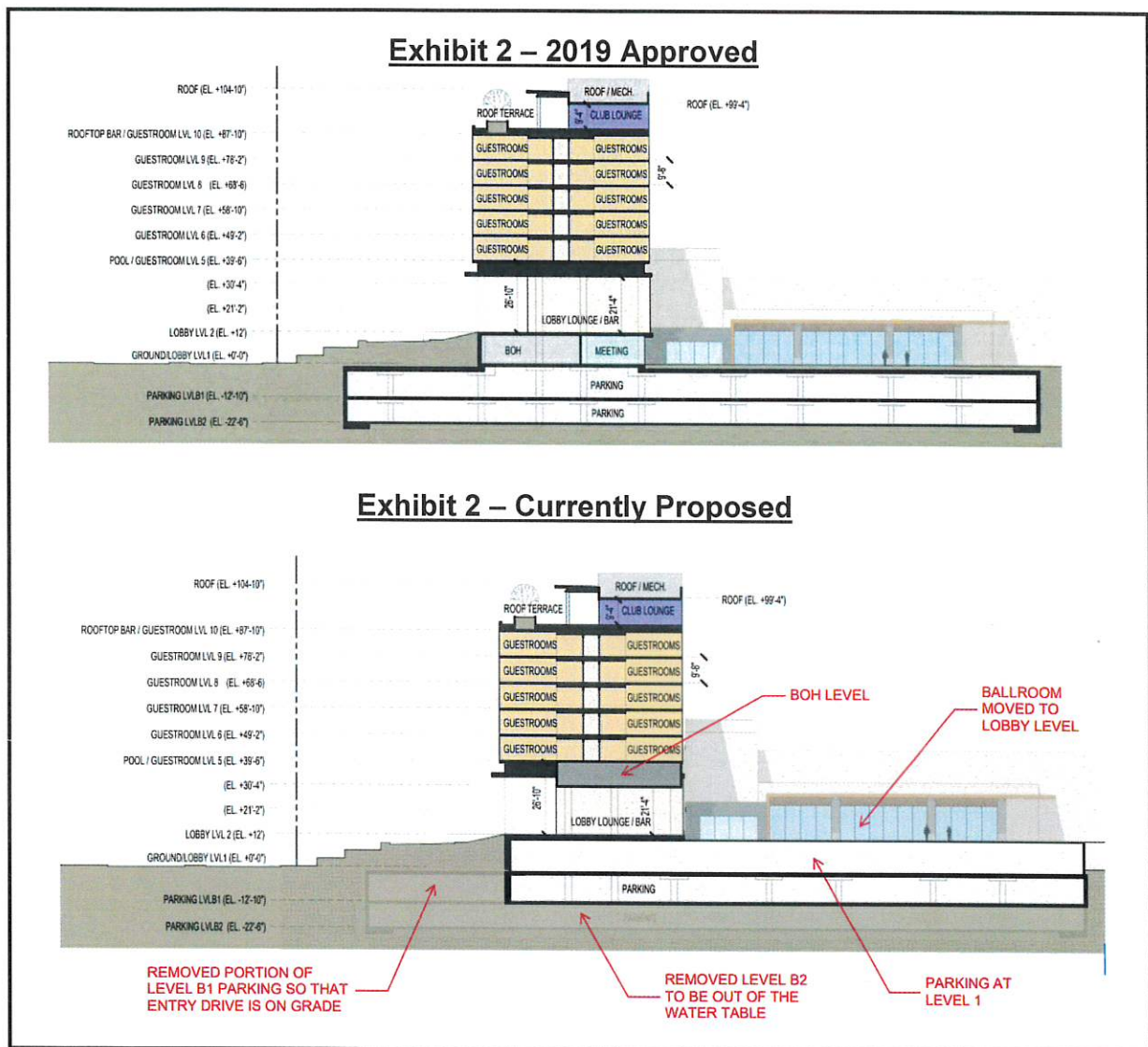
- Modification of the previously approved parking configuration by raising the lowest garage finished floor elevation, reduction in previously approved parking, and alteration of rear site circulation;**

Raising Lowest Garage Finished Floor Elevation

As shown in the below Exhibit 2, the Hotel was approved in 2019 with two levels of subterranean parking and a lowest finished grade floor elevation of 22' – 6" below grade. The applicant is now proposing to reconfigure the previously approved subterranean parking levels by raising the lowest finished grade floor elevation to 12' – 10" below grade. According to the applicant, this modification is in response to the final geotechnical/hydraulic engineering analysis that determined the previously approved lowest parking level elevation would conflict with the underlying natural water table.

As shown in the below Exhibit 2, the changes resulting from the parking level modifications generally cause a "shift-up" in certain hotel facility levels including relocating certain "back of house" (BOH) areas that are approved below the "Lobby Lounge/Bar" level to be relocated below the first new "Guestroom" (level five), and removal of a previously proposed meeting area. As also shown in Exhibit 2, the parking level changes require an increase in height to the "Ballroom", located at the rear of the property.

Exhibit 2 – Parking Levels Comparison (2019 Approved and Currently Proposed)



Reduction in Previously Approved Parking

In 2019, the Hotel project was approved with a total of 335 parking spaces, which included valet and tandem parking spaces, and exceeded the anticipated peak parking demand of 262 parking spaces. Based on a reduction in both public serving floor area and hotel guest amenity floor area (see Table 1 above), the applicant is now proposing an eight-space reduction in parking.

Similar to the 2019 approved project, the applicant submitted an updated engineered shared parking analysis to inform the revised project parking demand. The concept of shared parking is widely recognized in the transportation planning industry and accounts for the fluctuations in daily/hourly parking demand for different types of land uses within a development. Due to the unique parking characteristics of the project's mixed-use development (i.e. hotel guests, hotel restaurant, and hotel meeting/banquet rooms) using shared parking demand data

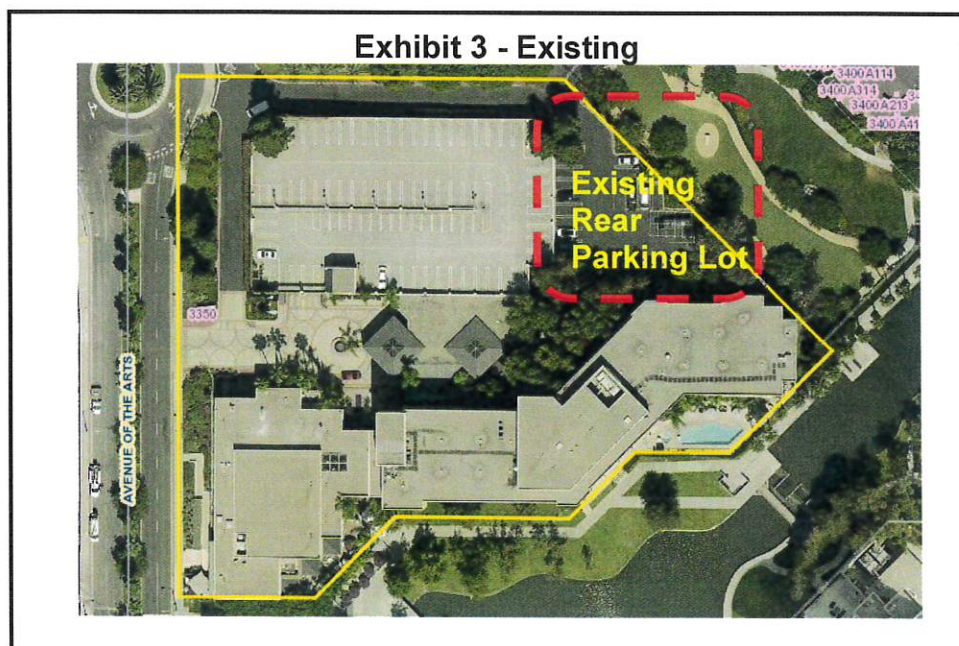
provides the most accurate portrayal of the sites actual peak parking demand. Additionally, because the restaurant and meeting rooms are located within the existing Hotel, an internal capture factor (facility guests/customers using more than one of the site's amenities during a visit) of 33% and 50% has been applied to the restaurant area and meeting space, respectively, to account for hotel guests utilizing the restaurant and meeting/banquet rooms.

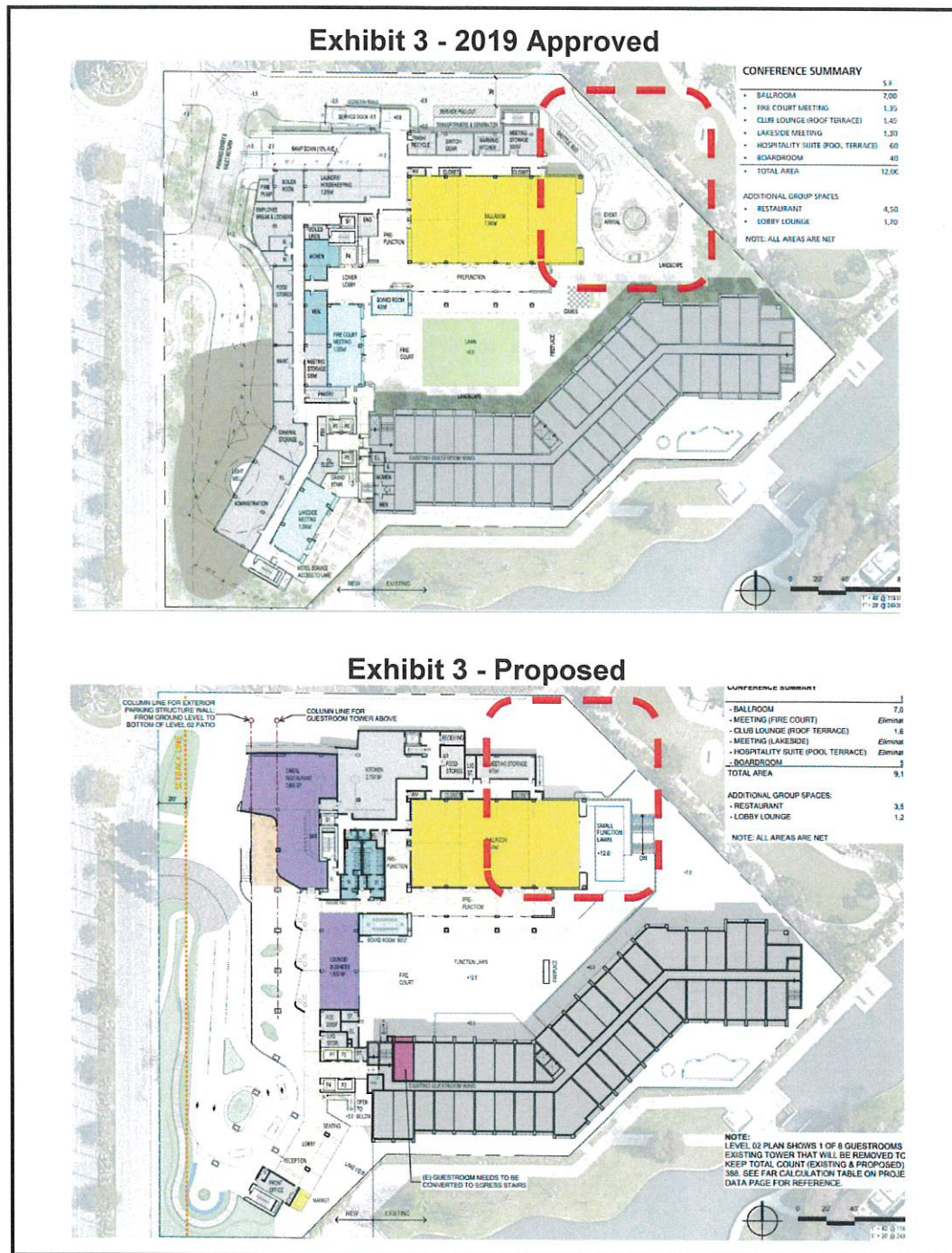
The objective of the shared parking analysis is to forecast the peak parking requirements for the project to determine the maximum parking needed for the proposed combined different land uses at the site. The recently submitted Shared Parking Demand Analysis indicates that the peak parking demand for the proposed redevelopment project results in a peak parking demand of 243 spaces at 9 PM, on a weekend. As proposed, the applicant has designed the project with 249 parking spaces. It should also be noted that an additional 78 parking spaces will be provided in a combination of double and triple valet tandem configurations, which creates an effective parking surplus of up to 84 spaces with the previously approved use of valet.

Alteration of approved Rear Site Circulation

The 2019 approved site plan included a Hotel "event drop-off" area located at the rear of the site which was intended to provide convenient guest access to the "Ballroom" and associated events. This area is currently developed with an at-grade surface parking lot. As a result of the parking structure changes, the "Ballroom" and adjacent stairway access is proposed to replace a portion of the 2019 previously approved "event drop-off" area (see the below Exhibit 3 for a pictorial comparison of the existing rear circulation conditions, 2019 approved rear circulation conditions and currently proposed rear circulation design).

Exhibit 3 – Rear Site Conditions (Existing, 2019 Approved and Proposed)



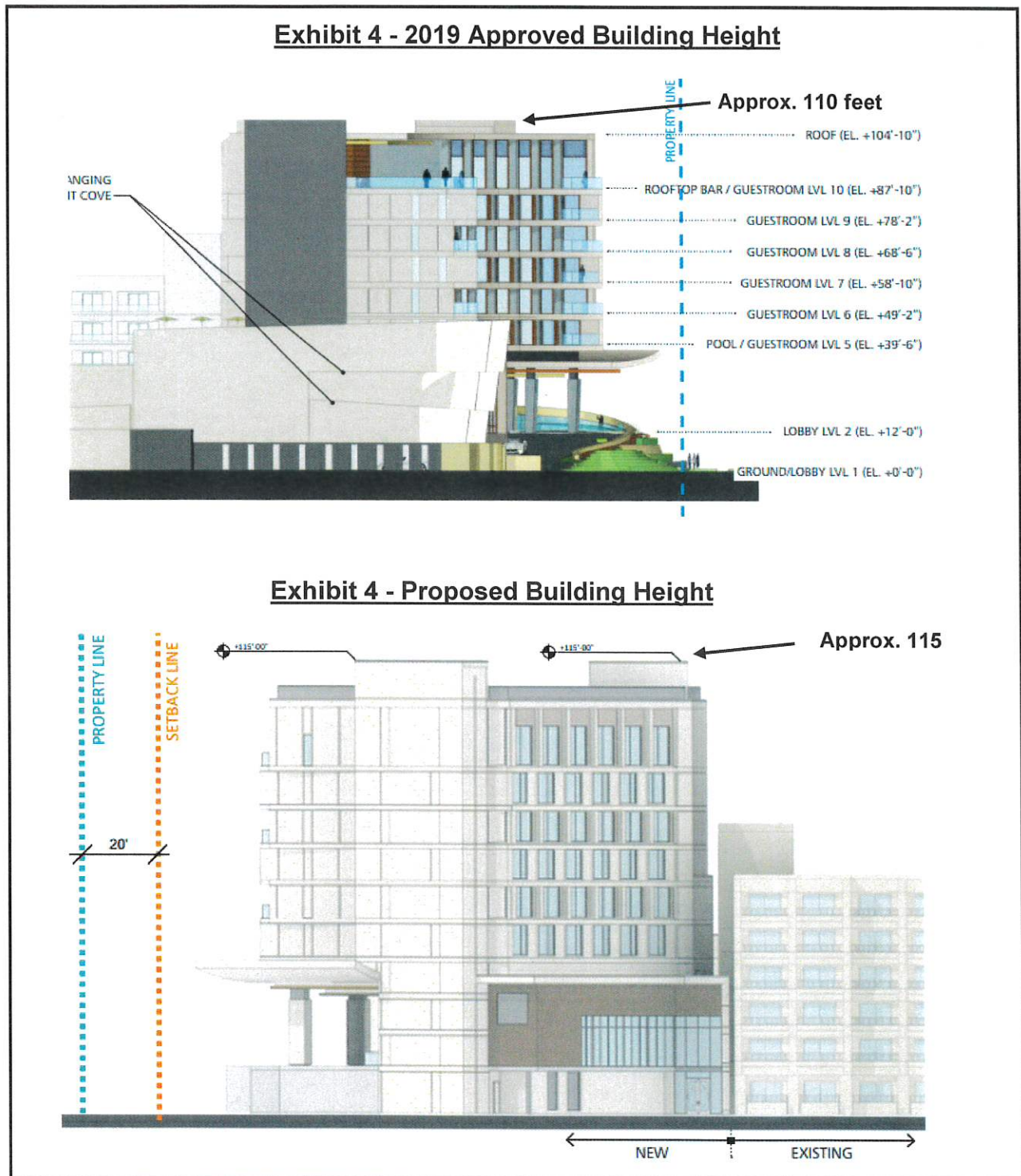


3. Increase in Hotel Building Height

Pursuant to the North Costa Mesa Specific Plan and Specific Plan Amendment SP-07-01, a site-specific building height of 270 feet above grade level (304 feet above mean sea level) is allowed for the subject site. The existing hotel maximum height is approximately 70 feet above grade. In 2019, the Hotel was approved with an increased roof elevation height of 104' – 10", with approximately five feet of additional height for roof parapet/equipment enclosures (See the below Exhibit 4). The applicant is now proposing an additional approximate five feet of roof height

(115 feet above grade) to account for changes in roof parapet/equipment enclosures, and changes in access stairs.

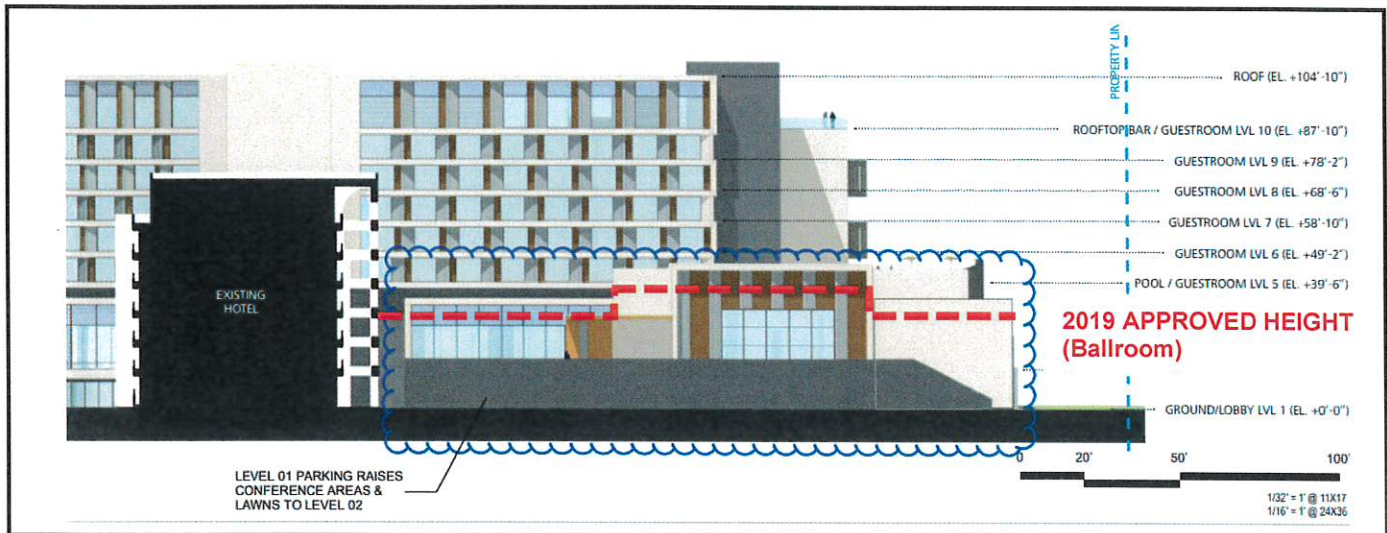
Exhibit 4 (2019 Approved Building Height and Proposed Building Height)



In addition, the roof height of the "Ballroom" proposed near the rear of the property has also increased based on the proposed increase in finished floor elevation of the lower subterranean garage (removal of basement garage level 2 and relocation of the Ballroom

to the Lobby Level). As indicated below in Exhibit 5, the proposed east elevation shows the proposed increased building height for the “Ballroom” and associated adjacent structures, with the red dashed line indicating the lower approved 2019 approved height.

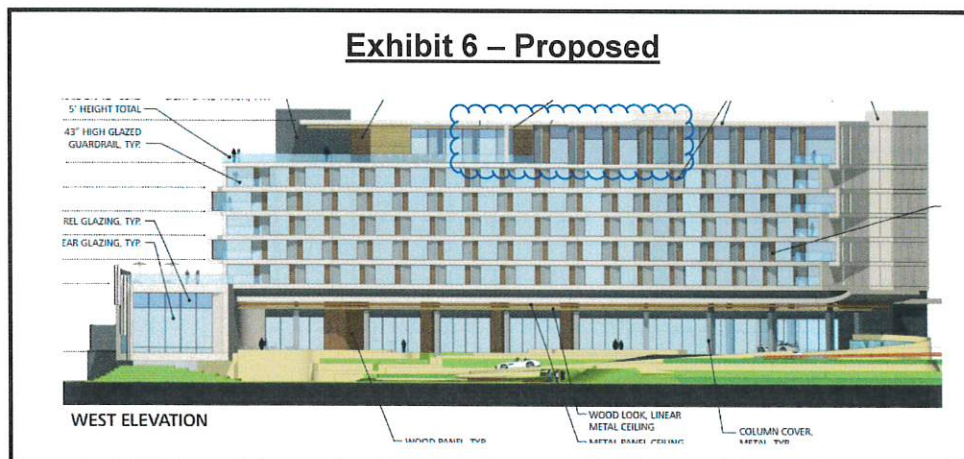
Exhibit 5 (East-Rear Facing Elevation Perspective)



4. Modifications to the proposed hotel west elevation (along Avenue of the Arts) for the relocation of the rooftop “Club Lounge” and the reconfiguration of the rooftop level terrace and bar.

Rooftop Terrace Elevation Changes - The proposed Hotel changes include modifications to the “Rooftop Bar/Guestroom Level” (upper floor level), which is limited to the area circled in blue as identified in the below Exhibit 6, “Proposed”. The purpose of the proposed changes at this level is to enclose a portion of the approved roof-top deck for the creation of an exclusive hotel guest private lounge/bar area. The proposed changes that will result from this modification do not significantly modify the previously approved aesthetics of the façade along Avenue of the Arts (West Elevation) in that the enclosure improvements along this façade continue window panes that match the existing westerly façade and fenestration. The reconfiguration of the rooftop terrace and bar are also proposed.

Exhibit 6 – West Elevation Façade Change Comparison (Approved and Proposed)



Environmental Determination

The City Council adopted the project's original Final Program EIR on November 20, 2007 under Resolution No. 07-89. On November 7, 2019, the Zoning Administrator approved an addendum to the Final Program Environmental Impact Report No. 1054 (SCH#2007011125). Pursuant to Government Code Section 15162(a), when an EIR has been certified, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following results:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental

effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Pursuant to Government Code Section 15162(a), the City of Costa Mesa (lead agency) has reviewed the proposed site changes and determined that the proposed modifications on the basis of substantial evidence in the light of the whole record results in a minor alteration of an existing approved facility that involves no expansion of the entitled use and a de-intensification when compared to the previous approval. Further, the changes will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects in that the changes are limited to minor design alterations of an entitled project at an existing disturbed site, the proposed changes remain consistent with the original master plan approval and the North Costa Mesa Specific Plan, and no changes to environmental mitigation measures are required. Therefore, the proposed amendment to the previously approved master plan falls within the scope of the previously-approved EIR and its addendum, and no further environmental analysis is necessary.

CONFORMANCE WITH THE CITY OF COSTA MESA GENERAL PLAN

The Costa Mesa General Plan establishes the long-range planning and policy direction that guides change and preserves the qualities that define the community. The 2015-2035 General Plan sets forth the vision for Costa Mesa for the next two decades. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that both serve local needs and attract regional and international spending, and continuing to provide cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that

development decisions and improvements to public and private infrastructure are consistent with the goals, objectives and policies contained in this Plan.

The North Costa Mesa Specific Plan was amended on September 9, 2019 to allow for an expansion of the Hotel up to a 2.29 FAR. The previous 2019 amended Hotel approval included a 2.18 FAR and the currently proposed FAR is 2.10. Lastly, the revised project complies with the following General Plan provision and policies:

1. **Policy LU-1.1:** *“Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community”.*

Consistency: The proposed Hotel and improvements are anticipated to provide additional visitor serving amenities (“commercial services”) and employment opportunities.

2. **Policy LU-6.1:** *“Encourage a mix of land uses that maintain and improve the City’s long-term fiscal health”.*

Consistency: The proposed Hotel expansion will facilitate a use that provides visitor serving amenities in the City and consequently, the hotel guests will likely purchase local commercial goods and services. In addition, the Hotel is required to pay a City transient occupancy tax (TOT).

3. **Policy LU-3.12:** *“Ensure that new development reflects existing design standards, qualities, and features that are in context with nearby development”.*

Consistency: The proposed Hotel expansion includes a contemporary re-design of the facility with high-end materials, finishes and landscaping. The size and intensity are consistent with the neighboring properties.

4. **Objective LU-6A:** *“Ensure the long-term productivity and viability of the community’s economic base”.*

Consistency: The viability of the City’s economic base will benefit by the proposed development in that the Hotel expansion will facilitate a use that provides visitor serving amenities in the City, and will encourage local economic growth by providing business and visitor serving lodging. Consequently, hotel guests will purchase local commercial goods and services.

5. **Policy LU-6.10:** *“Encourage a broad range of business uses that provide employment at all income levels and that make a positive contribution to the City’s tax base”.*

Consistency: The proposed hotel improvements and investment will enhance an existing business by providing additional visitor serving amenities, and

employment opportunities at many employment income levels. In addition, the hotel is required to pay a City Transient Occupancy Tax (TOT).

6. **Policy LU-10A:** *"Promote structural improvements of visitor-oriented land uses".*

Consistency: The proposed hotel additions and ancillary improvements will enhance a local visitor-oriented land use and provide significant investment in both Hotel design and lodging capacity.

7. **Policy LU-10.4:** *"Consider the interest of quality of stay for visitors when evaluating projects near visitor-oriented land uses by requiring on-site amenities and upscale guest services".*

Consistency: The applicant is installing upscale amenities such as private meeting rooms, banquet areas, and a roof-top dining terrace, and is also providing guest valet services.

FINDINGS

- A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(5) – applicable Master Plan Findings:

Finding: *"The master plan meets the broader goals of the general plan, any applicable specific plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development".*

Facts in Support of Finding: The proposed modified Hotel enhancements remain cohesive with neighboring development and the immediate area. The proposed Hotel expansion includes a contemporary re-design of the facility with high-end materials, finishes and landscaping. The size and intensity are consistent with the neighboring properties. The proposed Hotel expansion will promote visitor serving amenities and other non-visitor serving amenities that will attract users from the adjacent Art Museum, Segerstrom Center and South Coast Plaza.

- B. See the above "Environmental Determination" section of this report.
- C. The applicant shall fulfill mitigation of off-site traffic impacts at the time of issuance of building permit by submitting to the Transportation Division the required Traffic Impact Fee pursuant to the prevailing schedule of charges adopted by the City Council.

CONDITIONS OF APPROVAL

- Added 1. All conditions of approval from previous entitlements shall apply, including conditions/mitigation measures related to CEQA/EIR compliance.

- Added 2. All outdoor dining and patio areas (including the upper roof terrace bar and the "Function Lawn") shall be closed at 11 PM, and the business shall be conducted, at all times, in a manner that will allow for the quiet enjoyment of the surrounding neighborhood. Subject to the approval of the Development Services Director or designee, the Hotel shall institute whatever security and noise measures that are necessary to comply with the City's noise ordinance. The Hotel shall ensure that exterior noise is minimized during the hours of 11pm to 7am. In the event noise complaints are received, the Hotel shall institute whatever security and operational measures are necessary to comply with this requirement.
- Added 3. Background music shall be allowed on the upper roof terrace and the "Function Lawn" and shall be consistent with the City's Noise Ordinance.
- Added 4. No amplified sound (i.e. any music, announcements or other sounds) shall be audible in the adjacent residential areas. Amplified sound during events is allowed but must comply with the Costa Mesa Municipal Code.
- Added 5. Outdoor events shall be allowed on the "Function Lawn" in accordance with the City's noise ordinance and the project parking demand analysis. Temporary tents or canopies for events shall be allowed pursuant to Fire and Building Department approval, and in compliance with applicable safety codes. If an outdoor event occurs simultaneously with an indoor event (such as in the Ballroom or other area of the Hotel), the total number of occupants shall be limited based on Hotel parking capacity. Outdoor events shall conclude by 11PM, unless otherwise approved by the Director of Development Services. Special events requiring approval by the Director of Development Services shall be limited to one special event per month, assuming all necessary events permits are obtained from the City. In general, events shall have a hard stop at midnight and operations will begin ramp down noise activities after 10pm.
6. In the event the City receives complaints about noise from adjacent residences to the North of the Hotel, the Hotel shall pay for a noise study by an acoustical engineer contracted by the City which identifies the noise levels at the property line abutting residential properties. Noise monitoring shall occur for a four-hour period between 9:00pm and 1:00am for a minimum of 12 evenings at the discretion of the Development Services Director or designee. The noise study shall provide conclusions as to whether or not the operations of the Hotel comply with the City's Noise Ordinance with regard to the adjacent residences. If found not in compliance, the noise study shall make recommendations that shall be implemented by the applicant to reduce noise levels (as applicable) to ensure compliance with the Noise Ordinance.

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. Approval of the planning/zoning application 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; or 3) the use has been established and a business license 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.
2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
4. All parking spaces proposed for this project must meet the Parking Design Guidelines which includes, but is not limited to, proper dimensions, double stripping and drive aisle width.
5. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
- Bldg. 6. Comply with the requirements of the following adopted codes: 2019 California Building Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Green Building Standards Code and 2019 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 2019 California Building Code.
7. Prior to the Building Division issuing any demolition permit, the applicant shall contact South Coast Air Quality Management District located at:
21865 Copley Dr.
Diamond Bar, CA 91765-4178
Tel: 909-396-2000 or Visit their web site
<http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381>
The Building Division will not issue a demolition permit until an Identification number is provided by AQMD.
- Bus. 8. All contractors and subcontractors must have valid business licenses to do
Lic. 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.
- Fire 9. Comply with the requirements of the 2019 California Fire Code
requirements, including the referenced standards as amended by the City
of Costa Mesa.

ROSANNA, INC.

10/1/2025

City of Costa Mesa
Development Services
P.O. Box 1200
777 Fair Drive
Costa Mesa, CA 92628-1200

PROJECT NO. PA-16-50

SITE ADDRESS: 3350 Avenue of the Arts

RE: Letter of Explanation for Time Extension Request

Mr. Dan Inloes:

This letter serves as a formal request for a time extension of the current development entitlement based on the Amendment to Master Plan PA-16-50, approved on November 15, 2023. The subsequent zoning application ZA-22-08 was a request for a Major Amendment to the Plan to reduce the previously approved hotel floor area, modify the parking configuration, increase the building height by approximately five feet, reconfigure the previously approved rooftop terrace amenities, and revise the west elevation to relocate the rooftop "Club Lounge". The environmental determination (impact report No. 1054, SCH#20070111125) confirmed that these modifications involved no expansion of the entitled use and, in fact, represented a de-intensification compared to the prior approval. Since that determination, we have worked diligently with City Building Officials and the Planning Department to prepare a permit-ready set of construction documents.

We respectfully request a three-year extension for this project, due to unforeseen economic circumstances outlined below:

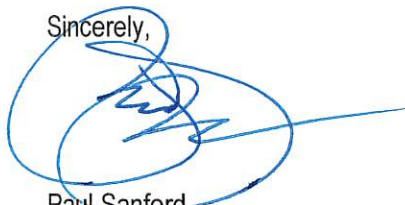
1. High interest rates – To address inflation, the Federal Reserve began aggressive interest rate hikes starting in March 2022. While residential construction loans are currently being priced around 7%, commercial construction loan rates are significantly higher, with effective interest rates in the 11-12% range. Lenders demand higher returns due to the increased risk of construction loans, such as timelines slippage, cost overruns in materials and labor, and potential changes in market demand during a project.
2. Tariff Uncertainty – Recent tariff decisions from the White House have been inconsistent, with shifting categories, temporary pauses, and unclear long-term strategy. For construction, this means materials such as steel, glass,

and mechanical equipment sourced internationally can spike in cost without warning. This policy unpredictability not only raises upfront expenses but also increases lender concerns about budget overruns, feeding into the elevated effective rates already impacting commercial construction.

3. Supply chains, rising costs, and the job market – The pandemic left global supply chains tangled, and by 2022 the U.S. was still dealing with fewer available goods and higher prices. With strong demand (from consumer savings and stimulus funds) and constrained supply, the cost of goods spiked. Inflation hit 40-year highs in mid-2022 with annual consumer price growth around 9%. Unemployment was low, but many workers demanded higher wages to keep up with inflation.

Due to the factors outlined above, it is financially unfeasible to proceed with this project's construction at this time. We would be glad to discuss this request at your convenience, and we thank you in advance for your consideration. We remain committed to bringing this world-class luxury hotel to the Theater Arts skyline.

Sincerely,



Paul Sanford
Asset Manager | CEO
Rossana, Inc. & Wincome Hospitality
888 S. Disneyland Dr
Suite 100
Anaheim, CA 92802

Avenue
of the
Arts

WINCOME
HOSPITALITY

ATTACHMENT 4

HOTEL EXPANSION

3350 AVENUE OF THE ARTS
COSTA MESA, CALIFORNIA

ENTITLEMENT AMENDMENT

AUGUST 2021
REVISED ENTITLEMENT SUBMISSION THAT ALIGNS WITH
8/16/21 PARKING DEMAND ANALYSIS

OCTOBER 2022
REFERENCES UPDATED INFORMATION PRIOR TO DECEMBER 2022
PLANCHECK SUBMISSION - SHOWS CONTINUED COMPLIANCE WITH
8/16/21 PARKING DEMAND ANALYSIS

#194077

WATG

300 SPECTRUM CENTER DRIVE, SUITE 500
IRVINE, CALIFORNIA 92618
TEL: 949.574.8500

NARRATIVE

Why are we improving the design?

The Costa Mesa Theater and Arts District has seen rapid and significant changes during the past 5 years including the redeveloped Argyros Plaza at Segerstrom Center, the luxury residential building at 580 Anton Blvd, and the proposed Orange County Museum of Art—these new improvements have fundamentally changed the look, feel, and character of the district. During the same time, Avenue of the Arts Costa Mesa has undergone a major interior renovation and has claimed top honors in the luxury market, winning Marriott's Hotel of the Year award amongst all their distinctive premium hotels, two years in a row. The growing demands of the hotel's clientele and the changes in the surrounding environment have caused ownership to re-evaluate the plans for the approved 150-key hotel expansion.

New Design Opportunities

The newly proposed 150 key hotel addition, designed by WATG architecture and landscape, takes the form of a modern mid-rise building stretching across the length of the avenue frontage. With a goal of public engagement, the building is purposefully brought toward the street to converse with the surrounding art and architecture. Taking inspiration from the curvaceous arts district architecture, the winding ribbon concept offers a distinct yet harmonizing voice framing the plaza. Starting from street level, the landscaped pedestrian walkways and entry drive bends upward along a dramatic elevated arrival experience finishing at the hotel lobby. From this vantage, one has views to the lake, Segerstrom Center for the Arts, and the highly anticipated OCMA.

In terms of urban planning the revised masterplan is more responsive to the surrounding context. Hotel amenities are outwardly focused toward the avenue, the plaza, the lake, and the OCMA. Parking is moved entirely below grade thereby reducing potential noise and light pollution while creating a more appropriate scale to the 5-story residences along the northern property line. Vehicular movement from the drop-off locations to the parking levels are completely on-site eliminating unnecessary traffic on the avenue. Unlike the point tower, the proposed site plan is fully integrated with the existing hotel wing at every level providing cohesive circulation and improved guest experience. Standard guestrooms are more spacious at 400 square feet net, a 20% increase over the previous scheme, while maintaining the same overall project square footage and floor-area-ratio.

The proposed design will demolish the existing 2-level avenue adjacent low rise, the 3-level parking structure, and the single level hotel lobby. Rising up from this location will be a new double-height lobby & lounge, a plaza view restaurant, 6-levels of guestrooms, and a pool deck on level 5 with vistas of the arts district. Situated behind the new guestroom wing is a large ground floor ballroom with separate drop-off and centralized meeting space. In this configuration, guests can now access the meeting facilities easily from both the new and existing guestrooms while having strong connectivity to the interior courts, function lawn, and the lakeside pathways. Topping the project and making for a beautiful evening is a much-needed roof top bar and terrace. Sunsets from here will be spectacular; a real jewel in the theater and arts district enabling the Avenue of the Arts Hotel to compete with other OC hotel destinations.

WINCOME
HOSPITALITY

WATG





WINCOME
HOSPITALITY

WATG

Avenue of the Arts Hotel Expansion
Costa Mesa, California

CROSSWALK VIEW

194077 | 1 October 2019 | Entitlement Submission / Master Plan Application

Original rendering of CROSSWALK VIEW from 10/1/2019 entitlement. It is now outdated. To see the revised level 10 design, see previous page.

PROJECT SUMMARY

FOR REFERENCE ONLY

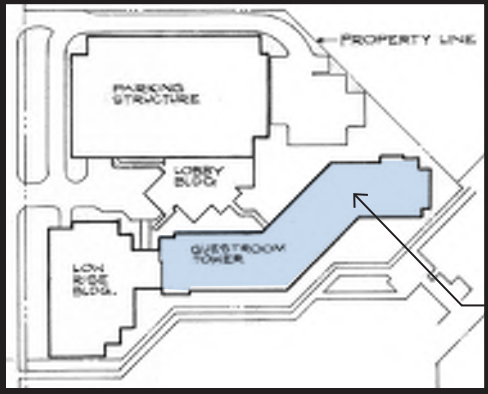
General Development Information		Project Calculations		Approved Totals per 2007 Master Plan		Modifications Approved per Planning Report PH-1 April 13, 2015			Modification Approved per Aug. 3, 2016 Entitlement			Modification approved on Nov. 7, 2019		Proposed Hotel per Aug. 2021 Revision & Oct. 2022 Update			
Lot Area	130,680 sf (3 acres)	General Information				*Revisions shown shaded			*Revisions shown shaded								
		Minimum Front Setback		20'		20'			20'			20'		20'			
Max. Building Height	220'-0" from grade (254'-0" from AMSL)																
Zoning	Planned Development Residential - High Density (PDR-HD)	Open Area Calculation		SF	% of total site	SF	% of total site		SF	% of total site		SF	% of total site		SF	% of total site	
		Ground Floor		35,193	27%	35,823	27%	(per ground level revisions)	33,342	26%	Level 1, Terrace, Breezeway	47,664	36%	Ground	28,118	22%	Ground
		Amenity Deck		17,847	14%	17,847	14%		10,365	8%	Level 4 Pool Terrace	4,657	4%	Level 2	21,325	16%	Level 2
		Private Balconies		57,212	44%	57,212	44%		8,140	6%	Private Balconies	8,285	6%	Level 5 Pool Terrace	3,646	3%	Level 5 Pool Terrace
												594	0.5%	Private Balconies (10)	622	0.5%	Private Balconies (9)
												5,000	4%	Roof Terrace	4,080	3.5%	Roof Terrace
Project Information		Total Open Space		110,252	84%	110,882	85%		60,189	46%		66,200	52%		57,791	45%	
Number of Stories	10	Driveway Area		25,673	20%	22,900	18%		12,662	10%		23,814	18%		23,305	18%	
Use	Hotel											* See Parking Calc. & Parking Traffic Studies dated 10/4/19			* See Parking Calc. & Parking Traffic Studies dated 8/16/2021		
Construction	Type I	Parking Totals				* See Parking Calc. & Parking Traffic Stu			* See Parking Calc. & Parking Traffic Studies								
Structural Frame	3 Hrs	Total Parking Demand		480		362 (per Parking Study 11/18/14)			274 (per Parking Study 4/7/16)			262 (per Parking Study 11/7/19)			243 (per Parking Study 8/16/21)		
Shaft Enclosure	2 Hrs	Total Parking Provided		480		422			340			335			327		
Floor	2 Hrs	Residential/ Hotel Totals				* See Residential Area Calcs.			* See Hotel Area Calculations			* See Hotel Area Calculations			* See Parking Summary & Hotel Area Calculations on next Project Data page.		
Roof	2 Hrs	Total Residential Units		120		100			0			0			0		
Unit Separation	2 Hrs	Total Gross Building Area		292,172 SF		291,542 SF (per ground level revisions)			299,080 SF Existing & Proposed			285,502 SF Existing & Proposed			274,553 SF Existing & Proposed		
Exterior Bearing	4 Hrs less than 3' from property line	Total Hotel Units		200		238 (existing hotel to remain)			388			388			388		
Non-bearing	2 Hrs less than 20' from property line	Lounge/Bar Area		3,450 SF		0 SF (included in hotel upgrade)			1,823 SF			0 SF (included in hotel total)			0 SF (included in hotel total)		
		Ancillary Retail		1,740 SF		0 SF (included in hotel upgrade)			332 SF Market Place on Level 1			0 SF (included in hotel total)			0 SF (included in hotel total)		

Note 1: 158 hotel units are proposed in addition to the existing 238 hotel rooms on property. The existing hotel will have a reduction of 8 rooms. Total hotel units on property would be 388.

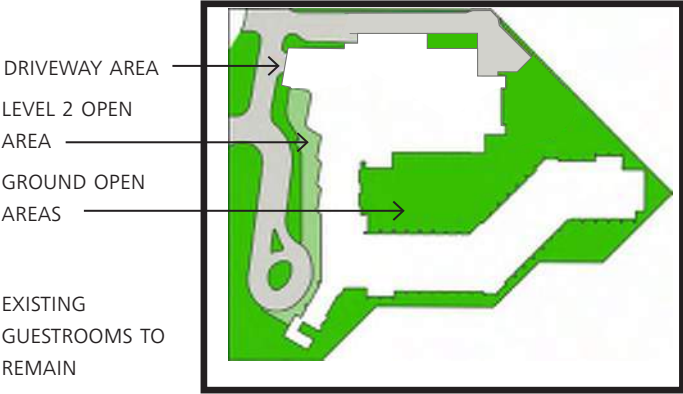
EXISTING AREAS TO REMAIN SUMMARY

Level	Use	Total Plate Area
1	Guestrooms	20,582
2	Guestrooms	20,582
3	Guestrooms	20,582
4	Guestrooms	20,582
5	Guestrooms	20,582
6	Guestrooms	20,582
7	Mechanical	4,201
Total		127,693

EXISTING SITE KEY PLAN



GROUND & LEVEL 2 AREAS DIAGRAM



TOTAL KEYS UNCHANGED.
REDISTRIBUTED OLD ROOMS
INTO NEW ADDITION.

FAR CALCULATIONS

	Building Area (sf)	Keys	Site (sf)	FAR
Existing Hotel to Remain	127,693	230	130,680	
New Hotel Addition	146,860	158		
Total (Existing & Proposed)	274,553	388	130,680	2.10

FAR = Total Hotel Area (Existing and Proposed)

Total lot Area (3 Acres)

Notes:

1. Lot area is 3 Acres (130,680sf) according to North Costa Mesa Specific Plan
2. Maximum FAR = 2.29 per North Costa Mesa Specific Plan Amendment SP-07-01 for hotel development

GROSS PLATE AREAS SUMMARY

2022 Proposed			Previous Entitlement (Nov. 7, 2019)			Previous Entitlement (Aug. 3,2016)		
Level	Use	gross area (sf)	Level	Use	gross area (sf)	Use	gross area (sf)	
B1	Utilities/Storage	1459	1	Ballroom/ BOH	36,182	Lobby/ Restaurant	19,513	
1	Parking/Dock/Utilities	6,555	2	Lobby/ Restaurant	18,391	Ballroom/Prefunction	16,640	
2	Lobby/ Restaurant/Ballroom	32,527	3	Elev. Lobby/Mechanical	3,793	Admin/Meeting Rooms	14,927	
3	Elev. Lobby/Mechanical	2,052	4	Elev. Lobby	1,257	Guestrooms/Fitness	8,000	
4	BOH	8,421	5	Guestrooms	16,545	Guestrooms	8,000	
5	Guestrooms/Pool	17,169		Fitness (lower)	800			
6	Guestrooms	16,728	6	Guestrooms	16,777	Guestrooms	8,000	
7	Guestrooms	16,498		Fitness (upper)	400			
8	Guestrooms	16,610	7	Guestrooms	17,385	Guestrooms	8,000	
9	Guestrooms	16,536	8	Guestrooms	17,485	Guestrooms	8,000	
10	Guestrooms/Roof Terrace	12,305	9	Guestrooms	17,385	Guestrooms	8,000	
11	Roof/Mechanical	0	10	Guestrooms/Roof Terrace	11,409	Guestrooms	8,000	
10			11	Roof/Mechanical	0	Guestrooms	8,000	
11			12			Guestrooms	8,000	
12			13			Guestrooms	8,000	
13			14			Guestrooms	8,000	
14			15			Penthouse Guestrooms	8,000	
15			16			Mechanical	0	
16			17			Roof	0	
17				Hotel Subtotal	157,809	Hotel Subtotal	147,080	
	Hotel Subtotal	146,860		Demolition (2 story bldg.)	-26,000			
	Demolition (2 story bldg.)	-26,000		Comparative Hotel Subtotal	131,809	Comparative Hotel Subtotal	147,080	
	Comparative Hotel Subtotal	120,860						
			B2	Parking	67,558			
B1	Parking	70,111	B1	Parking	67,568	Parking	42,413	
1	Parking	51,744	P1			Parking	18,707	
2			P2			Parking	18,707	
3			P3			Parking	18,993	
4			P4			Parking	18,993	
5			P5			Parking	18,993	
	Parking Subtotal	121,855		Parking Subtotal	135,126	Parking Subtotal	136,806	
	Total	268,715		Total	292,935	Total	283,886	

Notes 1. Gross areas exclude stairs and shafts.
2. Demolition area is in additional demo area

Current & previous Parking Demand Analysis Reports as they relate to the Accessory Use Net Areas in upper right of page.

Parking Demand Analysis (8/16/21) is based on the following: 388 rooms 8,850 SF Restaurant 8,850 + 8,390 = 17,240 8,390 SF Conference		
Parking Demand Analysis (11/7/19) is based on the following: 388 rooms 10,600 SF Restaurant 10,600 + 10,050 = 20,650 10,050 SF Conference		
Parking Demand Analysis (4/17/16) is based on the following: 388 rooms 8,500 SF Restaurant 8,850 + 13,900 = 22,400 13,900 SF Conference		

ACCESSORY USE NET AREAS

Proposed - 2021 Numbers to support Parking Demand Analysis

2022 Areas show further reduction still compliant w/Parking Demand

Use	Lv.	Public/Hotel Use	Net Area(sf)	
Ballroom	1	Public	7,000	7,000
Meeting (Fire court)	1	Public	<i>Eliminated</i>	<i>Eliminated</i>
Meeting (Lakeside)	1	Public	890	<i>Eliminated</i>
Boardroom	1	Public	500	500
Restaurant	2	Public	3,800	3,551
Outdoor Dining	2	Public	970	970
Lobby Lounge	2	Hotel	1,800	1,232
Fitness	5&6	Hotel	0, Expand Existing	0, Expand Existing
Hospitality Suite	5	Hotel	<i>Eliminated</i>	<i>Eliminated</i>
Pool	5	Hotel	700 exterior	700 exterior
Pool Deck	5	Hotel	3,300 exterior	3,300 exterior
Club Lounge	10	Hotel	1,400	1,695
Roof Bar & Terrace	10	Public	780 + 3,300 exterior	800 + 2,716 exterior
Total			24,440	22,464
Total Restaurant			8,850	8,037
Total Conference			8,390	7,500
Total Public Areas =			17,240	15,537

Areas that require additional parking

Areas included as general hotel use

PARKING STALL SUMMARY

2021 Proposed

Level	Standard	Compact	ADA	Compliant Subtotal	Tandem	Double Tandem	Total
1	90	14	8	112	4	0	116
B1	117	20	0	137	47	27	211
B2	0	0	0	n/a	0	0	0
Totals	207	34	8	249	51	27	327

Notes:
1. 243 stalls required per Parking Demand Study 8/16/21; based on 17,240 SF breakdown above.
2. Minimum of 8 accessible stalls required per 2019 CBC.

Previous Entitlement (Nov. 7, 2019)

Level	Standard	Compact	ADA	Subtotal	Tandem	Total
1	0	0	0	0	0	
B1	118	13	5	136	33	169
B2	122	13	3	138	28	166
Totals	240	26	8	274	61	335

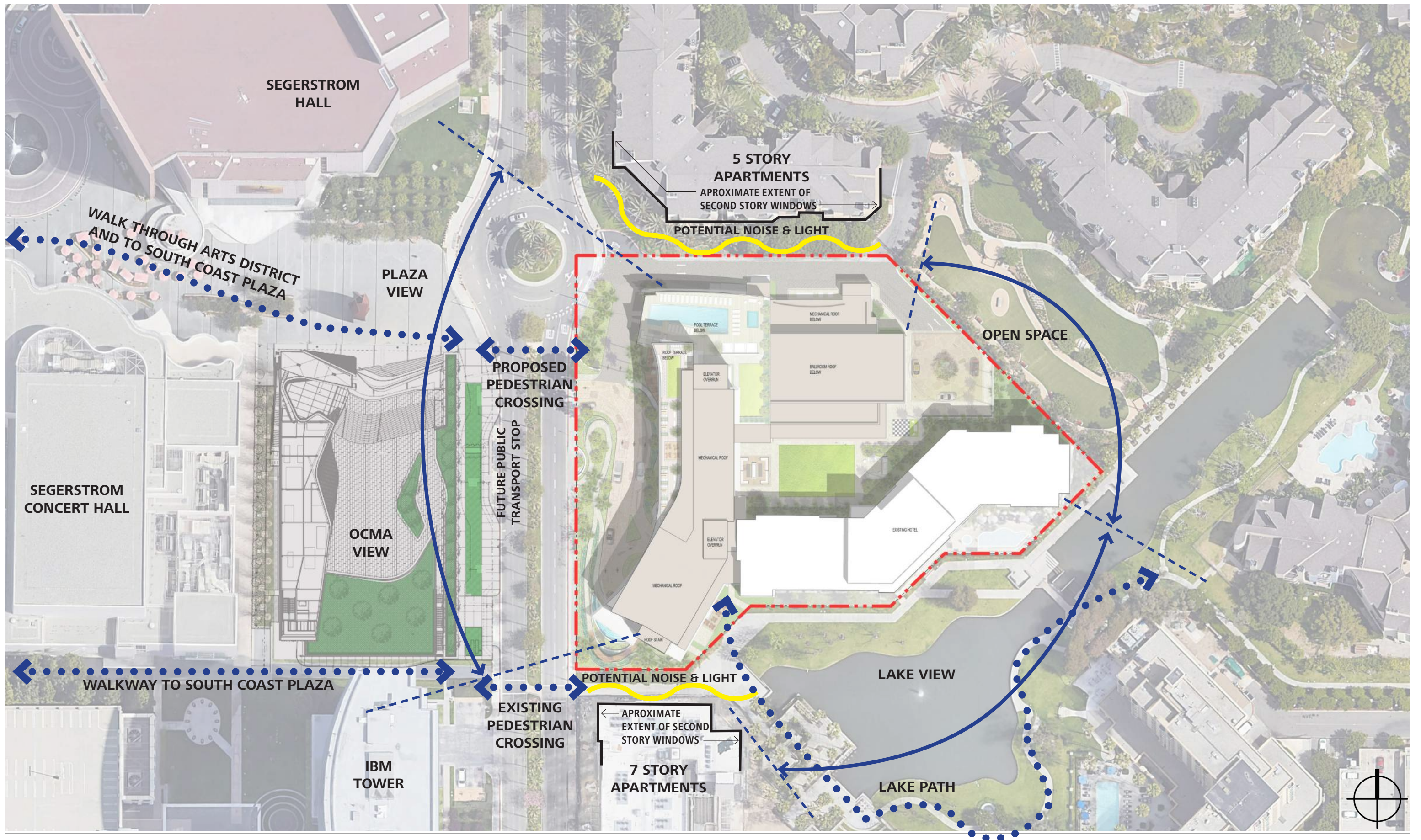
Notes:
1. All stalls are below grade garage parking.
2. 262 stalls required per Parking Demand Study 10/4/19.
3. 335 stalls allowable per 8/3/16 entitlement.
4. Minimum of 8 accessible stalls required per 2016 CBC.
5. 10% maximum compact stall count
6. Area per stall = 403 SF
7. Tandem stalls are provided as part of valet service above and beyond minimum parking requirements.

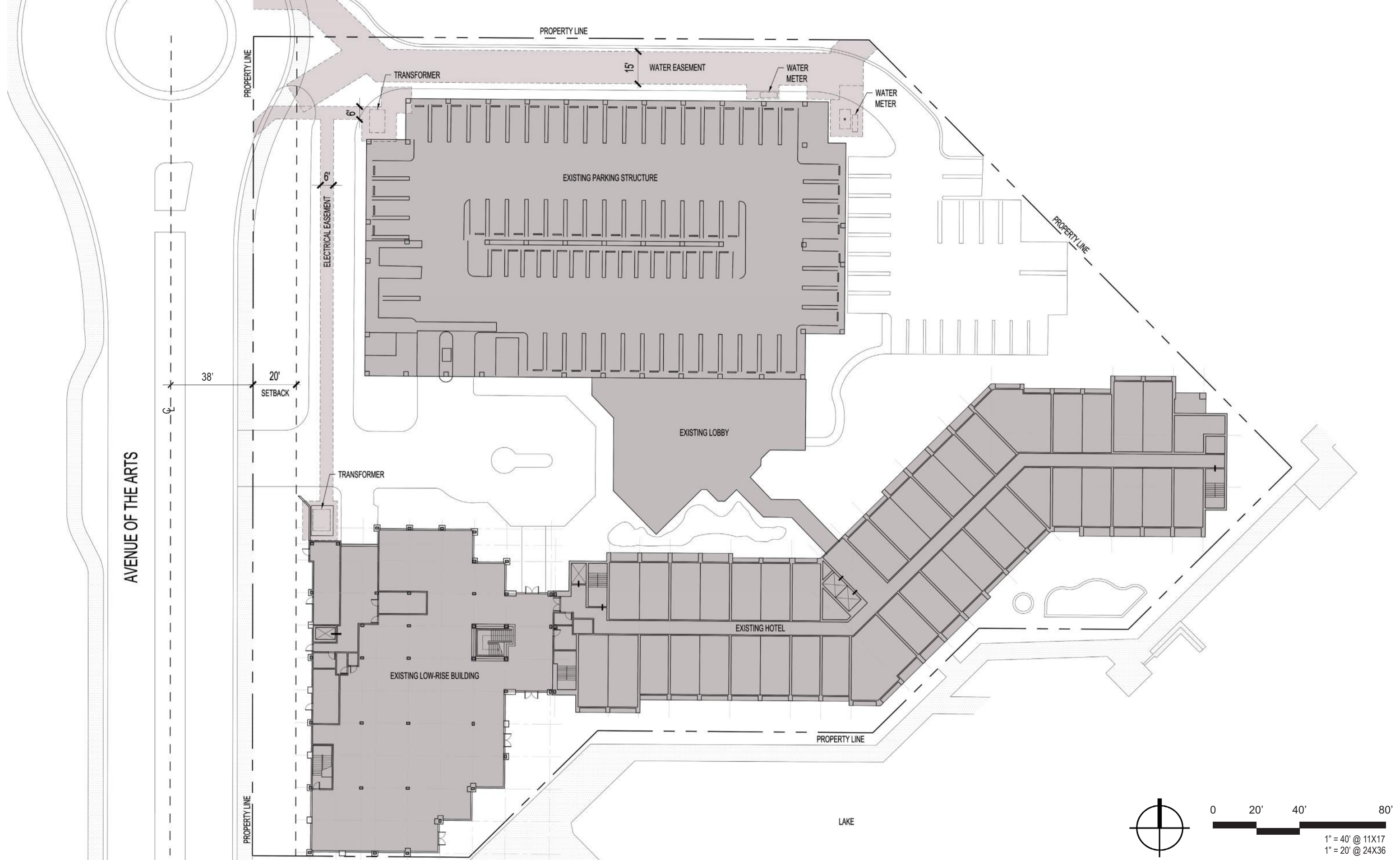
Previous Entitlement (August 3, 2016)

Level	Standard	Compact	ADA	Total
P5	48	3	0	51
P4	48	3	0	51
P3	48	3	0	51
P2	43	4	0	47
P1	38	2	1	41
B1	80	7	7	94
	305	22	8	335

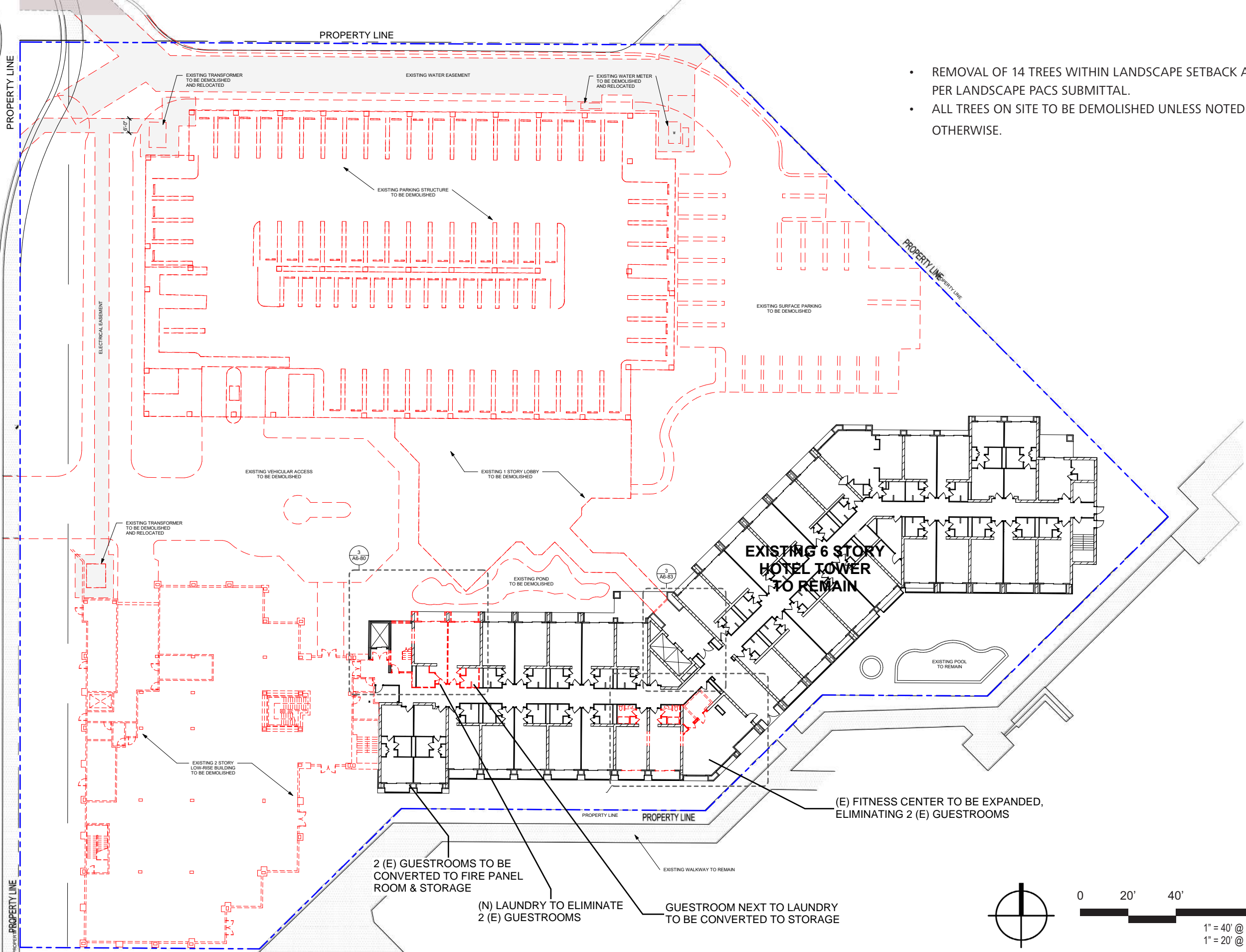
Parking Calculations	
Parking Garage Totals	
Total Parking Required (Note 1)	274
Total Parking Provided (Note 2)	335
Accessible Stalls (Note 3)	8
Percentage Accessible	2.39%
Notes	
1. Required number per Parking Demand Study 4/7/16	
2. Provided number includes valet and self-park total.	
3. 8 accessible stalls required per 2013 CBC table 11B-6	
Total Parking Area	136,806
Area (SF) per stall (parking Efficiency)	439



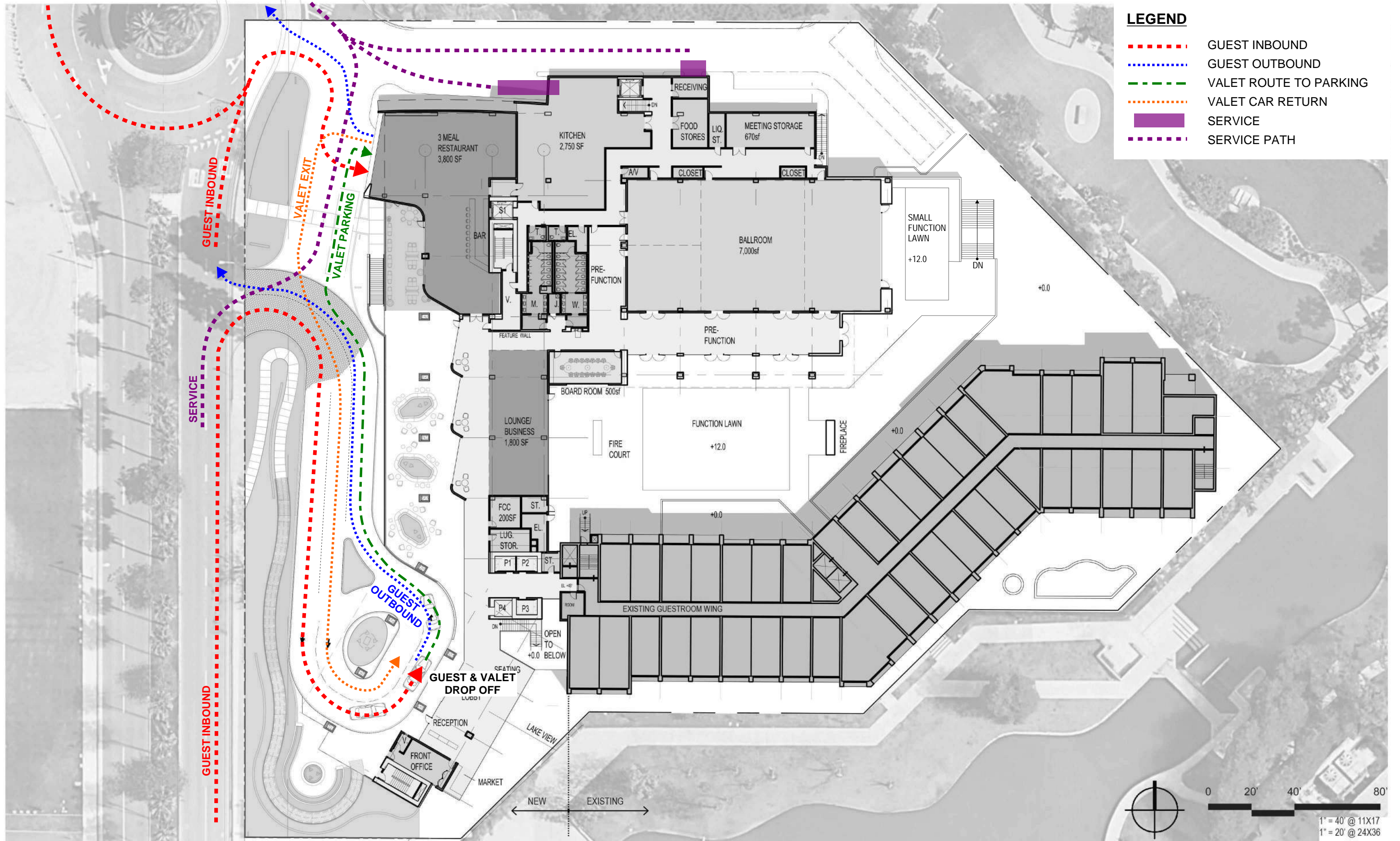




AVENUE OF THE ARTS

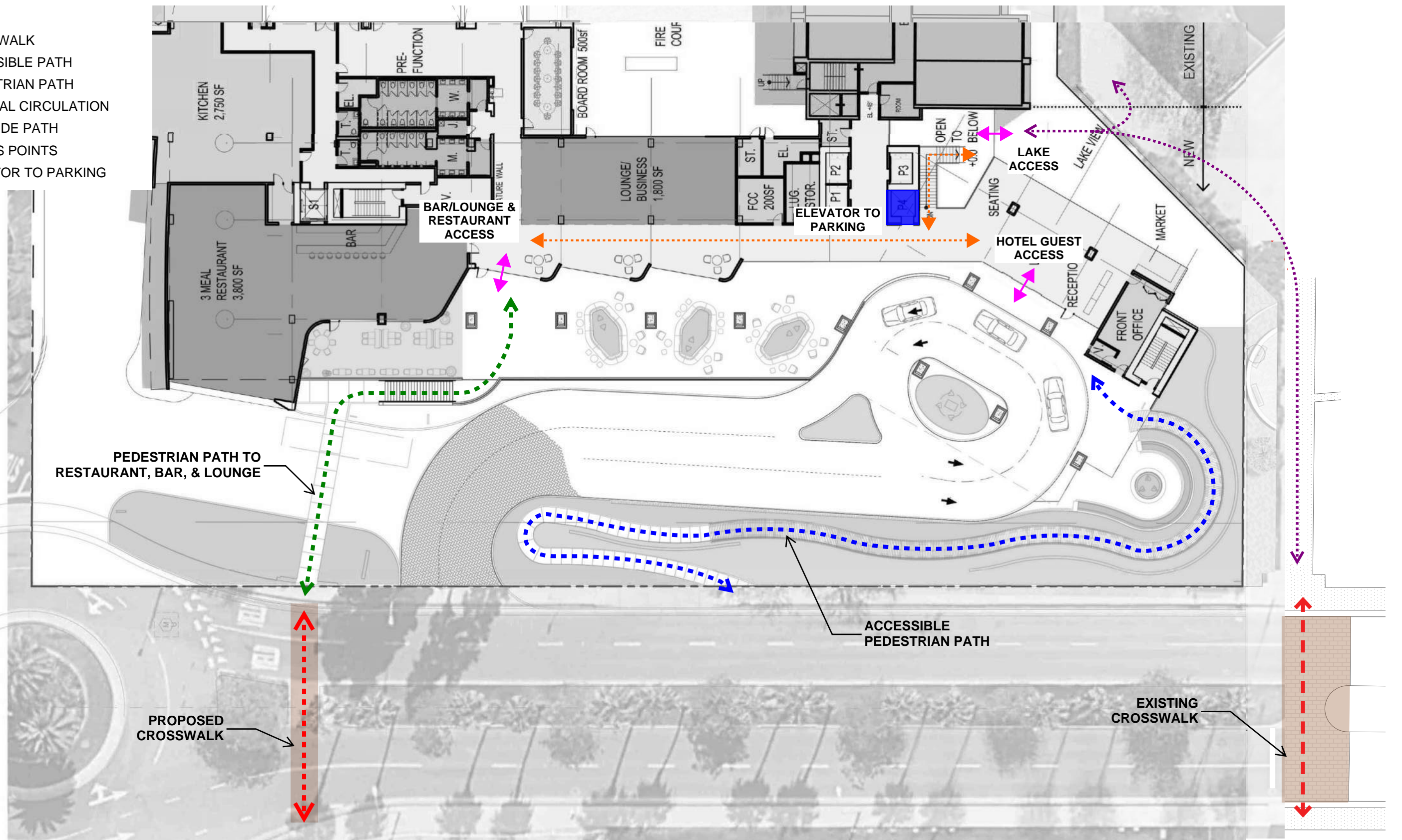


- REMOVAL OF 14 TREES WITHIN LANDSCAPE SETBACK AS PER LANDSCAPE PACS SUBMITTAL.
- ALL TREES ON SITE TO BE DEMOLISHED UNLESS NOTED OTHERWISE.

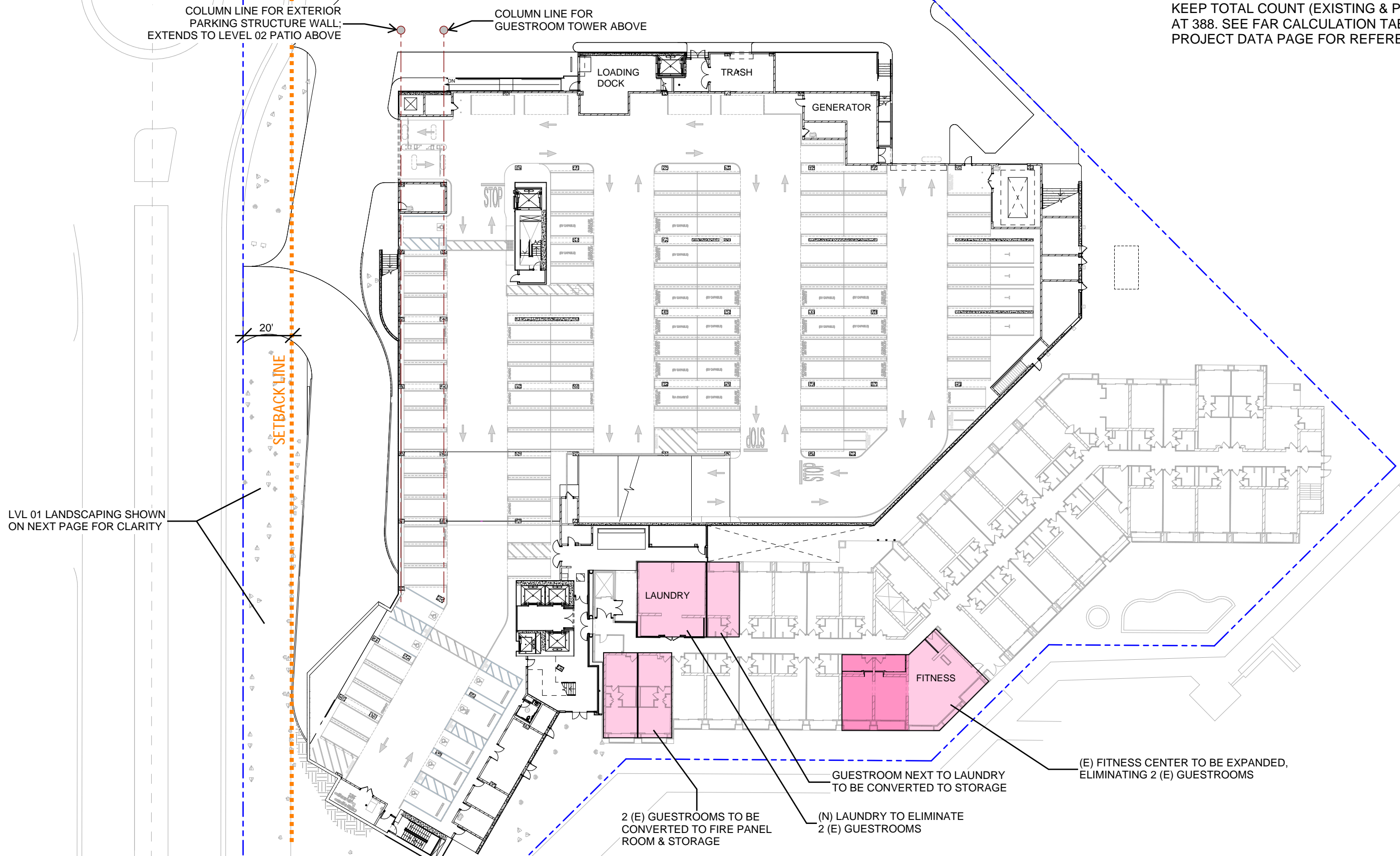


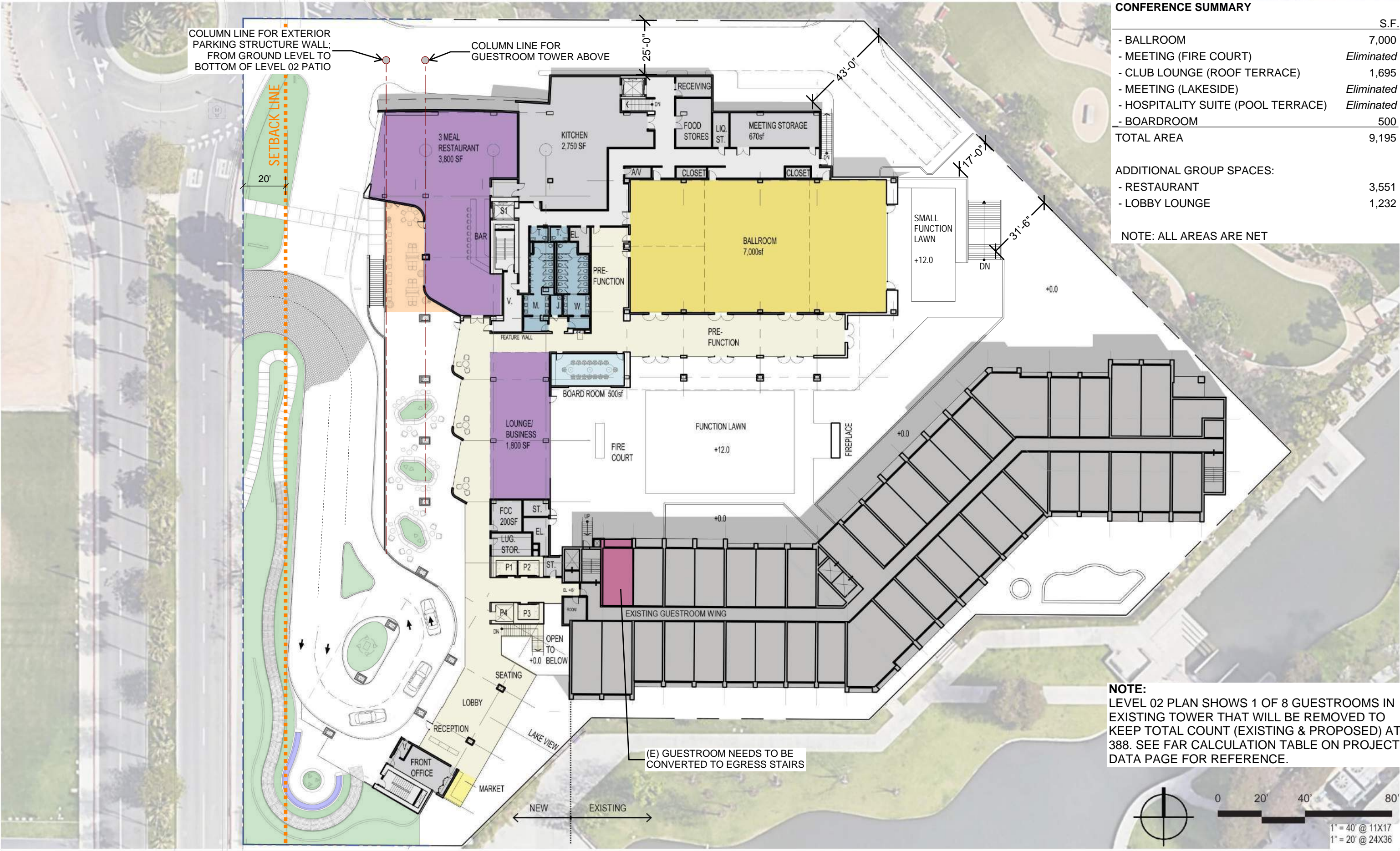
LEGEND

- CROSSWALK
- ACCESSIBLE PATH
- PEDESTRIAN PATH
- INTERNAL CIRCULATION
- LAKE-SIDE PATH
- ACCESS POINTS
- ELEVATOR TO PARKING



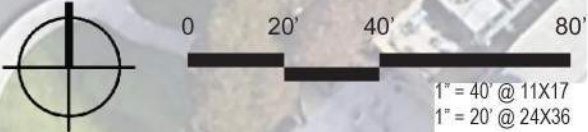
NOTE:
LEVEL 01 PLAN SHOWS 7 OF 8 GUESTROOMS IN
EXISTING TOWER THAT WILL BE REMOVED TO
KEEP TOTAL COUNT (EXISTING & PROPOSED)
AT 388. SEE FAR CALCULATION TABLE ON
PROJECT DATA PAGE FOR REFERENCE.

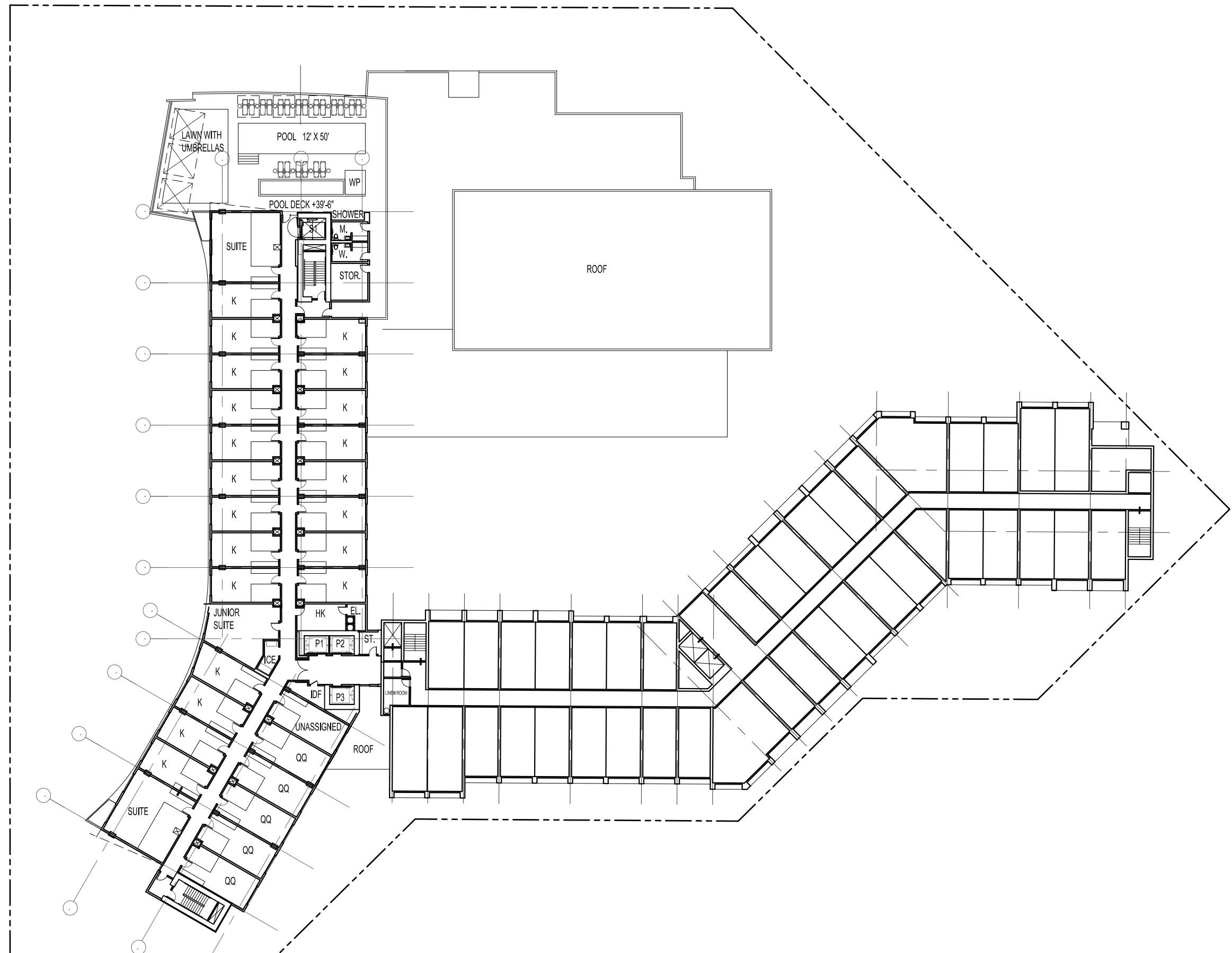




CONFERENCE SUMMARY		S.F.
- BALLROOM		7,000
- MEETING (FIRE COURT)	Eliminated	
- CLUB LOUNGE (ROOF TERRACE)		1,695
- MEETING (LAKESIDE)	Eliminated	
- HOSPITALITY SUITE (POOL TERRACE)	Eliminated	
- BOARDROOM		500
TOTAL AREA		9,195
ADDITIONAL GROUP SPACES:		
- RESTAURANT		3,551
- LOBBY LOUNGE		1,232
NOTE: ALL AREAS ARE NET		

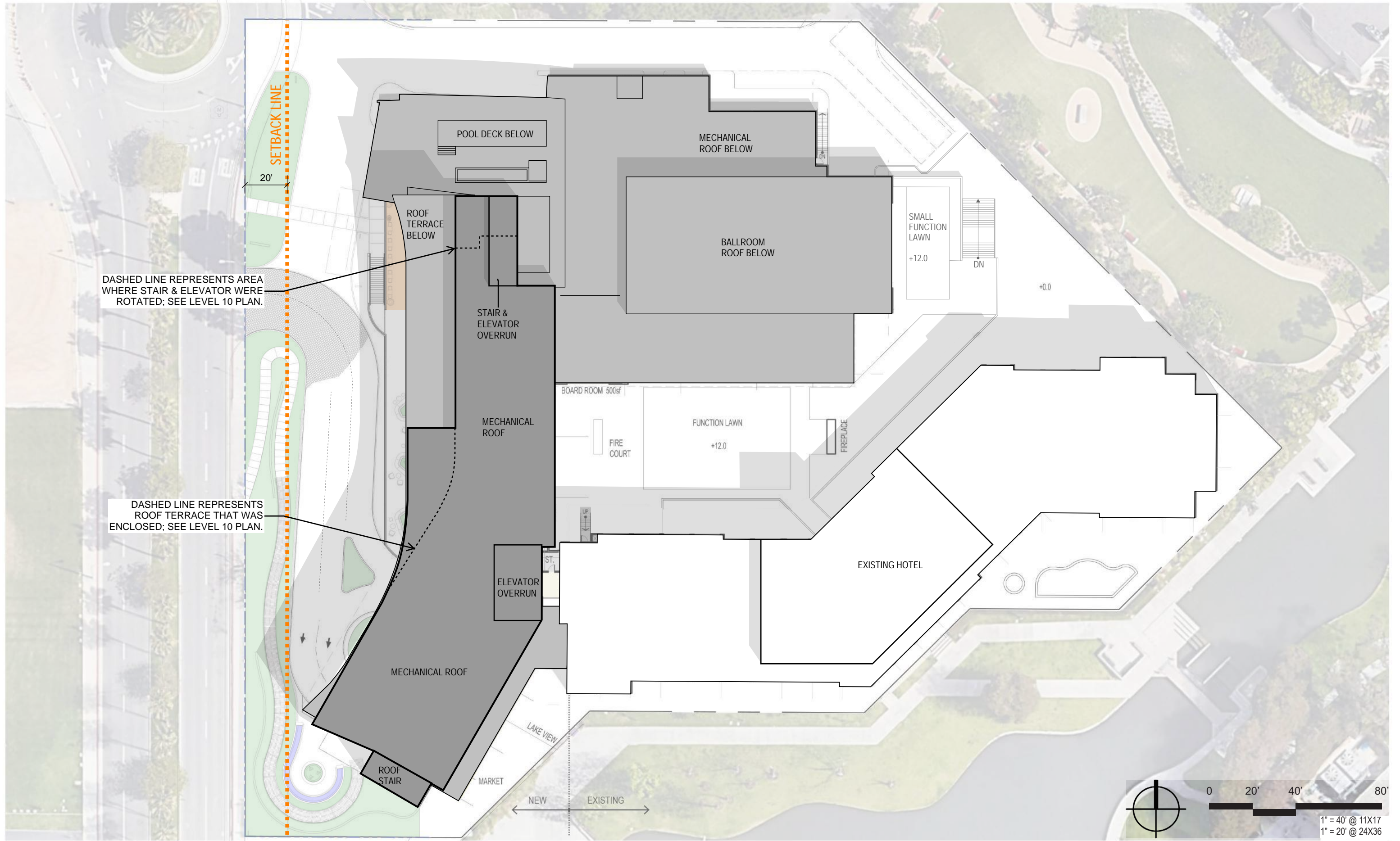
NOTE:
LEVEL 02 PLAN SHOWS 1 OF 8 GUESTROOMS IN EXISTING TOWER THAT WILL BE REMOVED TO KEEP TOTAL COUNT (EXISTING & PROPOSED) AT 388. SEE FAR CALCULATION TABLE ON PROJECT DATA PAGE FOR REFERENCE.





SQUARE FOOTAGES SHOWN ARE
IN COMPLIANCE W/2021 PARKING
DEMAND ANALYSIS





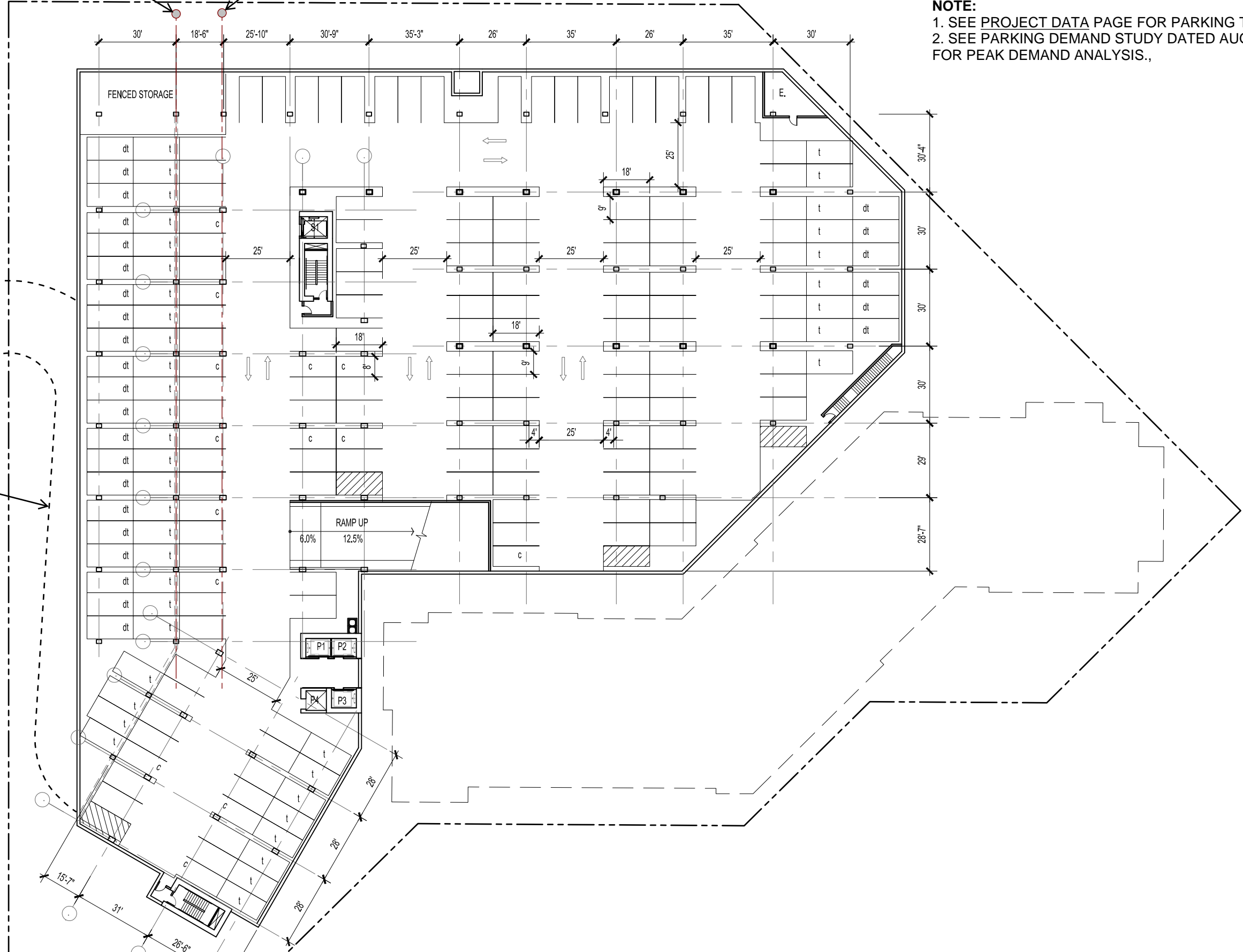
COLUMN LINE FOR EXTERIOR PARKING STRUCTURE
WALL ABOVE; EXTENDS TO LEVEL 02 PATIO

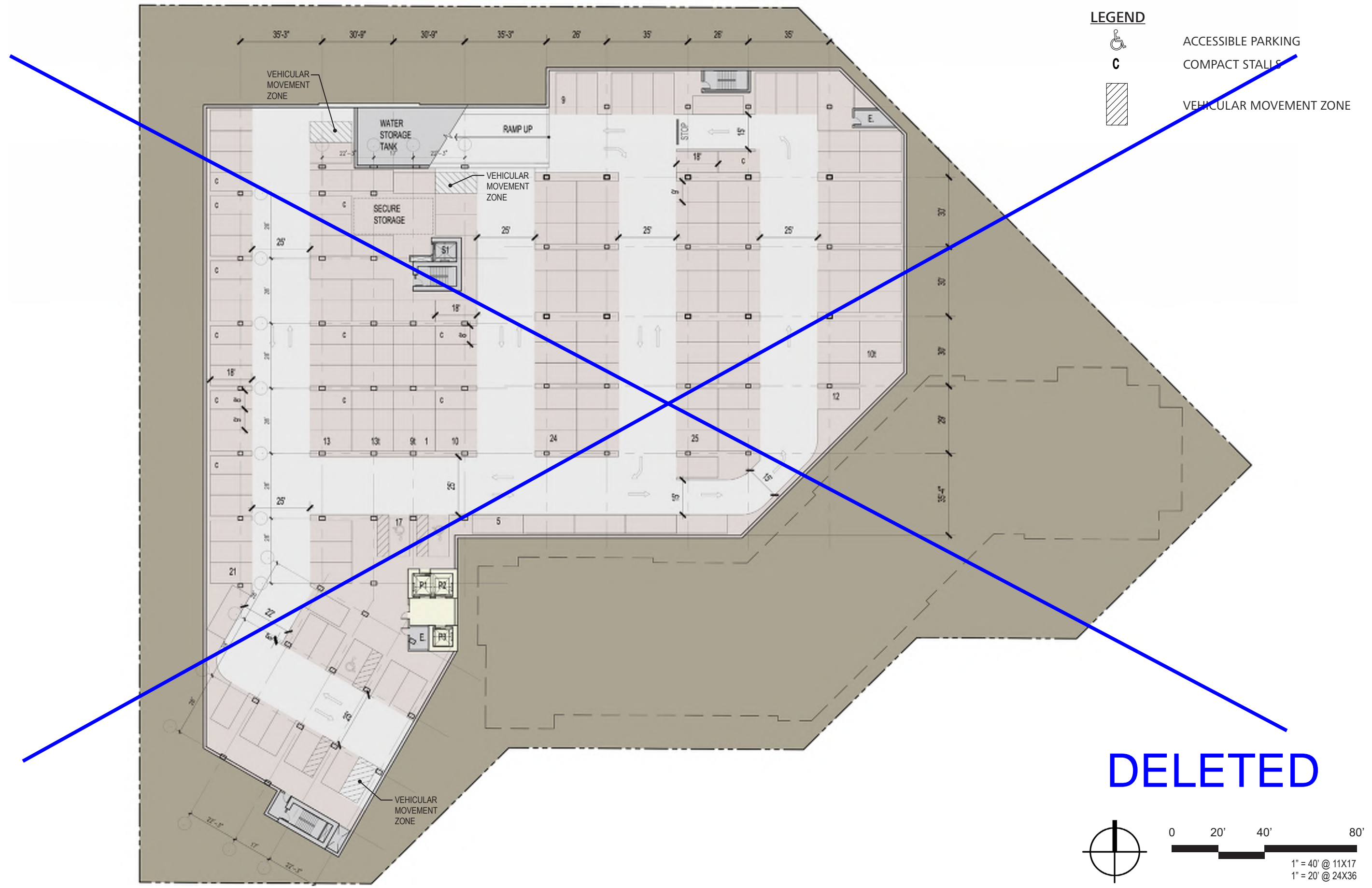
COLUMN LINE FOR
GUESTROOM TOWER ABOVE

NOTE:

1. SEE PROJECT DATA PAGE FOR PARKING TABULATION.
2. SEE PARKING DEMAND STUDY DATED AUGUST 16, 2021 FOR PEAK DEMAND ANALYSIS.

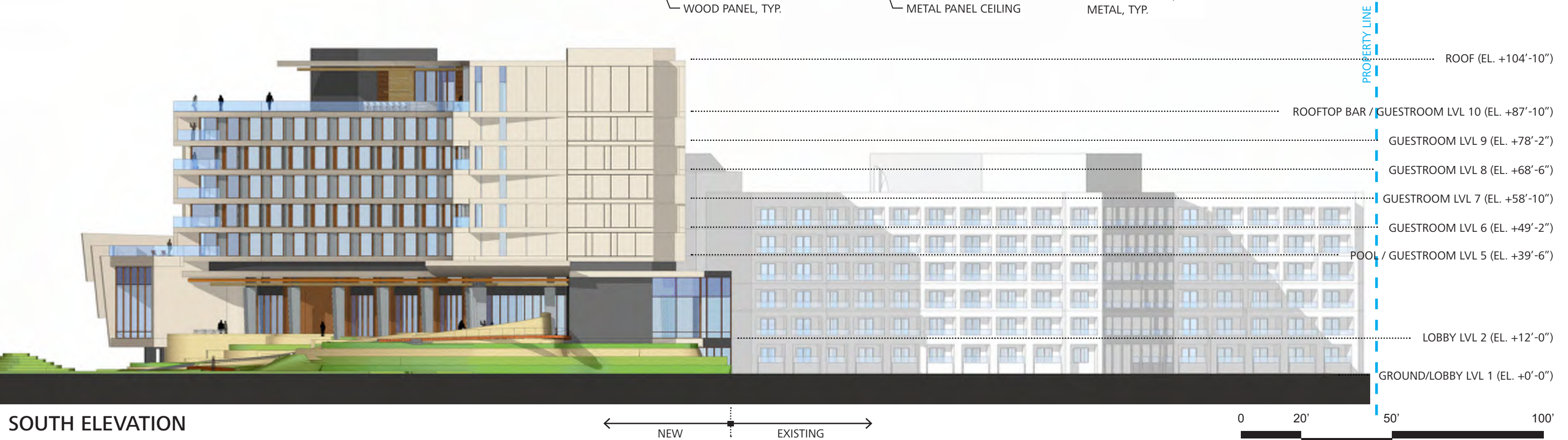
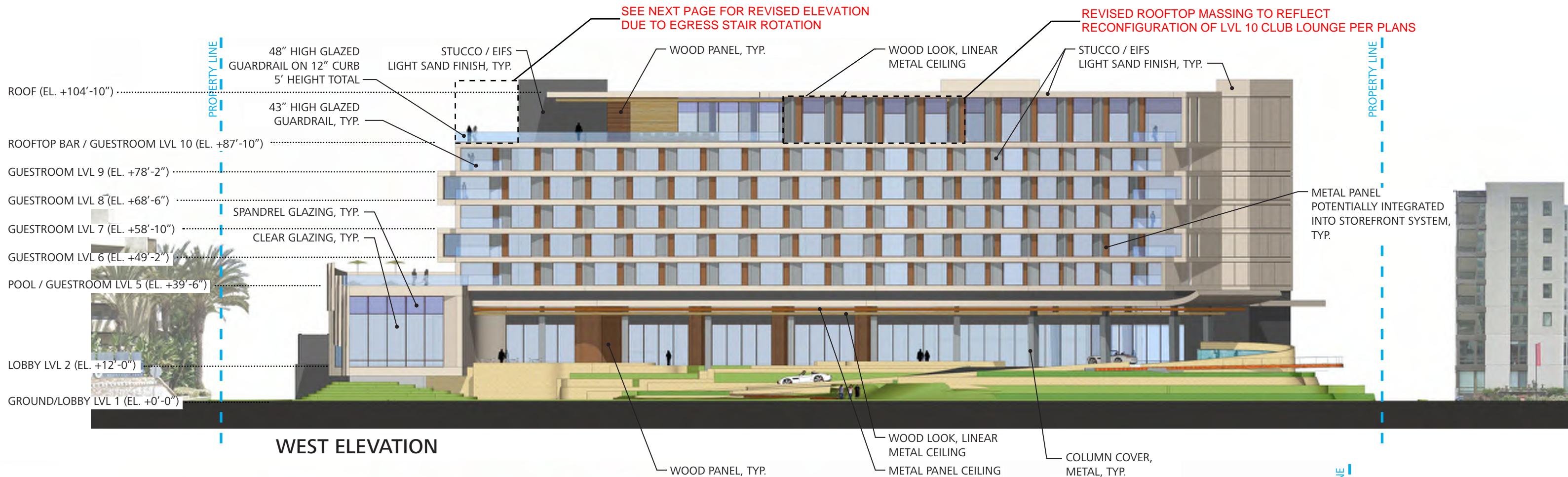
DASHED LINE REPRESENTS RAMP
AT GROUND FLOOR, ABOVE

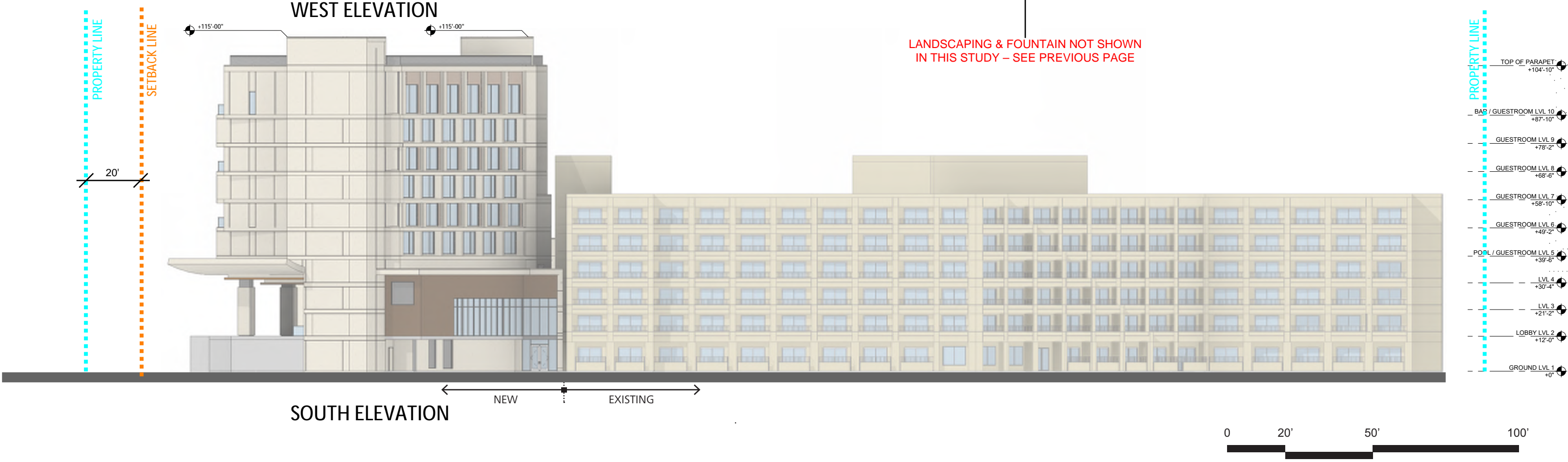
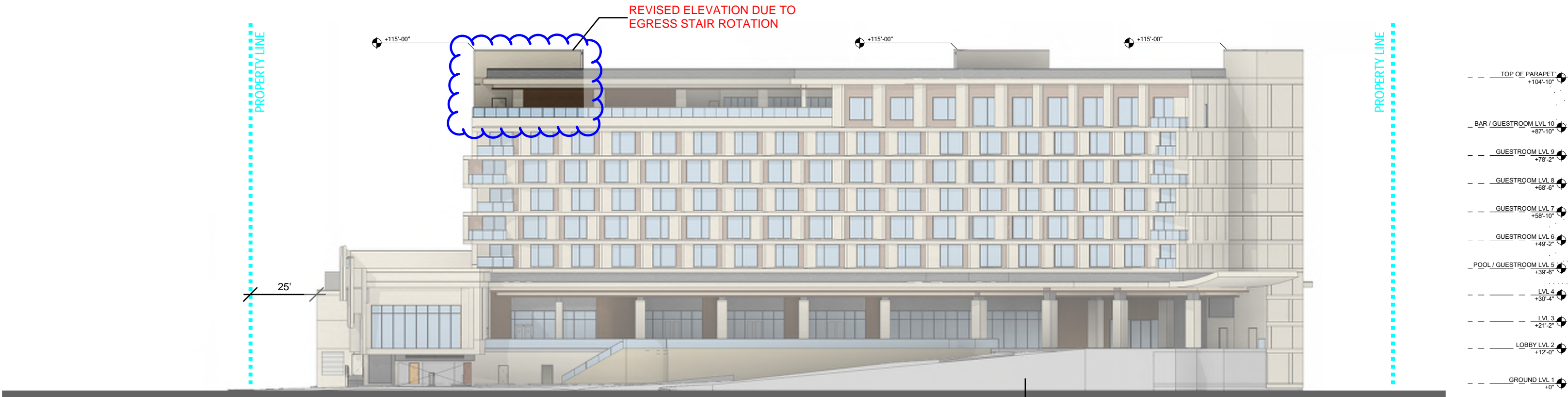


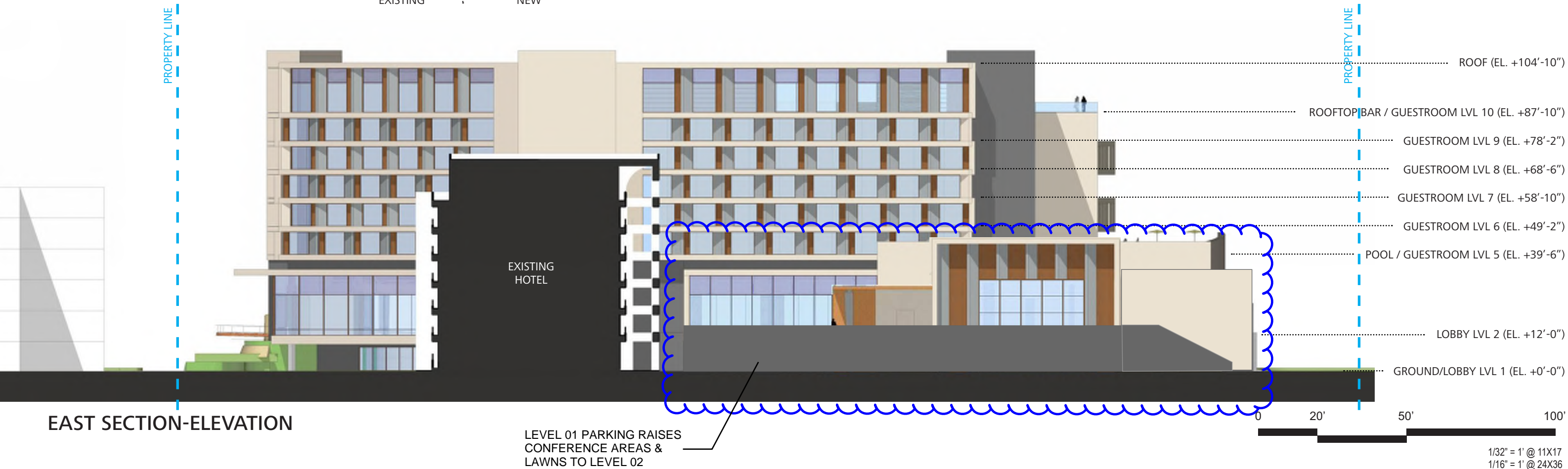
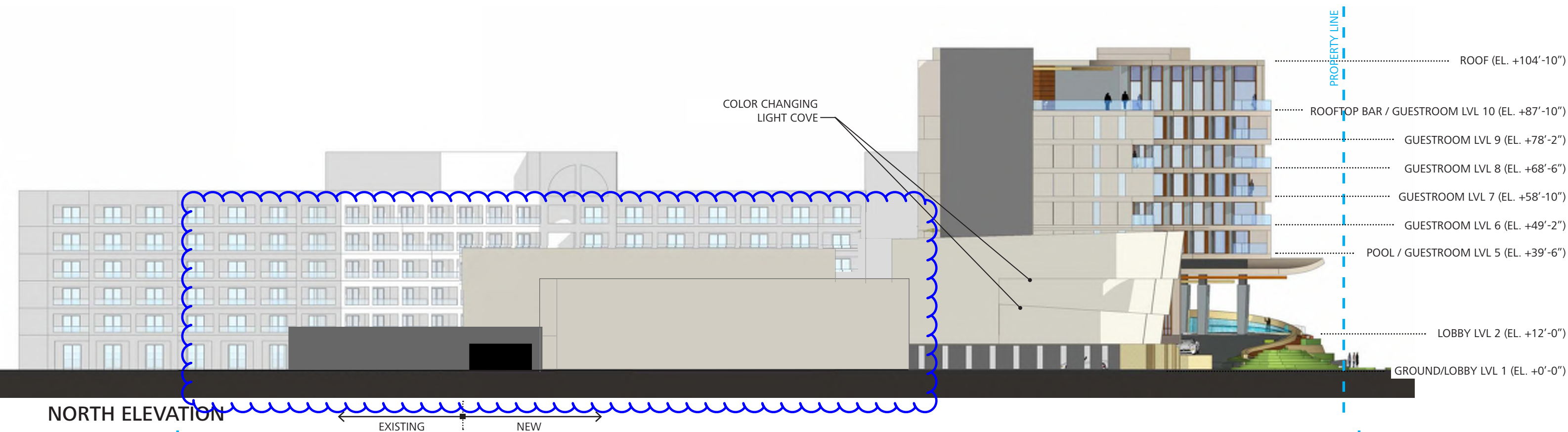


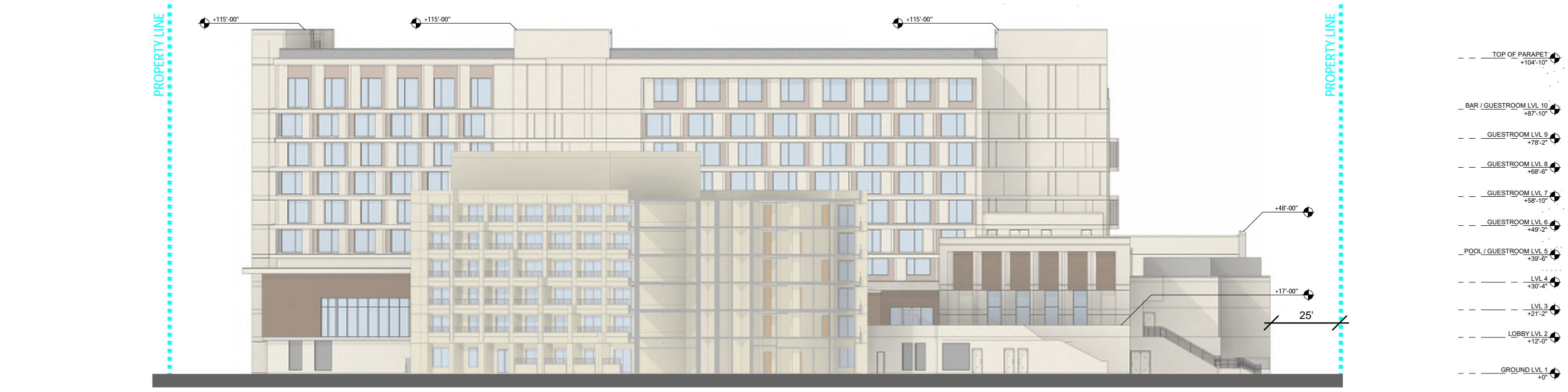
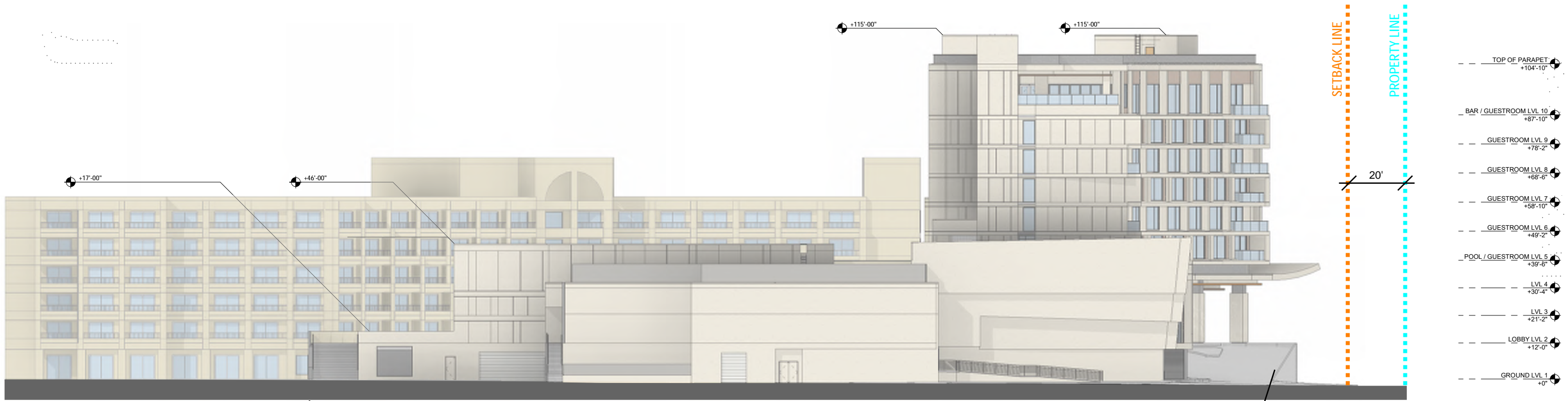


Original rendering of AERIAL MODEL VIEW from 10/1/2019 entitlement not updated.
Revised design is shown on PLAZA VIEW rendering.





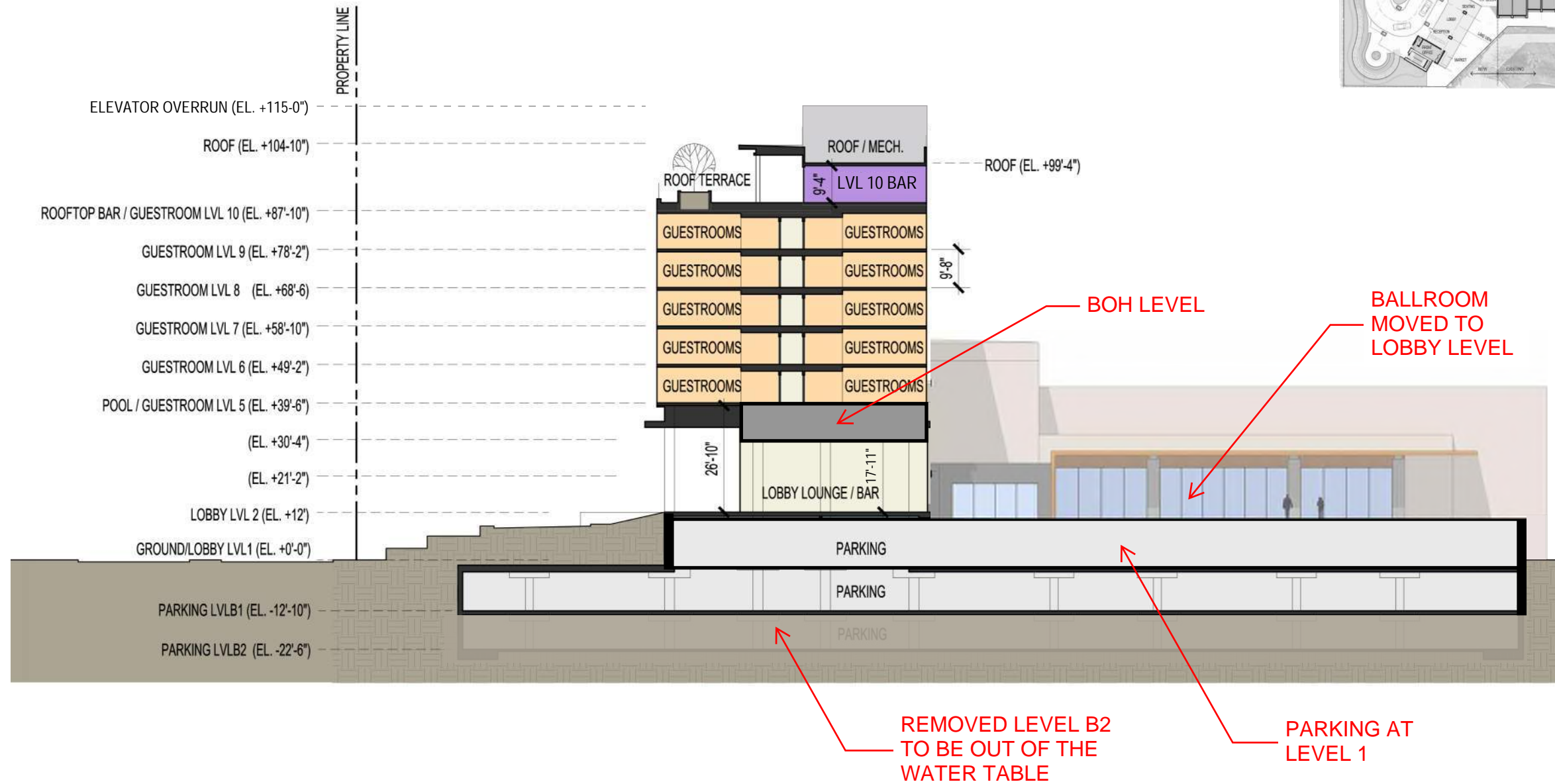
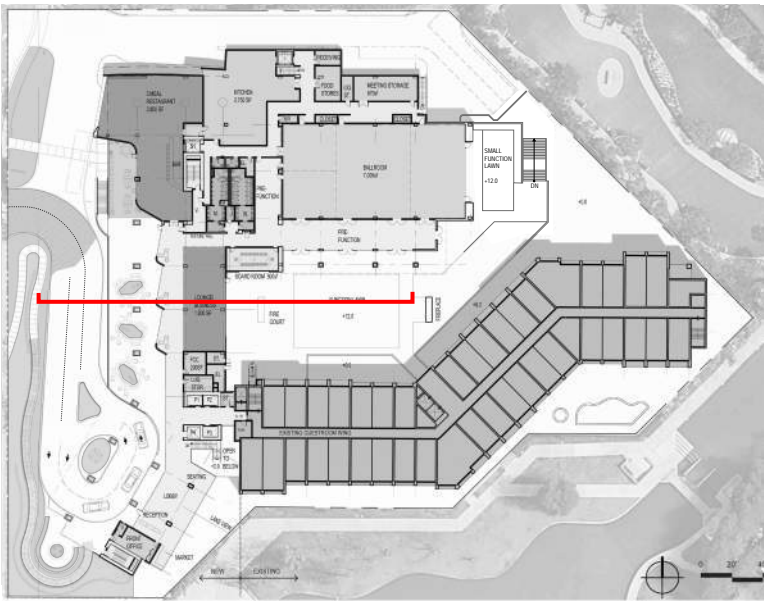


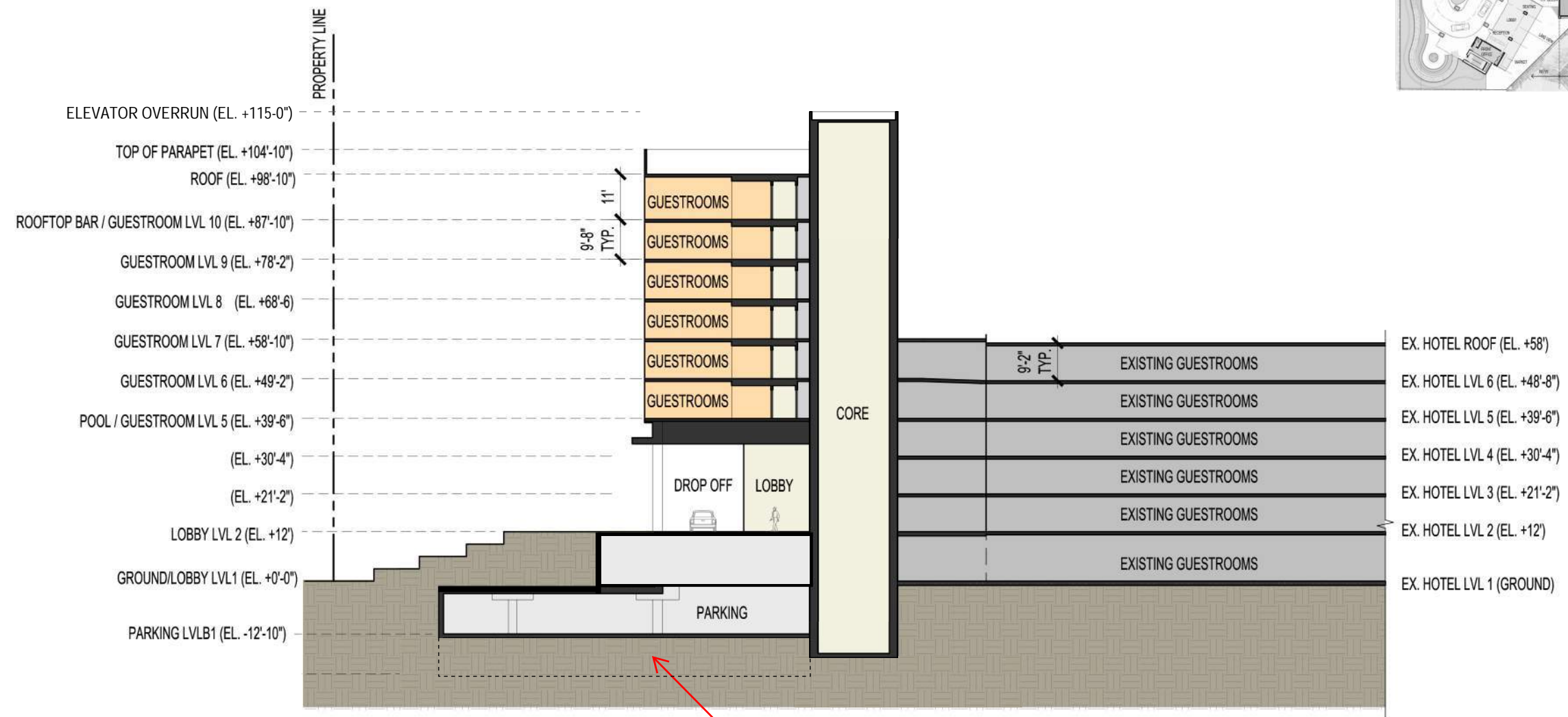
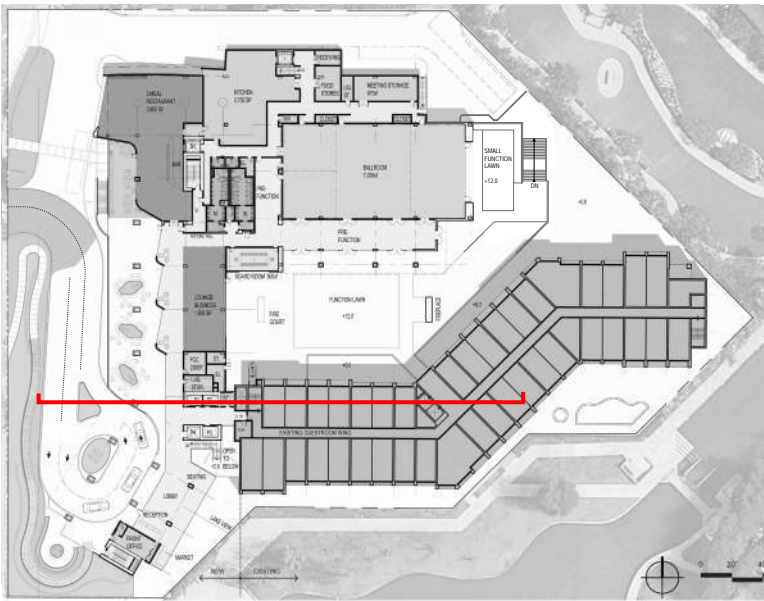


EAST SECTION- ELEVATION



1/32" = 1' @ 11X17
1/16" = 1' @ 24X36

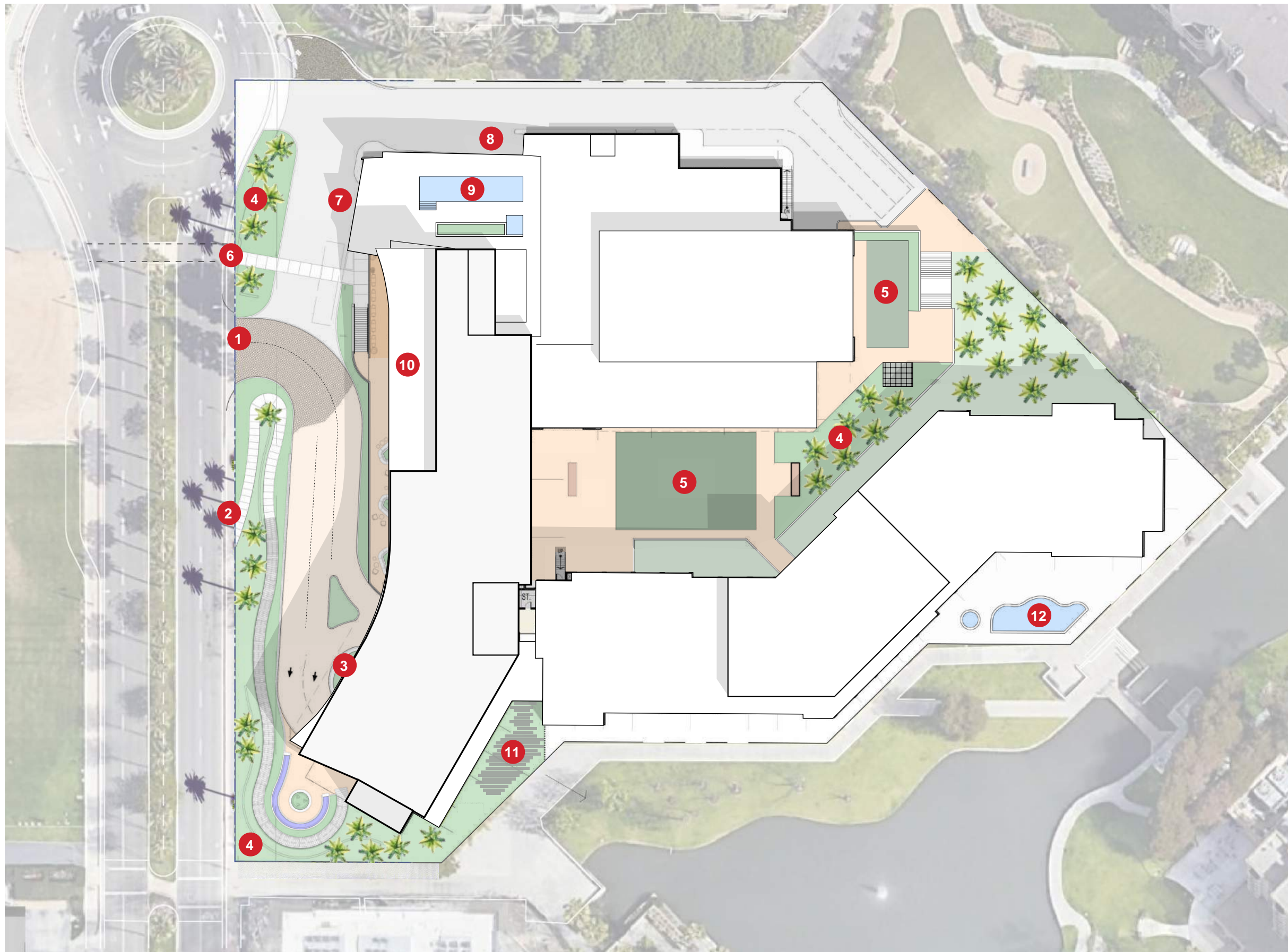




LEVEL B2 PARKING
REMOVED

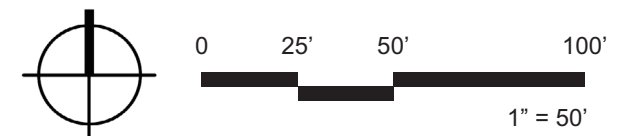


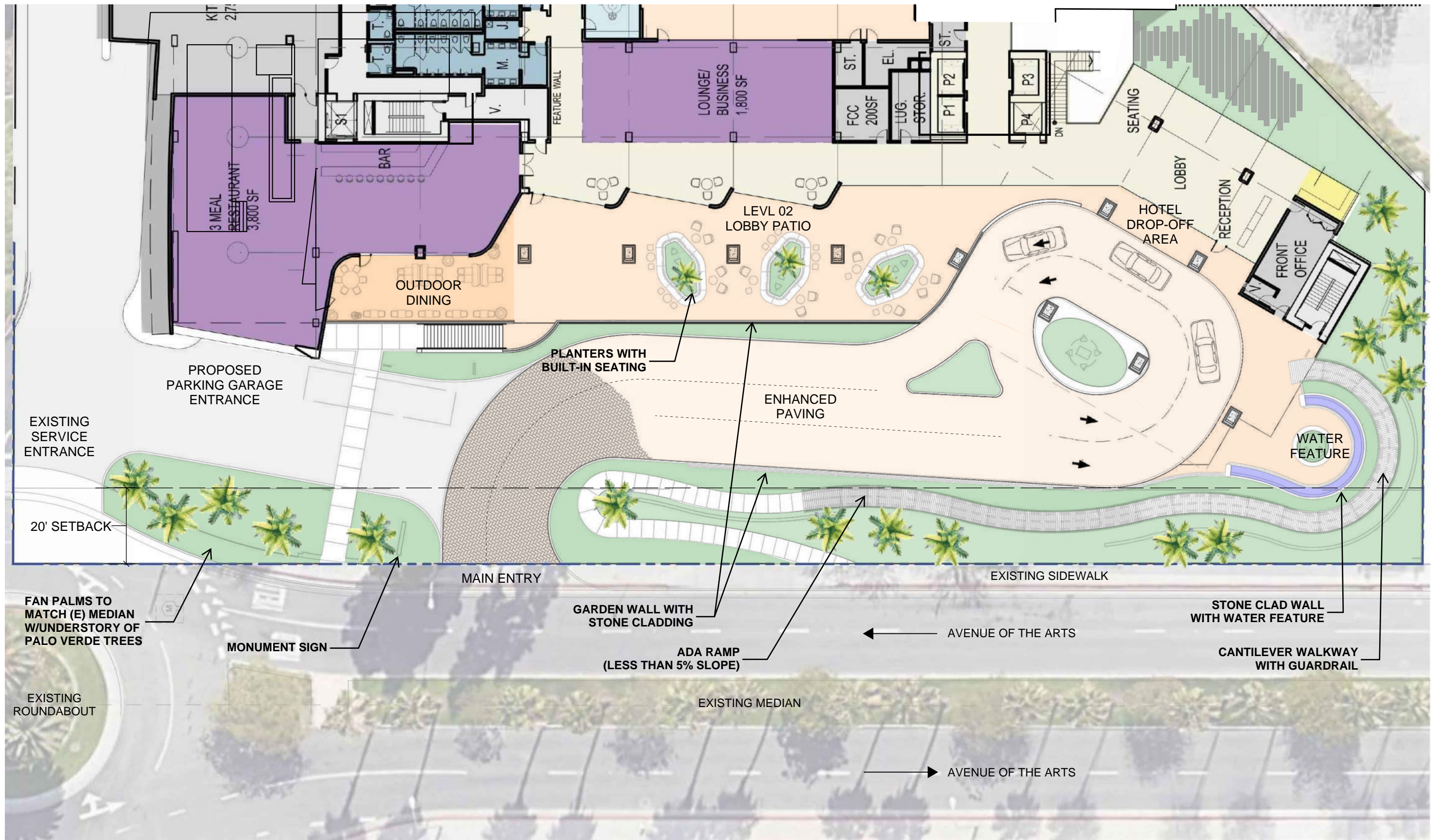
1/32" = 1' @ 11X17
1/16" = 1' @ 24X36

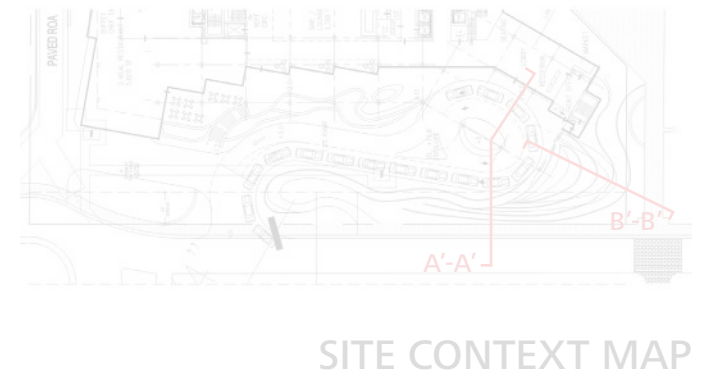
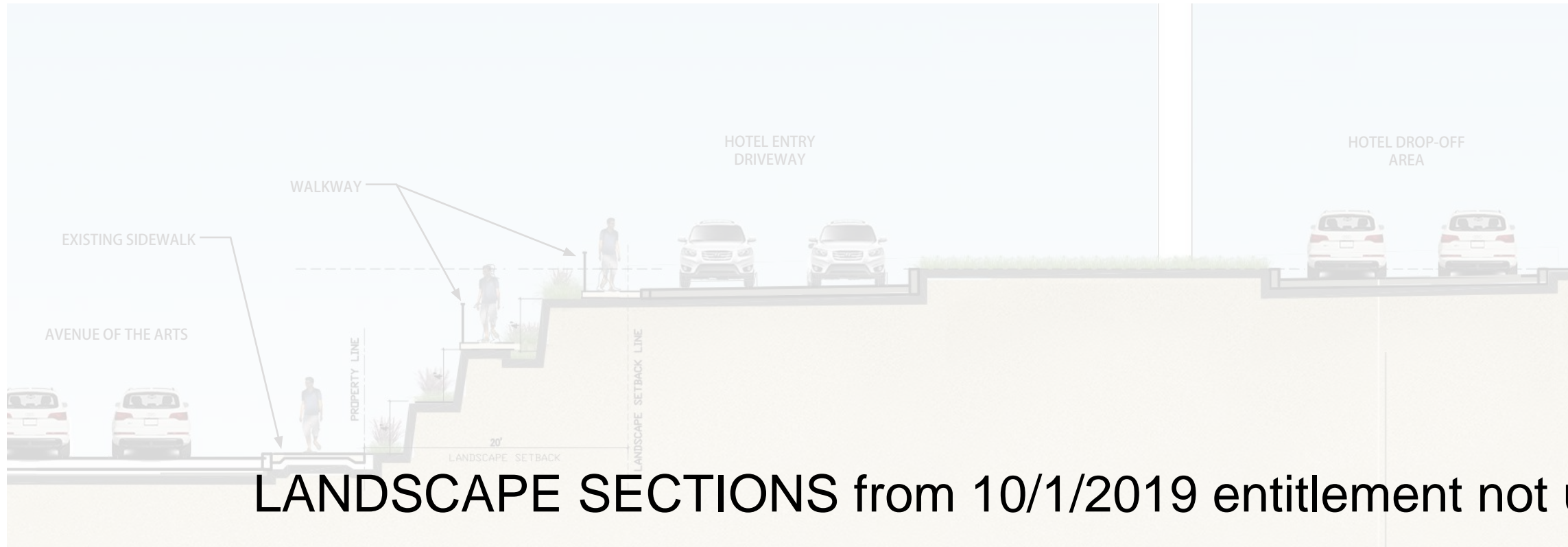


LEGEND

- 1 MAIN ENTRANCE
- 2 PEDESTRIAN PATHWAY (LESS THAN 5% SLOPE)
- 3 HOTEL ARRIVAL / DROP-OFF
- 4 LANDSCAPE AREAS
- 5 LAWN
- 6 PROPOSED CROSSWALK
- 7 PARKING GARAGE ENTRANCE
- 8 BACK OF HOUSE / LOADING
- 9 POOL TERRACE
- 10 ROOF TERRACE
- 11 ENHANCED PAVING
- 12 EXISTING POOL







LANDSCAPE SECTIONS from 10/1/2019 entitlement not updated.

See architectural revisions to LEVEL 01 & LEVEL 02 for minor changes.

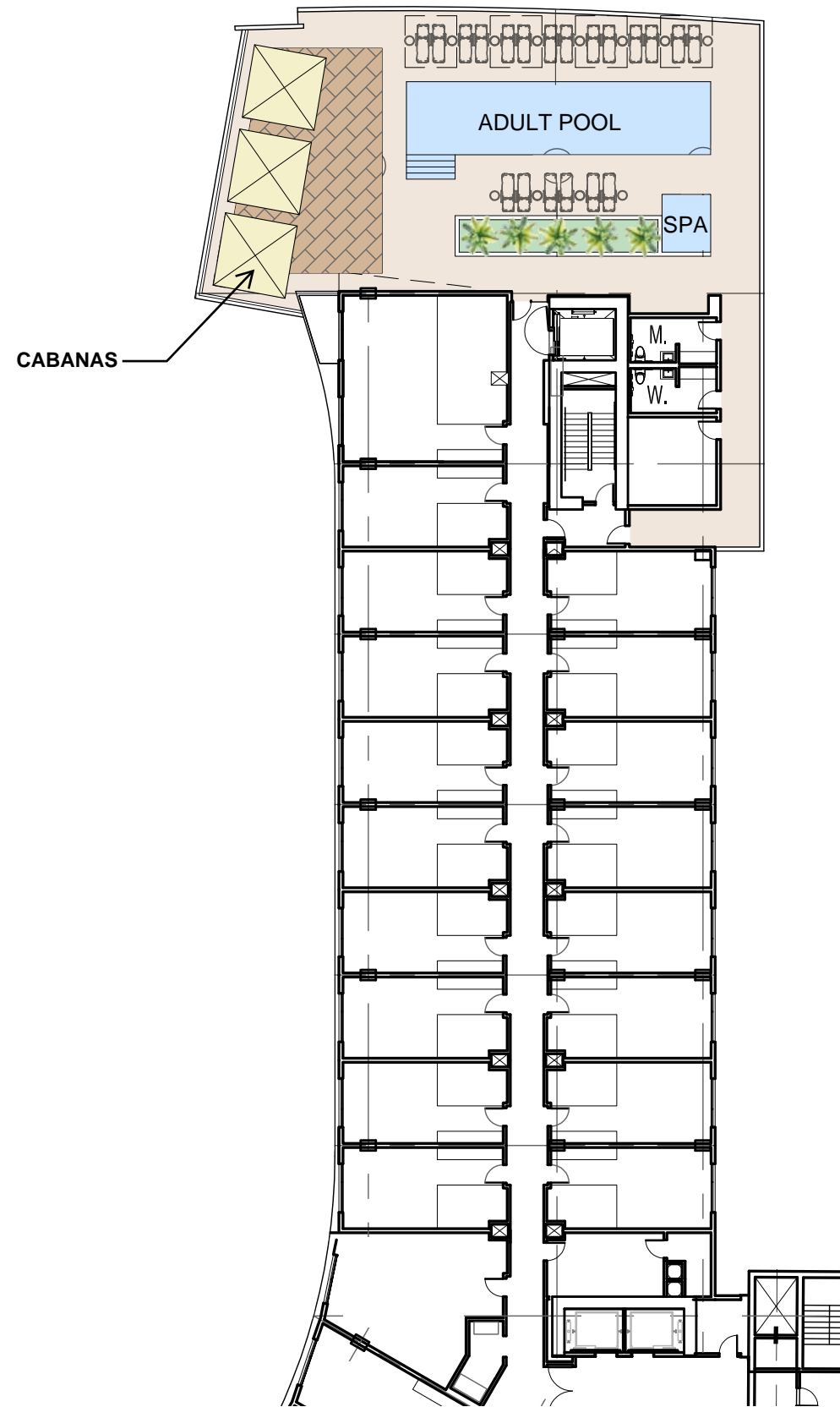
Landscape design intent remains for quality of finish; any changes are due to constructibility of new tower.



SECTION B'-B'

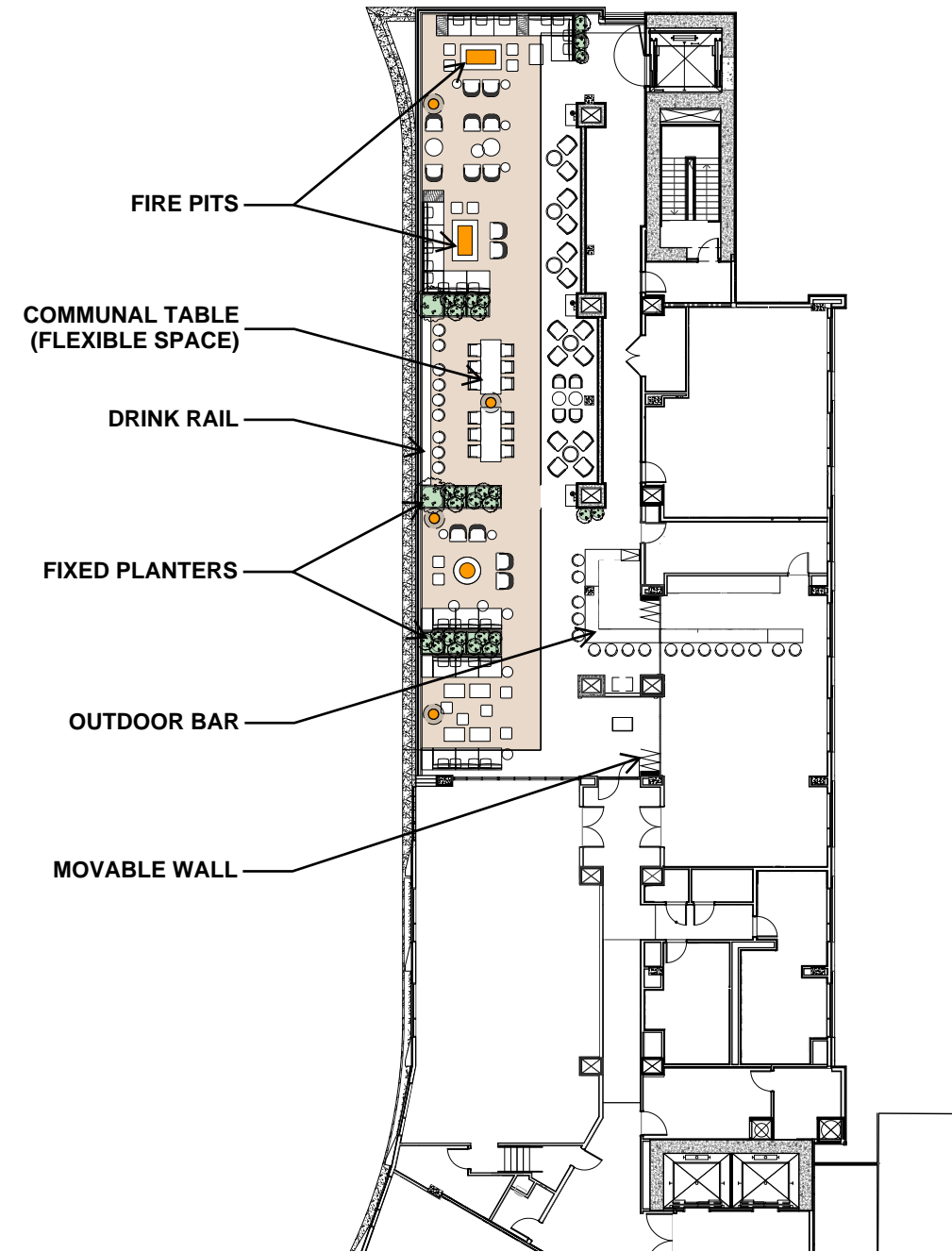






POOL TERRACE @ LEVEL 5

2022 "IN PROGRESS" PLAN



ROOF TERRACE @ LEVEL 10



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 26-111

Meeting Date: 1/26/2026

TITLE:

CONDITIONAL USE PERMIT (PA-21-34) CONDITION OF APPROVAL NO. 31 - SIX-MONTH REVIEW ("420 FLOWER FACTORY")

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES
DEPARTMENT/PLANNING DIVISION

PRESENTED BY: JEFFREY RIMANDO, ASSISTANT PLANNER

CONTACT INFORMATION: JEFFREY RIMANDO; 714-754-5012
Jeffrey.Rimando@costamesaca.gov

RECOMMENDATION:

Planning Commission Receive and File.

**MEMORANDUM**

TO: PLANNING COMMISSION

FROM: JEFFREY RIMANDO, ASSISTANT PLANNER

DATE: JANUARY 26, 2025

SUBJECT: CONDITIONAL USE PERMIT (PA-21-34) CONDITION OF APPROVAL NO. 31 - SIX-MONTH REVIEW ("420 FLOWER FACTORY")

BACKGROUND

Pursuant to Costa Mesa Municipal Code (CMMC) Sections 9-487, 9-494, and 13-200.93(c)(1), a conditional use permit (CUP) and a valid cannabis business permit (CBP) are required for the establishment and operation of cannabis businesses in Costa Mesa. On November 28, 2022, the Planning Commission approved CUP PA-21-34 (Resolution No. PC-2022-32) for a retail cannabis storefront at 2332 Newport Boulevard, subject to conditions of approval and local and State regulations. Furthermore, the City issued Cannabis Business Permit No. MQ-21-20 on April 18, 2025. The approved applications allowed for the operation of a retail cannabis storefront with no delivery services provided.

Consistent with several other commercial properties that front Newport Boulevard in this area of the City, the subject property is separated from residentially zoned properties (R2-MD, Multi-Family Medium Density and R2-HD, Multi-Family Density) by an existing 20-foot public alley. Existing residential uses in the area include detached single-family homes, attached condominiums, and multi-family units. To ensure neighborhood compatibility, project conditions and requirements were proposed to limit business hours from 7 a.m. to 10 p.m. and restrict customer traffic from entering or exiting the premise from the public alley separating the residential properties to the rear.

With the subject property's close proximity to the residential properties to the rear, operational conditions specific to the site were approved by the Planning Commission, included the following Operational Conditions of Approval:

No. 8: "The vehicle gate adjacent to the alley shall remain closed and locked except when temporary access is needed for trash collection or for other temporary property maintenance services. Customers shall not enter or exit the property through the alley

at any time. KnoxBox access shall be provided to the Costa Mesa Fire Department and Costa Mesa Police Department.

No. 10: "One parking stall shall be labeled for employees and vendors only. Vehicle loading and unloading shall only take place within direct unobstructed view of surveillance cameras, located in close proximity to the limited access door, as generally described in the staff report and as shown on an exhibit approved by the Director of Economic and Development Services or designee. No loading and unloading of cannabis products into or from the vehicles shall take place outside of camera view. The security guard shall monitor all on-site vendor unloading. Video surveillance cameras shall be installed on the exterior of the building with direct views of doors. Any modifications or additional vehicle unloading areas shall be submitted to the Director of Economic and Development Services or designee for approval."

No. 20: "Waste disposal to the exterior trash enclosure shall be limited between the hours of 8AM and 8PM to prevent noise impacts to the abutting residentially zoned property."

No 21: "A parking attendant shall be required to monitor the exterior including the parking lot especially during the evening to ensure customers and vendors are using consideration (i.e. abiding by the parking lot signs as conditioned in Cannabis Business Permit Condition No. 7) when entering or leaving the business."

At the November 28, 2022 Planning Commission meeting, the Planning Commission also modified Operational Conditional of Approval (COA) No. 6 related to parking management to be read:

"If parking shortages or other parking-related problems develop, the business owner or operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services or designee. Temporary or permanent parking management strategies include, but are not limited to, employee shuttle service from an approved location with excess parking, reducing operating hours of the business, hiring an employee trained in traffic control to monitor parking lot use and assist with customer parking lot circulation, encouraging customers to take advantage of online ordering for a faster pick-up, limiting the number of employees that park onsite, and incentivizing employee carpooling/cycling/walking.

In addition, the Planning Commission approved General Condition of Approval (COA) No. 31 which required:

"After six months of operations (open to customers), the Planning Commission shall review the CUP at a public hearing."

A detailed description of the project is provided in the November 28, 2022, Planning Commission Agenda Report linked below. The meeting minutes and video are also linked below:

- [November 28, 2022 Planning Commission Agenda Report](#)
- [November 28, 2022 Planning Commission Minutes](#)
- [November 28, 2022 Planning Commission Video](#)

ANALYSIS

420 Flower Factory began operations on May 6, 2025, making the six-month operational anniversary date November 6, 2025. Thus, this memo is intended to respond to COA No. 31.

To evaluate the operation consistency, staff has visited the site and the Costa Mesa Police Department has provided a log of calls for service associated with the 2332 Newport Boulevard property (Attachment 2). Between the effective date of CBP issuance of April 18, 2025 to the end of the year of December 31, 2025, there have been a total of nine calls for service. These calls range from the following:

- Audible alarm system
- Suspicious person or vehicle
- Burglary

Other than the loud alarm system concerns, there have been no applicable noise complaints logged by Costa Mesa Police. Upon the site visit, staff observed that no parking shortages seem to exist. Pursuant to Operational Condition Approval No. 8, the vehicle gate adjacent to the public alley was closed and in compliance with the condition. Furthermore, a business staff member was identified to be on site and monitoring the parking lot. Lastly, there have been no code violations logged at this property and according to the City's Finance Department, 420 Flower Factory is current on tax returns and payments for 2025/2026.

CONCLUSION

Planning staff finds that, during this six-month review period, the operations are consistent with project land use approvals and without issues of neighborhood compatibility. In summary, based on review of 420 Flower Factory's operation for the first six months of operations; therefore, staff finds that the business is operating in good faith and no modifications to business operations or conditions of approval are warranted at this time.

Attachments:

1. November 28, 2022, PA-21-34 Resolution
2. Calls for Service Log

RESOLUTION NO. PC-2022-32**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 21-34 FOR A STOREFRONT RETAIL CANNABIS BUSINESS (FLOWER FACTORY) IN THE C1 ZONE AT 2332 NEWPORT BOULEVARD**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, in November 2020, the Costa Mesa voters approved Measure Q; which allows for storefront and non-storefront retail cannabis uses in commercially zoned properties meeting specific location requirements, and non-storefront retail cannabis uses in Industrial Park (MP) and Planned Development Industrial (PDI) zoned properties;

WHEREAS, on June 15, 2021, the City Council adopted Ordinance Nos. 21-08 and No. 21-09 to amend Titles 9 and 13 of the Costa Mesa Municipal Code (CMMC) to establish regulations for cannabis storefront and non-storefront uses;

WHEREAS, Planning Application 21-34 was filed by Christopher Glew representing Newport Blvd Enterprise LLC dba Flower Factory, authorized agent for the property owner, Costa Mesa Commercial Group LLC, requesting approval of the following:

A Conditional Use Permit to operate a storefront retail cannabis business within a 2,000-square-foot commercial building located at 2332 Newport Boulevard. The business would sell pre-packaged cannabis and pre-packaged cannabis products directly to customers onsite, subject to conditions of approval and other City and State requirements;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 28, 2022 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of CEQA per CEQA Guidelines Section 15301 (Class 1) for Existing Facilities, as described specifically in the staff report;

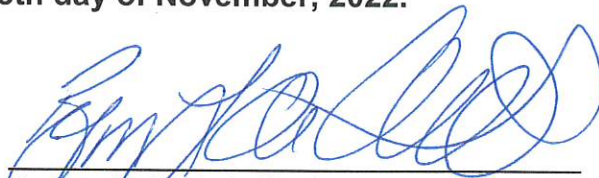
WHEREAS, the CEQA categorical exemption for this project reflects the independent judgement of the City of Costa Mesa.

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 21-34 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 21-34 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable 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 28th day of November, 2022.



Byron de Arakal, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

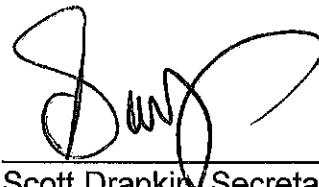
I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2022-32 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on November 28, 2022 by the following votes:

AYES: de Arakal, Rojas, Russell, Toler, Vivar

NOES: Ereth

ABSENT: Zich

ABSTAIN: None

A handwritten signature in black ink, appearing to read 'Scott Drapkin', is written over a horizontal line.

Scott Drapkin, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2022-32

EXHIBIT A

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(2) because:

Finding: The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Facts in Support of Findings: The subject site is located within a commercial zone (C1, Local Business District) where commercial development is specifically allowed to include retail storefronts. In addition, the property is located on one of the City's primary commercial corridors which is predominantly intended for commercial uses. Existing uses along this block include restaurants, offices, a convenience store, and an agricultural supply store. Pursuant to the CMMC, cannabis retail storefronts are permitted uses in the City's commercial zones and are subject to extensive regulation. These regulations are adopted to prevent land use inconsistencies with adjacent properties. Additionally, the proposed cannabis retail storefront use is not located within 1,000 feet of a K-12 school, playground, licensed child daycare, or homeless shelter, or within 600 feet of a youth center. No outdoor storage or sales are proposed nor would be allowed. Operations would be conditioned to be compliant with applicable local and State laws as well as to minimize potential impacts.

The proposed use would also not be materially detrimental to the abutting residences because the project would include features to ensure neighborhood compatibility such as: prohibiting customers from entering or exiting via the rear alley, limiting vendor deliveries between the hours of 7 AM to 10 PM, posting signs in the parking lot directing all to use consideration when in or exiting the parking lot, having a 24-hour security guard, an employee monitoring customer activity in the parking lot, and shielding security lighting down and away from the residential uses to prevent potential lighting impacts. The storefront business would also include odor control measures as described in this report to minimize any odor impacts to the residences. Staff does not anticipate that the proposed retail cannabis use, as proposed and conditioned, would be materially detrimental to nearby uses that include offices, restaurants, multi-tenant commercial centers, and residences.

Finding: Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Finding: The proposed cannabis retail storefront use would follow safety measures detailed in a professionally-prepared security plan. The security plan was evaluated for compliance by the City's cannabis consultant, HdL. Measures designed to maintain safety at the site include, but are not limited to, at least one security guard would be onsite at all times and security devices shall be installed before operation. Examples of security devices include window and door alarms, motion-detectors, limited access areas, and a monitored video surveillance system covering all exterior entrances, exits, exterior loading and unloading, and all interior limited access spaces. In addition, the business employees, including part-time staff, must pass a live scan background check and obtain an identification badge from the City. The conditions of approval include, but are not limited to, the aforementioned security measures to ensure that the use would not be materially detrimental to the health, safety and general welfare of the public or be otherwise injurious to property or improvements within the immediate neighborhood.

Finding: Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

Facts in Support of Finding: The proposed retail use would occupy a vacant commercial building on a property that has a General Plan land use designation of "Commercial Residential." The General Plan defines this designation as "the eastside of Newport Boulevard between East 19th Street and Mesa Drive. It is the intent of this land use designation to allow a complementary mix of commercial and residential zoning along Newport Boulevard." The City's General Plan sets forth long-term policies that guide future development, whereas the Zoning Ordinance implements general plan policies through detailed development regulations, such as specific use types and building standards. Therefore, in determining General Plan compliance for the proposed cannabis retail storefront use, a comparison of the proposed use with the use, density and intensity allowed by the applicable zoning district is required. In this case, the applicable zoning district is "Local Business District" (C1). A variety of commercial uses are allowed in the C1 zone.

The proposed retail cannabis establishment would occupy a vacant commercial space. The proposed design would decrease the building footprint, improve onsite parking and circulation, and increase landscaping to bring the site into greater conformance with the CMMC. Therefore, approving the CUP would not increase development intensity; to the contrary, site intensification would be reduced by the proposed site improvements. The proposed use is consistent with General Plan policies related to providing a mixture of commercial goods, services, and employment opportunities; expanding the City's tax base; and promoting the incubation of unique and specialized businesses.

- B. The project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing use. This project site contains a commercial building that has been used for commercial activities and the application does not propose an increase in floor area. The project is consistent with the applicable General Plan land use designation and policies as well as with the applicable zoning designation and regulations.
- 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

General

- Plng.
1. The use of this property as a cannabis storefront (without delivery to customers) shall comply with the approved plans and terms described in the resolution, these conditions of approval, and applicable sections of the Costa Mesa Municipal Code (CMMC). The Planning Commission may modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
 2. Approval of the planning/zoning application is valid for two years from the effective date of this approval and will expire at the end of that period unless the applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and has continued to maintain a valid building permit by making satisfactory progress as determined by the Building Official, 2) a certificate of occupancy has been issued, or 3) the use is established and a business license has been issued. A time extension can be requested no less than 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.
 3. No person may engage in any cannabis business or in any cannabis activity within the City including the sale of cannabis or a cannabis product unless the person:
 - a. Has a valid Cannabis Business Permit from the City;
 - b. Has paid all Cannabis Business Permit and all application fees and deposits established by resolution of the City Council, including annual Community Improvement Division inspection deposits;
 - c. Has obtained all applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such cannabis business intends to operate;
 - d. Has obtained a City business license pursuant to Chapter I of the Municipal Code;
 - e. Is in compliance with all requirements of the Community Improvement Division regarding the property;
 - f. Has obtained any and all licenses required by State law and/or regulations; and
 - g. Has satisfied all CUP conditions of approval.

4. Any change in the operational characteristics of the use shall be subject to Planning Division review and may require an amendment to the Conditional Use Permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change.
5. No cultivation of cannabis is allowed anywhere on the premises.
6. The uses authorized by this Conditional Use Permit must be conducted in accordance with all applicable State and local laws, including, but not limited to compliance with the most current versions of the provisions of the California Code of Regulations that regulate the uses permitted hereby. Any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.
7. Except for operations allowed by this Conditional Use Permit (storefront only) and under an active Cannabis Business Permit and State Type 10 license (no delivery proposed nor approved), no permit holder or any of its employees shall sell, distribute, furnish, and/or otherwise provide any cannabis or cannabis product to any person, firm, corporation, group or any other entity, unless that person or entity is a lawful, bona fide customer, or it possesses all currently valid permits and/or licenses required by both the State of California and applicable local governmental entity to lawfully receive such cannabis and to engage in a "cannabis activity" as defined by Costa Mesa Municipal Code sec. 9-485. The permit holder shall verify that the recipient, regardless of where it is located, of any cannabis or cannabis product sold, distributed, furnished, and/or otherwise provided by or on behalf of the permit holder, possesses all required permits and/or licenses therefor.
8. The applicant, the property owner and the operator (collectively referred to as "indemnitors") shall each jointly and severally 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 City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. 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 indemnitors' joint and several 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.
9. If any section, division, sentence, clause, phrase or portion of this approval is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

10. The use shall operate in accordance with the approved Security Plan. Any changes to the Security Plan must be submitted to the Planning Division with a written explanation of the changes. If the Director determines that changes are substantial, a modification to the Cannabis Business Permit and/or amendment to the CUP may be required.
11. A parking management plan, including techniques described in Operational Condition of Approval No. 6, must be approved by the Director of Economic and Development Services or designee prior to any grand opening or other high volume event on the subject property.
- Bldg. 12. If submitted prior to January 1, 2023, development shall comply with the requirements of the following adopted codes: 2019 California Residential Code, 2019 California Building Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Green Building Standards Code and 2019 California Energy Code (or the applicable adopted, California Residential Code, 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 2019 California Building Code. The City of Costa Mesa shall begin using the 2022 California Building Code on January 1, 2023.
- CBP 13. The operator shall maintain a valid Cannabis Business Permit and a valid Business License at all times. The Cannabis Business Permit application number associated with this address is MQ-21-20. Upon issuance, the Cannabis Business Permit will be valid for a two-year period and must be renewed with the City prior to its expiration date, including the payment of permit renewal fees. No more than one Cannabis Business Permit may be issued to this property.
14. The use shall operate in accordance with the approved Business Plan. Any changes to the Business Plan must be submitted to the Planning Division with a written explanation of the changes. If the Director determines that changes are substantial, a modification to the Cannabis Business Permit and/or amendment to the CUP may be required.
15. A Cannabis Business Permit may be revoked upon a hearing by the Director of Economic and Development Services or designee pursuant to Section 9-120 of the CMMC for failing to comply with the terms of the permit, the applicable provisions of the CMMC, State law or regulation and/or any condition of any other permit issued pursuant to this code. Revocation of the Cannabis Business Permit shall trigger the City's proceedings to revoke the Conditional Use Permit and its amendments. The Conditional Use Permit granted herein shall not be construed to allow any subsequent owner/operator to continue operating under PA-21-34

until a valid new Cannabis Business Permit is received from the City of Costa Mesa.

16. A change in ownership affecting an interest of 51 or more percent, or an incremental change in ownership that will result in a change of 51 or more percent over a three year period, shall require submittal and approval of a new Cannabis Business Permit. A change in ownership that affects an interest of less than 51 percent shall require approval of a minor modification to the Cannabis Business Permit.
- State 17. The business must obtain any and all licenses required by State law and/or regulation prior to engaging in any cannabis activity at the property.
18. The applicant shall obtain State License Type 10 prior to operating. The uses authorized by this Conditional Use Permit must be conducted in accordance with all applicable State and local laws, including, but not limited to compliance with the most current versions of the provisions of the California Code of Regulations that regulate the uses permitted hereby. Any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.
19. Suspension of a license issued by the State of California, or by any of its departments or divisions, shall immediately suspend the ability of a cannabis business to operate within the City, until the State of California, or its respective department or division, reinstates or reissues the State license. Should the State of California, or any of its departments or divisions, revoke or terminate the license of a cannabis business, such revocation or termination shall also revoke or terminate the ability of a cannabis business to operate within the City. This Conditional Use Permit will expire and be of no further force and effect if any State issued license remains suspended for a period exceeding six (6) months. Documentation of three violations during routine inspections or investigations of complaints shall result in the Community Improvement Division scheduling a hearing before the Director of Development Services to consider revocation of the Cannabis Business Permit.
20. Persons under the age of twenty-one (21) years shall not be allowed on the premises of this business, except as otherwise specifically provided for by state law and CMMC Section 9-495(h)(6). It shall be unlawful and a violation of this CUP for the owner/operator to employ any person who is not at least twenty-one (21) years of age.
- PD 21. Every manager, supervisor, employee or volunteer of the cannabis business must submit fingerprints and other information specified on the Cannabis Business Permit for a background check by the Costa Mesa Police Department to verify that person's criminal history. No employee or volunteer may commence paid or unpaid work for the business until the background checks have been approved. No cannabis business or owner thereof may employ any person who has been convicted of a felony within the past 7 years, unless that felony has been dismissed, withdrawn, expunged or set aside pursuant to Penal Code sections 1203.4, 1000 or

- 1385, or who is currently on probation or parole for the sale, distribution, possession or manufacture of a controlled substance.
- CID 22. Should any employee, volunteer or other person who possesses an identification badge be terminated or cease their employment with the business, the applicant shall return such identification badge to the City of Costa Mesa Community Improvement Division within 24 hours, not including weekends and holidays.
23. The property owner and applicant shall use "Crime Prevention Through Environmental Design" techniques to reduce opportunities for crime, loitering and encampments on the property as deemed appropriate by the Community Improvement Manager and Director of Economic and Development Services.
- Finance 24. This business operator shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees and permits required under State and local law. This business operator shall cooperate with the City with respect to any reasonable request to audit the cannabis business' books and records for the purpose of verifying compliance with the CMMC and this CUP, including but not limited to a verification of the amount of taxes required to be paid during any period.
25. The following records and recordkeeping shall be maintained/conducted:
- a. The owner/operator of this cannabis business shall maintain accurate books and records, detailing all of the revenues and expenses of the business, and all of its assets and liabilities. On no less than an annual basis, or at any time upon reasonable request of the City, the owner/operator shall file a sworn statement detailing the number of sales by the cannabis business during the previous twelve month period (or shorter period based upon the timing of the request), provided on a per-month basis. The statement shall also include gross sales for each month, and all applicable taxes paid or due to be paid.
 - b. The owner/operator shall maintain a current register of the names and the contact information (including the name, address, and telephone number) of anyone owning or holding an interest in the cannabis business, and separately of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the cannabis business. The register required by this condition shall be provided to the City Manager upon a reasonable request.
 - c. The owner/operator shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all cannabis and cannabis products for all stages of the retail sale process. Subject to any restrictions under the Health Insurance Portability and Accountability Act (HIPPA), the owner/operator shall allow City officials to have access to the business's books, records, accounts, together with any other data or documents relevant to its permitted cannabis activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents will be produced no later than

twenty-four (24) hours after receipt of the City's request, unless otherwise stipulated by the City.

- d. The owner/operator shall have in place a point-of-sale tracking system to track and report on all aspects of the cannabis business including, but not limited to, such matters as cannabis tracking, inventory data, and gross sales (by weight and by sale). The owner/operator shall ensure that such information is compatible with the City's record-keeping systems. The system must have the capability to produce historical transactional data for review by the City Manager or designees.

- Insp. 26. The City Manager or designees may enter this business at any time during the hours of operation without notice, and inspect all areas of this business as well as any recordings and records required to be maintained pursuant to Title 9, Chapter VI or under applicable provisions of State law. It is a violation of this use permit for any person having responsibility for the operation of a cannabis business, to impede, obstruct, interfere with, or otherwise not to allow, the City to conduct an inspection of the business or areas within and/or associated with the business. If business areas are located behind access controlled (locked) doors, these areas shall be opened/available immediately for inspection upon request. If areas of the business are not available to the City Manager or designees for inspection upon immediate request, the Cannabis Business Permit (CBP) shall be subject to revocation pursuant Costa Mesa Municipal Code section 9-120.
- 27. Inspections of this cannabis business by the City will be conducted, at a minimum, on a quarterly basis. The applicant will pay for the inspections according to the adopted Fee Schedule.
- 28. Quarterly Fire & Life Safety Inspections will be conducted by the Community Risk Reduction Division to verify compliance with the approved operation. The applicant will pay for the inspection according to the Additional Required Inspections as adopted in the Fee Schedule.
- 29. Annual Fire & Life Safety Inspections will be conducted by the Fire Station Crew for emergency response pre-planning and site access familiarization. The applicant will pay for the inspection according to the adopted Fee Schedule.
- 30. Pursuant to Title 9, Chapter VI, it is unlawful for any person having responsibility for the operation of a cannabis business, to impede, obstruct, interfere with, or otherwise not to allow, the City to conduct an inspection, review or copy records, recordings or other documents required to be maintained by a cannabis business under this chapter or under State or local law. It is also unlawful for a person to conceal, destroy, deface, damage, or falsify any records, recordings or other documents required to be maintained by a cannabis business under this chapter or under State or local law.
- PC 31. After six months of operations (open to customers), the Planning Commission shall review the CUP at a public hearing.

Prior to Issuance of Building Permits

1. Plans shall be prepared, stamped and signed by a California licensed Architect or Engineer.
2. The conditions of approval and ordinance or code provisions of Planning Application 21-34 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. Prior to the Building Division issuing a demolition permit, the applicant shall contact the South Coast Air Quality Management District (AQMD) located at:
21865 Copley Dr.
Diamond Bar, CA 91765-4178
Tel: 909- 396-2000
Or visit its website:
<http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381>. The Building Division will not issue a demolition permit until an Identification Number is provided by AQMD.
4. Odor control devices and techniques shall be incorporated to ensure that odors from cannabis are not detected outside the property, anywhere on adjacent property or public right-of-way. Building and mechanical permits must be obtained from the Building Division prior to work commencing on any part of the odor control system.
5. Plan check submittal shall include air quality/odor control device specification sheets. Plan check submittal shall also include a bike rack, parking lot resurfacing and restriping, trash enclosure improvements, and a low water use landscape plan that complies with CMMC requirements. All tree containers shall be 24-inch box size or larger.
6. No signage shall be installed until the owner/operator or its designated contractor has obtained permits required from the City. Business identification signage shall be limited to that needed for identification only. Business identification signage shall not include any references to cannabis, whether in words or symbols. All signs shall comply with the CMMC.
7. The plans and business operator shall comply with the requirements of the 2019 California Fire Code, including the 2019 Intervening Update and referenced standards as amended by the City of Costa Mesa.
8. The Traffic Impact Fee as calculated by the Transportation Services Division shall be paid in full.
9. The applicant shall submit a lighting plan to the Planning Division for review and approval. The lighting plan shall show locations of all security lighting. As determined by the Director of Economic and Development Services or their designee, a photometric study may be required to demonstrate compliance with the following: (a) lighting levels on the property including the parking lot shall be adequate for safety and security purposes (generally, at least 1.0 foot candle), (b) lighting design and layout

- shall minimize light spill at the adjacent property line and at other light-sensitive uses (generally, no more than 0.5-footcandle at the property line), and (c) glare shields may be required to prevent light spill.
10. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.

Prior to Issuance of a Certificate of Use/Occupancy

1. The operator, contractors, and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final occupancy and utility releases will not be granted until all such licenses have been obtained.

Prior to Issuance of Cannabis Business Permit

1. The applicant shall contact the Planning Division for a facility inspection and provide a matrix (table) of conditions of approval explaining how each was met prior to issuance of a Cannabis Business Permit.
2. The applicant shall pay the public notice fee (\$1 per notice post card) and the newspaper ad publishing cost.
3. The final Security Plan shall be consistent with the approved building plans.
4. Each entrance to the business shall be visibly posted with a clear and legible notice stating the following:
 - a. That smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the cannabis business is prohibited;
 - b. That no person under the age of twenty-one (21) years of age is permitted to enter upon the premises;
 - c. That loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises is prohibited; and
 - d. The premise is a licensed cannabis operation approved by the City of Costa Mesa. The City may also issue a window/door sticker, which shall be visibly posted.
5. The applicant, property owner and/or the operator shall obtain and maintain at all times during the term of the permit comprehensive general liability insurance protecting the permittee in an amount of not less than two million dollars (\$2,000,000.00) per occurrence, combined single limit, including bodily injury and property damage and not less than two million dollars (\$2,000,000.00) aggregate for each personal injury liability, products-completed operations and each accident, issued by an insurance provider admitted and authorized to do business in California and shall be rated at least A:viii in A.M. Best & Company's Insurance Guide. Such policies of insurance shall be endorsed to the name the City of Costa Mesa as an additional insured. Proof of said insurance must be provided to the Planning

Division before the business commences operations. Any changes to the insurance policy must be submitted to the Planning Division within 10 days of the date the change is effective.

6. The applicant shall submit an executed Retail Cannabis Business Permit Defense and Indemnity Agreement on a form to be provided by the City.
7. The applicant shall post signs within the parking lot directing customers, employees and vendors to use consideration when entering their vehicles and leaving the parking lot such as no loud voices, shouting, loud music, revving car engines, slamming doors, etc. The security guard shall monitor the parking lot to prevent neighbor impacts. The language of the parking lot signs shall be reviewed and approved by the Planning Division prior to installation.

Operational Conditions

1. No product deliveries to the facility shall occur after 10:00 PM and before 7:00 AM.
2. Onsite sales is limited to the hours between 7:00 AM and 10:00 PM.
3. At least one security guard shall be onsite at all times.
4. The operator shall maintain free of litter all areas of the property under which applicant has control.
5. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The operator shall institute appropriate security and operational measures as necessary to comply with this requirement.
6. If parking shortages or other parking-related problems develop, the business owner or operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services or designee. Temporary or permanent parking management strategies include, but are not limited to, employee shuttle service from an approved location with excess parking, reducing operating hours of the business, hiring an employee trained in traffic control to monitor parking lot use and assist with customer parking lot circulation, encouraging customers to take advantage of online ordering for a faster pick-up, limiting the number of employees that park onsite, and incentivizing employee carpooling/cycling/walking.
7. During their work shift, employees shall not park on residential streets or within residential neighborhoods.
8. The vehicle gate adjacent to the alley shall remain closed and locked except when temporary access is needed for trash collection or for other temporary property maintenance services. Customers shall not enter or exit the property through the alley at any time. KnoxBox access shall be provided to the Costa Mesa Fire Department and Costa Mesa Police Department.

9. All employees must wear an identification badge while on the premises of the business and/or performing deliveries, in a format prescribed by the City Manager or designee. When on the premises, badges must be clearly visible and worn on outermost clothing and above the waist in a visible location.
10. One parking stall shall be labeled for employees and vendors only. Vehicle loading and unloading shall only take place within direct unobstructed view of surveillance cameras, located in close proximity to the limited access door, as generally described in the staff report and as shown on an exhibit approved by the Director of Economic and Development Services or designee. No loading and unloading of cannabis products into or from the vehicles shall take place outside of camera view. The security guard shall monitor all on-site vendor unloading. Video surveillance cameras shall be installed on the exterior of the building with direct views of doors. Any modifications or additional vehicle unloading areas shall be submitted to the Director of Economic and Development Services or designee for approval.
11. The sale, dispensing, or consumption of alcoholic beverages on or about the premises is prohibited.
12. No outdoor storage or display of cannabis or cannabis products is permitted at any time.
13. Cannabis shall not be consumed on the property at any time, in any form.
14. The owner/operator shall prohibit loitering on and within fifty (50) feet of the property.
15. No cannabis or cannabis products, or graphics depicting cannabis or cannabis products, shall be visible from the exterior of the property, or on any of the vehicles owned or used as part of the cannabis business.
16. The owner or operator shall maintain air quality/odor control devices by replacing filters on a regular basis, as specified in the manufacturer specifications.
17. If cannabis odor is detected outside the building, the business owner or operator shall institute corrective measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services.
18. Cannabis liquid or solid waste must be made unusable and unrecognizable prior to leaving a secured storage area and shall be disposed of at facility approved to receive such waste.
19. Each transaction involving the exchange of cannabis goods between the business and consumer shall include the following information: (1) Date and time of transaction; (2) Name and employee number/identification of the employee who processed the sale; (3) List of all cannabis goods purchased including quantity; and (4) Total transaction amount paid.
20. Waste disposal to the exterior trash enclosure shall be limited between the hours of 8AM and 8PM to prevent noise impacts to the abutting residentially zoned property.
21. A parking attendant shall be required to monitor the exterior including the parking lot especially during the evening to ensure customers and vendors

are using consideration (i.e. abiding by the parking lot signs as conditioned in Cannabis Business Permit Condition No. 7) when entering or leaving the business.

Call Time	Street	Nature	Business	Agency
12/28/2025 23	2332 NEWPORT BLVD	SUSPICIOUS CIRC	420 FLOWER FACTORY	CMPD
12/23/2025 22	2332 NEWPORT BLVD	SUSPICIOUS MALE	420 FLOWER FACTORY	CMPD
11/22/2025 04	2332 NEWPORT BLVD	SUSPICIOUS CIRC	420 FLOWER FACTORY	CMPD
11/13/2025 22	2332 NEWPORT BLVD	BURGLARY AUDIBL	420 FLOWER FACTORY	CMPD
09/25/2025 23	2332 NEWPORT BLVD	SUSPICIOUS CIRC	420 FLOWER FACTORY	CMPD
09/23/2025 22	2332 NEWPORT BLVD	SUSPICIOUS CIRC	420 FLOWER FACTORY	CMPD
08/14/2025 00	2332 NEWPORT BLVD	P PATROL CHECK	420 FLOWER FACTORY	CMPD
08/08/2025 04	2332 NEWPORT BLVD	P PATROL CHECK	420 FLOWER FACTORY	CMPD
08/06/2025 04	2332 NEWPORT BLVD	BURGLARY COMMER	420 FLOWER FACTORY	CMPD
07/19/2025 00	2332 NEWPORT BLVD	COMMUNICATIONS	420 FLOWER FACTORY	CMPD
07/18/2025 23	2332 NEWPORT BLVD	AUDIBLE ALARM S	420 FLOWER FACTORY	CMPD



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 26-112

Meeting Date: 1/26/2026

TITLE:

OVERVIEW OF THE AMENDMENTS TO THE ZONING CODE TO REZONE SIXTH CYCLE (2021-2029) HOUSING ELEMENT SITES, IMPLEMENT SPECIFIC HOUSING ELEMENT PROGRAMS TO ENCOURAGE AND FACILITATE HOUSING DEVELOPMENT PER STATE REQUIREMENTS, AND AMENDMENTS TO THE NORTH COSTA MESA SPECIFIC PLAN FOR CONSISTENCY WITH THE HOUSING ELEMENT SITES REZONING - PCTY-25-0008

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES
DEPARTMENT/PLANNING DIVISION

PRESENTED BY: MICHELLE HALLIGAN, SENIOR PLANNER AND CATHY TANG-SAEZ, DUDEK

CONTACT INFORMATION: MICHELLE HALLIGAN, 714-754-5608;
Michelle.Halligan@costamesaca.gov

RECOMMENDATION:

Staff recommends the Planning Commission receive a presentation from staff and provide feedback regarding the proposed amendments to the Zoning Code and Zoning Map to rezone sixth cycle (2021-2029) Housing Element Sites, implement specific housing element programs to encourage and facilitate housing development per State requirements, and amendments to the North Costa Mesa Specific Plan for consistency with the Housing Element sites rezoning.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 26, 2026

ITEM NUMBER: NB-1

SUBJECT: OVERVIEW OF THE AMENDMENTS TO THE ZONING CODE TO REZONE SIXTH CYCLE (2021-2029) HOUSING ELEMENT SITES, IMPLEMENT SPECIFIC HOUSING ELEMENT PROGRAMS TO ENCOURAGE AND FACILITATE HOUSING DEVELOPMENT PER STATE REQUIREMENTS, AND AMENDMENTS TO THE NORTH COSTA MESA SPECIFIC PLAN FOR CONSISTENCY WITH THE HOUSING ELEMENT SITES REZONING - PCTY-25-0008

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

**PRESENTATION BY: MICHELLE HALLIGAN, SENIOR PLANNER AND CATHY
TANG-SAEZ, DUDEK**

**FOR FURTHER INFORMATION CONTACT: MICHELLE HALLIGAN
714-754-5608
Michelle.Halligan@costamesaca.gov**

RECOMMENDATION:

Staff recommends the Planning Commission receive a presentation from staff and provide feedback regarding the proposed amendments to the Zoning Code and Zoning Map to rezone sixth cycle (2021-2029) Housing Element Sites, implement specific housing element programs to encourage and facilitate housing development per State requirements, and amendments to the North Costa Mesa Specific Plan for consistency with the Housing Element sites rezoning.

APPLICANT OR AUTHORIZED AGENT:

Implementing the City of Costa Mesa Sixth Cycle (2021-2029) Housing Element is a City-initiated request.

BACKGROUND:

On December 8, 2025, staff presented an update to the Planning Commission regarding the potential approach to rezoning Housing Element sites. The update

included an overview of Senate Bill (SB) 131, which established new California Environmental Quality Act (CEQA) statutory exemptions effective July 1, 2025, for specific housing and infrastructure projects. With input from HCD, City staff determined that under SB 131, carrying out actions in the approved Housing Element, such as amending the Zoning Code and North Costa Mesa Specific Plan to accommodate the Regional Housing Needs Assessment (RHNA), would be exempt from CEQA.

Since then, the City Attorney, staff, and consultant team evaluated SB 131 (California Public Resources Code Section 21080.085(a)) with guidance from HCD and determined that implementing actions in the approved Housing Element, such as amending the Zoning Code and North Costa Mesa Specific Plan to accommodate housing, would be exempt from CEQA. The Zoning Code amendments attached to this report were prepared to expeditiously complete rezoning actions for Housing Element sites and implement other amendments to the Zoning Code to encourage and facilitate housing development per the City's adopted Housing Element.

Accordingly, the Neighborhoods Where We All Belong (NWWAB) rezoning effort will be bifurcated and structured into two simultaneous work streams: one work stream focusing on Housing Element sites would be an expedited pathway to HCD certification, and a second work stream focusing on creating residential development opportunities on non-Housing Element Measure K sites and implementing other Housing Element programs on the City's original NWWAB timeline. These tasks would include, but are not limited to, the following:

- Studying additional housing opportunities on non-Housing Element Measure K sites;
- Preparing a subsequent amendment to the Mixed-Use Overlay District (MUOD) specific to non-Housing Element Measure K sites;
- Amending the Newport Boulevard Specific Plan to be consistent with the amendment to the MUOD for non-Housing Element Measure K sites;
- Developing broader objective design standards applicable to all residential and mixed-use development;
- Potential Zoning Code clean-up to implement other Housing Element programs and further support production of housing; and
- Completing the full CEQA environmental review process.

The Housing Element Opportunity Sites to be rezoned on the accelerated path are outlined in red in Attachment 1, Rezoning Map. The non-Housing Element Measure K sites shown in Attachment 1 would be rezoned on the original NWWAB timeline.

ANALYSIS:

Accelerated Path to Rezoning Housing Element Sites

To expedite Housing Element certification, staff proposes rezoning actions for Housing Element sites only (excluding the Fairview Development Center as it will be rezoned through a new specific plan), as well as other Zoning Code text amendments to implement Housing Element programs, meet State requirements and obtain certification by HCD. As proposed, Title 13, Chapter V, Article 11 Mixed-Use Overlay District (MUOD) of the Zoning Code would be amended to create a new section of standards applying only to Housing Element sites. This new section would establish the following on Housing Element sites only:

- Densities ranging from 20 units per acre up to the specific site density identified in the Housing Element (40, 50, and 90 units per acre) via table and map references;
- Basic objective design standards such as height and minimum setbacks that can accommodate the Housing Element identified densities; and
- Ministerial review and approval procedures consistent with State law.

The proposed text of the new section of the MOUD that would apply to Housing Element sites only, proposed updated Zoning Map have been posted on the NWWAB project webpage and is provided as Attachment 2, Exhibit I.

- Proposed zoning code amendments is also available online here:
<https://www.costamesaneighborhoods.com/resources>

Additional amendments to the Zoning Code are needed in support of encouraging and facilitating development as well as meeting State Housing Law. A summary of the proposed amendments is provided in Table 1, below. Additionally, amendments to the North Costa Mesa Specific Plan only pertaining to Housing Element sites within the North Costa Mesa Specific Plan are necessary for consistency with the Housing Element and updated MUOD.

Table 1. Zoning Code Amendment Overview

Amendment Location	Description (add HE programs to the description)
Title 13, Chapter I, Article 2: Definitions Attachment 2 Exhibit A	Amend the text to include definitions of efficiency unit, employee housing, and single room occupancy unit, and amend definitions of group home*, single housekeeping unit*, supportive housing, and transitional housing. These amendments implement Housing Element Programs 2J, 2N, 2O, 2P, and 3F. Change Administrative Adjustment to Major Modification for consistency with proposed changes in Chapter III Planning Applications.

	<p>*Group home and Single housekeeping unit definitions are forthcoming and anticipated to be included in the February 9, 2025, packet materials.</p>
<p>Title 13, Chapter III Planning Applications</p> <p>Attachment 2 Exhibit B</p>	<p>Amend text and Table 13-28(a) references to change the name Administrative Adjustments to Major Modifications.</p> <p>Allow a Streamline Development Review process for specific types of projects that comply with applicable development standards. Amend the text regarding development reviews to no longer include the specific types of projects that would be eligible for streamline review.</p> <p>Remove the master plan, master plan screening, and master plan finding requirements for development within the Mixed-Use Overlay to facilitate housing development per State law.</p> <p>Remove Design Review and Minor Design Review. The review of design will be accomplished through the Streamline Development Review, Development Review, and through Objective Design Guidelines, which is forthcoming as part of the NWWAB efforts.</p> <p>Amend Table 13-29(c) to add Streamlined Development Review, change the name Administrative Adjustment to Major Modification, and other minor edits.</p> <p>Remove references to the Redevelopment Agency.</p> <p>Text amendments to the related to mailed notice requirements are for clarity.</p> <p>These amendments partially implement Housing Element Program 3S and would further encourage and facilitate residential and mixed-use development.</p>
<p>Title 13, Chapter IV, Table 13-30: City of Costa Mesa Land Use Matrix</p> <p>Attachment 2 Exhibit C</p>	<p>Amend the table and footnotes to add employee housing, supportive housing, transitional housing, and low barrier navigation center uses. These amendments implement Housing Element Programs 2J and 4E.</p> <p>Remove an "incidental residential use that includes a toilet in combination with a bathtub or shower..." as it is out-of-date and now covered by the accessory dwelling unit uses in the Accessory Uses section of the matrix.</p> <p>Additional text updates to correct typos and remove unnecessary "reserved" and "reserved for future use" categories from the matrix.</p>
<p>Title 13, Chapter V Development Standards, Article 11Mixed-Use Overlay District</p> <p>Attachment 2 Exhibit D</p>	<p>Add Section 13-83.58 to extend the MOUD to all Housing Element sites, including those in the NCMSP, except for the Fairview Development Center site which will be subject to a new specific plan.</p> <p>The new section will establish development regulations specific to Housing Element sites to meet court-mandated requirements (minimum 50% residential at a minimum density of 20 units per acre).</p>

	The new MOUD section is the rezoning and as such, implements Housing Element Programs 2N, 3C, and 3D. Note that the proposed new section of the MOUD would only apply to Housing Element sites.
Title 13, Chapter VI Off-Street Parking Standards, Article 1 Residential Districts Attachment 2 Exhibit E	Amend Table 13-85(A) to remove the requirement to add parking for bedroom additions in single-family residential units per State law. Amend Table 13-85 to have multifamily units with 3 or more bedrooms subject to the same parking requirements as multifamily units with 2 or more bedrooms to reduce potential constraints to multifamily housing development. Other amendments include reducing open parking and guest parking minimums. These amendments implement Housing Element Program 2M.
Title 13, Chapter IX Special Land Use Regulations, Article 8 Motels Attachment 2 Exhibit F	Amend a provision on termination of tenancy to comply with State and Federal laws.
Title 13, Chapter IX Special Land Use Regulations, Article 15 Reasonable Accommodations Forthcoming	The City is in the process of reviewing its Reasonable Accommodation procedures for potential amendments per Housing Element program 2N. These revisions are anticipated to be included in the February 9, 2025, packet materials.
Title 13, Chapter IX Special Land Use Regulations, Article 18 Emergency Shelters Attachment 2 Exhibit G	Amend this section to clarify parking requirements and remove regulations pertaining to towing vehicles and alcohol/narcotics as State law limits City regulations to specific topics. This amendment would implement Housing Element Program 4G.

North Costa Mesa Specific Plan Amendments

Housing Element Program 3C calls for the amendment of the North Costa Mesa Specific Plan to permit residential development on Housing Element sites at a density of 90 dwelling units per acre. The following actions, shown in Attachment 2 Exhibit H, are proposed to implement this program:

- Add a new section specific to Housing Element sites that will extend the new MUOD, with a density up to 90 dwelling units per acre and a minimum of 50% residential development, only to Housing Element sites within the North Costa Mesa Specific Plan area;
- Update Figure 2, General Plan Land Use Designation, and Figure 3, Zoning;
- Update Table 1, General Plan Designations to include the MOUD;

- Update the Building Heights text to specify that maximum building heights apply unless a proposed project is utilizing the MOUD on a qualifying property; and
- Update Table 2, Maximum Building Heights to reference the MOUD.

GENERAL PLAN CONFORMANCE

The proposed rezoning of Housing Element sites, including proposed amendments to the North Costa Mesa Specific Plan, is consistent with the General Plan Amendments adopted by the City Council and effective on November 4, 2025.

ENVIRONMENTAL DETERMINATION

The information being received and discussed by the Planning Commission is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(3) of the CEQA Guidelines because the study session is not a “project” pursuant to Section 15378(b)(5).

On November 15, 2022, the Costa Mesa City Council adopted Resolution No. 2022-67, certifying and adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program that analyzed the candidate housing sites for the 6th Cycle (2021-2029) Housing Element. The Mitigated Negative Declaration provided environmental clearance for the adoption of the Housing Element but did not study and mitigate the potential impacts of the rezoning actions. When the Professional Service Agreement for the Rezoning Program was signed in March 2025, an Environmental Impact Report was determined to be necessary for the rezoning to comply with CEQA. However, on July 1, 2025, a new statutory CEQA exemption, known as SB 131 or Public Resources Code Section 21080.085, went into effect, providing a CEQA exemption for rezoning actions needed to implement Housing Elements. The City’s proposed amendments implement a schedule of actions contained in the approved Housing Element pursuant to Government Code Section 65583 and do not allow the construction of a distribution center, or oil and gas infrastructure. Therefore, the proposed amendments are statutorily exempt from California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.085.

ALTERNATIVES

This item is for discussion purposes, as such no actions nor alternative actions are required.

PUBLIC NOTICE

There is no public notice requirement for the Planning Commission Study Session. However, to encourage public engagement, the City provided the following notification:

- Information on the study session including the draft Zoning Code, Zoning Map, and North Costa Mesa Specific Plan amendments, and date, time and location of the study session were posted on the project website on January 15, 2026;
- Information about the study session including a link to the draft amendments was distributed via email to the project interest list on January 15, 2026, and January 21, 2026.

CONCLUSION/NEXT STEPS

The Planning Commission, at their regularly scheduled meeting on February 9, 2026, will conduct a public hearing and consider a recommendation to the City Council on the proposed amendments to the Costa Mesa Municipal Code to rezone Housing Element sites and update definitions, planning application processing, uses in the Land Use Matrix, residential parking minimums, motel conversion resident relocation procedures, and emergency shelter regulations, Zoning Map and an amendment to the North Costa Mesa Specific Plan to rezone Housing Element sites within that area.

ATTACHMENTS

1. Attachment 1 (Draft amendments to the Zoning Code, North Costa Mesa Specific Plan, and Zoning Map)
2. Attachment 2 (Housing Element and Measure K Sites Map)

Article 2
Definitions

§ 13-5. Purpose.

The intent of this article is to define certain words and phrases which are used in this Zoning Code. Additional definitions may also be given in conjunction with the special regulations contained in Chapter IX, Special Land Use Regulations, and Chapter XII, Special Fee Assessments.

(Ord. No. 97-11, § 2, 5-5-97)

§ 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.

Efficiency unit. A dwelling unit for occupancy by no more than two persons conforming to California's Health and Safety Code § 17958.1 with a minimum floor area of 150 square feet that provides bathroom facilities and a partial kitchen equipped with a sink, cooking appliance, and refrigerator.

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.

Employee housing. Shall have the same meaning as “employee housing” described in California Health and Safety Code Section 17021.5, and as set forth in California Health and Safety Code Section 17008 for farmworkers.

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.

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.

Low barrier navigation center. Shall have the same meaning as "low barrier navigation center" as set forth in Government Code Section 65660.

Major modification. 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.

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 major modifications, 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, jointly use common areas, interact with each other, share 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 unit. A dwelling unit that serves as the primary residence of its occupant(s) and is offered on a monthly rental basis or longer. Single room occupancy units may contain kitchen and/or sanitary facilities. If the units do not contain kitchen and/or bathroom facilities, shared kitchen and/or bathroom facilities must be provided within the building.

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.

Streamlined development review. The streamlined processing of a development plan when authority for approval is vested in the planning division.

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, as defined in Section 50675.14 of the California Health and Safety Code, 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)

CHAPTER III PLANNING APPLICATIONS

§ 13-27. Purpose.

The purpose of this chapter is to establish the parameters for the numerous types of discretionary planning applications and to identify processing procedures.
(Ord. No. 97-11, § 2, 5-5-97)

§ 13-28. Types.

- (a) ~~Administrative adjustment~~**Major Modification.** 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 MAJOR MODIFICATIONS	
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.	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 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) **Development review, streamlined.** The following shall be subject to streamlined development review, if the project complies with applicable development standards in this Zoning Code and meets one of the following conditions:~~
- ~~**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.~~
- (d)
- ~~(1) Residential construction of one story in the R1, R2-MD, R2-HD, and R3 zones.~~
 - ~~(2) Residential uses permitted by right in this the Zoning Code and qualifying for ministerial approval as a 'use by right' consistent with State the applicable provisions of the Government Code.~~
 - ~~(3) Additions to existing buildings in the AP, CL, C1, C2, C1-S, MG, or MP zones that comply with the applicable development standards in this Zoning Code and do not exceed 2,000 square feet or 50% of the existing building area, whichever is less, shall be subject to streamlined development review.~~
- (e) **Development review.** The following shall be subject to development review:
- ~~(1) **Two-story Residential construction of two or more stories.** In the R2-MD, R2-HD, and R3 zones any zone, any two-story residential construction of two or more stories 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 the applicable development standards in this Zoning Code and the forthcoming Citywide Residential and Mixed-Use Objective Design Standards any residential design guidelines adopted by city council. Until such objective standards are adopted, projects shall be subject only to the objective development standards in this Zoning Code.~~
 - ~~(2) **Construction of new buildings or additions to existing buildings in the AP, CL, C1, C2, C1-S, MG, or MP zones that comply with the applicable development standards in this Zoning Code and exceed 2,000 square feet or 50% of the existing building area.** 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 be subject to streamlined 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)(i) **Minor modification.** Any deviation from an adopted development standard in this Zoning Code that meets the criteria listed in Table 13-28(ji)(1).~~

TABLE 13-28(ji)(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	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 residential zones	100% or less
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)~~(j) **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.

~~(h)~~(k) **Planned signing program.** A voluntary, optional alternative to the general sign regulations, except in the C1-S zone where it is required.

~~(m)~~(l) **Reasonable accommodation.** As defined in section 13-200.62

~~(n)~~(m) (Reserved)

~~(o)~~(n) **Rezone.** Any proposed change to the official zoning map.

~~(p)~~(o) **Special use permit.** Refer to Chapter XV of the Zoning Code.

~~(q)~~(p) **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)~~(q) **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)~~(r) **Variance.** Any deviation from a development standard in this Zoning Code that is not specified as a minor modification or ~~administrative adjustment~~ major modification, or a deviation that is not allowed by approval of conditional use permit, minor conditional use permit, or specific plan conformity procedure.

~~(t)~~(s) **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)~~(t) **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)

§ 13-29. Planning application review process.

(a) **Application.**

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

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

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

TABLE 13-29(c) PLANNING APPLICATION REVIEW PROCESS					
Planning Applications	Public Notice Required	Public Hearing Required	Recommending Authority	Final Review Authority	Notice of Decision
Streamlined Development Review	No	No	None	Planning Division	No
Development Review	No	No	None	Planning Division	No
Minor Modification	No	No	None	Planning Division	No
Reasonable Accommodation	No	No	None	Planning Division	No
Lot Line Adjustment	No	No	None	Planning Division	No
Special Use Permit	Yes	Yes	None	Planning Division	No
Administrative Adjustment Major Modification	Yes	No	None	Zoning Administrator	Yes
Minor Conditional Use Permit					
Minor Design Review					
Planned Signing Program					
Design Review	Yes	Yes	Planning Division	Planning Commission	Yes
Mobile Home Park Conversion					
Common Interest Development Conversion (Residential or Nonresidential)					
Specific Plan Conformity					
Review Tentative Parcel Map					
Tentative Tract Map					
Variance					
Conditional Use Permit	Yes	Yes	Planning Division	Planning Commission (excepted where noted otherwise in this zoning code)	Yes
Density Bonus					
Master Plan					
Master Plan—Preliminary					
Redevelopment Action	Yes	Yes	Planning Commission	Redevelopment Agency	Yes
Rezone	Yes	Yes	Planning Commission; and, if located in a redevelopment project area, the Redevelopment Agency	City Council	No
Local Register of Historic Places	No	No	Planning Commission or other commission/committee as designated by the City Council	City Council	Yes
Certificate of Appropriateness	No	No	Planning Commission or other commission/committee as designated by the City Council	Planning Commission or other commission/committee as designated by the City Council	No

- (d) **Public notice.** When required pursuant to Table 13-29(c), public notice shall be given as described in the following subsections. Public notices shall contain a general explanation of the proposed planning application and any other information reasonably needed to give adequate notice of the matter to be considered.
- (1) **Mailed notice required.** Notices of the hearing shall be mailed to all property owners and occupants within a 500 foot radius of the project site, except for applications for the construction of a building(s) 150 feet or more in height which; these the applications pursuant to Table 13-29(d) shall require a greater notice radius pursuant to Table 13-29(d):

TABLE 13-29(d) MAILED NOTICE REQUIRED	
Building Height in Feet	Notice Requirement
More than 150 and less than or equal to 225	700-foot radius
More than 225 and less than or equal to 300	900-foot radius
More than 300	1,100-foot radius

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

- (2) **On-site posting required.** Additional notice shall be provided by posting a notice on each street frontage of the project site, no less than 10 days prior to the date set for the hearing or determination on the application.
- (3) **Newspaper publication.** When a public hearing is required, notice shall also be published once in the city in a newspaper of general circulation, no less than 10 days prior to the date set for the public hearing.
- (e) **Review criteria.** Review criteria for all planning applications shall consist of the following:
- (1) Compatible and harmonious relationship between the proposed building and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood.
 - (2) Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation.
 - (3) Compliance with any performance standards as prescribed elsewhere in this Zoning Code.
 - (4) Consistency with the general plan and any applicable specific plan.

- (5) The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.
 - (6) When more than one planning application is proposed for a single development, the cumulative effect of all the planning applications shall be considered.
 - (7) For residential developments, consistency with any applicable design guidelines adopted by city council resolution.
 - (8) For affordable multi-family housing developments which include a minimum of 16 affordable dwelling units at no less than 20 dwelling units per acre, the maximum density standards of the general plan shall be applied, and the maximum density shall be permitted by right and not subject to discretionary review during the design review or master plan application process.
- (f) **Conditions.** The final review authority pursuant to Table 13-29(c), may impose reasonable conditions to assure compliance with the applicable provisions of this Zoning Code, and to assure compatibility with surrounding properties and uses and to protect the public health, safety and general welfare. The final review authority may also require such written guarantees, cash deposits, recorded land use restrictions, etc., as may be necessary to assure compliance with the conditions.
- (g) **Findings.** When granting an application for any of the planning applications specified below, the final review authority shall find that the evidence presented in the administrative record substantially meets any required conditions listed below. Other findings may also be required pursuant to other provisions of this Zoning Code.
- (1) ~~Administrative adjustment~~ Major modifications and variance findings:
 - a. Because of special circumstances applicable to the property, the strict application of development standards deprives such property of privileges enjoyed by others in the vicinity under identical zoning classifications.
 - b. The deviation granted shall be subject to such conditions as will assure that the deviation authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.
 - c. The granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.
 - (2) Conditional use permit and minor conditional use permit findings:
 - a. The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

- b. Granting the conditional use permit or minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.
 - c. Granting the conditional use permit or minor conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.
- (3) Density bonus and concession or incentive findings:
- a. The request is consistent with State Government Code section 65915 et. seq. regarding density bonuses and other incentives, the general plan, any applicable specific plan, and Chapter IX special regulations, Article 4 density bonuses and other incentives.
 - b. The requested density bonus and incentive or concession constitute the minimum amount necessary to provide housing at the target rents or sale prices and/or a child care facility.
 - c. The granting of the incentive or concession is required in order to provide for affordable housing costs, as defined in Health and Safety Code section 50052.5 or for rents for the targeted units.
 - d. The granting of the incentive or concession and/or the waiver or reduction of development standards does not have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Government Code section 65589.5 upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
 - e. The granting of the incentive or concession and/or the waiver or reduction of development standards does not have an adverse impact on any real property that is listed in the California Register of Historical Resources.
- (4) Lot line adjustment findings: The lot line adjustment and improvements are consistent with the general plan, any applicable specific plan and this Zoning Code.
- (5) Master plan findings:
- a. The master plan meets the broader goals of the general plan, any applicable specific plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.
 - ~~b. Master plan findings for mixed-use development projects in the mixed-use overlay district are identified in Chapter V, Article 11, mixed-use overlay district.~~
 - ~~c. As applicable to affordable multi-family housing developments, the~~

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

(6) Minor modification findings:

- a. The improvement will not be materially detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.
- b. The improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity. This includes the site planning, land coverage, landscaping, appearance, scale of structures, open space and any other applicable features relative to a compatible and attractive development.

(7) Mobile home park conversion findings:

- a. The impacts of the conversion on the residents of the mobile home park have been duly considered as required by the State Government Code.
- b. The proposed conversion project is consistent with the general plan, any applicable specific plan and this Zoning Code.

(8) Planned signing program findings:

- a. The proposed signing is consistent with the intent of Chapter VIII, Signs, and the General Plan.
- b. The proposed signs are consistent with each other in design and construction taking into account sign style and shape, materials, letter style, colors and illumination.
- c. The proposed signs are compatible with the buildings and developments they identify taking into account materials, colors and design motif.
- d. Approval does not constitute a grant of special privilege or allow substantially greater overall visibility than the standard sign provisions would allow.

(9) Reasonable Accommodation findings: Refer to Chapter IX, Article 15.

(10) Common interest development conversion findings:

- a. The applicant has submitted an adequate and legally binding plan which addresses the displacement of long-term residents, particularly senior citizens and low- and moderate-income families and families with school-age children; and

- b. The proposed common interest development conversion project conforms to adopted general plan policies and any applicable specific plan or urban plan, and if applicable, increases the supply of lower cost housing in the city and/or that the proposed conversion project fulfills other stated public goals.
 - c. The establishment, maintenance, or operation of the project will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the surrounding neighborhood, nor will the project be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the city.
 - d. The overall design and physical condition of the common interest development conversion project achieves a high standard of appearance, quality, and safety.
 - e. The proposed common interest development conversion project conforms to the Costa Mesa Zoning Code requirements.
 - f. For a proposed common interest development conversion project that does not conform to the zoning code requirements, the project due to its proportions and scale, design elements, and relationship to the surrounding neighborhood, is of continued value to the community and it contributes to defining and improving the community as a whole. Deviations from zoning code requirements are acceptable because it would be impracticable or physically impossible without compromising the integrity of the overall project to implement features that could result in conformance with current code requirements.
 - g. For a proposed common interest development conversion project located in an urban plan area, the proposed conversion is consistent with the applicable mixed-use overlay zoning district. Specifically, the proposed non-residential conversion project supports a mixed-use development or a similar land use that is not allowed in the base zoning district, or the proposed conversion project is a residential common interest development that is permitted by either the base or overlay zoning district.
- (11) Rezone findings: The proposed rezone is consistent with the Zoning Code and the general plan and any applicable specific plan.
- (12) Specific plan conformity review findings: Refer to the applicable specific plan text.
- (13) Tentative parcel or tract map findings:
- a. The creation of the subdivision and related improvements is consistent with the general plan, any applicable specific plan, and this Zoning Code.
 - b. The proposed use of the subdivision is compatible with the general plan.

- c. The subject property is physically suitable to accommodate the subdivision in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the Zoning Code and general plan, and consideration of appropriate environmental information.
- d. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by State Government Code section 66473.1.
- e. The division and development will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.
- f. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the State Regional Water Quality Control Board pursuant to Division 7 (commencing with State Water Code section 13000).

~~(14) Design review and minor design review findings:~~

- ~~a. The project complies with the City of Costa Mesa Zoning Code and meets the purpose and intent of the residential design guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.~~
- ~~b. The visual prominence associated with the construction of a two-story house or addition in a predominantly single-story neighborhood has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls.~~
- ~~c. As applicable to affordable multi-family housing developments, the project complies with the maximum density standards allowed pursuant to the general plan and provides affordable housing to low or very-low income households, as defined by the California Department of Housing and Community Development. The project includes long-term affordability covenants in compliance with state law.~~

(h) **Decision.**

- (1) After the public hearing, if required, the final review authority may approve, conditionally approve or deny any application for the planning application based upon the standards and intent set forth in the applicable provisions of this Zoning Code. In the case of a denial, the applicant shall be notified of the circumstances of the denial.

- (2) For planning applications which require the planning commission to make a recommendation to the final review authority, the authority shall not approve any major change or additions in any proposed planning application until the proposed change or addition has been referred to the planning commission for a report, unless the change or addition was previously considered by the planning commission. It shall not be necessary for the planning commission to hold a public hearing to review the referral. Failure of the planning commission to report to the final review authority within 40 days after the referral shall be deemed approval of the proposed change or addition.

(i) **Notice of decision.**

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

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

(k) **Time limits and extensions.**

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

of this subsection.

- (3) The time limits specified in paragraph (2) of this subsection shall not apply to preliminary master plans, except that the first phase of the final master plan must be approved within 24 months of the approved preliminary master plan. Time limits regarding the construction of improvements authorized by the approved final master plan for each phase of the project shall comply with the time limits established in paragraph (2).
- (4) Extension of time.
 - a. *Filing and review of request.* No less than 30 days or more than 60 days before the expiration date of the permit, the applicant shall file a written request for an extension of time with the department, together with the filing fee established by resolution of the city council.
 - b. For extension requests not to exceed 180 days: The director of development services may extend the time for an approved permit or approval to be exercised. Only one request for an extension of 180 days may be approved by the director. Any subsequent extension requests shall be considered by the original approval authority.
 - c. For extensions requests of more than 180 days: The review authority for the original project shall consider the request to extend the time for an approved permit or approval to be exercised. A public hearing shall only be held if it was required on the original application. If notice was required for the original application, notice of the public hearing shall be given according to the procedures set forth in this chapter.
- (5) Fees for extensions of time for planning applications may be established by resolution of the city council.
- (6) Action on extension request. A permit or approval may be extended beyond the expiration of the original approval provided the director or the review authority finds that there have been no changes in the conditions or circumstances of the site, such as Zoning Code or General Plan amendment or other local and statewide regulations affecting the approved development standards, or project so that there would have been ground for denial of the original project or any changes to the General Plan and/or Zoning Code that would preclude approval of the same project at the time of the requested extension.
- (7) Effect of expiration. After the expiration of the permit or approval, no further work shall be done on the site and no further use of the site shall occur until a new permit or approval, or other city permits or approvals are first obtained. Fees for extensions of time for planning applications may be established by resolution of the city council.
- (1) ***Building permits/authority to proceed.*** No building permit or authority to proceed shall be granted until all required review and approval has been obtained and all

applicable appeal periods have expired.

- (m) **Compliance.** Final occupancy shall not be granted unless the site development conforms to the approved set of building plans, applicable conditions of approval and code requirements.
- (n) **Reapplication.** Upon final denial of any planning application, a new application for substantially the same planning application may not be filed within six months of the date of the denial. The development services director shall determine whether the new application is for a planning application which is substantially the same as a previously denied application. No decision of the development services director shall be effective until a period of seven days has elapsed following the written notice of a decision; an appeal of the decision shall be filed according to the procedures set forth in Title 2, Chapter IX, Appeal, Rehearing and Review Procedure.
- (o) **Enforcement authority.**
 - (1) The planning commission may require the modification or revocation of any planning application and/or pursue other legal remedies as may be deemed appropriate by the city attorney, if the planning commission finds that the use as operated or maintained:
 - a. Constitutes a public nuisance as defined in State Civil Code Sections 3479 and 3480; or
 - b. Does not comply with the conditions of approval.
 - (2) The modification or revocation of any permit by the planning commission under this subsection shall comply with the notice and public hearing requirements set forth in subsections (c) and (d). The development services director may require notice for a development review or minor modification, if deemed appropriate.
- (p) **Amendment to a planning application.** Any approved planning application may be amended by following the same procedure and fee schedule as required for the initial approval, with the exception of the following two instances:
 - (1) Minor amendments to conditional use permits shall be processed as minor conditional use permits; and
 - (2) Amendments to master plans which comply with section 13-28(f)(1) may be authorized by the planning division.
- (q) **Concurrent processing.** Unless otherwise stated in this Zoning Code, applications for proposed projects which require two or more planning application approvals may be processed concurrently. Final project approval shall not be granted until all necessary approvals have been obtained.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-5, § 5—7, 3-2-98; Ord. No. 99-17, § 4, 11-15-99; Ord. No. 01-11, § 1a., 3-5-01; Ord. No. 01-16, §§ 1c.—e., 6-18-01; Ord. No.

03-8, § 3, 9-2-03; Ord. No. 05-2, § 1d., e., 2-22-05; Ord. No. 06-7, § 1a., 4-18-06; Ord. No. 06-9, § 1c., 4-18-06; Ord. No. 07-17, § 1c., d., 10-2-07; Ord. No. 09-13, § 1, 11-17-09; Ord. No. 17-12, § 1, 9-19-17; Ord. No. 18-06, § 1, 9-4-18; Ord. No. 21-20, § 1, 12-7-21)

CHAPTER IV CITYWIDE LAND USE MATRIX

§ 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
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&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	•	•	•
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	•	•	•

**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&RM LT ¹	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	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Employee housing, six or fewer	P	P	P	P	:	:	:	:	:	:	:	:	P	P	P	P	P	P	:	:	P	:
Supportive housing	P ¹²	P ^{11,12}	P ^{11,12}	P ^{11,12}	:	:	:	:	:	P ^{11,12}	:	:	P ^{11,12}	P ^{11,12}	P ^{11,12}	P ^{11,12}	P ^{11,12}	P ^{11,12}	:	:	P ^{11,12}	:
Transitional housing	P ¹²	P ¹²	P ¹²	P ¹²	:	:	:	:	:	P ¹²	:	:	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	:	:	P ¹²	:
Low barrier navigation center	:	:	:	:	:	:	:	:	:	P ¹³	:	:	:	:	:	:	P ¹³	P ¹³	:	:	P ¹³	:
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	P	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P	P	•	•	•	•

**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&RM LT ¹	P
contained within the main structure with no interior connection between the main and incidental use. Land use restriction required.																						
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	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}	•

**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&RM LT ¹	P
requirements of ch. IX, article 6, home occupations)																						
22.1 Non-residential accessory uses in a residential development not otherwise specified in this table	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
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	P ²	P ²	P ²	P ²	•	•	•	•	•	•	•	•	P ²	P ²	P ²	P ²	P ²	P ²	•	•	P ²	•

**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&RM LT ¹	P
units)																						
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	•	•	•
30. Hospitals, general	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	P	•	P	•

**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&RM LT ¹	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 distributor	•	•	•	•	•	•	•	•	•	•	•	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	•	•	•

**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&RM LT ¹	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	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•

**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&RM LT ¹	P
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,	•	•	•	•	•	P	P	P	P	P	•	•	•	P	P	P	P	P	•	•	•	•

**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&RM LT ¹	P
facials, and accessory massage																						
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	•	•	•	•

**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&RM LT ¹	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	•	•	•	•	•	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•

**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&RM LT ¹	P
premises or available for wholesale distribution																						
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	•	•	•	•	•	•	C ²	C ²	C ²	C ²	•	•	•	•	•	•	C ²	•	•	•	•	•

**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&RM LT ¹	P
chapter IX, article 16, liquor stores, convenience stores, and mini- markets)																						
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	•	•	•	•	•	P2	•	•	•	•
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	•	•	•	•	•	•	•	•	•	•	P ²	P ²	•	•	•	•	•	P ²	•	•	•	•

**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&RM LT ¹	P
asbestos products • Manufacture of nonclay refractories and crucibles • Processing and preparation of clay, ceramic and refractory minerals																						
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	•	•	•	•	•	•	•	•	•	•

**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&RM LT ¹	P
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	.	.	.	.

**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&RM LT ¹	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	•	•	•	•	•	•	•	•	•	•
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	•	•	•	•

**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&RM LT ¹	P
111. Offices: general	•	•	•	•	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	•	•	•	•

**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&RM LT ¹	P
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
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&RM LT 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	.	.	.	.	.	.	.	.	.	.

**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&RM LT ¹	P
142. Studios: dance; martial arts; music, etc.	•	•	•	•	•	•	P	P	P	MC	MC	MC	•	MC	MC	MC	P	MC	•	•	•	•
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	•	•	•	•

**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&RM LT ¹	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.

<u>11</u>	<u>Supportive housing, as defined in Government Code Section 65650, shall be permitted by-right in all zones where multifamily and mixed uses are permitted by-right, provided it is consistent with Government Code Sections 65650 – 65656.</u>
<u>12</u>	<u>Pursuant to Government Code Section 65583(c)(3), transitional and supportive Housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zoning district.</u>
<u>13</u>	<u>Low barrier navigation centers shall be permitted by-right provided they are consistent with the requirements in Government Code Sections 65660-65668.</u>

(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

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Article 11. Mixed-Use Overlay District (MUOD)

13-83.50. Purpose

13-83.51. Definitions

13-83.52. Mixed-use development types

13-83.53. Application review procedures in mixed-use overlay district

13-83.54. Mixed-use development standards

13-83.55. Mixed-use compatibility standards

13-83.56. Phase mixed-use developments

13-83.57. Harbor Mixed-Use Overlay

13-83.58. Properties identified in Housing Element

(a) Purpose.

- (1) The purpose of this Section is to implement the City's currently adopted Housing Element by establishing zoning provisions for sites identified in the Housing Element Sites Inventory to accommodate the City's lower-, moderate-, and above-moderate-income Regional Housing Needs Allocation (RHNA) consistent with Government Code sections 65583 and 65583.2, Subsections (c), (h) and (i).

(b) Applicability.

- (1) The provisions of this Section shall apply to all sites identified in the City's currently adopted Housing Element Sites Inventory to accommodate the City's RHNA, shown in the Housing Element as Table B-6: Sites to Accommodate Costa Mesa 2021-2029 RHNA or any future adopted Housing Element Sites Inventory to accommodate the City's RHNA.
- (2) **Previously Identified Sites.** The provisions of this Section shall also apply to any non-vacant Housing Element Site that was identified in a prior Housing Element and any vacant Housing Element Site that was identified in two or more consecutive prior Housing Elements, consistent with Government Code Section 65583.2 Subsection (c). Such sites shall be subject to the minimum density and by-right approval standards established in this Section. Such sites are identified in the City's currently adopted Housing Element Sites Inventory, shown as Table

B-6: Sites to Accommodate Costa Mesa 2021-2029 RHNA or any future adopted Housing Element Sites Inventory to accommodate the City's RHNA.

- (3) **Exception.** The provisions of this Section shall not apply to residential projects or mixed-use projects having residential units located within the boundaries of the Fairview Development Center Specific Plan.

(c) **Severability and State Law Consistency.**

- (1) This Section is intended to be consistent with, and shall be interpreted and applied to comply with, all applicable requirements of State housing law, including Government Code Sections 65915(c)(3), 65583 and 65583.2 as those provisions may be amended from time to time, and any successor statutes. If any provision of this Section conflicts with State law, the applicable State law shall control.
- (2) If any provision of this Section, or its application to any person or circumstance, is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect other provisions or applications of this Section that can be given effect without the invalid provision or application. The City Council declares that it would have adopted this Section and each provision, section, sentence, clause, and phrase thereof, irrespective of the fact that any one or more provisions may be declared invalid or unenforceable.

(d) **Definitions**

- (1) **"Housing Element Site"** means any site identified in the currently adopted Housing Element Sites Inventory to accommodate the City's (RHNA), shown in the Housing Element as Table B-6: Sites to Accommodate Costa Mesa 2021-2029 RHNA.
- (2) **"Lower-Income Household"** has the same meaning as defined in Health and Safety Code Section 50079.5.
- (3) **"Lower-Income Housing Element Site"** means any Housing Element Site identified in the currently adopted Housing Element that accommodates any portion of the City's lower-income RHNA and subject to the requirements of Government Code Section 65583.2 (h) and (i), shown in the Housing Element as Table B-6: Sites to Accommodate Costa Mesa 2021-2029 RHNA.
- (4) **"Use by Right"** has the same meaning as in Government Code Section 65583.2 Subsection (i) and requires ministerial approval for multifamily housing developments in which at least 20 percent of the total number of units are affordable to lower-income households. "Use by Right" means that the review of an owner-occupied or renter-occupied multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary review or approval that would constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

- (5) **“Prior Housing Element Site”** means any non-vacant Housing Element Site that was identified in the prior Housing Element and any vacant Housing Element Site that was identified in two or more consecutive prior Housing Elements. Such sites are identified in the City’s currently adopted Housing Element Sites Inventory, shown as Table B-6: Sites to Accommodate Costa Mesa 2021-2029 RHNA.
- (6) **“Protected Unit”** means any unit that, within the past five years, was occupied by a lower-income household regardless of whether the unit was deed-restricted or that was subject to an affordability covenant or rent control.
- (e) **Supersession of Overlay**
- (1) **For Lower-Income Housing Element Sites:**
- i. **Supersession of Other Zoning Provisions.** Projects on Lower-Income Housing Element Sites shall be governed by this Section, and the provisions in this Section shall supersede and prevail over any conflicting provisions of the underlying base zone, including, but not limited to, minimum residential floor area, minimum residential capacities and densities, ministerial review and approval requirements, and permitted uses, and all other applicable zoning provisions, such as other urban plans, overlays, and specific plans, and the provisions of this Article that apply to non-Lower-Income Housing Element sites.
 - ii. **Ministerial Review and Approval.** Projects on Lower-Income Housing Element Sites shall be a Use by Right pursuant to Subsection (f)(1).
 - iii. **Minimum Residential Floor Area.** Projects on Lower-Income Housing Element Sites shall satisfy the minimum residential floor area requirements established in Subsection (g)(3).
 - iv. **Minimum Residential Site Capacity and Density.** Projects on Lower-Income Housing Element Sites shall satisfy the minimum residential capacity and density requirements established in Subsection (h)(1)(ii) and (h)(1)(iii).
- (f) **Review and Approvals Procedures**
- (1) **Use by Right.** A project on a Lower-Income Housing Element Site that provides at least 20 percent of the total dwelling units affordable to Lower-Income Households shall be processed as a Use by Right, consistent with Government Code Section 65583.2(h) and (i). Such projects shall be subject only to ministerial review to verify compliance with all applicable objective design and development standards in accordance with a Streamlined Development Review process per CMMC Title 13, Chapter III (Planning Applications). A project that does not qualify as a Use by Right shall be processed in accordance with a

Development Review process per CMMC Title 13, Chapter III (Planning Applications).

- (2) **Subdivision.** Any subdivision of a Lower Income Housing Element Site shall comply with all applicable provisions of CMMC Title 13, Chapter XI (Subdivisions) and the Subdivision Map Act.

(g) **Permitted Uses**

- (1) **Multi-Family Dwellings.** Multi-family dwellings shall be permitted on all Housing Element Sites subject to the requirements of this Section.
- (2) **Non-Residential Uses.** Those non-residential uses permitted in Commercial Zones in accordance with CMMC Title 13, Chapter IV (Citywide Land Use Matrix) shall be permitted as part of mixed-use projects on all Housing Element Sites.
- (3) **Mixed-Use on Lower-Income Housing Element Sites.** Mixed-use projects shall be permitted on Lower-Income Housing Element Sites so long as at least 50 percent of total floor area is provided as residential uses, consistent with Government Code Section 65583.2, Subsection (h)(1)(B).
- (4) **Multi-Family Dwellings on Lower-Income Housing Element Sites.** Multi-family dwellings consisting of 100 percent residential uses shall be permitted on Lower-Income Housing Element Sites, consistent with Government Code Section 65583.2, Subsection (h)(1)(B).

(h) **Development Standards**

(1) **Density Standards**

- i. **Maximum Densities.** Maximum residential densities shall be permitted as specified in the Housing Element Sites Inventory.
- ii. **Minimum Site Capacity for Lower-Income Housing Element Sites.** If the identified maximum density of a Lower-Income Housing Element Site does not allow at least 16 dwelling units on site, then the maximum density identified shall be waived, and the maximum number of dwelling units permitted shall be 16 dwelling units on site consistent with Government Code Section 65583.2 Subsection (h).
- iii. **Minimum Densities for Lower-Income Housing Element Sites.** A project proposed on a Lower Income Housing Element Site shall meet a minimum density requirement of 20 units per acre, inclusive of Accessory Dwelling Units, consistent with Government Code Section 65583.2, Subsection (h).

(2) **Off-Street Parking Standards**

- i. **Residential Uses.** Minimum off-street parking requirements for multi-family dwellings on Housing Element sites are provided in Table 13-83.58-A. Minimum Off-Street Parking Requirements.
- ii. **Non-Residential Uses.** Minimum off-street parking requirements for those permitted non-residential uses on Housing Element sites shall be subject to CMMC Title 13, Chapter VI (Off-Street Parking Standards).

Table 13-83.58-A. Off-Street Parking Standards for Residential Uses

<u>TABLE 13-83.58-A. OFF-STREET PARKING STANDARDS</u>		
<u>Dwelling Unit Type</u>	<u>Minimum Off-Street Parking Requirement</u>	<u>Minimum Off-Street Guest Parking Requirement</u>
<u>Studio or 1-bedroom unit</u>	<u>1 space per unit</u>	<u>0.25 space per unit</u>
<u>2 or more bedrooms per unit</u>	<u>2 spaces per unit</u>	<u>0.25 space per unit</u>

(3) **Development Standards**

- i. Minimum and maximum requirements for building height, non-residential intensity, setbacks, lot coverage, and open space are provided in Table 13-83.58-B. Development Standards.

Table 13-83.58-B. Development Standards.

TABLE 13-83.58.B. DEVELOPMENT STANDARDS			
RESIDENTIAL DENSITY AND BUILDING HEIGHT STANDARDS			ADDITIONAL PROVISIONS
Min. Residential Density ¹	Max. Residential Density ²	Max. Building Height	
20 du/ac	40 du/ac	60 ft.	
	50 du/ac		
	60 du/ac	72 ft.	
	90 du/ac	108 ft.	
NON-RESIDENTIAL INTENSITY STANDARDS			ADDITIONAL PROVISIONS
Min. FAR	None		
Max. FAR	1.0		
SETBACK STANDARDS ³			ADDITIONAL PROVISIONS
Front or side abutting a public street		Min. 10 ft. and max. 20 ft.	

Table 13-83.58-B. Development Standards.

TABLE 13-83.58.B. DEVELOPMENT STANDARDS		
RESIDENTIAL DENSITY AND BUILDING HEIGHT STANDARDS		ADDITIONAL PROVISIONS
<u>Side or rear abutting alley</u>	<u>0 ft.</u>	
<u>Side or rear abutting:</u>		
• <u>Residential zone</u>	<u>20 ft.</u>	
• <u>Industrial use</u>		
<u>Side or rear abutting bluff crest</u>	<u>10 ft.</u>	<u>Section 13-34 (Bluff-Top Development) of Chapter V of Title 13 of the Costa Mesa Municipal Code</u>
LOT STANDARDS		ADDITIONAL PROVISIONS
<u>Min. lot size</u>	<u>None</u>	
<u>Max. lot coverage</u>	<u>90%</u>	
OPEN SPACE STANDARDS		ADDITIONAL PROVISIONS
<u>Usable common residential open space</u>	<u>Total area equivalent to min. 30% of lot</u>	
<u>Usable private open space</u>	<u>Min. 100 sq. ft./unit provided on the ground floor for dwelling units located on the ground floor, and min. 50 sq. ft./unit provided for dwelling units located above the ground floor</u>	
<u>Publicly accessible open space</u>	<u>Total area equivalent to min. 5% of commercial gross floor area for developments with a commercial gross floor area greater than 100,000 sq. ft.</u>	

- 1 Based on the currently adopted Housing Element Sites Inventory
- 2 Only applicable to Lower-Income Housing Element Sites and inclusive of Accessory Dwelling Units.
- 3 Minimum setbacks shall apply to all portions of a building or structure. Maximum setbacks along public streets shall only apply to a building or structure's ground floor, with exceptions for driveways, walkways, and open space.

(4) Objective Design Standards forthcoming.

- i. The City intends to prepare and adopt design standards to further guide the physical form and character of development on the rezoned sites. Until such standards are adopted, projects shall be subject only to the objective development standards contained in this Section. Upon adoption, the objective design standards shall apply to all projects subject to this Section and shall serve as the sole design criteria for ministerial review, consistent with Government Code Sections 65583.2 and 65589.5.

(i) **Replacement of Protected Units**

- (1) **Demolition or Conversion of Protected Units.** Any project that involves the demolition or conversion of Protected Units, or that is located on a site where Protected Units were demolished or converted within the previous five years, shall comply with all applicable replacement housing, tenant protection, and right-of-return requirements under State Density Bonus Law, including Government Code Section 65915, Subsection (c)(3), and any successor statutes.

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**Article 1
Residential Districts**

§ 13-84. Purpose.

The purpose of this article is to establish parking requirements for the residential zones. The provisions of this article shall apply to the R1, R2-MD, R2-HD and R3 zones, and to the residential portions of the planned development and Institutional and Recreational zones. Exception: These parking standards do not apply to high-rise residential developments in the North Costa Mesa Specific Plan; see the specific plan for applicable parking rates.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 07-2, § 1k., 2-6-07)

§ 13-85. Parking required.

In the residential districts, the following minimum off-street parking spaces shall be provided. The parking spaces shall provide safe and adequate ingress and egress and shall be maintained in connection with the building or structure and use of land.

- (a) ***R1 zone and small-lot single-family common interest developments (excluding townhouses).*** Off-street parking in the form of a garage and open parking shall be provided as follows:

TABLE 13-85(A) OFF-STREET PARKING STANDARDS FOR SINGLE-FAMILY DETACHED RESIDENCES IN R1 ZONE AND SMALL-LOT, DETACHED, RESIDENTIAL COMMON INTEREST DEVELOPMENTS		
<u>Single-Family Detached Residence with 4 Bedrooms or Fewer</u>		
<u>Garage Parking Spaces</u>	<u>Open Parking Spaces¹</u>	<u>Total Parking Spaces</u>
2	Lots without garage access from alley: 2	4
	Lots with garage access from alley: 1	3
<u>Single-Family Detached Residence with 5 Bedrooms or More²</u>		
<u>New Construction</u>		
<u>Garage Parking Spaces²</u>	<u>Open Parking Spaces^{1,2}</u>	<u>Total Parking Spaces</u>
3	Lots without garage access from alley: 2	5
	Lots with garage access from alley: 1	4
<u>Bedroom Additions</u>		
<u>Garage Parking Spaces</u>	<u>Open Parking Spaces^{1,2}</u>	<u>Total Parking Spaces</u>
2	Lots without garage access from alley: 2	4
	Lots with garage access from alley: 1	3
<u>Detached Common Interest Developments Up to 2 bedrooms</u>		

2	1	3
<u>Detached Common Interest Developments with 3 bedrooms or more</u>		
2	2	4

1 In R1 zones, required open parking may be provided in a garage or on a minimum 19-foot long, individual driveway leading to a garage. In common interest developments, required open parking may be provided on an individual unit's driveway or within the common area. Open parking provided as tandem spaces is subject to approval of a minor conditional use permit.

2 For single-family detached residences with five bedrooms or more, tandem parking of up to two standard vehicles is permitted in the garage as it relates to new construction. Tandem garage parking for single-family detached residences shall exclusively consist of two standard parking spaces.

(1) Required garage dimensions. Each garage space shall have interior dimensions that are a minimum 10 feet wide by 20 feet long, unobstructed inside measurements. Each residence shall have no more than 700 square feet of garage area unless authorized by a minor conditional use permit.

~~(2) Application to an existing residence. The off-street parking requirements stated above shall not be applied to an existing residence at the time the residence is increased in size and/or the number of bedrooms is increased unless the total number of bedrooms is increased to five or more bedrooms including a home office as defined in section 13-06.~~

~~(3)~~(2) With approval of a minor modification, the planning division may allow the retention of an existing driveway access from a street to satisfy open parking requirements, at such time that garage access is proposed from an abutting alley.

(b) ***R2-MD, R2-HD, R3, PDR-LD, PDR-MD, PDR-HD, PDR-NCM and residential components of developments in the PDC and PDI zones.*** At the time of the construction of any building and/or when a structure is enlarged or increased by adding a bedroom(s), required parking shall be provided per Table 13-85. Exceptions:

(1) For lots that are zoned multiple-family residential and contain only one single-family detached residence, the parking requirements in Table 13-85(a) shall be applied.

(2) For individual lots in common-interest developments that contain only one single-family detached residence (excluding townhouses), the parking requirements in Table 13-85(a) shall be applied.

(c) ***Reduction of required parking prohibited.*** A property owner or property manager shall make available to tenants and guests the parking required by this subsection. No property owner or property manager shall lease, rent, sell, or otherwise make unavailable to residents and guests required parking. Furthermore, the rental of a dwelling unit shall be deemed to include the exclusive use of at least one covered parking space and equal access to the required open spaces reserved for residents.

(d) Parking for accessory dwelling units and junior accessory dwelling units shall be provided per the requirements of section 13-35.

TABLE 13-85 RESIDENTIAL PARKING STANDARDS

UNIT SIZE Unit Size	TENANT- COVERED- PARKING Minimum Off-Street Parking Requirement ^{1,2,3,4}	TENANT- OPEN- PARKING- 2,3,4,6	Minimum Off-Street Guest parking Requirement ^{GUEST- PARKING-5,6}
BACHELOR	4	0.5	0.5
STUDIO OR 1 BEDROOM	1	1.0	0.25
2 BEDROOMS OR MORE	2	1.5	0.25
3 BEDROOMS OR MORE	4	2.5	0.5

- 1 If covered parking for apartments is provided in a parking structure and there is more than one parking space in any parking structure, then there shall be no solid walls constructed to separate individual parking spaces.
- 2 ~~Open If open~~ tenant parking spaces required by this section are provided in a project, spaces shall be distributed throughout the project at convenient locations and shall be screened from view from any public right-of-way. ~~Open tenant parking may be provided as covered parking.~~
- 3 For projects with individual driveways that are at least 19 feet long and lead to a garage space(s) or a carport space(s), the driveway area may be used for satisfying tenant ~~open~~ parking requirements.
- 4 ~~Open P~~ parking can be reduced by 0.25 space per unit for ~~one two~~ bedroom and larger units if the covered parking is provided within either a carport or a parking structure. For purposes of this section, a parking structure shall be defined as: a structure designed and constructed to provide covered automobile parking where parking spaces are located in a common area with no walls or other physical separations between spaces. Open parking requirements may be met by excess covered parking.
- 5 Guest parking shall be clearly marked and permanently maintained for individuals visiting within the development. Guest parking spaces shall not be allowed on individual driveways except for single family detached, townhomes, or duplexes, where the driveway is leading to a two-car garage. ~~Guest parking may be reduced to one quarter (0.25) space per unit for each unit above 50 in a large residential development.~~
- 6 Fractions equal to or above one-quarter half (0.25) shall be rounded up. ~~For rounding purposes, the tenant parking requirements shall be added together; guest parking shall be rounded up separately.~~

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 01-16, §§ 1s.—1u., 6-18-01; Ord. No. 02-4, § 1i, 3-18-02; Ord. No. 03-8, §§ 5—7, 9-2-03; Ord. No. 09-3, § 1c., 5-19-09; Ord. No. 11-10, § 1, 9-20-11; Ord. No. 18-03, § 6, 1-16-18; Ord. No. 21-03, § 5, 3-2-21; Ord. No. 21-20, § 1, 12-7-21)

§ 13-86. Parking required in mixed-use overlay zone.

In the mixed-use overlay zone, residential parking rates are provided in the applicable urban plan.

(Ord. No. 06-9, § 1f., 4-18-06)

§ 13-87. General development standards.

General development standards for parking areas applicable to the residential zones are contained in Article 3, Development Standards, of this chapter.

(Ord. No. 97-11, § 2, 5-5-97)

Article 8 Motels

§ 13-172. Purpose and intent.

The purpose of this article is to establish operational and development standards, and requirements for motels which will ensure the continued availability of transient visitor and automobile tourist lodging within the city and to ensure the continued use of motels in the manner intended to provide such lodging.

(Ord. No. 14-11, § 1, 8-5-14)

§ 13-173. Definitions.

Long-term occupancy shall mean any occupancy in a motel in the city for a period exceeding 30 consecutive days or 30 days within any sixty-consecutive-day period.

Short-term occupancy shall mean any occupancy of a motel in the city for a period that does not fall within the definition of a long-term occupancy.

(Ord. No. 14-11, § 1, 8-5-14)

§ 13-174. Operational and development standards.

The following operational and development standards shall apply to all motels in the city and shall be included in conditions imposed upon the granting of any conditional use permit for such business, unless specifically modified by the conditional use permit:

- (a) No property owner, motel operator or manager shall rent a room for a period that exceeds 30 consecutive days or 30 days within any sixty (6) consecutive day period, unless the property owner or motel operator has obtained a conditional use permit authorizing long-term occupancies pursuant to section 13-175.3.
- (b) On-site management shall be available 24 hours a day.
- (c) Each guest room shall be provided regularly-scheduled maid and housekeeping services. Such services shall be provided at least once every three days during any consecutive occupancy and at least once between each occupancy.
- (d) In-room telephone service for emergency response purposes shall be provided in all guest rooms of the motel.
- (e) Persons responsible for the renting of a room in any motel shall provide their name and permanent address, as verified by presentation of a valid driver's license or other valid identification, and the license number, state of license, make, model and year of any vehicle parked on-site or off-site. The registration information shall also include the dates of occupancy, length of stay and room rate. Such information shall be maintained for at least one year past the last day of stay of the guest.
- (f) No room, suite or bed shall be assigned or rented more than once within any 24 hour period.
- (g) The property owner/motel operator shall comply with the provisions of Chapter IV of Title 16 of the Costa Mesa Municipal Code pertaining to the operator's responsibility for the collection of transient occupancy tax.

- (h) The business shall be conducted, at all times, in a manner that will allow the safe and quiet enjoyment of the surrounding neighborhood which includes, but is not limited to, security and operational measures to comply with this requirement.
(Ord. No. 14-11, § 1, 8-5-14)

§ 13-175. Application to existing businesses.

The requirements of this chapter, specifically including the long-term occupancy restrictions in section 13-174(a), shall apply to all motels in the city, whether it is new or was in existence prior to the effective date of this ordinance.
(Ord. No. 14-11, § 1, 8-5-14)

§ 13-175.1. Application to existing tenants.

- (a) Nothing in this chapter shall require an existing tenant of a long-term occupancy, established prior to the effective date of this chapter, to move out of a unit they are already occupying. Those pre-existing long-term occupancies may continue pursuant to the terms of the existing lease or agreement, until that tenancy terminates by its own terms under the law.
- (b) Whenever a long-term occupancy terminates, for whatever reason, the property owner/motel operator shall not re-lease that unit for a new long-term occupancy, except to the degree the motel will be in compliance with the requirements of this chapter.
(Ord. No. 14-11, § 1, 8-5-14)

§ 13-175.2. Procedure for compliance.

- (a) Within 30 days of the effective date of this ordinance, the city shall notify the owners and operators of each motel in the city of the ordinance's adoption. The city shall send a copy of the ordinance, a "longterm occupancy form," and a schedule for compliance via certified return receipt mail. If a notice is returned, the city shall send the notice via standard U.S. mail.
- (b) Within 30 days of the mailing of the notice in section 13-175.2(a), the property owner/motel operator shall submit a fully completed "long-term occupancy form" to the city that provides the total number of rooms used as long-term occupancies during the preceding 60 days; identify the long-term occupant by a valid driver's license or other valid identification; the make, year, and model of any vehicle parked on-site or off-site; and any other information to demonstrate compliance with the ordinance. If a property owner/motel operator fails to submit the long-term occupancy form, in addition to taking any other action authorized by law, the city shall estimate the total number of rooms used as long-term occupancies at zero.
(Ord. No. 14-11, § 1, 8-5-14)

§ 13-175.3. Conditional use permit for long-term occupancies.

A property owner/motel operator may apply for a conditional use permit authorizing the facility to exceed the long-term occupancy limits in section 13-174(a), subject to restrictions of the issuing authority. In order to be granted a conditional use permit under this section, the property owner/motel operator must demonstrate compliance with, and the city shall make a finding that, each of the following standards have been met:

- (a) The motel must have a minimum of at least 75 rooms.
 - (b) Fireproof safety deposit boxes must be available to all occupants of the motel.
 - (c) Each guest room shall be provided regularly-scheduled maid, mail and housekeeping services. Such services shall be provided at least once every three days during any consecutive occupancy and at least once between each occupancy.
 - (d) Each room shall be a minimum of 375 square feet.
 - (e) The motel shall maintain on-site laundry services, available for use by guests.
 - (f) The proposed use is compatible with the surrounding neighborhood, uses, zoning and general plan.
 - (g) Each guest room shall have a fully equipped kitchen with an area for the preparation of food, and include the following: sink, cook top, oven and/or microwave oven, and refrigerator.
- (Ord. No. 14-11, § 1, 8-5-14)

§ 13-175.4. Termination of tenancy.

- (a) The provisions of this article shall not be used to terminate a tenancy in violation of the requirements of California Civil Code section 1940 et seq.
- (b) When the conversion of motel to another use is proposed, the applicant shall comply with all applicable State and Federal laws related to the displacement and relocation of long-term occupants.

(Ord. No. 14-11, § 1, 8-5-14)

Article 18 Emergency Shelters

§ 13-200.79. Purpose and intent.

The purpose of this article is to establish operational and development standards for emergency shelters to ensure that these uses are operated to address the homeless' needs and consistent with the requirements of sections 65582, 65583, and 65589.5 of the Government Code relating to local planning.

Development standards. The following development and operational standards shall apply to establishment of emergency shelters as defined by the Zoning Code; provided, however, that operational standards (1), (2), (4), (8), (10) and (13) shall not apply to emergency shelters owned, controlled and/or operated by the City of Costa Mesa.

- (1) The maximum length of stay shall not exceed 120 days in a 365-day period.
- (2) Each emergency shelter may have a maximum of 30 beds.
- (3) Off-site parking shall be provided at a parking rate of one parking space ~~per four beds or one space per employee during the largest shift, provided that the , whichever is higher, amount of parking required does not exceed the amount of parking required for any other residential or non-residential uses within the same zone.~~
- ~~(4) Stays at an emergency shelter facility shall be limited to the hours of 5:00 p.m. and 8:00 a.m. the following day.~~
- ~~(5) Nonoperational and unregistered vehicles shall not be kept on site. Towing shall be the responsibility of the shelter operator.~~
- ~~(6)~~(4) Each emergency shelter shall provide an interior and exterior waiting area adequate to accommodate waiting clients and to prevent queuing into the public right-of- way. An exterior waiting area shall be physically separated and visually screened from the public right-of-way.
- ~~(7)~~(5) The emergency shelter facility shall provide an on-site resident manager on site at all times.
- ~~(8)~~(6) A minimum distance of 300 feet shall be maintained from another emergency shelter. The distance of separation shall be measured in a straight line between the property lines of each use without regard to intervening structures or objects.
- ~~(9)~~(7) The shelter operator shall provide minimum exterior lighting in compliance with the city's security requirements.
- ~~(10)~~(8) The shelter operator shall patrol a half-mile radius surrounding the shelter site during hours that the shelter is in operation to ensure that shelter clients and homeless individuals who have been denied access are not congregating in the neighborhood.
- ~~(11) Alcohol and narcotics use and consumption are prohibited within the facility and on the property.~~
- ~~(12)~~(9) An operations plan shall be submitted for review and approval by the development services director and police chief prior to operation of the emergency shelter. The plan shall include minimum provisions related to on-site security and safety, staff training, loitering control, client eligibility, counseling services, and indoor and outdoor

management of the facility.

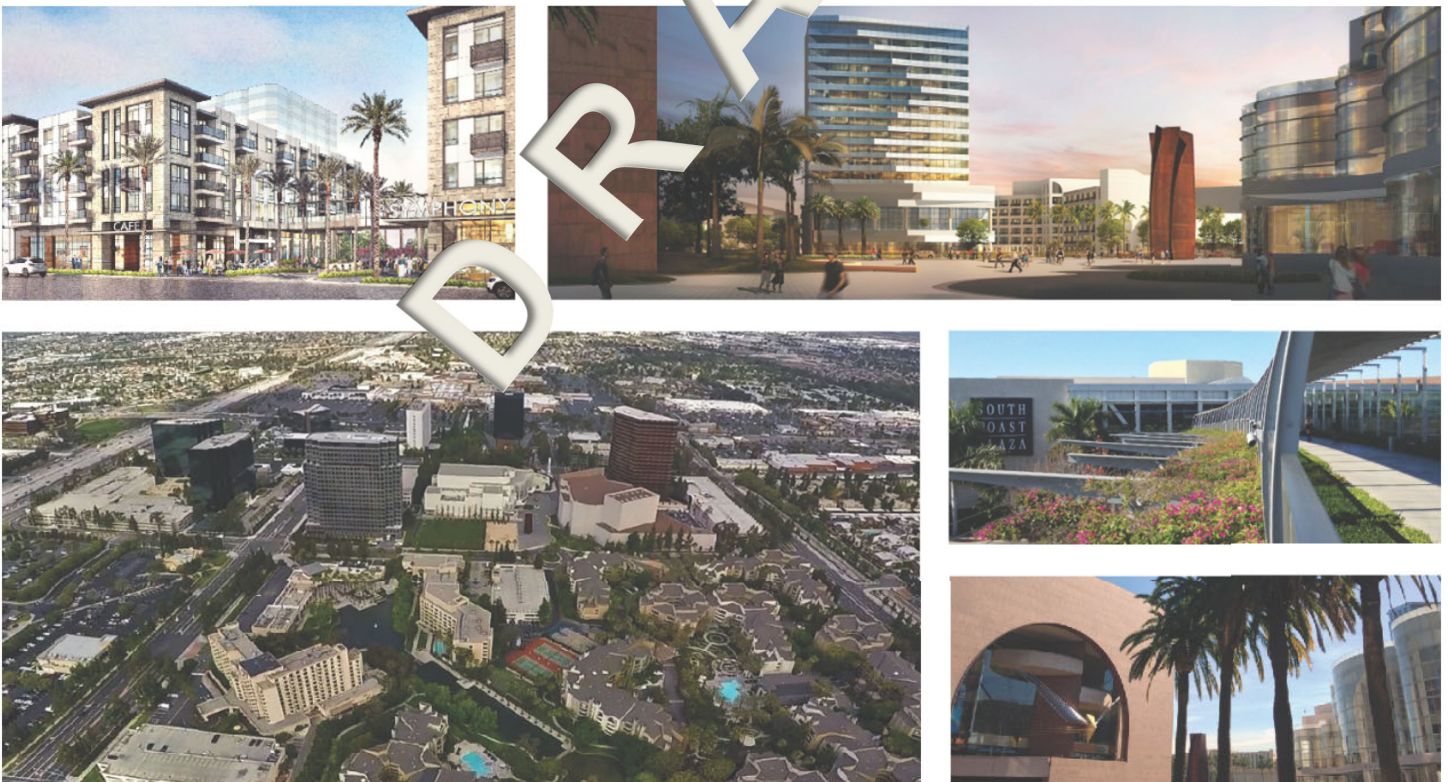
~~(13)~~(10) No emergency shelter in the MP Industrial Park zone that is also located in an area subject to the jurisdiction of the airport land use commission shall commence operation until the commission either approves the action or permit pursuant to the procedures set forth in Public Utilities Code section 21676(b) or, if denied, the city overrules the commission's decision.

(Ord. No. 13-1, § 2C., 3-19-13; Ord. No. 19-15, § 2, 9-17-19)

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NORTH COSTA MESA SPECIFIC PLAN

DRAFT



City of Costa Mesa
Development Services Department
77 Fair Drive
Costa Mesa, 92628

Updated: Month 2026

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SUMMARY OF NORTH COSTA MESA SPECIFIC PLAN AMENDMENTS

The North Costa Mesa Specific Plan was adopted by the Costa Mesa City Council in July 1994. Since adoption, the plan has been amended. The following table provides a list and a brief description of the amendment(s).

AMENDMENT #	DATE OF ADOPTION	DESCRIPTION OF AMENDMENT
SP-98-04	April 19, 1999	Created a site-specific FAR of 0.72 for South Coast Metro Center (Area 6).
SP-99-02	July 3, 2000	Increased the site-specific FAR to 0.79 for South Coast Metro Center (Area 6).
SP-00-01	February 5, 2001	Created a new Cultural Arts Center designation and corresponding FAR of 1.77 for South Coast Plaza Town Center (Area 4).
SP-00-02	November 19, 2001	Increased the size of Area 1, and amended land use designations, floor area ratio, and trip budgets for Segerstrom Home Ranch (Area 1)
SP-02-01	July 1, 2002	Updated regulations to be consistent with 2000 General Plan.
SP-03-02	November 17, 2003	Amended acreage and building square footage allocation in Area 1 sub-areas.
SP-03-01	February 2, 2004	Incorporated the Theater and Arts District Plan into the plan.
SP-06-01	March 27, 2006	Amendment to the Theater and Arts District Plan regarding financing.
SP-06-02	January 16, 2007	Amendment to allow high-rise residential development in Sub-areas 4, 5, and 6 in this specific plan.
SP-07-01	November 20, 2007	Amendment to allow high-rise residential development for Wyndham Boutique Hotel / High-Rise residential project at 3350 Avenue of Arts, Area 5.
SP-11-01	September 20, 2011	Amendment to Sakioka Lot 2
SP-15-01	October 20, 2015	Clarifying language to South Coast Plaza Town Center
SP-16-01	September 06, 2016	Updating Home Ranch, 3350 Avenue of the Arts and Sakioka Lot 2 per 2015-2035 General Plan Update
<u>PSPA-26-0001</u>	<u>Month Day, 2026</u>	<u>Amendment to reflect General Plan Land Use Element and Mixed-Use Overlay District Amendments, including identified Housing Element sites, and corresponding General Plan Land Use Map and City's Zoning Map.</u>

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SP-94-01

NORTH COSTA MESA SPECIFIC PLAN

PREPARED BY:

City of Costa Mesa Planning Division

July 1994

Adopted by Resolution #94-67

Amended April 1999

Amended July 2000

Amended February 2001

Amended November 2001

Amended July 2002

Amended November 2003

Amended February 2004

Amended March 2006

Amended January 2007

Amended November 2007

Amended September 2011

Amended October 2015

Amended September 2016

Amended Month 2026

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1.0 INTRODUCTION

Authority and Scope

This specific plan has been prepared for a portion of North Costa Mesa in accordance with the California Government Code Section 65450 et seq. The plan area encompasses 423 acres and is an established area of the City with many identifiable and diversified components, including the urban mixed use development of South Coast Plaza Town Center. There is still, however, a considerable amount of undeveloped land within the plan area that prompts the need for this specific plan.

The 1990 General Plan, adopted on March 16, 1992, specifies the land use designations and accompanying residential densities and commercial and industrial intensities for the plan area, as well as numerous policies that are relevant or specific to North Costa Mesa. In 2001, the City of Costa Mesa 2000 General Plan was adopted, which was primarily a technical update of the 1990 General Plan. (See Appendix C for a listing of relevant General Plan policies). It is the intent of this specific plan to implement the policies of the General Plan through the adoption of development standards. These standards recognize the development potential of the plan area and the need to sensitively integrate new development with the surrounding areas, and, therefore, promote both resident and business community confidence in the long-term vision for the plan area.

Specific issues that are addressed in this plan are as follows:

- Land Use Compatibility/Integration
- Building Heights
- Nonconformity
- Density Bonuses
- Circulation
- Urban Rail Transit
- Parks and Recreation
- Fire Protection Services

Specific Plan Contents

This specific plan provides a comprehensive review and analysis of the plan area. Section 2 provides an overview of the plan area's development setting. In Section 3, the development issues that will present a challenge to future development of each subarea are identified, and Section 4 provides the development standards which address these issues. Finally, Section 5 discusses the specific plan's implementation on timing.

2.0 DEVELOPMENT SETTING

Location

The North Costa Mesa plan area comprises the northernmost portion of the City of Costa Mesa, i. e., that area north of the San Diego Freeway (I-405) and generally east of Harbor Boulevard. South Coast Drive and Sunflower Avenue generally form the northern boundary of the plan area and the Costa Mesa Freeway (SR-55) is the eastern border. Costa Mesa's surrounding cities include Fountain Valley and Huntington Beach to the west, Santa Ana to the north and east, Irvine to the east, and Newport Beach to the south. Major regional facilities include John Wayne Airport to the southeast of the plan area. See Figure 1.

Figure 2 indicates the existing land uses as well as the eight subareas the plan area has been divided into for analysis purposes.

Location Map

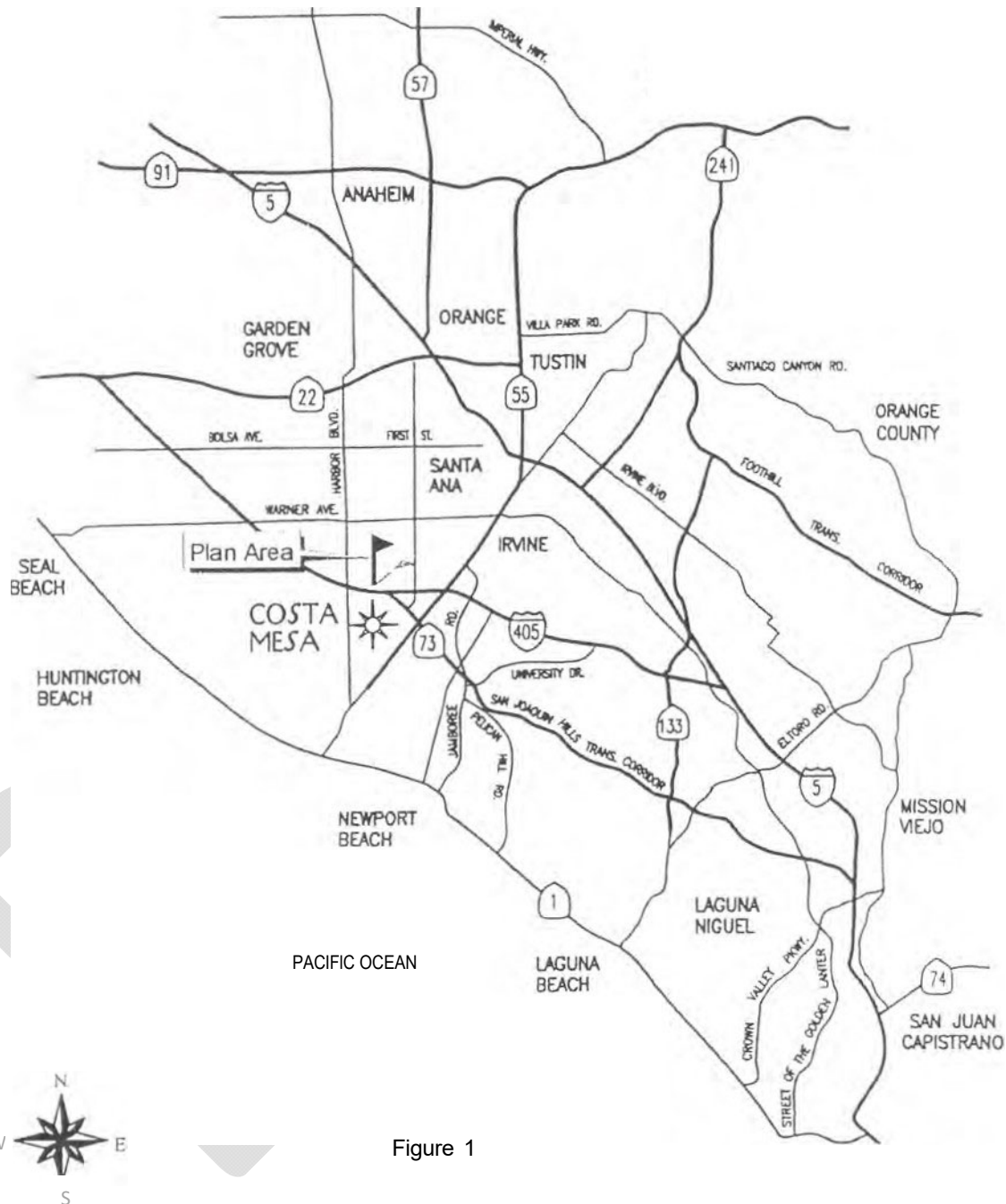
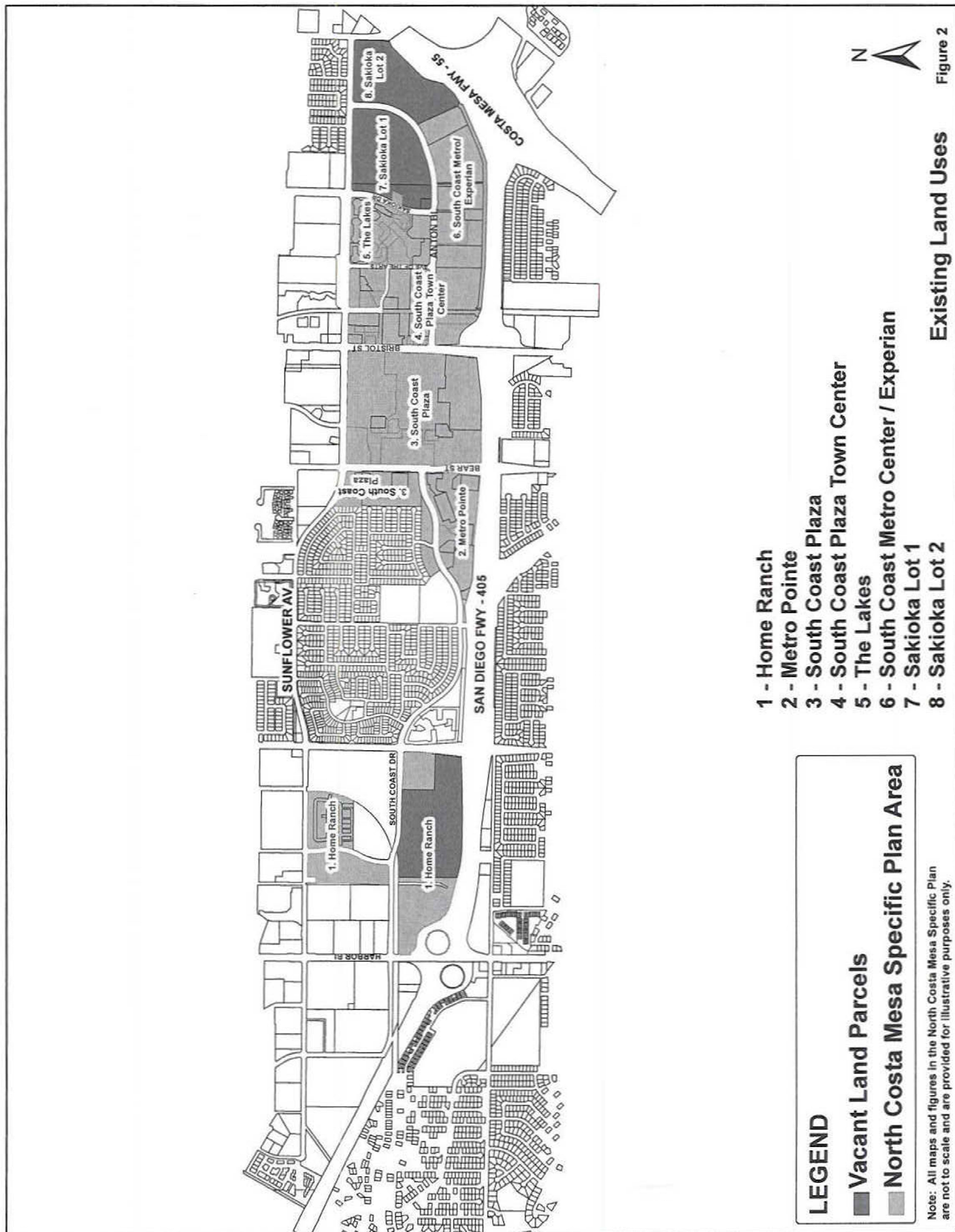


Figure 1

NORTH COSTA MESA SPECIFIC PLAN



Existing General Plan and Zoning Designations

Figure 3 indicates the General Plan land use designations for the area of the City north of the I-405, and Figure 4 indicates the accompanying zoning designations. Table 1 summarizes the development parameters of the General Plan land use designations, and the compatible zoning districts.

As shown in Table 1, the General Plan establishes Floor Area Ratios (FARs) for all non-residential land use designations. The FAR is used to determine the maximum amount of building that is allowed on a lot or parcel. Several land use categories in the plan area contain stepped FARs which are tied to the traffic characteristics of the proposed land use. Residential density is measured in dwelling units per acre. Trip budgets have also been established for properties in the plan area designated as Urban Center Commercial, Cultural Arts Center, or Regional Commercial in the plan area. The industrial portion of Home Ranch also has a trip budget. When applicable, the FAR, or in the case of residential, dwelling units per acre, and trip budget work in concert to ensure that building intensity and trip generation do not exceed the capacity of the circulation system in the plan area. The trip budget for individual properties is given in Section 3.

The lowest FARs are found in the Neighborhood Commercial designation as well as in the residential, industrial and public-semi land use designations. The highest FARs are allowed in the Regional Commercial, Cultural Arts Center, and Urban Center Commercial land use designations. The General Plan does not allow the established floor area ratio to be exceeded in any instance.

Trip budgets are calculated on a square footage basis for commercial, industrial, residential, and institutional land uses. As with FARs, trip budgets cannot be exceeded. The General Plan, however, does allow for the transfer of trip budgets in the plan area in the following circumstances:

1. The combination and/or transfer of trips shall only be allowed in the area of the City that is north of the I-405 and east of Harbor Boulevard, and shall be limited to parcels within a one-mile radius of each other.
2. Trip budget transfers shall be evaluated in the review and approval of a planned development or master plan project. Sufficient conditions of approval shall be applied to the master plan or development plan to ensure long-range control over subsequent phases of development.
3. The combination and/or transfer of trips shall not result in any greater impacts on the surrounding circulation system than would occur if each Traffic Analysis Zone (TAZ) was developed independently. (Consult with the Planning Division for a figure depicting TAZs)
4. For the combination and/or transfer of trips between TAZs, such combination and/or transfer of trips shall not exceed the total trip budget of all parcels involved if each were developed independently according to the FAR and trip generation rates provided herein.

5. The combination and/or transfer of trips shall not allow development intensities which result in abrupt changes in scale or intensity within the project or between the project and surrounding land uses.
6. Approval of the master plan or development plan shall be conditioned to ensure compliance with the above criteria and to preclude future overdevelopment on portions of the project or properties from which trip budgets were transferred.
7. Trip budget transfers shall be recorded against the properties.

Therefore, if a property is underdeveloped in terms of its trip budget, there is the possibility that the "excess" trips could be transferred to another parcel to augment its trip budget.

It should be noted that all the Planned Development (PD), Town Center (TC), and Shopping Center (C1-S) zones require Planning Commission review and approval of the land use mix and building location.

Mixed-Use Overlay District and Properties identified in the Housing Element

In 2026, this specific plan was amended for consistency with an amendment to the City's Zoning Map, which resulted in the rezoning of several properties in the plan area to encourage and facilitate residential and mixed-use development. While base zoning districts remain the same, the Mixed-Use Overlay District (MUOD) was applied to several parcels in the PDC, I&R, PDR-HD, TC, C1, and PDI zoning districts within the plan area. The MUOD is an overlay district and shall only apply to the parcels identified in the City's Zoning Map. This specific plan shall continue to apply to a property unless specifically superseded by a MUOD project when a property owner chooses to exercise provisions of Article 11 (Mixed-Use Overlay District) of Chapter V (Development Standards) of Title 13 (Planning and Development) of the Costa Mesa Municipal Code on a qualifying property. However, it should be noted that projects identified on Lower-Income Housing Element Sites shall be governed by Section 13-83.58.e, (Supersession of Overlay) of Article 11, and the provisions of that Section shall supersede and prevail over any conflicting provisions of the underlying base zone, including, but not limited to, minimum residential densities and capacities, minimum residential floor area, ministerial review and approval, and permitted uses, and all other applicable zoning provisions, such as other urban plans, overlays, and specific plans, including this specific plan.

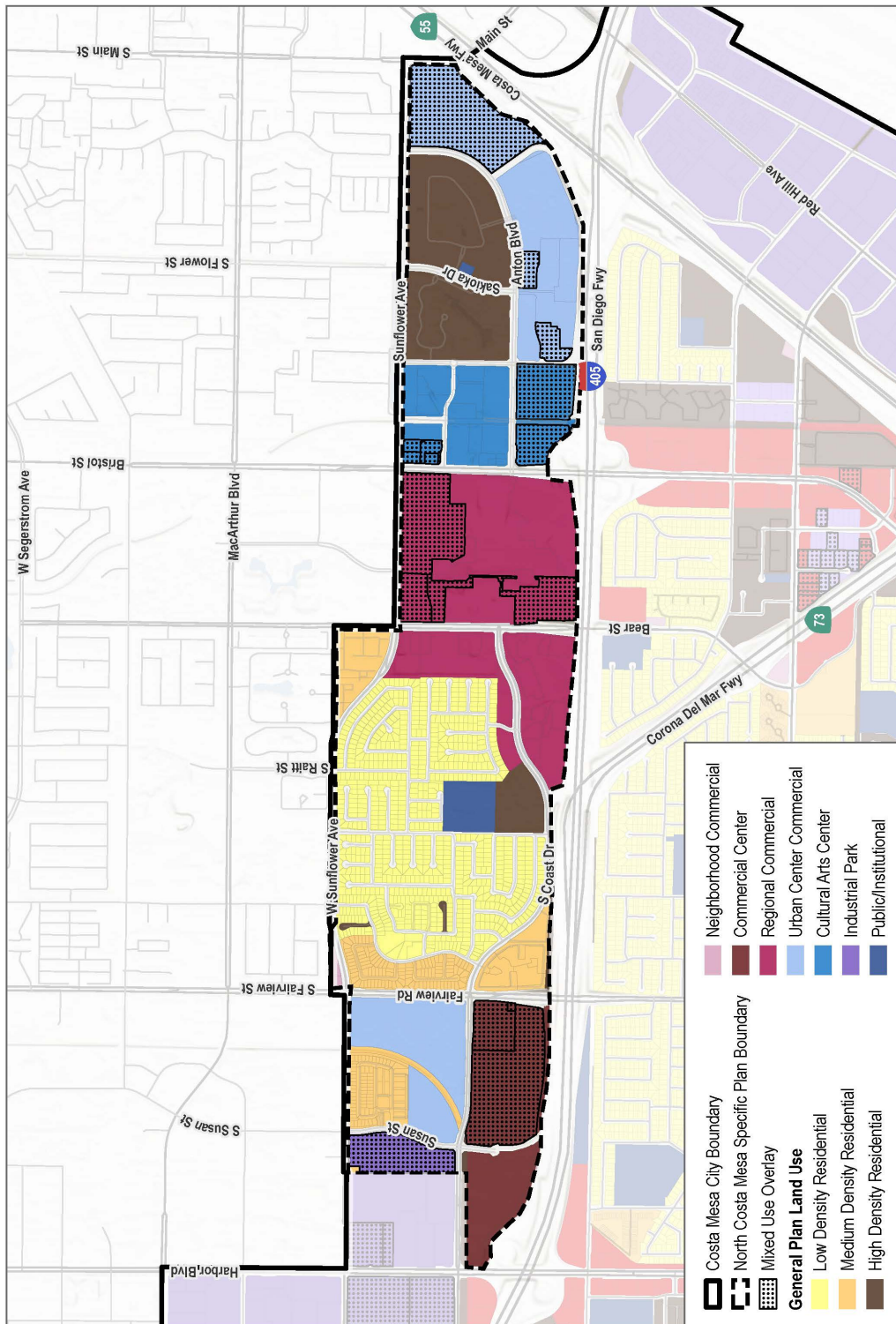


FIGURE 3
General Plan Land Use
North Costa Mesa Specific Plan

Updated Month 2026

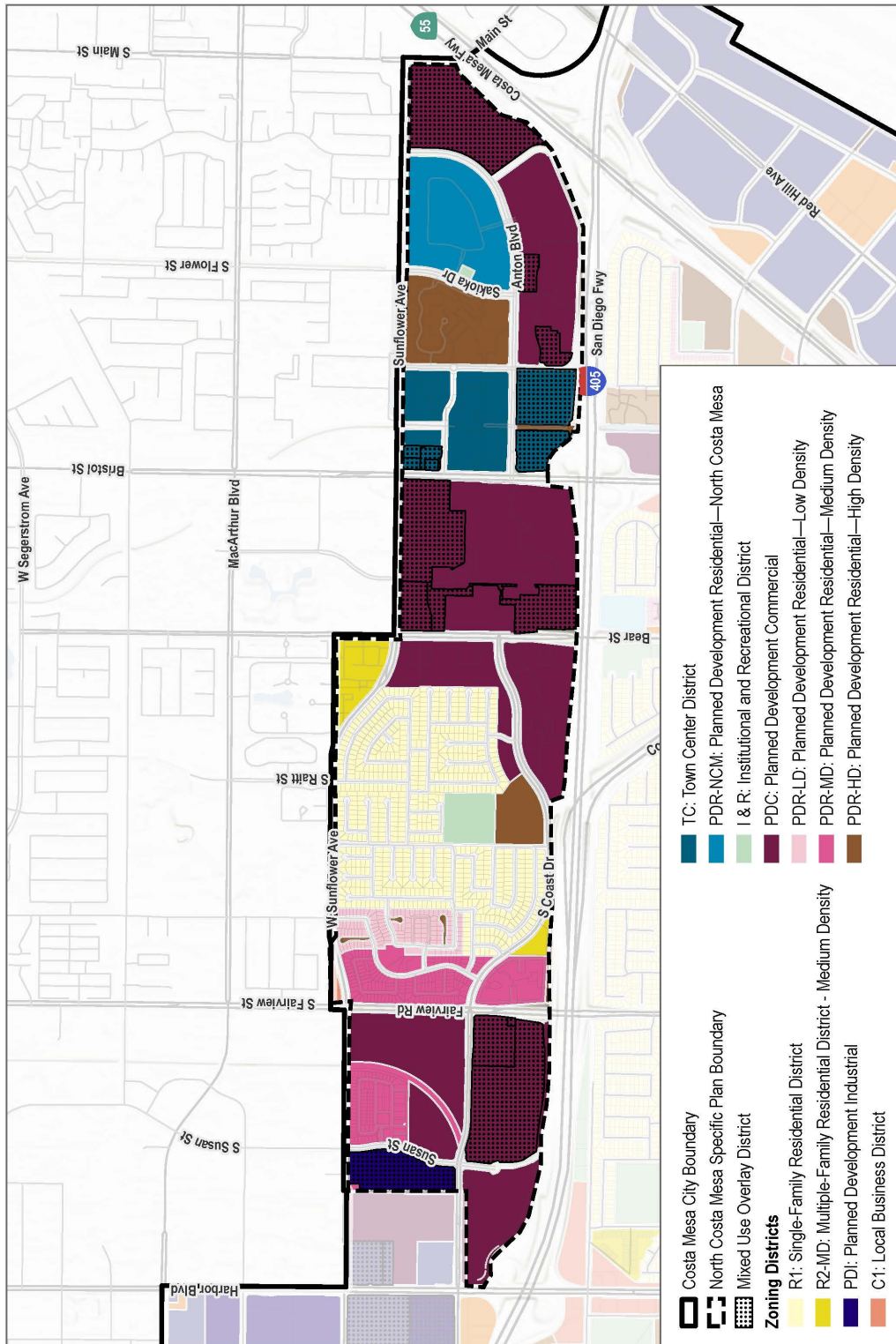


FIGURE 4
Zoning
North Costa Mesa Specific Plan

**Table 1- General Plan Designations
North Costa Mesa Specific Plan**

GENERAL PLAN DESIGNATION	TYPICAL USES	RESIDENTIAL DENSITY	FLOOR AREA RATIO	COMPATIBLE ZONING
Low Density Residential	Single family detached and attached units, granny units, accessory apartments, family day care	Less than or equal to 8 units per acre.	0.15 high traffic 0.25 moderate traffic 0.35 low traffic	R1, POR-LD, I & R
Medium Density Residential	Single-family attached units, multiple family units, senior congregate care facilities, convalescent hospitals, and group residential homes. Ancillary commercial uses are permitted the planned development zone.	Less than or equal to 12 units per acre	0.15 high traffic 0.25 moderate traffic 0.35 low traffic	R1, R2-MD, PDR-MD, <u>MUMUOD</u> , I&R
High Density Residential	Multiple family units, senior congregate care facilities, convalescent hospitals and group residential homes. Ancillary commercial uses are permitted in the planned development zones.	Less than or equal to 20 units per acre: except the density in the PDR-NCM zone is 25 to 35 units per acre. See also The Lakes for site-specific density.	0.15 high traffic 0.25 moderate traffic 0.35 high traffic	R2-HD, R3, PDR-HD, PDR-NCM, <u>MUMUOD</u> , I&R
Commercial Center	Major shopping, service, and office facilities designated serve city-wide and regional markets.	Less than or equal to 20 units/acre	0.25 high traffic 0.35 moderate traffic 0.45 low traffic 0.75 very low traffic <i>Except that Home Ranch has a site-specific FAR</i> 0.37 for the IKEA portion of the project and 0.64 for the office portion	C1, C2, C1-S, PDC, AP, P, CL
Regional Commercial	Regional scale uses including major department stores, specialty retail outlets, restaurants, offices, and hotels.	Less than or equal to 20 units/acre	0.652 South Coast Plaza (east of Bear Street) 0.89 South Coast Plaza (west of Bear Street)	PDC
Urban Center Commercial	Intensively developed mixed commercial including offices, retail shops, restaurants, and hotels. Residential uses are also permitted pursuant to the North Costa Mesa Specific Plan	Less than or equal to 20 units/acre. Exceptions: South Coast Metro Center (Area 6) has a site specific density of 100 units per acre; Sakioka Lot 2 may be up to 28 units/ac for mixed- use development.	South Coast Metro Center (Area 6) has a site- specific FAR of 0.79 Sakioka Lot 2 (Area 8) has a maximum site- specific FAR of 1.0.	PDC, TC
Cultural Arts Center	Mixed commercial, residential, office and cultural uses.	—	1.77 See also the South Coast Plaza Town Center discussion regarding the FAR.	TC
Industrial Park	Wide variety of industrial and compatible office and support commercial uses.	Less than or equal to 20 units/acre	0.20 high traffic 0.30 moderate traffic 0.40 low traffic 0.75 very low traffic	MP, POI, CL
Public and Semi-Pubic	Parks, hospitals, schools, religious facilities, fairgrounds, and public facilities.	—	0.25	I& R. I&R-S, P
<u>Mixed Use Overlay</u>	<u>Housing, such as multifamily dwellings, blending residential uses into key areas that are served by various shopping, convenience, employment, and community-serving uses.</u>	<u>Less than or equal to 90 units/acre</u>	<u>1.0</u>	<u>MUOD</u>

Land Use Compatibility/Integration

The plan area and its immediate surroundings contain a variety of land uses that range from single family residential homes to high-rise offices which provide a good mix of housing opportunities, commercial goods and services, entertainment, and employment opportunities in a relatively small geographical area. This mix allows people the opportunity to live near their jobs, and gives residents and employees a full range of commercial services near their homes or jobs. This reduces traffic congestion and improves air quality. Mass transit opportunities are also more easily developed in this type of community setting.

Several General Plan policies support the development of mixed-use projects along or near transit routes as a means to improve air quality and reduce traffic congestion.¹ Mixed use projects also add variety and interest to an area by supporting day and evening activities. The South Coast Plaza Town Center, South Coast Metro Center, and The Lakes projects currently provide the opportunity to live, work, shop and be entertained within a compact and pleasant urban environment.

The benefits of having a mix of land uses in an area can quickly be lost if there is not enough forethought in the design and location of diverse uses. Common problems include tall buildings overshadowing adjacent buildings and outdoor areas, late night commercial uses affecting residential areas, heavy truck or automobile traffic affecting access to residential areas, inadequate parking availability, and incompatible land uses being located adjacent to one another. Residential areas are particularly sensitive land uses, but commercial and/or industrial uses may also be impacted by inappropriate siting of land uses. Figure 5 highlights the location of existing and future residential areas. In 2006, this specific plan was amended to allow high-rise residential development in Areas 4, 5, and 6. See Section 3.0 for additional discussion.

It should also be noted that a residential component could be incorporated into any Planned Development Zone in the plan area (see Figure 4 for Zoning). New commercial and industrial developments anticipated by the General Plan are also shown in Figure 5.

Noise

A major concern related to land use compatibility is noise. The City of Costa Mesa uses the Community Noise Equivalent Level (CNEL) to measure and regulate noise. The City's maximum acceptable exterior noise level for residential areas is 65 CNEL. The plan area's primary source of noise is vehicular and two major sources are the 1-405 to the south and the Costa Mesa Freeway to the east. Likewise, the plan area's major streets are another source of noise. Appendix A provides a list of the existing and General Plan build-out CNEL levels in the plan area.

New residential development as well as other sensitive land uses shall be required to comply with the General Plan and zoning ordinance standard of 65 CNEL for exterior recreation areas and 45 CNEL for interior areas. However, for high-rise residential developments, the exterior standard of 65 CNEL only applies to common outdoor recreation/amenity areas that are located at the ground level. Recreation/amenity areas located above the ground floor and private patios and balconies are exempt from the 65 CNEL requirement due to the urbanized

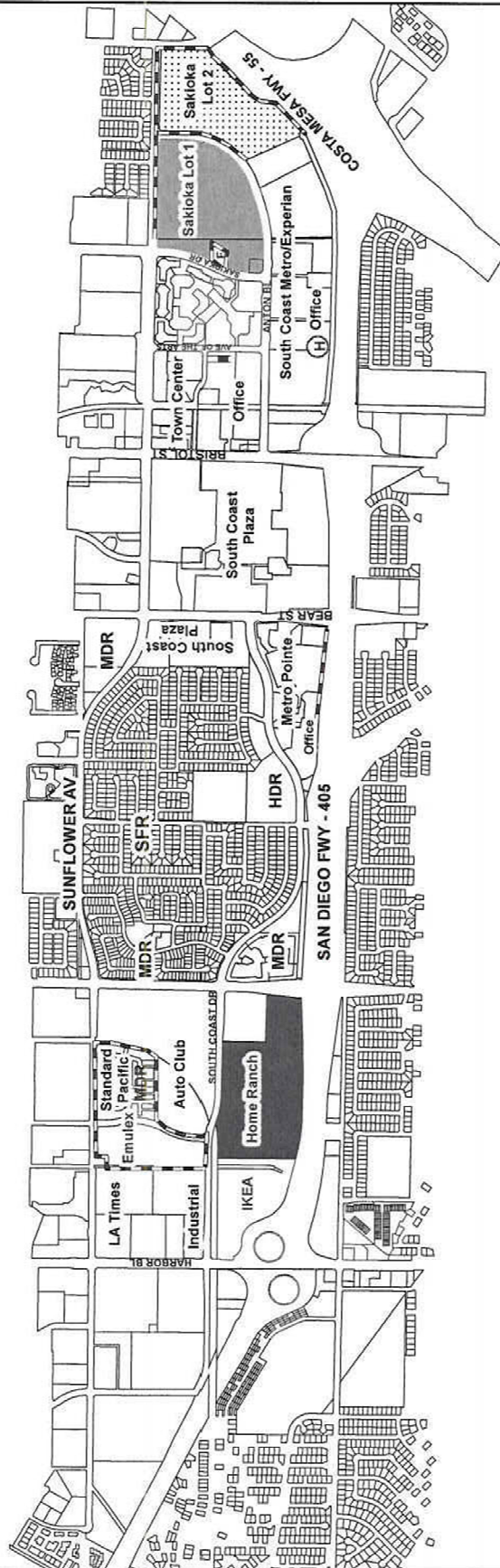
nature of the overall setting. Mitigation measures may be used in order to achieve these noise levels.

John Wayne Airport is located to the east of the plan area. Although the 60 CNEL contour encompasses the area generally east of Avenue of the Arts, the 65 CNEL contour is outside of the plan area, and therefore does not impact existing or future land uses. One heliport is located in the plan area in South Coast Metro Center atop the building located at 555 Anton Boulevard.

¹ See Policies LU-1A.1, LU-1F.5, and CIR 1A.9 in Appendix C.

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LEGEND

- Vacant Residential
- Vacant Industrial
- Vacant Commercial/Office
- Fire Station
- Sensitive Interface
- SFR - Single Family Residential
- MDR - Medium Density Residential
- HDR - High Density Residential
- Heliport

Land Use Integration

Figure 5

Building Heights

Existing building heights in the plan area vary from single story single family homes to twenty-one story office buildings. Generally, the high-rise office buildings are located in the South Coast Plaza Town Center and South Coast Metro Center areas; the Metro Pointe area has approval for additional buildings that include two fifteen story buildings. The buildings at South Coast Plaza and Crystal Court vary from one to three stories in height.

The General Plan does not establish a general limit on building heights north of the I-405 but rather contains two policies that provide guidelines for determining the appropriate building height. Policy LU-1C.1 permits the construction of buildings over two stories or 30 feet only when it can be shown that the building height will not impact surrounding developments. Policy LU-1C.3 prohibits the construction of buildings that present a hazard to air navigation at John Wayne Airport as determined by the Federal Aviation Agency.²

Policy LU-1C.3 is particularly relevant to the plan area, since the portion of the plan area generally east of the Metro Pointe property is within the imaginary horizontal surface of John Wayne Airport. Beyond the horizontal surface for another 4,000 feet is the imaginary conical surface. See Figure 6. These imaginary surfaces are the trigger for requiring special studies and review by the Airport Land Use Commission for Orange County and the FAA. It should be noted that a number of existing buildings in South Coast Plaza Town Center encroach within the imaginary horizontal surface; however, each was determined not to pose a hazard to the airport's operations and were required to install obstruction lighting.

Building heights in North Costa Mesa have created public controversy in the past, especially in the Home Ranch area where high-rise development approvals were overturned by the voters in 1988. Table 2 specifies the maximum building heights for the plan area and shall continue to apply to a property unless specifically superseded by a MUOD project when a property owner chooses to exercise provisions of Article 11 (Mixed-Use Overlay District) of Chapter V (Development Standards) of Title 13 (Planning and Development) of the Costa Mesa Municipal Code on a qualifying property; these building height standards recognized existing patterns and surrounding land uses. Any new building proposed at 3 stories or more should require a shade and shadow impact analysis in relation to surrounding land uses.

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

²See Appendix C for full text of Policies LU-1C.1 and LU-1C.3.

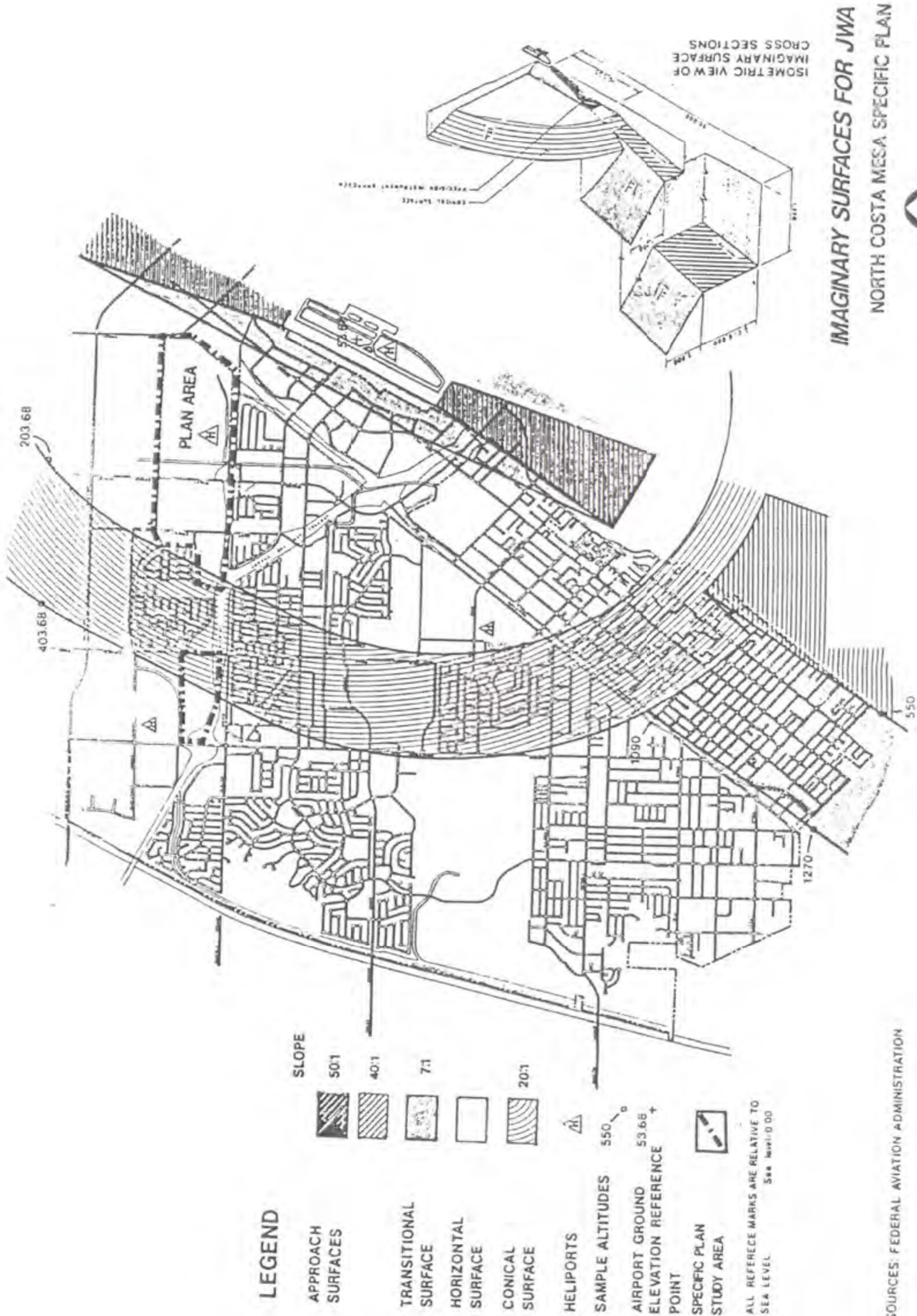
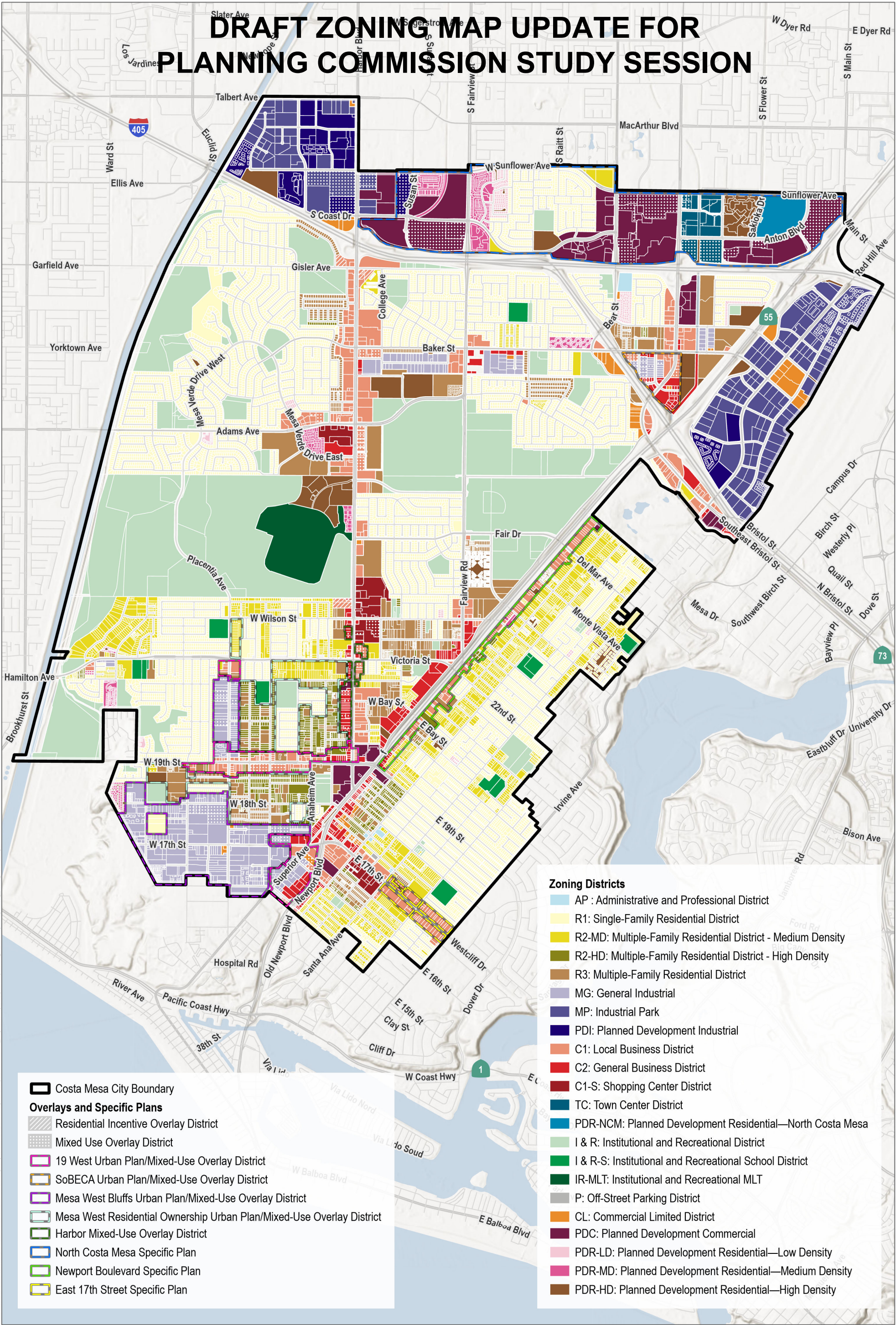


FIGURE 6

SOURCES: FEDERAL AVIATION ADMINISTRATION

Table 2- Maximum Building Heights North Costa Mesa Specific Plan		
SUB-AREA	MAXIMUM BUILDING HEIGHT^{1,2}	NOTES
AREA 1 Home Ranch	Varies	See Exhibit 11b.
AREA 2 Metro Pointe	30 feet-north of South Coast Drive (approx. 2 stories) 90 feet-south of South Coast Drive (approx. 6 stories)	Current development agreement allows buildings up to 15 Buildings above 173 feet in height will require a determination of no hazard by the FAA.
AREA 3 South Coast Plaza and Crystal Court	85 feet (approx. 4 stories)	None
AREA 4 SCP Town Center	315 feet (approx. 25 stories)	Buildings above 173 feet in height will require a determination of no hazard by the FAA.
AREA 5 The Lakes	Mid-rise Residential-90 feet (approx. 6 stories) High-rise Residential - 280 feet (approximately 26 stories) Commercial- 110 feet (approximately 11 stories)	Buildings above 173 feet in height will require a determination of no hazard by the FAA.
AREA 6 South Coast Metro	Varies-See Table 6B.	Buildings above 173 feet in height will require a determination of no hazard by the FAA. Buildings which encroach into the setback for Anton cannot exceed 30 feet (approx. 2 stories) within the
AREA 7 Sakioka Lot 1	60 feet (approx. 4 stories)	Buildings which encroach into the setback for Anton Blvd. and/or Sakioka Dr. cannot exceed 30 feet (approx. 2 stories) within the setback area.
AREA 8 Sakioka Lot 2	North of collector street- 60 feet (approx. 4 stories) South of collector street- 180 feet (approx. 12 stories)	Buildings above 173 feet in height will require a determination of no hazard by the FAA. Buildings which encroach into the setback for Anton cannot exceed 30 feet (approx. 2 stories) within the setback area.
<ol style="list-style-type: none"> 1. All building height measurements reference the height above grade- not mean sea level. 2. The maximum building heights specified in this Specific Plan shall continue to apply to a property unless specifically superseded by a MUOD project when a property owner chooses to exercise provisions of Article 11 (Mixed-Use Overlay District) of Chapter V (Development Standards) of Title 13 (Planning and Development) of the Costa Mesa Municipal Code on a qualifying property. 		

DRAFT ZONING MAP UPDATE FOR PLANNING COMMISSION STUDY SESSION



SOURCE: City of Costa Mesa, Orange County Sanitation District, Open Street Map

FOR DISCUSSION PURPOSES ONLY
Zoning Districts

Neighborhoods Where We All Belong Zoning Updates and Housing Element Implementation