



CITY OF COSTA MESA

PLANNING COMMISSION

Agenda

Monday, June 22, 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.

TRANSLATION SERVICES AVAILABLE / SERVICIOS DE TRADUCCIÓN DISPONIBLE

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

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

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

Zoom Webinar:

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/85850100184?pwd=PDBIIKmwhCwCk2uzVn0ZzbubQtKIn2.1>

Or sign into Zoom.com and "Join a Meeting"

Enter Webinar ID: 858 5010 0184 / Password: 510181

- If Zoom is not already installed on your computer, click "Download & Run Zoom" on the launch page and press "Run" when prompted by your browser. If Zoom has previously been installed on your computer, please allow a few moments for the application to launch automatically.
- Select "Join Audio via Computer."
- The virtual conference room will open. If you receive a message reading, "Please wait for the host to start this meeting," simply remain in the room until the meeting begins.
- During the Public Comment Period, use the "raise hand" feature located in the participants' window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

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Call: 1 669 900 6833 Enter Webinar ID: 858 5010 0184 / Password: 510181

During the Public Comment Period, press *9 to "raise your hand" and to be added to the queue to speak and wait for city staff to announce your name/phone number and press *6 to unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

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.

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

Note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information.

All pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. 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].

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

PLANNING COMMISSION REGULAR MEETING

JUNE 22, 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**

**CARRIE TAI
DIRECTOR**

**TARQUIN PREZIOSI
ASSISTANT CITY ATTORNEY**

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. [APRIL 13, 2026 UNOFFICIAL MEETING MINUTES](#) [26-325](#)

RECOMMENDATION:

Planning Commission approve the regular meeting minutes of April 13, 2026.

Attachments: [04-13-26 Draft Minutes](#)

2. [APRIL 27, 2026 UNOFFICIAL MEETING MINUTES](#) [26-326](#)

RECOMMENDATION:

Planning Commission approve the regular meeting minutes of April 27, 2026

Attachments: [04-27-26 Draft Minutes](#)

PUBLIC HEARINGS:

1. [CONDITIONAL USE PERMIT \(PCUP-26-0005\) TO ALLOW THE SALE OF ALCOHOL FOR ON-SITE CONSUMPTION UNTIL 12:00 A.M. WITHIN 200 FEET OF A RESIDENTIAL ZONE FOR A RESTAURANT \(THREE EYED TIGER\) AT 2930 BRISTOL STREET, UNIT B60](#) [26-322](#)

RECOMMENDATION:

Staff recommends the Planning Commission:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Conditional Use Permit (PCUP-26-0005) based on the findings of fact and subject to conditions of approval.

Attachments: [Agenda Report](#)

[1. Draft Planning Commission Resolution](#)

[2. Applicant Letter](#)

[3. Vicinity Map](#)

[4. Zoning Map](#)

[5. Site Photos](#)

[6. Project Plans](#)

[7. Public Comments](#)

2. [CONDITIONAL USE PERMIT \(PCUP-26-0003\) TO ALLOW THE SALE 26-321 OF ALCOHOL FOR ON-SITE CONSUMPTION UNTIL 1:30 A.M. WITHIN 200 FEET OF A RESIDENTIAL ZONE FOR AN EXISTING RESTAURANT \(NAISHO OMAKASE AND HIGHBALL BAR\) AT 3033 BRISTOL STREET, UNIT 117](#)

RECOMMENDATION:

Staff recommends the Planning Commission:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Conditional Use Permit (PCUP-26-0003) based on findings of fact and subject to conditions of approval.

Attachments: [Agenda Report](#)

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

3. [PROPOSED AMENDMENTS TO TITLE 13 \(PLANNING, ZONING AND 26-324 DEVELOPMENT\) OF THE COSTA MESA MUNICIPAL CODE TO UPDATE LAND USE CLASSIFICATIONS FOR VARIOUS NON-RESIDENTIAL USES INCLUDE BUT NOT LIMITED TO, PERSONAL SERVICES, ARTISAN STUDIO AND RETAIL USES, ACTIVE ENTERTAINMENT USES, EVENT CENTERS AND ASSEMBLY USES, SPECIALIZED FITNESS STUDIOS, AND OTHER NON-RESIDENTIAL USES AND STANDARDS- PCTY-26-0001](#)

RECOMMENDATION:

Staff recommends the Planning Commission:

1. Find that the proposed Zoning Code Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15305; and
2. Adopt a Resolution Recommending that the City Council approve amendments to Title 13 (Planning, Zoning and Development) of the Costa Mesa Municipal Code related to commercial land use classifications, emerging commercial uses, development standards, and implementation of Floor Area Ratio regulations.

Attachments: [Agenda Report](#)

- [1. Draft Planning Commission Resolution](#)
- [2. Strikethrough Amendments](#)
- [3. PC Study Session Minutes 041326](#)

OLD BUSINESS: None.

NEW BUSINESS: None.

DEPARTMENTAL REPORTS:

1. PUBLIC WORKS REPORT
2. DEVELOPMENT SERVICES REPORT

CITY ATTORNEY REPORTS:

1. CITY ATTORNEY'S 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 #: 26-325

Meeting Date: 6/22/2026

TITLE:

APRIL 13, 2026 UNOFFICIAL MEETING MINUTES

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES
DEPARTMENT/PLANNING COMMISSION

RECOMMENDATION:

Planning Commission approve the regular meeting minutes of April 13, 2026.



**REGULAR PLANNING COMMISSION
MONDAY, APRIL 13, 2026 - MINUTES**

CALL TO ORDER - The Regular Planning Commission Meeting was called to order by Chair Harlan at 6:02 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Commissioner Dickson led the Pledge of Allegiance.

ROLL CALL

Present: Chair Jeffrey Harlan, Vice Chair Jon Zich, Commissioner Angely Andrade, Commissioner Robert Dickson, Commissioner David Martinez (remotely), Commissioner Johnny Rojas

Absent: Commissioner Karen Klepack

ANNOUNCEMENTS AND PRESENTATIONS:

1. PRESENTATION REGARDING THE 2025 GENERAL PLAN ANNUAL PROGRESS REPORT

Presentation by Principal Planner, Melinda Dacey.

Chair Harlan and Mrs. Dacey discussed at what stage of the building process does the City receive RENA credit.

Public comments: None.

PUBLIC COMMENTS - MATTERS NOT LISTED ON THE AGENDA: None.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Martinez mentioned his attendance at the City's Cruise the Loop. He announced two upcoming events including the April 18 Arbor Day event and the April 18 Earth Day event at City Hall. He mentioned when comments are due for the Fairview Developmental Center Specific Plan. He asked for an update on when the City's ADU blueprints would be provided and on City Council's final decision previously recommended housing element rezoning item.

Chair Harlan thanked City staff, especially Public Works staff and Rob Ryan, for managing the project for the reopening of Brentwood Park on April 3.

CONSENT CALENDAR:

1. MARCH 9, 2026, UNOFFICIAL MEETING MINUTES

MOVED/SECOND: DICKSON/ ZICH

MOTION: Move approval.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Commissioner Klepack

Recused: None

Motion carried: 6-0

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

Two ex-parte communication reported.

Presentation by Associate Planner, Justin Arios.

John McDonald, applicant, stated he read and agreed to the conditions of approval.

Public comments:

Public Speaker No. 1 spoke in support of the item.

Motion Discussion:

Commissioner Dickson commented on the responsiveness of the applicant to complaints and the aesthetics of the application.

MOVED/SECOND: ZICH/DICKSON

MOTION: Move staff's recommendation with a correction on condition of approval No. 8 mono eucalyptus instead of mono pine.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Commissioner Klepack

Recused: None

Motion carried: 6-0

ACTION:

The Planning Commission adopted a resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303 (Class 3) New Construction or Conversion of Small Structures; and
2. Approve Minor Conditional Use Permit (PMCP-24-0029) for a new wireless communication facility at 2065 Placentia Avenue by adopting the attached Resolution.

Condition of Approval No. 8 to read: All antennas shall be mounted as shown on the plans with appropriate screening to minimize visual impacts to surrounding properties and uses. Antennas shall be painted to match the foliage of the mono-eucalyptus. Supports shall be painted to match branches.

2. CONDITIONAL USE PERMIT (PCUP-25-0023) TO MODIFY THE EXISTING OFF-SALE STATE ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSE FROM TYPE 20 (BEER AND WINE) TO TYPE 21 (GENERAL) FOR AN EXISTING CONVENIENCE STORE (7-ELEVEN) AT 675 PAULARINO AVENUE, UNIT 1

No ex-parte communication reported.

Presentation by Associate Planner, Justin Arios.

Bruce Evans, applicant, stated he read and agreed to the conditions of approval.

Public comments: None.

Motion Discussion:

Commissioner Dickson commented on the facility being well maintained and spoke in support of the motion.

MOVED/SECOND: DICKSON/ZICH

MOTION: Move staff's recommendation.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Commissioner Klepack

Recused: None

Motion carried: 6-0

ACTION:

The Planning Commission adopted a resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Conditional Use Permit 25-0023 based on findings of fact and subject to conditions of approval.

OLD BUSINESS: None.

NEW BUSINESS:

1. OVERVIEW OF PROPOSED AMENDMENTS TO THE COSTA MESA MUNICIPAL CODE (TITLE 13 - ZONING CODE) TO UPDATE LAND USE CLASSIFICATIONS FOR PERSONAL SERVICES, ARTISAN STUDIO AND RETAIL USES, ACTIVE ENTERTAINMENT USES, EVENT CENTERS AND ASSEMBLY USES, SPECIALIZED FITNESS STUDIOS, AND RELATED COMMERCIAL USES - PCTY-26-0001

Presentation by Contract Planner, Amber Gregg.

Public comments: None.

Motion Discussion:

Commissioners expressed support for the proposed amendments and spoke in support of staff's work on the item.

MOVED/SECOND: DICKSON/ADRADE

MOTION: Move to receive and file.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Commissioner Klepack

Recused: None

Motion carried: 6-0

ACTION: Received and filed a presentation regarding proposed updates to the Costa Mesa Zoning Code related to emerging commercial uses and zoning implementation issues.

DEPARTMENTAL REPORTS:

1. PUBLIC WORKS REPORT - None.

2. DEVELOPMENT SERVICES REPORT - Director Tai reported that the Housing Element-related rezoning amendments were adopted at the April 7 City Council meeting. She also noted that the City Council approved two modifications to the Housing Element sites: the removal of the minimum parking requirement and increased flexibility for open space. City staff will submit the Housing Element and the associated zoning amendments to the state and request certification. The Stephouse Recovery group home application and the Annual Action Plan for Community Development Block Grant funds will be presented at the May 5 City Council meeting. Lastly, Director Tai thanked Brenda Green and Julie Colgan for their assistance with the meeting.

CITY ATTORNEY REPORT:

1. CITY ATTORNEY REPORT - None.

ADJOURNMENT AT 8:19 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 #: 26-326

Meeting Date: 6/22/2026

TITLE:

APRIL 27, 2026 UNOFFICIAL MEETING MINUTES

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES
DEPARTMENT/PLANNING COMMISSION

RECOMMENDATION:

Planning Commission approve the regular meeting minutes of April 27, 2026



REGULAR PLANNING COMMISSION MONDAY, APRIL 27, 2026 - MINUTES

CALL TO ORDER - The Regular Planning Commission Meeting was called to order by Chair Harlan at 6:01 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Commissioner Martinez led the Pledge of Allegiance.

ROLL CALL

Present: Chair Jeffrey Harlan, Commissioner Robert Dickson, Commissioner Karen Klepack, Commissioner David Martinez, Commissioner Johnny Rojas

Absent: Vice Chair Jon Zich and Commissioner Angely Andrade

ANNOUNCEMENTS AND PRESENTATIONS:

ACTIVE DEVELOPMENT MAP

Presentation by Economic Development Administrator, Dan Inloes.

Commissioner Dickson asked whether the mobile version of the Active Development Map would remain separate from the desktop version to ensure that the full functionality of the desktop platform would not be reduced or simplified for mobile users.

Commissioner Andrade arrived at the meeting.

Public comments: None.

PUBLIC COMMENTS - MATTERS NOT LISTED ON THE AGENDA: None.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Martinez spoke on the April 30th Climate Action and Adaptation Plan Open House at City Hall; Earth Day and Arbor Day events; May 5 poetry workshops; and on the City of Irvine's third annual CicloIrvine event which he encouraged the

public to observe how similar community-oriented transportation events could be implemented in Costa Mesa.

Commissioner Dickson asked for an update on how to provide a public comment on the Fairview Developmental Center Specific Plan. Mrs. Tai provided a response.

Commissioner Andrade thanked City staff for organizing the Earth Day celebration and encouraged residents to participate in City events and engagement opportunities. She also promoted the upcoming Climate Action and Adaptation Plan Open House.

Commissioner Rojas thanked members of the public for attending the meeting. He also reminded everyone about the Orange County Marathon happening this weekend and wished all the mothers a happy Mother's Day.

CONSENT CALENDAR: None.

PUBLIC HEARINGS:

1. CONDITIONAL USE PERMIT (PCUP-25-0015) TO CONVERT AN EXISTING INDUSTRIAL BUILDING TO AN EVENT VENUE WITH LIVE ENTERTAINMENT AND DANCING, INCLUDING ON-SITE VALET PARKING AND A MINOR CONDITIONAL USE PERMIT FOR OUTDOOR EVENT OPERATIONS TO BE LOCATED AT 932 WEST 17TH STREET

Three ex-parte communications reported.

Presentation by Senior Planner, Victor Mendez.

Mykal Vailuu and McKenzie Hahn, business owners, stated they read and agreed to the conditions of approval.

Public comments:

Jay Humphrey, Costa Mesa resident, stated that the applicants appeared sincere and committed to operating responsibly and maintaining positive neighborhood relations. He expressed concern regarding potential heat buildup inside the venue during summer events and recommended that the facility maintain functioning air conditioning systems to reduce the likelihood of doors being opened during amplified music. Mr. Humphrey also suggested that conditions of approval prohibit amplified music when doors are open for guest circulation or patio access. He further noted concerns regarding possible parking overflow and guests walking to and from off-site parking locations. He referenced prior issues at another venue involving doors being left open during noisy activities and

encouraged the Commission to adopt operational conditions that would support both neighborhood compatibility and the applicants' business goals.

Kathleen Larson, resident of Play Port Mobile Home Park, expressed concerns regarding potential parking impacts and late-night noise associated with guests departing events, including conversations near vehicles and possible alcohol-related disturbances. Ms. Larson emphasized the importance of preserving the quiet nature of the neighborhood. She stated that 67 out of approximately 102 residents had signed a petition opposing the project.

Danny Pender, representative of the property owner, spoke in support of the applicants and stated that they had been professional, responsive, and responsible tenants. He noted that the applicants maintain a positive working relationship with the property owner and expressed confidence that they would continue to address community concerns promptly and professionally.

Linda Liebig, resident of Play Port Mobile Home Park, raised concerns regarding accessibility within the venue site. She stated that the surfaces appeared difficult to navigate for individuals using wheelchairs, canes, or mobility assistance devices and requested that accessibility and ADA compliance be reviewed prior to project approval.

Patricia Shannon, resident of Play Port Mobile Home Park, stated that although the area is zoned industrial, it also contains many residential properties and mobile home communities. She expressed concern that even moderate event-related noise would be noticeable to nearby residents. She also raised concerns regarding lingering guests, street parking impacts, and possible pedestrian traffic through nearby residential communities.

An event planner spoke in support of the project, describing The Nest as a positive community gathering space that supports local creatives, entrepreneurs, and small businesses. She highlighted the applicants' charitable efforts, community involvement, and collaborative opportunities for local vendors, and stated that they consistently demonstrate professionalism, integrity, generosity, and genuine care for the community.

A resident of Greenleaf Mobile Home Park expressed concerns about preserving peace and quiet within the nearby senior communities. He stated that sound travels easily in the area during evening hours and was concerned that event noise and parking activity could negatively impact nearby residents, despite the property being located in an industrial zone.

An owner of Sip Sip Mobile Bar spoke in support of the applicants and described them as organized, professional, and thoughtful business operators. She also

spoke in support of the project, stating that The Nest has provided valuable opportunities for local vendors, entrepreneurs, and creatives in Costa Mesa. She noted that alcohol service is professionally managed by trained and insured staff and emphasized the venue's focus on guest safety and responsible operations.

A staff member at The Nest spoke in support of the project, stating that the applicants are attentive, responsive, and committed to community building. She explained that staff actively address concerns related to noise, guest behavior, security, and lingering, and noted that events follow structured closing procedures with coordination between staff and security to promote orderly departures.

An event business owner and former tenant spoke in support of the project, stating that the applicants maintain positive relationships with tenants and neighboring businesses and are proactive in addressing concerns. She noted that the area already experiences significant daytime traffic and, based on her experience attending events at The Nest, sound did not travel significantly beyond the property. She also emphasized the applicants' positive impact on the local event and small business community.

Martin Creskey, resident of Play Port Mobile Home Park, stated that he appreciated the applicants' community-focused vision but expressed concerns about nighttime noise impacts on the nearby quiet residential communities. He questioned whether the noise study evaluated evening conditions and also raised concerns regarding valet operations, parking capacity, and lingering by guests after events.

A representative from Lee Rose Events spoke in support of the applicants, stating that they have helped bring additional visitors and economic activity to the west side of Costa Mesa. She described the applicants as community-oriented business owners who host clean, organized, and well-managed events and noted their positive contributions to local businesses and the community.

Motion Discussion:

Commissioners expressed overall support for the proposed event venue and discussed the amended conditions of approval, particularly related to noise mitigation and neighborhood compatibility.

MOVED/SECOND: MARTINEZ/DICKSON

MOTION: Move staff's recommendation with an amendment to Condition of Approval No. 12.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Vice Chair Zich
Recused: None
Motion carried: 6-0-1

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 15301 (Existing Facilities);
2. Approve Conditional Use Permit (PCUP-25-0015) to allow the operation of an event venue with live entertainment and dancing, including on-site valet parking at 932 West 17th Street; and
3. Approve Minor Conditional Use Permit to allow associated outdoor event operations at 932 West 17th Street.

Condition of Approval No. 12 to read: As a condition of approval, all doors and windows shall remain closed during indoor event activities, except that the north door may remain open during events. If noise issues arise, the operator shall implement appropriate operational measures necessary to minimize or eliminate the disturbance, including, but not limited to, closing the north door.

OLD BUSINESS: None.

NEW BUSINESS:

1. GENERAL PLAN CONFORMITY RESOLUTION FOR THE CITY OF COSTA MESA'S ONE-YEAR (FY 2026-27) AND FIVE-YEAR (FY 2026-27 TO FY 2030-31) CAPITAL IMPROVEMENT PROGRAM

Presentation by City Engineer, Seung Yang.

Public comments: None.

MOVED/SECOND: DICKSON/MARTINEZ

MOTION: Move staff's recommendation.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Vice Chair Zich

Recused: None

Motion carried: 6-0-1

ACTION:

The Planning Commission adopted a resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378 in that the City's Capital Improvement Program is a fiscal planning and budgeting activity, which allows the City to plan for future specific capital improvement projects and does not commit the City to implement any specific project or project design; and
2. Adopt the General Plan Conformity Resolution (Attachment 1) for the City of Costa Mesa's one-year (FY 2026-27) and five-year (FY 2026-27 to FY 2030-31) Capital Improvement Programs (CIP).

DEPARTMENTAL REPORTS:

- 1. PUBLIC WORKS REPORT** - Mr. Yang reported that Transportation Services Manager Paul Martin participated in a panel discussion at the California Bicycle Summit in Sacramento alongside Council Member Arlis Reynolds. The discussion focused on collaboration with Caltrans to improve safety along state transportation corridors, including Newport Boulevard in Costa Mesa. Staff noted that while the summit emphasized bicycle safety and mobility, the City's efforts on Newport Boulevard are primarily focused on improving pedestrian safety in accordance with a City Council resolution adopted in August 2025.
- 2. DEVELOPMENT SERVICES REPORT** - Director Tai reported several updates to the Commission, including a reminder about the Climate Action and Adaptation Plan (CAP) workshop scheduled for April 30 at City Hall and encouraged public participation. She also noted that the City Council would consider the group home request at 1601 Baker Street, which was previously reviewed by the Planning Commission. Director Tai further provided an update on the "Neighborhoods Where We All Belong" initiative, stating that a summary of the second round of community outreach would be posted in early May, with a third round of outreach planned for June. Additionally, she advised that the Draft Environmental Impact Report for the Fairview Developmental Center Specific Plan is expected to be released in May, initiating a 45-day public review period, and provided the project email address for additional public comments and questions. Lastly, Director Tai noted that there was currently no public hearing items scheduled for the May 11 Planning Commission meeting and extended Mother's Day wishes to the community.

CITY ATTORNEY REPORT:

1. CITY ATTORNEY REPORT - Mr. Preziosi reported to the Commission about the use of substitute or amended motions during meetings. He explained that after a motion has been made and seconded, any commissioner may propose a substitute motion before the vote is taken. He also noted that substitute motions are an effective tool for modifying conditions of approval or proposing changes to a motion while helping to streamline Commission discussion and decision-making.

ADJOURNMENT AT 8:14 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 #: 26-322

Meeting Date: 6/22/2026

TITLE:

CONDITIONAL USE PERMIT (PCUP-26-0005) TO ALLOW THE SALE OF ALCOHOL FOR ON-SITE CONSUMPTION UNTIL 12:00 A.M. WITHIN 200 FEET OF A RESIDENTIAL ZONE FOR A RESTAURANT (THREE EYED TIGER) AT 2930 BRISTOL STREET, UNIT B60

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT / PLANNING DIVISION

PRESENTED BY: GABRIEL VILLALOBOS, ASSISTANT PLANNER

CONTACT INFORMATION: GABRIEL VILLALOBOS 714-754-5610
Gabriel.Villalobos@costamesaca.gov

RECOMMENDATION:

Staff recommends the Planning Commission:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Conditional Use Permit (PCUP-26-0005) based on the findings of fact and subject to conditions of approval.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JUNE 22, 2026

ITEM NUMBER: PH-1

SUBJECT: CONDITIONAL USE PERMIT (PCUP-26-0005) TO ALLOW THE SALE OF ALCOHOL FOR ON-SITE CONSUMPTION UNTIL 12:00 A.M. WITHIN 200 FEET OF A RESIDENTIAL ZONE FOR A RESTAURANT (THREE EYED TIGER) AT 2930 BRISTOL STREET, UNIT B60

FROM: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT / PLANNING DIVISION

PRESENTATION BY: GABRIEL VILLALOBOS, ASSISTANT PLANNER

**FOR FURTHER INFORMATION CONTACT: GABRIEL VILLALOBOS
714-754-5610
Gabriel.Villalobos@costamesaca.gov**

RECOMMENDATION

Staff recommends the Planning Commission:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Conditional Use Permit (PCUP-26-0005) based on the findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT

The applicant/authorized agent is Zachary Scherer on behalf of Three Eyed Tiger, representing the property owner, Linda Sadeghi.

PLANNING APPLICATION SUMMARY

Location:	2930 Bristol Street, Unit B60	Application Number:	PCUP-26-0005
Request:	Conditional Use Permit to allow the sale of alcohol for on-site consumption after 11:00 P.M. within 200 feet of a residential zone for a proposed restaurant, Three Eyed Tiger, requesting to operate until 12:00 A.M., Tuesday through Saturday.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	C2 (General Business District)	North:	C1 (Local Business District)
General Plan:	General Commercial (GC)	South:	C2 (General Business District) and CL (Commercial Limited District)
Lot Dimensions:	335.31' x 607.48' x 258.08' x 394.71'	East:	PDR-HD (Planned Development Residential, High Density)
Lot Area:	108,900 SF (2.5 acres)	West (across Bristol Street):	C2 (General Business District)
Existing Development:	An existing multi-tenant shopping center (the LAB Anti-Mall) located on a 2.5-acre commercial property.		
Tenant Space (size):	2,520 SF with 500 SF outdoor dining patio		
Required Parking:	155 ^{1,2}		
Provided Parking:	184		

¹ Noted in PA-17-16

² Subject property is subject to Assembly Bill (AB) 2097, since it is located within one-half mile of a major transit stop. Pursuant to AB 2097, the City is barred from imposing a minimum parking requirement on the project.

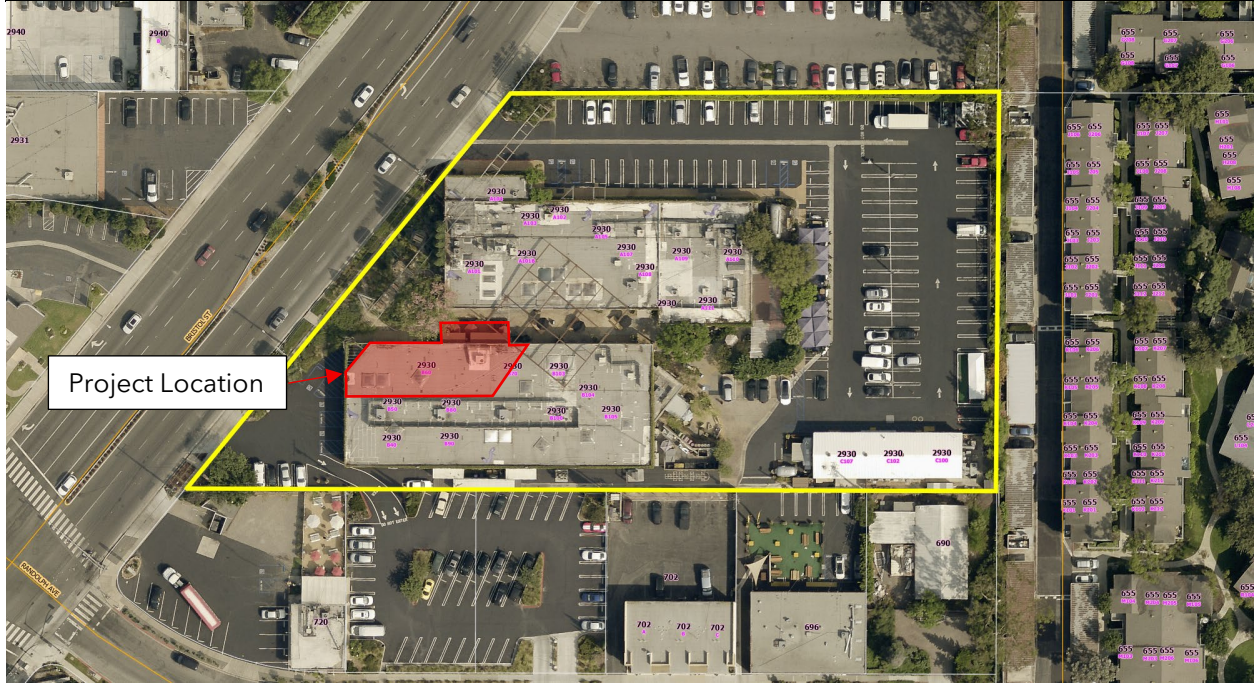
EXECUTIVE SUMMARY

The applicant is requesting approval of a Conditional Use Permit (CUP) (PCUP-26-0005) to allow the sale of alcoholic beverages for on-site consumption until 12:00 A.M. within 200 feet of a residential zone for a proposed restaurant, *Three Eyed Tiger*, located at 2930 Bristol Street, Unit B60. Staff supports the request because the proposed use is consistent with applicable goals, objectives, and policies of the General Plan; complies with applicable provisions of the Zoning Code and required findings; and, as conditioned, would be compatible with surrounding uses. Therefore, staff recommends that the Planning Commission find the project exempt from the CEQA and approve the application based on findings of fact and subject to conditions of approval.

SETTING

The subject property is located on the east side of Bristol Street, between Randolph Avenue and Baker Street (see Figure 1). The subject property is adjacent to other commercially zoned properties to the north, west, and south, with residentially zoned properties to the east. Existing residential uses in the area primarily include multi-family units (South Pointe Apartments). Other land uses in the immediate vicinity include The Camp and other commercial businesses including Pep Boys and Sherwin Williams Paint.

Figure 1. Project Location – 2930 Bristol Street



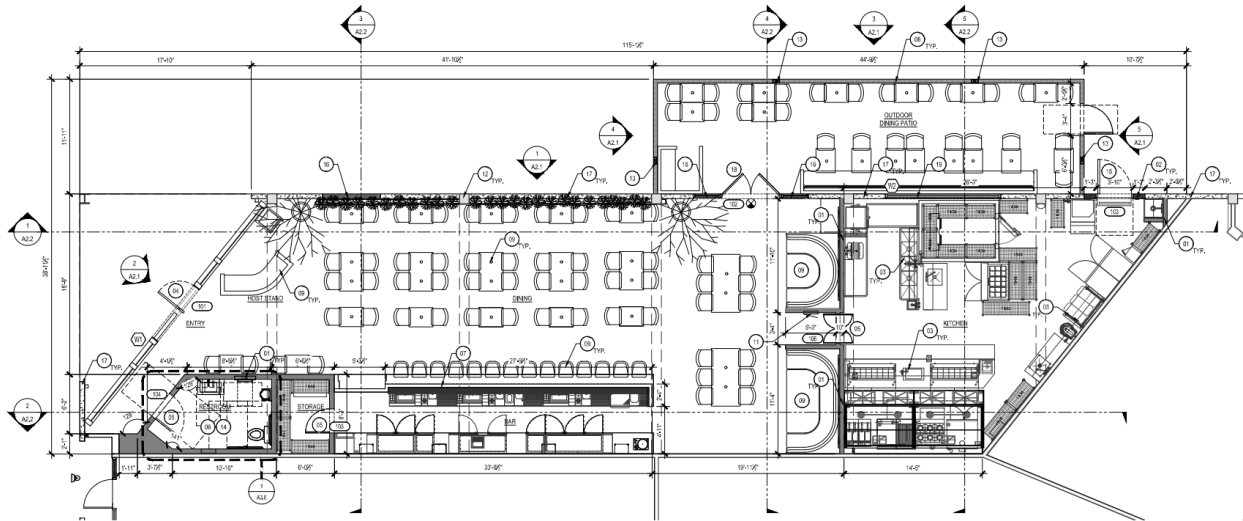
The site is designated General Commercial by the City’s Land Use Element of the General Plan and is zoned C2 (General Business District). The General Commercial designation is intended for a wide range of commercial uses that serve both local and regional needs such as retail stores, theaters, restaurants and service establishments. The C2 zone is intended to meet the local business needs of the community by providing a wide range of goods and services in a variety of locations throughout the city. The permitted and conditional uses as well as development standards are aimed toward reducing impacts on surrounding properties especially in those areas where residential uses are in the vicinity.

BACKGROUND

The subject property is currently developed with three commercial buildings totaling approximately 32,924 square feet of gross floor area. The existing development was approved by the Planning Commission in 1992 through planning application PA-92-78, which allowed for a restaurant with outdoor seating in conjunction with multi-tenant retail sales. Subsequent planning applications were approved through PA-94-55, PA-96-30, PA-98-53, PA-01-35, ZA-03-08, and PA-17-16 to allow uses such as live entertainment, private events, outdoor vending, outdoor special events, and a microbrewery at the subject property. There are currently 11 food establishments operating at the subject property, of which, three are permitted to operate past 11:00 P.M. (Ruin Bar, Habana Restaurant, and Bootlegger’s Brewery).

The applicant is currently in review for permits to convert an existing 2,520 square-foot commercial suite into a restaurant use with a new 500 square-foot outdoor dining patio. The tenant suite is currently vacant and was previously occupied by Urban Outfitters, a retail use. The tenant improvements will consist of a complete redevelopment of the interior of the existing space to include a new indoor dining area, restroom, bar, and kitchen, as shown in Figure 2 below. Additionally, a new outdoor dining patio will be proposed adjacent to the restaurant and will be located within an interior courtyard area of the subject property. The actual location of the business and outdoor dining patio on the site is approximately 320 feet from the shared property line.

Figure 2. Floor Plan



Pursuant to Costa Mesa Municipal Code (CMMC) Table 13-47(a), food establishments are permitted by right in the C2 zone and are not subject to the approval of a CUP. Additionally, per CMMC Table 13-47(b), outdoor dining areas located within a "courtyard area" are also permitted by right and are subject to the development standards established in CMMC Section 13-48.

REQUEST

The applicant is requesting approval of a CUP to allow the sale of alcoholic beverages for on-site consumption until 12:00 A.M. within 200 feet of a residential zone for a new restaurant, *Three Eyed Tiger*. The new restaurant will include an outdoor dining patio and operate from 11:00 A.M. to 12:00 A.M., Tuesday through Saturday, and from 11:00 A.M. to 4:00 P.M. on Sundays for brunch. The restaurant will maintain a Type 47 ABC license, which authorizes the sale of beer, wine, and distilled spirits for consumption on the licensed premises. No live entertainment, live entertainment area, or dancing area is proposed as part of this project. As noted above, the proposed restaurant is permitted by right and is not subject to a CUP.

STANDARD OF REVIEW

To approve CUP applications under CMMC Section 13-29(g)(2)(a-c), 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 permit must not harm public health, safety, or welfare, not permit a use, density, or intensity inconsistent with the general plan or specific plans for the property.

Furthermore, all planning applications must adhere to broader "Review Criteria" outlined in the CMMC. These include ensuring neighborhood compatibility, safety and design consistency, compliance with performance standards, and alignment with the general plan and/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.

A comparison and analysis of the project applicable CUP findings, and project compliance with the City's required Review Criteria is provided further below in this report under the Analysis section.

ANALYSIS

This application requests approval of a CUP to allow the sale of alcoholic beverages for on-site consumption until 12:00 A.M., for a business located within 200 feet of a residentially zoned property. The proposed business is located on a parcel that shares a property line with a PDR-HD zoned property and as such, is subject to the approval of the CUP for the proposed extended hours of operation.

The proposed hours of operation are 11:00 A.M. to 12:00 A.M., Tuesday through Saturday, and 11:00 A.M. to 4:00 P.M. on Sundays. Similar businesses currently operating within the LAB property include Ruin Bar (open until 12:00 A.M.), Habana Restaurant (open until 12:00 A.M.), and Bootlegger's Brewery (open until 1:00 A.M.).

The proposed business will be located along the frontage of Bristol Street and will propose an outdoor dining patio within a pedestrian walkway area that is not located within a required street setback or parking area.

The proposed hours of operation are not expected to adversely affect the surrounding area, as the restaurant is located on the western portion of the property, away from residences (more than 320 feet away). Additionally, no live entertainment is proposed that would be expected to generate elevated noise levels during late-night hours.

Additionally, the City's Police Department has reviewed the request and indicated that it has no concerns regarding the proposed extended hours of operation and alcohol service.

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 through 2035. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that serve both local needs and attract regional international spending, and providing 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 proposed restaurant use is in conformance with the General Plan land use designation for the property. The following analysis evaluates the proposed project's consistency with specific policies and objectives of the 2015-2035 General Plan.

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 need of the business and residential segments of the community.*

Consistency: The proposed restaurant use would complement the mix of restaurant and commercial services provided in the immediate area. The LAB contains a mix of commercial goods and services, and the proposed use would support the mix of uses and services available in the commercial shopping center.

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 restaurant use contributes to the City's long-term fiscal health by bolstering an area within the city that has been identified through the General Plan and the SoBECA Urban Plan as a place important to the local economy as a center for commercial uses that expand innovative, eclectic, and unique uses that support homegrown and incubator-type businesses. The proposed restaurant would support the intent of the General Plan and SoBECA Urban Plan by providing an additional dining option and service for the immediate area.

3. **Policy LU-6.7:** *Encourage new and retain existing businesses that provide local shopping and services.*

Consistency: The proposed application would support the establishment of a new restaurant within an existing commercial center that already contains similar restaurant and commercial uses. The proposed restaurant would provide additional dining options and local services for residents, visitors, and employees in the surrounding area, and would contribute to the continued vitality of the LAB as a commercial shopping and dining destination.

FINDINGS

Pursuant to CMMC Section 13-29 (g), Findings, 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. **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 Finding: The proposed hours of operation are substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area as the use is a proposed restaurant to be located within a commercial shopping center. The proposed restaurant will be located within an existing commercial space and proposes an outdoor dining patio that will be located outside all setback and vehicular circulation areas. This application seeks to allow late night hours of operation for a restaurant that serves alcoholic beverages, like other existing restaurants within the same subject property. The use is permitted by right and the extended hours of operation are conditionally permitted, subject to conditions of approval as included in this application.

- b. **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 the conditional use permit to extend the hours of operation 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 as the restaurant will be located within an existing commercial space and proposes an outdoor dining patio that is outside of any setback or vehicular circulation area. Additionally, the proposed use is located closer to Bristol Street than the residences located to the east of the subject property which reduces potential impacts to the sensitive uses in the immediate vicinity. No live entertainment, dancing, or other outdoor events are proposed as part of this project.

- c. **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 land use designation of the subject property is General Commercial, which is intended to permit a wide range of commercial uses that serve both local and regional needs. Pursuant to the Land Use Element of the city's General Plan, appropriate uses include those found in the Neighborhood Commercial designation, plus smaller retail stores, theaters, restaurants, hotels and motels, and automobile sales and service establishments. The subject property is also located within the SoBECA Urban Plan area, which allows for a mix of housing and retail/service commercial businesses, light industrial uses, creative studios, retail campuses, and entertainment and restaurant uses. The use is consistent with both the General Plan and the SoBECA Urban Plan for the area and would not propose a density or intensity not in accordance with the land use designation as the location is not proposing an increase in the gross floor area of the site since the new outdoor dining patio does not meet the definition for gross floor area as established in CMMC Section 13-6.

Review Criteria

Pursuant to CMMC Section 13-29(e), all planning applications shall be reviewed for consistency with the following review criteria. Below is a summary of the project's conformity with each criterion:

(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.

The proposed project is compatible and harmonious with the development and uses of the surrounding properties as the proposed restaurant use is permitted in the C2 zone and would provide a service that is consistent with the underlying zone and land use policies of the SoBECA Urban Plan. The subject property currently includes similar restaurant uses, and the proposed project would add to the mix of restaurant businesses available at the LAB.

(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.

Safety and compatibility are maintained through the proposed project design as the proposed outdoor dining patio shall be located within a courtyard area on the interior of the subject property. There will be no increase to the gross floor area of the existing building, as the proposed tenant improvements will be made to the interior of the existing tenant space and the proposed outdoor

dining patio will not be fully enclosed. No parking spaces will be impacted through this project, and as such, automobile circulation will not be impacted. Pedestrian circulation will still be maintained as the outdoor dining patio will be separated and enclosed with a low wall and shade structure.

(3) Compliance with any performance standards as prescribed in the Zoning Code.

All performance standards have been deemed to be met as described in the analysis section of this report.

(4) Consistency with the General Plan and any applicable specific plan.

The property has a General Plan designation of General Commercial and is also located within the SoBECA Urban Plan area. Under the General Plan designation, the proposed use is permissible. The proposed project conforms to the City's General Plan including Policy LU-1.1 and Policy LU-6.1 as described later in this report.

(5) The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

The zoning application is for a unique project-specific case at a unique site with special circumstances and will not be precedent setting 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.

The proposed project includes only one application, of which the cumulative effect has been considered through this report.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the CEQA pursuant to CEQA Guidelines Section 15301 (Class 1 - Existing Facilities) for the permitting and/or minor alteration of existing facilities. The project involves no exterior alterations or additions to an existing commercial tenant space. As conditioned and proposed, the project will have little or no impact on the surrounding area. There will be no resulting increase in the existing floor area of the tenant space. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply. The Project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location and would not impact any historic resources.

ALTERNATIVES

As an alternative to the recommended action, the Planning Commission may:

1. 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.
2. 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.

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 June 10, 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 June 11, 2026.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on June 12, 2026.

As of the completion date of this report, one written public comments have been received. Any public comments received prior to the June 22, 2026, Planning Commission meeting will be provided separately.

CONCLUSION

Approval of the project would allow a new restaurant to serve alcohol in the restaurant and outdoor dining patio until 12:00 A.M., Tuesday through Saturday, and until 4:00 P.M. on Sundays. No live entertainment or dancing is proposed as part of the request. 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 commercial uses and would not be materially detrimental to other properties in the area. Therefore, staff recommends approval of the proposed project, subject to the conditions of approval contained in the attached resolution.

ATTACHMENTS

1. Draft Planning Commission Resolution
2. Applicant Letter
3. Vicinity Map
4. Zoning Map
5. Site Photos
6. Project Plans
7. Public Comments

RESOLUTION NO. PC-2026-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION PCUP-26-0005 TO ALLOW THE SALE OF ALCOHOL FOR ON-SITE CONSUMPTION UNTIL 12:00 A.M. WITHIN 200 FEET OF A RESIDENTIAL ZONE FOR A RESTAURANT (THREE EYED TIGER) AT 2930 BRISTOL STREET, UNIT B60

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

WHEREAS, Planning Application PCUP-26-0005 was filed by Zachary Scherer requesting approval of a Conditional Use Permit to allow the sale of alcohol for onsite consumption after 11:00 P.M. within 200 feet of a residential zone for a proposed restaurant (with an outdoor dining patio), Three Eyed Tiger, requesting to operate from 11:00 A.M. to 12:00 A.M., Tuesday through Saturday, and from 11:00 A.M. to 4:00 P.M. on Sundays;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 22, 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 categorically exempt from the provisions of CEQA pursuant to Section 15301 (Class 1, 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-26-0005 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-26-0005 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 22nd day of June, 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 June 22, 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 CMMC Section 13-29 (g), Findings, 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. **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 proposed hours of operation are substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area as the use is a proposed restaurant to be located within a commercial shopping center. The proposed restaurant will be located within an existing commercial space and proposes an outdoor dining patio that will be located outside all setback and vehicular circulation areas. This application seeks to allow late night hours of operation for a restaurant that serves alcoholic beverages, like other existing restaurants within the same subject property. The use is permitted by right and the extended hours of operation are conditionally permitted, subject to conditions of approval as included in this application.

- b. **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 the conditional use permit to extend the hours of operation 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 as the restaurant will be located within an existing commercial space and proposes an outdoor dining patio that is outside of any setback or vehicular circulation area. Additionally, the proposed use is located closer to Bristol Street than the residences located to the east of the subject property which reduces potential impacts to the sensitive uses in the immediate vicinity. No live entertainment, dancing, or other outdoor events are proposed as part of this project.

- c. **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 land use designation of the subject property is General Commercial, which is intended to permit a wide range of commercial uses that serve both local and regional needs. Pursuant to the Land Use Element of the city's General Plan, appropriate uses include those found in the Neighborhood Commercial designation, plus smaller retail stores, theaters, restaurants, hotels and motels, and automobile sales and service establishments. The subject property is also located within the SoBECA Urban Plan area, which allows for a mix of housing and retail/service commercial businesses, light industrial uses, creative studios, retail campuses, and entertainment and restaurant uses. The use is consistent with both the General Plan and the SoBECA Urban Plan for the area and would not propose a density or intensity not in accordance with the land use designation as the location is not proposing an increase in the gross floor area of the site since the new outdoor dining patio does not meet the definition for gross floor area as established in CMMC Section 13-6.

B. Pursuant to CMMC Section 13-29(e), all planning applications shall be reviewed for consistency with the following review criteria. Below is a summary of the project's conformity with each criterion

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.*

The proposed project is compatible and harmonious with the development and uses of the surrounding properties as the proposed restaurant use is permitted in the C2 zone and would provide a service that is consistent with the underlying zone and land use policies of the SoBECA urban plan. The subject property currently includes similar restaurant uses, and the proposed project would add to the mix of restaurant businesses available at the LAB.

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.*

Safety and compatibility are maintained through the proposed project design as the proposed outdoor dining area shall be located within a courtyard area on the interior of the subject property. There will be no increase to the gross floor area of the existing building, as the proposed tenant improvements will be made to the interior of the existing tenant space and the proposed outdoor dining area will not be fully enclosed. No parking spaces will be impacted through this project, and as such, automobile circulation will not be impacted. Pedestrian circulation will still be maintained as the outdoor dining patio will be separated and enclosed with a low wall and shade structure.

3) *Compliance with any performance standards as prescribed in the Zoning Code.*

All performance standards have been deemed to be met as described in the analysis section of this report.

4) *Consistency with the General Plan and any applicable specific plan.*

The property has a General Plan designation of General Commercial and is also located within the SoBECA urban plan area. Under the General Plan designation, the proposed use is permissible. The proposed project conforms to the City's General Plan including Policy LU-1.1 and Policy LU-6.1 as described later in this report.

5) *The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.*

The zoning application is for a unique project-specific case at a unique site with special circumstance and will not be precedent setting 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.*

The proposed project includes only one application, of which the cumulative effect has been considered through this report.

- C. **Environmental Determination.** The project is categorically exempt from the provisions of the CEQA pursuant to CEQA Guidelines Section 15301 (Class 1 – Existing Facilities) for the permitting and/or minor alteration of existing facilities. The project involves a negligible expansion of the use as it proposes a new 500-square-foot outdoor dining area. The proposed outdoor dining area falls well below the established limit of 2,500 square feet as specified in CEQA Section 15301. As conditioned and proposed, the project will have little or no impact on the surrounding area. There will be no resulting increase in the existing floor area of the tenant space. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply. The Project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location and would not impact any historic resources.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. The use of this tenant space for shall comply with the approved plans and these conditions of approval. 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.
 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 business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The business shall institute whatever security measures are necessary to comply with this requirement.
 4. The applicant shall maintain areas that are under the applicant’s control and ensure areas are well maintained and free of litter.
 5. There shall be no sales of alcoholic beverages for off-site consumption.
 6. For establishments with a State Alcoholic Beverage Control (ABC) License, all sales and service staff (within 90 days of hire) shall complete Responsible Beverage Service (RBS) training with a provider approved by the California Department of Alcoholic Beverage Control. A copy of the training certificates shall be kept on premises and presented to any authorized City official upon request.

7. A copy of the conditions of approval for the conditional use permit shall 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.
8. 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.
9. 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.
10. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or it, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
11. Once the use is legally established, the planning/zoning application herein approved shall be valid until revoked. The Director of Economic & Development Services or designee may refer the planning/zoning application to the Planning Commission for modification or revocation at any time if any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances; 3) one or more of the findings upon which the approval was based are no longer applicable; 4) the approval was obtained through fraudulent, erroneous, or misleading information; 5) the use is being operated in an illegal or disorderly manner; 6) the terms or conditions of approval of the conditional use permit have been violated; 7) the use creates an adverse impact on the health, safety, or welfare of surrounding properties and uses; or 8) the use is operated in violation of ABC rules and regulations.
12. Any music in the outdoor areas shall be limited to background-level only. The sound level shall not exceed 60 decibels, as measured at the center of the patio.
13. 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.

14. The sale, service, and consumption of alcoholic beverages shall be limited to the approved hours of operation and shall cease no later than 12:00 A.M., Tuesday through Saturday, and 4:00 P.M. on Sundays.

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.

- PIng.
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 7AM to 7PM Monday through Friday and 9AM to 6PM. 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.
 6. The applicant shall contact the Planning Division to arrange Planning inspection of the site prior to Building Division's final inspection. This inspection is to confirm that the conditions of approval and Code requirements have been satisfied.



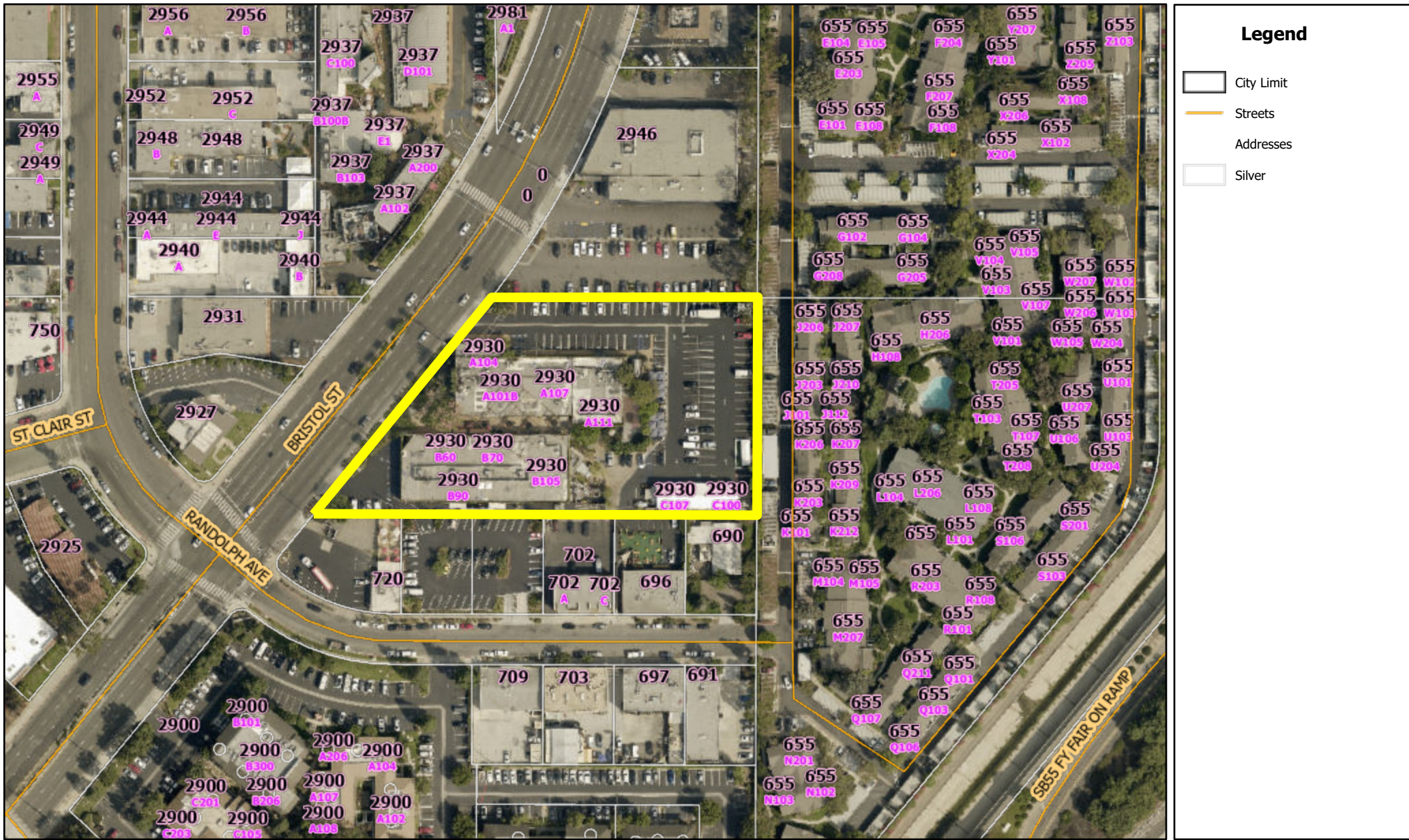
Three Eyed Tiger will be an eating place and bar aimed at bringing award winning cocktails and food to THE LAB property in Costa Mesa. Our goal with this project is to create a beverage program that rivals establishments found on the San Pellegrino guide while offering critically acclaimed food similar to our other establishment in Santa Ana, DARKROOM. Our goal is to have an elegant place for drinks and dining that will be open from 11am-12am. We do not want this establishment to be a drinking establishment where people are waiting “three deep” at the bar, but rather provide a friendly atmosphere where people can enjoy themselves in a calm setting.

We will be taking over a prepared shell at unit b60, which has been cleared for restaurant use.

Three Eyed Tiger will be adding to the excellent reputation THE LAB already has, with hopes to elevate the property further and get it on national, and state wide lists. Our goal is to stand out and bring eyes to the awesome things being done in Costa Mesa. While there are other similar establishments nearby, Three Eyed Tiger is planning on aiming at the 30-55 demographic, trying to bring in professionals who are looking for a place to end their evenings or have a great meal.

Our proposed hours of operation are 11am-12am Tues-Saturdays. Both spaces, indoor and outdoor, will be open during these hours (patio/indoor dining.) There will be no live music being played and noise will be kept to a controlled level to minimize impact to our neighbors.

. We look forward to collaborating and making this project a reality, to hopefully provide a feather in Costa Mesa’s already impressive Cap.



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.

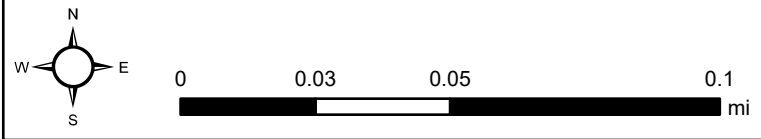
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Legend

-  City Limit
-  Streets
- Addresses
-  Silver
- Zoning
 -  AP - Administrative Professional
 -  IR-MLT - Institutional Recreational Multi-Use
 -  R1 - Single-Family Residential
 -  R2-MD - Multiple-Family Residential, Medium Density
 -  R2-HD - Multiple-Family Residential, High Density
 -  R3 - Multiple Family Residential
 -  MG - General Industrial
 -  MP - Industrial Park
 -  PDI - Planned Development Industrial
 -  C1 - Local Business
 -  C2 - General Business
 -  C1-S - Shopping Center
 -  TC - Town Center
 -  PDR-NCM - Planned Development Residential - North Costa Mesa
 -  I&R - Institutional Recreational
 -  I&R-S - Institutional Recreational - School
 -  P - Parking
 -  CL - Commercial



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Site Photos – 2930 Bristol St #B60 – Three Eyed Tiger CUP

1. Front entrance facing Bristol St.



2. Northern elevation of proposed restaurant space

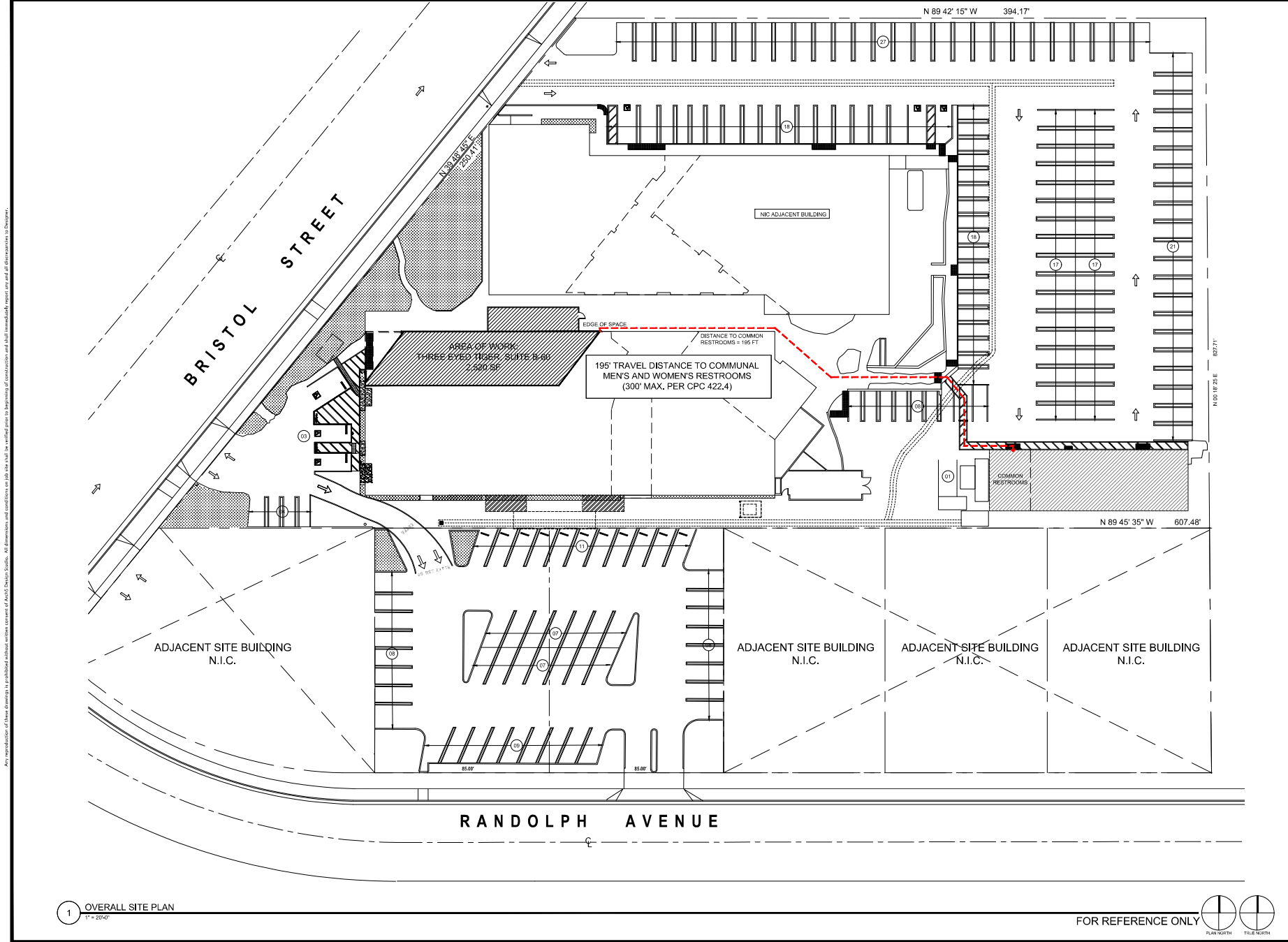


3. Proposed outdoor dining area location



4. Current condition of project site





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N 89 42' 15" W 394.17'

N 89 18' 45" E 238.41'

BRISTOL STREET

NIC ADJACENT BUILDING

AREA OF WORK
THREE EYED TIGER, SLICE B-60
2,520 SF

195' TRAVEL DISTANCE TO COMMUNAL
MEN'S AND WOMEN'S RESTROOMS
(300' MAX. PER CPC 422.4)

EDGE OF SPACE

DISTANCE TO COMMON
RESTROOMS = 195 FT

COMMON
RESTROOMS

N 89 45' 35" W 607.48'

ADJACENT SITE BUILDING
N.I.C.

ADJACENT SITE BUILDING
N.I.C.

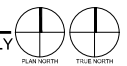
ADJACENT SITE BUILDING
N.I.C.

ADJACENT SITE BUILDING
N.I.C.

RANDOLPH AVENUE

1 OVERALL SITE PLAN
1" = 20'-0"

FOR REFERENCE ONLY



REVISIONS	
DATE	DESCRIPTION
02/27/26	PC1 SUBMITTAL

Bid Issue Date: TBD
Date: 02/28/26
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Project No.: -
Sheet Title:

OVERALL SITE PLAN

Sheet No.:

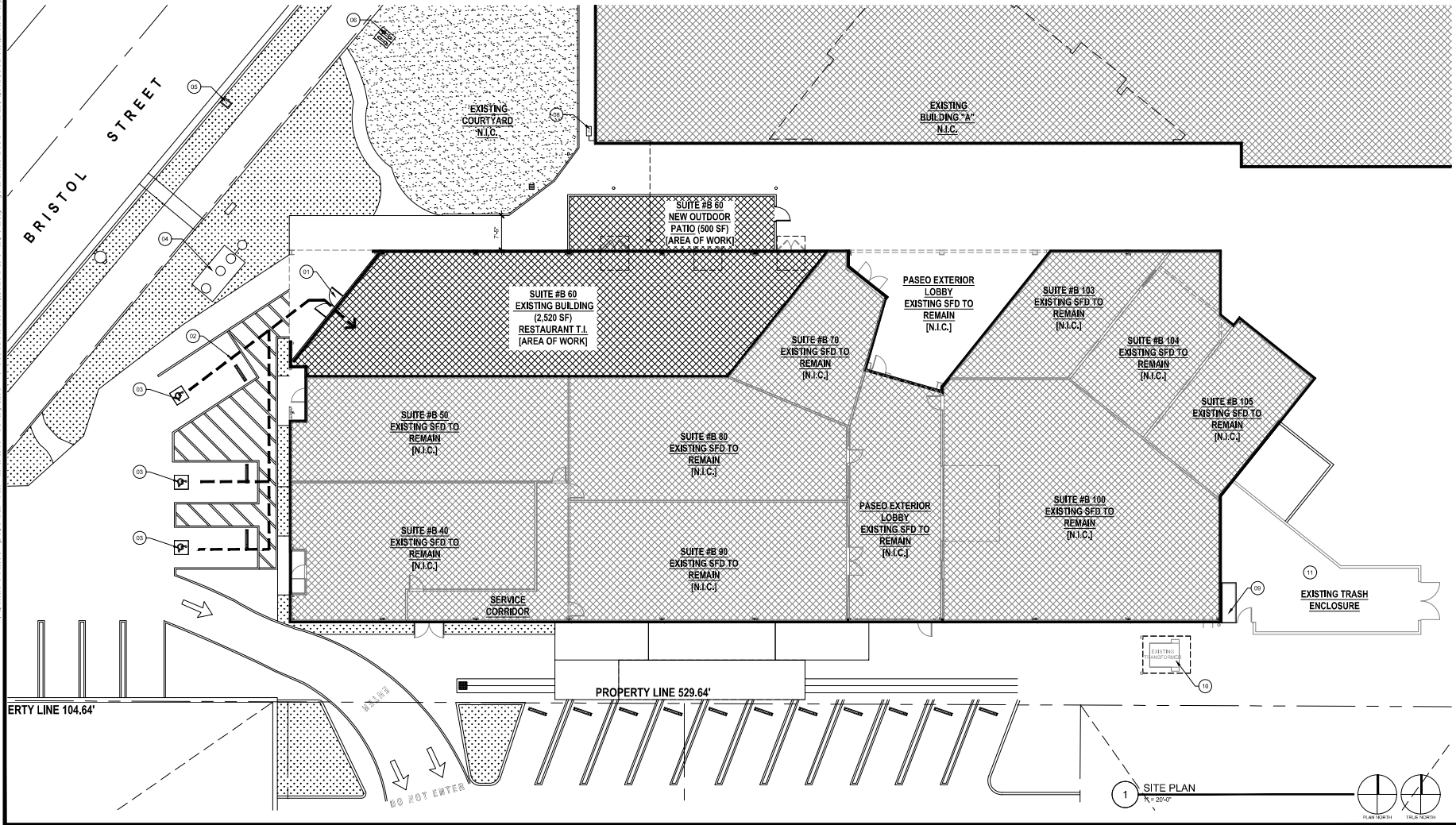
A0.0

SITE PLAN GENERAL NOTES

- ALL PRIMARY PUBLIC ENTRANCES AND MAJOR FUNCTION AREA TO DISPLAY THE INTERNATIONAL SYMBOL OF ACCESSIBILITY
- CONTRACTOR TO FIELD VERIFY ALL EXISTING CONDITIONS PRIOR TO START OF CONSTRUCTION AND REPORT BACK TO DESIGNER WITH ANY DISCREPANCIES ON THIS DRAWING. UPGRADE ALL ACCESSIBLE ITEMS WITHIN THE PATH OF TRAVEL TO MEET THE 2022 CALIFORNIA BUILDING CODE (TITLE 24). REFER TO SHEETS T1.2 THRU T1.6 FOR TYPICAL DETAILS & REQUIREMENTS.
- CONTRACTOR TO UPGRADE ALL ACCESSIBLE ITEMS WITHIN THE PATH OF TRAVEL TO MEET THE 2022 CALIFORNIA BUILDING CODE (TITLE 24), AS REQUIRED. REFER TO SHEETS T1.2 THRU T1.7 FOR TYPICAL DETAILS & REQUIREMENTS.
- ALL STORMWATER RUNOFF FROM PROPOSED AND/OR REPLACED IMPERVIOUS AREAS SHALL BE ROUTED TO PERVIOUS SURFACES OR LANDSCAPING PRIOR TO REACHING THE PUBLIC DRAIN SYSTEM.
- AT HAZARDOUS VEHICULAR AREAS, DETECTABLE WARNING SURFACES SHALL BE YELLOW CONFORMING TO FS 33538 OF FEDERAL STANDARD 555C (39 CFR 115-105.1.1.3)
- AT LOCATIONS OTHER THAN VEHICULAR HAZARDOUS AREAS, DETECTABLE WARNING SURFACES SHALL CONTRAST VISUALLY WITH ADJACENT WALKING SURFACES (EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT). THE MATERIAL USED TO PROVIDE CONTRAST SHALL BE AN INTEGRAL PART OF THE SURFACE (39 CFR 115-105.1.1.5)

SITE PLAN KEYNOTES

- (11) MAIN ENTRY, SEE SHEET A1.1
- (12) ACCESSIBLE PATH OF TRAVEL (APOT) WITHIN THE PATH OF TRAVEL TO MEET THE 2022 CALIFORNIA BUILDING CODE (TITLE 24), AS REQUIRED. REFER TO SHEETS T1.2 THRU T1.7 FOR TYPICAL DETAILS & REQUIREMENTS.
- (13) FIELD VERIFY ACCESSIBLE ROUTE TO BE 5% MAXIMUM RUNNING SLOPE WITH 2% MAXIMUM CROSS SLOPE PER CSC 118-403.3
- (14) (I) INTERNATIONAL SYMBOL OF ACCESSIBILITY, DETAIL 3004.0 SHOWN FOR REFERENCE ONLY.
- (15) EXISTING SHARED 1500 GAL GREASE INTERCEPTOR PER PLUMBING DRAWINGS
- (16) EXISTING 2" WATER METER
- (17) EXISTING 2" BACKFLOW PREVENTER PER PLUMBING DRAWINGS
- (18) NOT USED.
- (19) EXISTING GAS METER
- (20) EXISTING ELECTRICAL SWITCHGEAR, 1200A, REFER TO ELECTRICAL DWGS
- (21) EXISTING TRANSFORMER
- (22) EXISTING TRASH ENCLOSURE



REVISIONS	
DATE	DESCRIPTION
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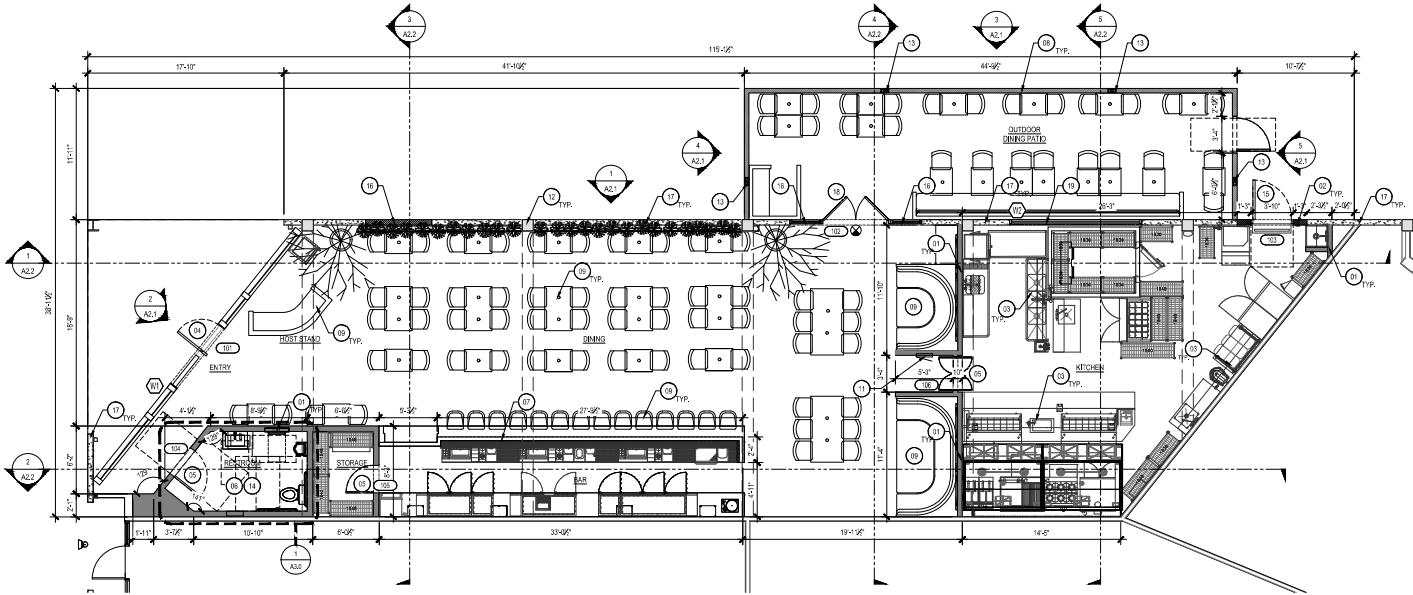
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Sheet Title:	-

SITE PLAN

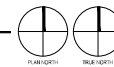
Sheet No. **A0.1**

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1 PROPOSED FLOOR PLAN
3/16" = 1'-0"



FLOOR PLAN KEYNOTES

- (1) NEW INTERIOR NON-BEARING WALL, SEE WALL LEGEND
- (2) NEW EXTERIOR NON-BEARING WALL INFILL, SEE WALL LEGEND
- (3) KITCHEN EQUIPMENT BY OTHERS (FOOD SERVICE PLANS PROVIDED FOR REFERENCE ONLY)
- (4) NEW PRIMARY ENTRY DOOR, REFER TO DOOR SCHEDULE ON SHEET A1.2
- (5) NEW INTERIOR DOOR, REFER TO DOOR SCHEDULE ON SHEET A1.2
- (6) NEW RESTROOM - SEE ENLARGED PLANS ON SHEET A1.0
- (7) NEW PONY WALL (BELOW COUNTER), SEE WALL LEGEND
- (8) NEW LOW MASONRY WALL FOR OUTDOOR PATIO, REFER TO INTERIOR DESIGN DRAWINGS FOR WALL CONFIGURATION.
- (9) NEW FURNITURE BY OTHERS
- (10) NOT USED
- (11) NEW ELECTRICAL PANELS PER ELECTRICAL DRAWINGS
- (12) EXISTING STRUCTURAL COLUMN TO REMAIN
- (13) NEW STRUCTURAL COLUMN / POST PER STRUCTURAL
- (14) NEW PLUMBING FIXTURES, REFER TO SHEET A3.0 FOR ENLARGED RESTROOM PLAN
- (15) NEW SERVICE DOOR PER FOOD SERVICE DRAWINGS, REFER TO DOOR SCHEDULE.
- (16) EXISTING WINDOW TO REMAIN
- (17) EXISTING EXTERIOR WALL TO REMAIN
- (18) EXISTING DOUBLE DOOR TO REMAIN.
- (19) NEW CUSTOM BACKLIT FAUX WINDOW WITH ENCASED GREENERY, PER INTERIOR DESIGN DRAWINGS

FLOOR PLAN LEGEND

- REFER TO "GENERAL NOTES" (1-11) FOR ADDITIONAL INFORMATION.
- NEW NON-BEARING EXTERIOR WALL INFILL
SEE DETAIL 1.0A.1
 - NEW NON-BEARING 2X WOOD STUD INTERIOR WALL
SEE DETAIL 2.0A
 - NEW PONY WALL (BELOW COUNTER)
SEE DETAIL 3.0A.1
 - NEW MASONRY LOW WALL
SEE DETAIL 4.0A.1
 - EXISTING WALL TO REMAIN

FLOOR PLAN GENERAL NOTES

1. GC TO VERIFY IN FIELD ALL EXISTING CONDITIONS PRIOR TO DEMOLITION, FABRICATION AND INSTALLATION.
2. THE CONTRACTOR SHALL PROTECT EXISTING MATERIALS & FINISHES AND INTERIOR ELEMENTS (SHOW) TO REMAIN FROM DAMAGE DURING CONSTRUCTION. PROTECTIVE MEASURES REQUIRED AND AS DIRECTED BY DESIGNER. THE CONTRACTOR IS RESPONSIBLE FOR THE REPAIR/REPLACEMENT OF MATERIALS, FINISHES AND ELEMENTS DAMAGED DURING CONSTRUCTION.
3. PROTECT EXISTING CONCRETE WALKS DURING CONSTRUCTION. CLEAN AND REPAIR EXISTING CONCRETE WALKS AND STEPS, TYPICAL.

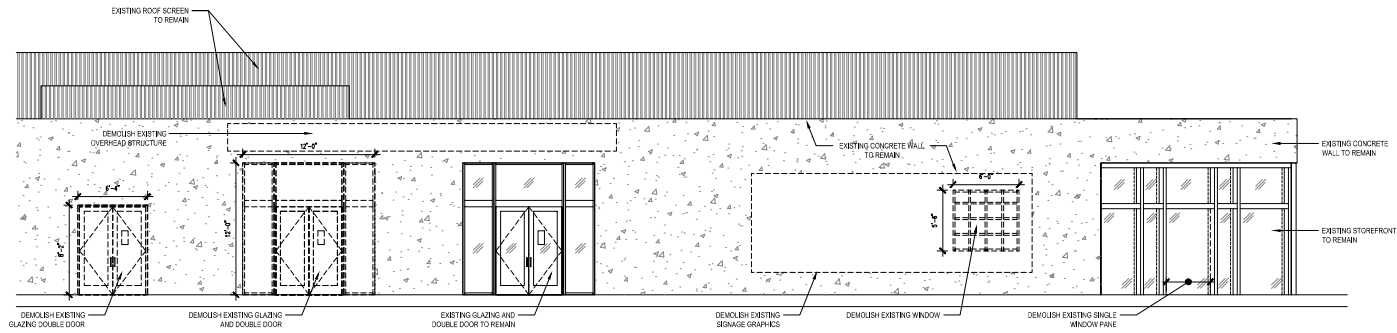
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Bid Issue Date: TBD
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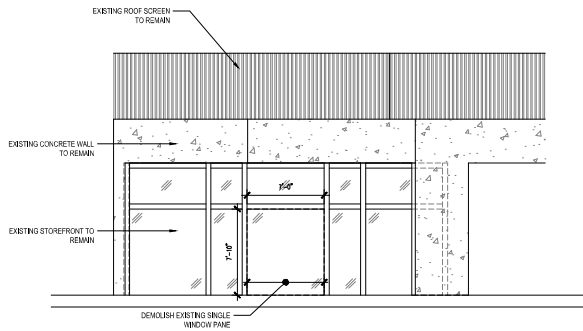
FLOOR PLAN

Sheet No.:
A1.1

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3 EXISTING EXTERIOR ELEVATION - SOUTH
3/16" = 1'-0"



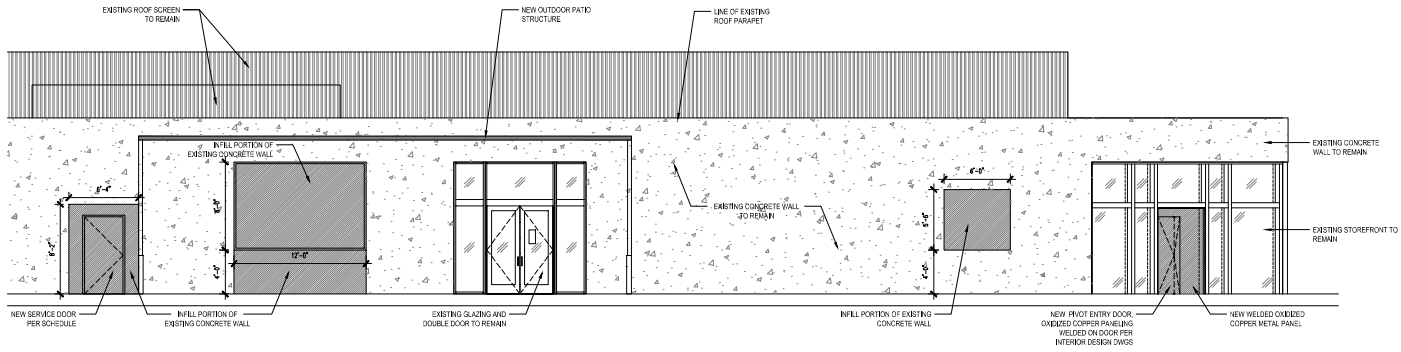
3 EXISTING EXTERIOR ELEVATION - SOUTH
3/16" = 1'-0"

REVISIONS	
DATE	DESCRIPTION
02/27/26	PC1 SUBMITTAL

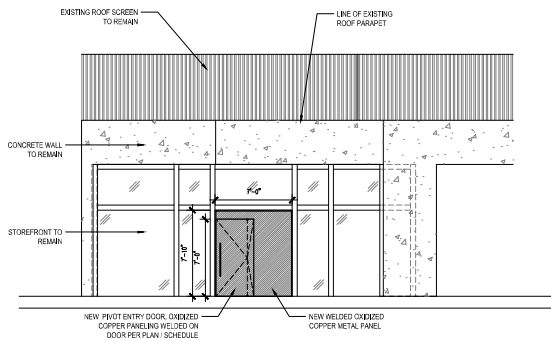
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Date: 02/28/26
Scale: AS NOTED
Project No.: -
Sheet Title: EXISTING EXTERIOR ELEVATIONS

Sheet No.: **A2.0**

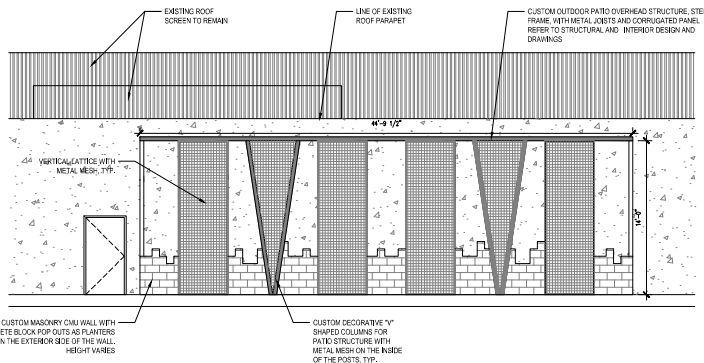
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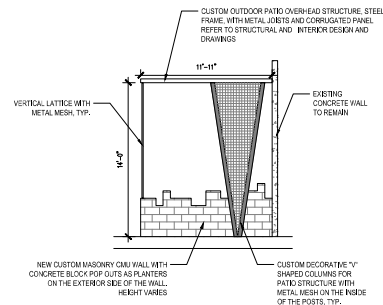
1 PROPOSED EXTERIOR ELEVATION
3/16" = 1'-0"



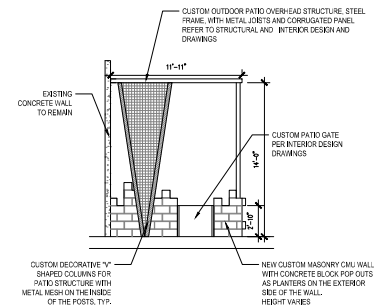
2 EXISTING EXTERIOR ELEVATION
3/16" = 1'-0"



3 EXISTING EXTERIOR ELEVATION
3/16" = 1'-0"



4 EXISTING EXTERIOR ELEVATION
3/16" = 1'-0"



5 EXISTING EXTERIOR ELEVATION
3/16" = 1'-0"

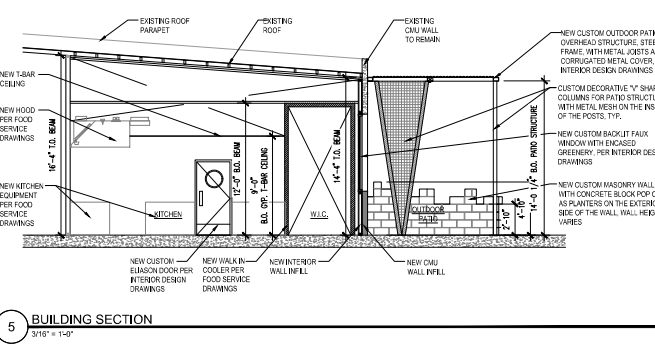
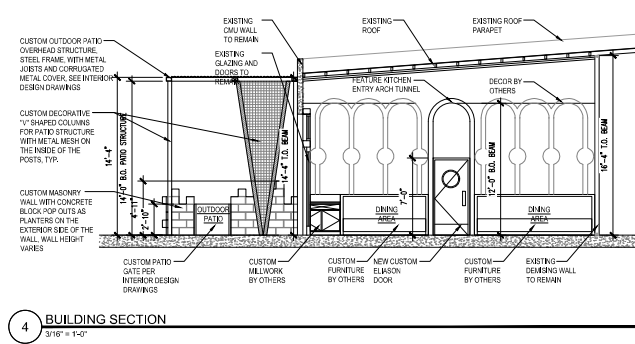
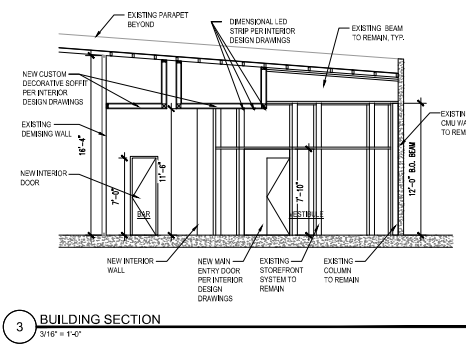
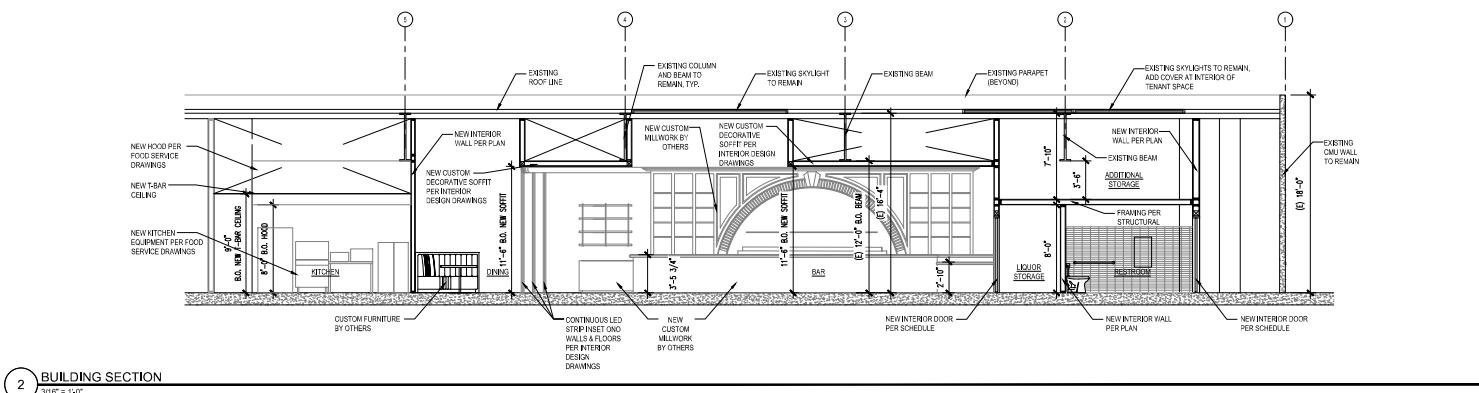
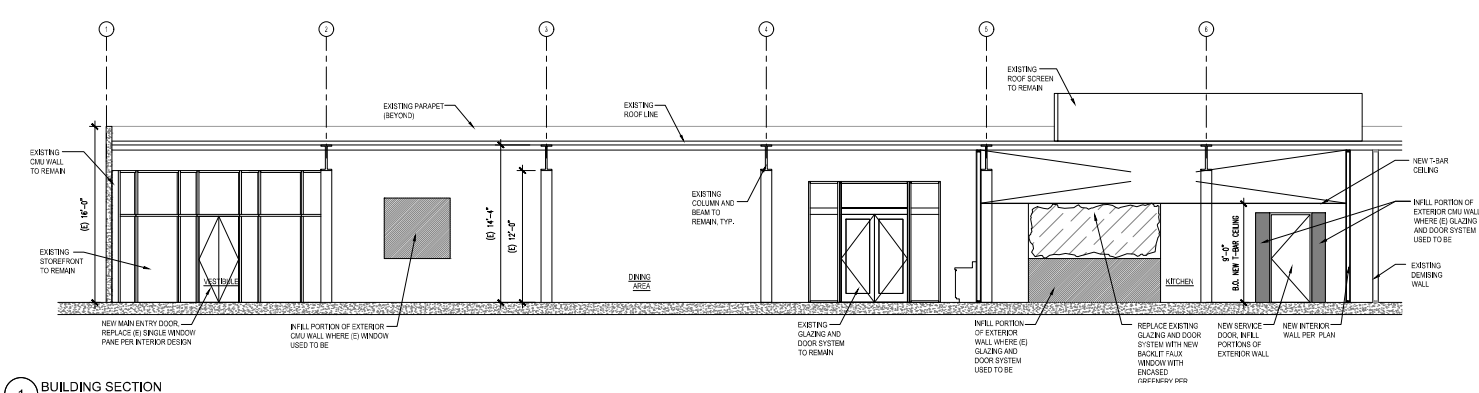
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DATE	DESCRIPTION
02/27/26	PC SUBMITTAL

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Date: 02/28/26
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Project No.: -
Sheet Title: PROPOSED EXTERIOR ELEVATIONS

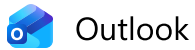
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THREE EYED TIGER
2930 BRISTOL ST.
COSTA MESA, CA 92626

REVISIONS	
DATE	02/27/26
DESCRIPTION	
PC SUBMITTAL	
Bid Issue Date:	TBD
Date:	02/28/26
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Project No.:	-
Sheet Title:	



Application PCUP-26-0005 Site 2930 Bristol Unit B60

From Harold Cozen <h753c@cs.com>

Date Thu 6/11/2026 2:26 PM

To PC Public Comments <PCPublicComments@costamesaca.gov>

Cc Harold Cozen <h753c@cs.com>

 1 attachment (701 KB)

2026-6-11 No alcohol past 1100 PM.pdf;

6-11-2026

As the owner of properties nearby on Randolph and Bristol, I suggest keeping consumption of alcoholic drinks to no later than 11:00 PM

Thank you,
2941 Randolph, LLC

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



R 6/11/2026

OFFICIAL PUBLIC NOTICE

The Costa Mesa Planning Commission will conduct a public hearing as follows to consider:

Hearing Date:	June 22, 2026	Hearing Time & Location:	6:00 PM or as soon as possible thereafter City Hall Council Chambers 77 Fair Drive, Costa Mesa, CA; and virtual locations
Application No.	PCUP-26-0005	Applicant/Agent:	Three Eyed Tiger / Zachary Scherer
Site Address:	2930 Bristol Street, Unit B60	Zone:	General Business District (C2)
Contact:	Planning Division (714) 754-5245	Email Comments to:	PCPublicComments@costamesaca.gov

Description: Conditional Use Permit PCUP-26-0005 is a request to allow the sale of alcohol for onsite consumption after 11:00 P.M. within 200 feet of a residential zone for a restaurant, Three Eyed Tiger, requesting to operate until 12:00 A.M., Tuesday to Saturday with no live entertainment proposed.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

Additional Information: For more information, call (714) 754-5245, or email planninginfo@costamesaca.gov. Planning Division staff are available from 8:00 AM to 5:00 PM Monday through Thursday and alternating Fridays, except specified holidays. All interested parties may submit comments to the Planning Commission in regard to this application. Please refer to the Planning Commission meeting agenda for instructions regarding how to participate in the meeting. The Planning Commission meeting agenda and staff report will be posted online 72 hours prior to the meeting at: <https://costamesa.legistar.com/Calendar.aspx>. Members of the public may submit comments via email to PCPublicComments@costamesaca.gov. Comments received by **12:00 PM** on the date of the meeting will be provided to the Planning Commission, made available to the public, and will be part of the meeting record. Any written communications, photos, PowerPoints or other materials for distribution to the Planning Commission must be 10 pages or less and submitted to the City **NO LATER THAN 12:00 PM** on the day of the hearing via email or submitted to the Planning Department on a flash drive, or mailed to the Planning Department. All materials, 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 note that materials submitted by the public that are deemed appropriate for general audiences will not be redacted in any way and will be posted online as submitted, including any personal contact information. If you challenge this project in court, you may be limited to raising only those issues you, or someone else raised, during the public hearing or in written correspondence submitted to the City, during or prior to, the public hearing.

OFFICIAL PUBLIC NOTICE



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 26-321

Meeting Date: 6/22/2026

TITLE:

CONDITIONAL USE PERMIT (PCUP-26-0003) TO ALLOW THE SALE OF ALCOHOL FOR ON-SITE CONSUMPTION UNTIL 1:30 A.M. WITHIN 200 FEET OF A RESIDENTIAL ZONE FOR AN EXISTING RESTAURANT (NAISHO OMAKASE AND HIGHBALL BAR) AT 3033 BRISTOL STREET, UNIT 117

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT / PLANNING DIVISION

PRESENTED BY: JUSTIN ARIOS, ASSOCIATE PLANNER

CONTACT INFORMATION: JUSTIN ARIOS 714-754-5667 Justin.Arios@costamesaca.gov

RECOMMENDATION:

Staff recommends the Planning Commission:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Conditional Use Permit (PCUP-26-0003) based on findings of fact and subject to conditions of approval.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JUNE 22, 2026

ITEM NUMBER: PH-2

SUBJECT: CONDITIONAL USE PERMIT (PCUP-26-0003) TO ALLOW THE SALE OF ALCOHOL FOR ON-SITE CONSUMPTION UNTIL 1:30 A.M. WITHIN 200 FEET OF A RESIDENTIAL ZONE FOR AN EXISTING RESTAURANT (NAISHO OMAKASE AND HIGHBALL BAR) AT 3033 BRISTOL STREET, UNIT 117

FROM: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT / PLANNING DIVISION

PRESENTATION BY: JUSTIN ARIOS, ASSOCIATE PLANNER

**FOR FURTHER INFORMATION CONTACT: JUSTIN ARIOS
714-754-5667
Justin.Arios@costamesaca.gov**

RECOMMENDATION

Staff recommends the Planning Commission:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Conditional Use Permit PCUP-26-0003 based on findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT

The authorized agent is Michael Cho, representing the applicant/business owner, Andrew Le (Naisho Omakase and Highball Bar) and property owner, 3033 Bristol Street, LLC.

PLANNING APPLICATION SUMMARY

Location:	3033 Bristol Street, Unit 117	Application Number:	PCUP-26-0003
Request:	Conditional Use Permit to allow the sale of alcohol for on-site consumption after 11:00 P.M. within 200 feet of a residential zone for an existing restaurant, Naisho Omakase and Highball Bar, requesting to operate until 1:30 A.M., seven days a week.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	C1 (Local Business District)	North (across Paularino Ave):	C1 (Local Business District)
General Plan:	General Commercial	South:	C1 (Local Business District)
Lot Dimensions:	Irregular 428' x 317' x 460' x 325'	East (across Bristol St):	C1 (Local Business District) & C2 (General Business District)
Lot Area:	119,093 SF (2.7 acres)	West:	R3 (Multiple-Family Residential)
Existing Development:	Multi-tenant shopping center (39,153 SF) with 167 surface parking spaces.		
Tenant Space (size):	1,422 SF		
Required Parking:	157 ¹		
Provided Parking:	167		

¹ Subject property is subject to Assembly Bill (AB) 2097, since it is located within one-half mile of a major transit stop. Pursuant to AB 2097, the City is barred from imposing a minimum parking requirement on the project.

EXECUTIVE SUMMARY

The applicant is requesting approval of Conditional Use Permit (CUP) (PCUP-26-0003) to allow the sale of alcoholic beverages for on-site consumption until 1:30 A.M. within 200 feet of a residential zone for an existing restaurant, *Naisho Omakase and Highball Bar*, located at 3033 Bristol Street, Unit 117. Staff supports the request because the proposed use is consistent with applicable goals, objectives, and policies of the General Plan; complies with applicable provisions of the Zoning Code and required findings; and, as conditioned, would be compatible with surrounding uses. Therefore, staff recommends that the Planning Commission find the project exempt from the CEQA and approve the application based on findings of fact and subject to conditions of approval.

SETTING

The subject property is a 2.7-acre property located at 3033 Bristol Street, located near the intersection of Paularino Avenue and Bristol Street (see Figure 1). There is one point of vehicular ingress/egress along Paularino Avenue and one along Bristol Street. The site is developed as a 39,153-square-foot, multi-tenant commercial center with 167 existing parking spaces.

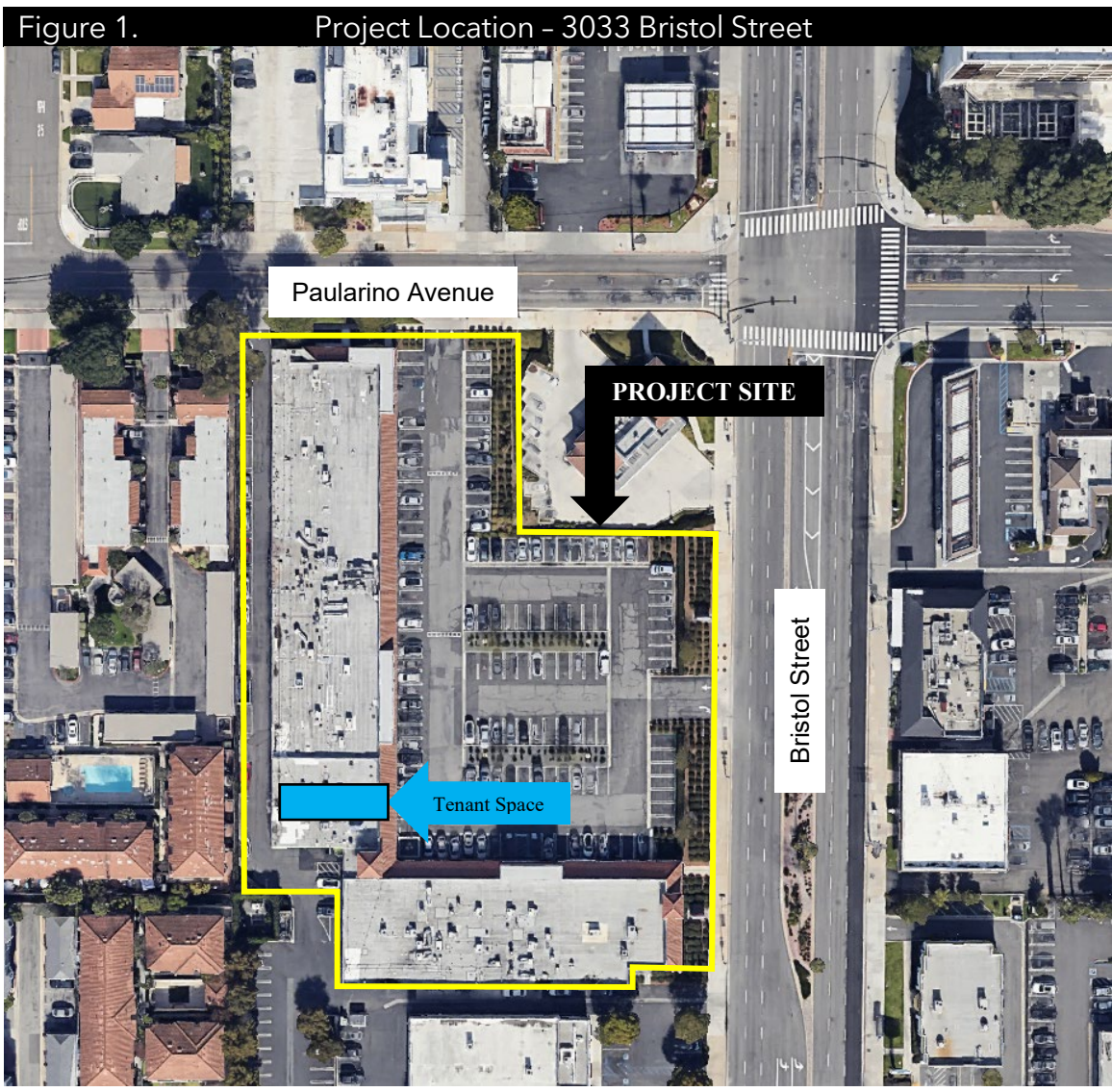


Figure 1. Project Location – 3033 Bristol Street

The site is designated General Commercial by the City’s Land Use Element of the General Plan and is zoned C1 (Local Business District). The General Commercial designation is intended for a wide range of commercial uses that serve both local and regional needs such as retail stores, theaters, restaurants and service establishments. The C1 zone is intended to meet the local business needs of the community by providing a wide range of goods and services in a variety of locations throughout the City. The permitted and conditional uses as well as development standards are aimed toward reducing impacts on surrounding properties especially in those areas where residential uses are in the vicinity.

The subject property is adjacent to similar C1 zoned properties across Paularino Avenue to the north (developed with medical building open until 6:00 P.M. and gas station with convenience store open at all times), to the south (developed with a paint store open until 5:00 P.M.) and across Bristol Street to the east (developed with gas station with

convenience store open at all times, bar open until 2:00 A.M., massage establishment open until 10:00 P.M. and food use that is open until 10:00 P.M.). Also, across Bristol Street to the east is a C2 (General Business District) zoned property, developed with a dry cleaner use (open until 7:00 P.M.). An R3 (Multiple-Family Residential) zoned property is located to the west and is developed with apartments. The property directly adjacent to the subject property on the corner of Paularino Avenue and Bristol Street is zoned C1 and developed with an oil change use (open until 7:00 P.M.).

BACKGROUND

Naisho Omakase and Highball Bar is an existing full-service Japanese restaurant featuring omakase-style dining and a specialty craft Tokyo-style bar. The existing restaurant has been operating since the beginning of this year (2026). The current hours of operation are 5:00 P.M. to 11:00 P.M., seven days a week and the restaurant currently operates with a Type 47 (On-Sale General) State Alcoholic Beverage Control (ABC) License. Pursuant to Costa Mesa Municipal Code (CMMC) Table 13-47(a), food establishments are permitted by right in the C1 zone and are not subject to the approval of a CUP.

REQUEST

The applicant is requesting approval of a CUP to allow the sale of alcoholic beverages for on-site consumption until 1:30 A.M. within 200 feet of a residential zone for an existing restaurant, *Naisho Omakase and Highball Bar*. The existing restaurant will operate from 5:00 P.M. to 1:30 A.M., seven days a week. The restaurant will maintain a Type 47 ABC license, which authorizes the sale of beer, wine, and distilled spirits for consumption on the licensed premises. No live entertainment, live entertainment area, outdoor activity, or dancing area is proposed as part of this project. As noted above, the existing restaurant use is permitted by right and is not subject to a CUP.

STANDARD OF REVIEW

To approve CUP applications under CMMC Section 13-29(g)(2)(a-c), 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 permit must not harm public health, safety, or welfare, not permit a use, density, or intensity inconsistent with the general plan or specific plans for the property.

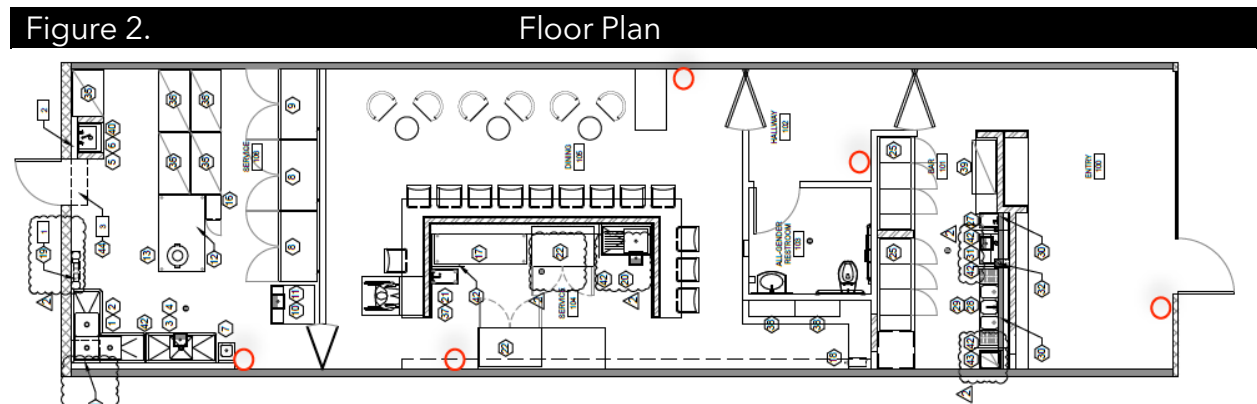
Furthermore, all planning applications must adhere to broader "Review Criteria" outlined in the CMMC. These include ensuring neighborhood compatibility, safety and design consistency, compliance with performance standards, and alignment with the general plan and/or applicable specific plans. Each application is project-specific and evaluated on its unique merits to ensure it aligns with the City's development standards.

A comparison and analysis of the project applicable CUP findings, and project compliance with the City's required Review Criteria is provided further below in this report under the Analysis section.

ANALYSIS

The applicant is proposing to extend the closing time of the restaurant from 11:00 P.M. to 1:30 A.M.; the new hours of operation would be 5:00 P.M. to 1:30 A.M., seven days a week. As mentioned in the applicant letter, the project would employ approximately four to eight employees that would be on-site at one time, depending on the shift.

Omakase is a Japanese dining style in which a multi-course meal is curated and prepared by the chef as part of the dining experience. This type of dining experience requires an advance reservation for a set dining time. Walk-ins are not typical. As part of the dining experience and reservation, patrons would be allowed to order drinks before or after their meal in the entry/waiting area, see Figure 2. When the seating is ready, patrons would enter the main dining area where their multi-course meal would be prepared and consumed. The back of house contains the storage area and additional prep, which also has access to the rear service door (closest to the adjacent residential neighborhood).



The surrounding area includes a mix of commercial and residential uses, including medical offices open until 6:00 P.M., gas stations with convenience stores open 24 hours a day, seven days a week, a paint store open until 5:00 P.M., a bar open until 2:00 A.M., a massage establishment open until 10:00 P.M., food uses open until 10:00 P.M., a dry cleaner open until 7:00 P.M., an apartment complex, and an oil change business open until 7:00 P.M. The range of surrounding uses and hours of operation demonstrates that the area already includes commercial activity during evening and late-night hours.

The proposed extended hours of operation would remain compatible with the existing commercial development pattern in the area and would not result in adverse impacts to nearby residential properties. Other restaurants within the same shopping center, including Anjin and Curry Do, are open after 11:00 P.M., and other nearby uses, including

the gas stations and bar, also operate during late-night hours or provide alcohol service after 11:00 P.M. In addition, the restaurant operates primarily by reservation and is not anticipated to have a high number of customers on-site at any given time. As conditioned, the proposed use would not generate adverse noise, traffic, parking, trash, lighting, or other operational impacts. Conditions of approval have been included to ensure the use is operated in a manner that avoids disturbances and maintains the quiet enjoyment of the surrounding neighborhood, including Conditions of Approval Nos. 3 and 4 in the attached Draft Resolution.

Additionally, the City's Police Department has reviewed the request and indicated that it has no concerns regarding the proposed extended hours of operation and alcohol service.

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 through 2035. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that serve both local needs and attract regional international spending, and providing 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 proposed restaurant use is in conformance with the General Plan land use designation for the property. The following analysis evaluates the proposed project's consistency with specific policies and objectives of the 2015-2035 General Plan.

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 need of the business and residential segments of the community.*

Consistency: The proposed restaurant use contributes to the mix of restaurant and commercial services provided in the immediate area. The commercial center contains a mix of commercial goods and services, and the proposed use would support the mix of uses and services available in the commercial shopping center.

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 restaurant use contributes to the City's long-term fiscal health by supporting continued commercial activity within an existing commercial center. The extended hours would help retain an existing local business and provide additional dining options for residents, visitors, and employees in the surrounding area.

3. **Policy LU-6.7:** *Encourage new and retain existing businesses that provide local shopping and services.*

Consistency: The proposed application will result in retaining an existing restaurant that provides dining opportunities for local businesses, visitors, and residents.

FINDINGS

Pursuant to CMMC, Section 13-29(g), Findings, 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. **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 Finding. The proposed project is to allow an existing restaurant to expand its hours of operation and sale of alcoholic beverages until 1:30 A.M. within 200 feet of a residential zone. The proposed modification in operations would be compatible with commercial developments in the same general area and would not be materially detrimental to the nearby residential properties because conditions of approval have been included to avoid potential noise, trash and light disturbances. The existing center contains various commercial retail uses and food/beverage uses, which are compatible with the current and proposed use. The applicant would continue to occupy the existing tenant space and does not propose an expansion to the interior square footage. There are also no proposed exterior modifications or site improvements. This application seeks to allow late night hours of operation for a restaurant that serves alcoholic beverages, like other adjacent restaurants and surrounding businesses. The use is permitted by right and the extended hours of operation are conditionally permitted, subject to conditions of approval as included in this application.

- b. **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 use, as conditioned, would not generate adverse noise, traffic, or parking impacts that are unusual for commercially zoned properties. Furthermore, conditions of approval require the use to be conducted in a manner that would allow for the quiet enjoyment of the surrounding neighborhood. The Police Department has reviewed the proposed use and has no objections to the approval of the application. No live entertainment or outdoor activity are proposed as part of this project.

- c. **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 restaurant is permitted by right in the C1 (Local Business) zone and the extended hours of operation are conditionally permitted, subject to conditions of approval as included in this application. The General Plan land use designation of the property is General Commercial. The existing restaurant use is an appropriate retail use for the General Commercial land use designation. The proposed project would allow the existing restaurant to expand its hours of operation and sale of alcoholic beverages until 1:30 A.M. and is a negligible change to the use. Furthermore, the proposed project is consistent with General Land Use Policy LU-1.1 and LU-6.7 in that the proposed project would contribute to a mix and balance of commercial goods, services, and employment opportunities and would also retain the existing retail business and continue to provide dining opportunities for local businesses, visitors, and residents.

Review Criteria

Pursuant to CMMC Section 13-29(e), all planning applications shall be reviewed for consistency with the following review criteria. Below is a summary of the project's conformity with each criterion:

(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.

The proposed modification to operations would be compatible and harmonious with the existing commercial center and surrounding neighborhood. The applicant would continue to occupy the existing tenant space, with no expansion, exterior modifications, or site improvements proposed. The center includes a variety of commercial retail, restaurant, and food and beverage uses, including other restaurants on the same property. The restaurant use is permitted by right, and the proposed late night hours are conditionally permitted, subject to conditions of approval. As conditioned, the use would not result in adverse noise, traffic, parking, trash, lighting, or other operational impacts and would not be materially detrimental

to nearby residential properties. No live entertainment or outdoor activity is proposed, and the Police Department has no objections to the request.

(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.

Safety and compatibility are maintained through the proposed project design as there will be no increase to the gross floor area of the existing building, as no tenant improvements will be made to the interior of the existing tenant space. No parking spaces will be impacted through this project, and as such, automobile circulation will not be impacted. Existing pedestrian circulation will still be maintained.

(3) Compliance with any performance standards as prescribed in the Zoning Code.

All performance standards have been deemed to be met as described in the analysis section of this report.

(4) Consistency with the General Plan and any applicable specific plan.

The restaurant is permitted by right in the C1 (Local Business) zone and the extended hours of operation are conditionally permitted, subject to conditions of approval as included in this application. The General Plan land use designation of the property is General Commercial. The existing restaurant use is an appropriate retail use for the General Commercial land use designation. Furthermore, the proposed project is consistent with General Land Use Policy LU-1.1 and LU-6.7 in that the proposed project would mix and balance of housing opportunities, commercial goods and services, and employment opportunities and would also retain the existing retail business and continue to provide dining opportunities for local businesses, visitors, and residents.

(5) The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

The zoning application is for a unique project-specific case at a unique site with special circumstances and will not be precedent setting 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.

The proposed project includes only one application, of which the cumulative effect has been considered through this report.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the CEQA pursuant to CEQA Guidelines Section 15301 (Class 1 - Existing Facilities) for the permitting and/or minor alteration of existing facilities. The project involves no exterior alterations or additions to an existing commercial tenant space. As conditioned and proposed, the project will have little or no impact on the surrounding area. There will be no resulting increase in the existing floor area of the tenant space. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply. The Project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location and would not impact any historic resources.

ALTERNATIVES

As an alternative to the recommended action, the Planning Commission may:

1. *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.
2. 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.

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 June 10, 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 June 11, 2026.

3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on June 12, 2026.

As of the completion date of this report, two written public comments have been received and are provided as an attachment to this report (Attachment 7). The public comments raised concerns with the requested additional late night alcohol service and potential related impacts from inebriated patrons and proximity to residential neighborhoods. Any additional public comments received prior to the June 22, 2026, Planning Commission meeting will be provided separately.

CONCLUSION

Approval of the project would allow the existing restaurant to expand its hours of operation and sale of alcoholic beverages until 1:30 A.M., within 200 feet of a residential zone. 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 residences 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.

ATTACHMENTS

1. Draft Planning Commission Resolution
2. Applicant Letter
3. Vicinity Map
4. Zoning Map
5. Site Photos
6. Project Plans
7. Public Comments

RESOLUTION NO. PC-2026-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION PCUP-26-0003 TO ALLOW THE SALE OF ALCOHOL FOR ON-SITE CONSUMPTION UNTIL 1:30 A.M. WITHIN 200 FEET OF A RESIDENTIAL ZONE FOR AN EXISTING RESTAURANT (NAISHO OMAKASE AND HIGHBALL BAR) AT 3033 BRISTOL STREET, UNIT 117

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

WHEREAS, Planning Application PCUP-26-0003 was filed by Michael Cho on behalf of Andrew Le (Naisho Omakase and Highball Bar), authorized agent for the property owner, 3033 Bristol Street, LLC, requesting approval of a Conditional Use Permit to allow the sale of alcohol for onsite consumption after 11:00 P.M. within 200 feet of a residential zone for an existing restaurant, Naisho Omakase and Highball Bar, requesting to operate until 1:30 AM, seven days a week;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 22, 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 categorically exempt from the provisions of the CEQA pursuant to Section 15301 (Class 1, 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-26-0003 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-26-0003 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 22nd day of June, 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 June 22, 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 CMMC Section 13-29(g), Findings, 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. **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 Finding. The proposed project is to allow an existing restaurant to expand its hours of operation and sale of alcoholic beverages until 1:30 A.M. within 200 feet of a residential zone. The proposed modification in operations would be compatible with commercial developments in the same general area and would not be materially detrimental to the nearby residential properties because conditions of approval have been included to avoid potential noise, trash and light disturbances. The existing center contains various commercial retail uses and food/beverage uses, which are compatible with the current and proposed use. The applicant would continue to occupy the existing tenant space and does not propose an expansion to the interior square footage. There are also no proposed exterior modifications or site improvements. This application seeks to allow late night hours of operation for a restaurant that serves alcoholic beverages, like other adjacent restaurants and surrounding businesses. The use is permitted by right and the extended hours of operation are conditionally permitted, subject to conditions of approval as included in this application.

- b. **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 use, as conditioned, would not generate adverse noise, traffic, or parking impacts that are unusual for commercially zoned properties. Furthermore, conditions of approval require the use to be conducted in a manner that would allow for the quiet enjoyment of the surrounding neighborhood. The Police Department has reviewed the proposed use and has no objections to the approval of the application. No live entertainment or outdoor activity are proposed as part of this project.

- c. **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 restaurant is permitted by right in the C1 (Local Business) zone and the extended hours of operation are conditionally permitted, subject to conditions of approval as included in this application. The General Plan

land use designation of the property is General Commercial. The existing restaurant use is an appropriate retail use for the General Commercial land use designation. The proposed project would allow the existing restaurant to expand its hours of operation and sale of alcoholic beverages until 1:30 A.M. and is a negligible change to the use. Furthermore, the proposed project is consistent with General Land Use Policy LU-1.1 and LU-6.7 in that the proposed project would contribute to a mix and balance of commercial goods, services, and employment opportunities and would also retain the existing retail business and continue to provide dining opportunities for local businesses, visitors, and residents.

- B. Pursuant to CMMC Section 13-29(e), all planning applications shall be reviewed for consistency with the following review criteria. Below is a summary of the project's conformity with each criterion:

(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.

The proposed modification to operations would be compatible and harmonious with the existing commercial center and surrounding neighborhood. The applicant would continue to occupy the existing tenant space, with no expansion, exterior modifications, or site improvements proposed. The center includes a variety of commercial retail, restaurant, and food and beverage uses, including other restaurants on the same property. The restaurant use is permitted by right, and the proposed late night hours are conditionally permitted, subject to conditions of approval. As conditioned, the use would not result in adverse noise, traffic, parking, trash, lighting, or other operational impacts and would not be materially detrimental to nearby residential properties. No live entertainment or outdoor activity is proposed, and the Police Department has no objections to the request.

(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.

Safety and compatibility are maintained through the proposed project design as there will be no increase to the gross floor area of the existing building, as no tenant improvements will be made to the interior of the existing tenant space. No parking spaces will be impacted through this project, and as such, automobile circulation will not be impacted. Existing pedestrian circulation will still be maintained.

(3) Compliance with any performance standards as prescribed in the Zoning Code.

All performance standards have been deemed to be met as described in the analysis section of this report.

(4) Consistency with the General Plan and any applicable specific plan.

The restaurant is permitted by right in the C1 (Local Business) zone and the extended hours of operation are conditionally permitted, subject to conditions of approval as included in this application. The General Plan land use designation of the property is General Commercial. The existing restaurant use is an appropriate retail use for the General Commercial land use designation. Furthermore, the proposed project is consistent with General Land Use Policy LU-1.1 and LU-6.7 in that the proposed project would mix and balance of housing opportunities, commercial goods and services, and employment opportunities and would also retain the existing retail business and continue to provide dining opportunities for local businesses, visitors, and residents.

(5) The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

The zoning application is for a unique project-specific case at a unique site with special circumstances and will not be precedent setting 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.

The proposed project includes only one application, of which the cumulative effect has been considered through this report.

- C. **Environmental Determination.** The project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 (Class 1 – Existing Facilities) which exemption applies to minor alterations to existing facilities or structures involving negligible or no expansion of the existing use. The project involves no exterior alterations or additions to an existing commercial tenant space. As conditioned and proposed, the project will have little or no impact on the surrounding area. There will be no resulting increase in the existing floor area of the tenant space. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply. The Project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location and would not impact any historic resources.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. The use of this tenant space for shall comply with the approved plans and these conditions of approval. 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.
 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 business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood, including but not limited to keeping rear service door (adjacent to the residential developments) closed at all times, ensuring that employees and visitors do not loiter in the rear (adjacent to the residential developments). The business shall institute whatever security measures are necessary to comply with this requirement.
 4. The applicant shall maintain areas that are under the applicant's control and ensure areas are well maintained and free of litter.
 5. There shall be no sales of alcoholic beverages for off-site consumption.
 6. For establishments with a State Alcoholic Beverage Control (ABC) License, all sales and service staff (within 90 days of hire) shall complete Responsible Beverage Service (RBS) training with a provider approved by the California Department of Alcoholic Beverage Control. A copy of the

training certificates shall be kept on premises and presented to any authorized City official upon request.

7. A copy of the conditions of approval for the conditional use permit shall 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.
8. 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.
9. 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.
10. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or it, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
11. Once the use is legally established, the planning/zoning application herein approved shall be valid until revoked. The Director of Economic & Development Services or designee may refer the planning/zoning application to the Planning Commission for modification or revocation at any time if any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances; 3) one or more of the findings upon which the approval was based are no longer applicable; 4) the approval was obtained through fraudulent, erroneous, or misleading information; 5) the use is being operated in an illegal or disorderly manner; 6) the terms or conditions of approval of the conditional use permit have been violated; 7) the use creates an adverse impact on the health, safety, or welfare of surrounding properties and uses; or 8) the use is operated in violation of ABC rules and regulations.
12. 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.

13. The sale, service, and consumption of alcoholic beverages shall be limited to the approved hours of operation and shall cease no later than 1:30 A.M. daily.

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.

- PIng.
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 7AM to 7PM Monday through Friday and 9AM to 6PM. 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.

APPLICANT: Naisho Omakase LLC dba “Naisho Omakase and Highball Bar”
REQUEST: Approval of Conditional Use Permit (CUP) Permitting Late Hours in
Conjunction With The Operation of the Existing Restaurant
ADDRESS: 3033 Bristol St., #117, Costa Mesa, CA 92626

PROJECT NARRATIVE:

BACKGROUND. The newly opened existing Naisho Omakase and Highball Bar currently has a Type 47 On-Sale General Eating Place (Beer, Wine & Distilled Spirits) Alcoholic Beverage License. The newly opened existing restaurant is owned and operated by Naisho Omakase LLC. The existing restaurant is a full service casual upscale Japanese omakase style dining restaurant with a specialty craft Tokyo style bar. This is the only location of Naisho Omakase and Highball Bar.

The subject property is located on 3033 Bristol St., #117, Costa Mesa, CA 92626 at Paularino Avenue. The site is bounded by other commercial/retail and residential uses. The existing restaurant will continue to serve the local residents of the surrounding community and tourists.

The existing one (1) story restaurant is approximately 1,422 square feet. The existing restaurant is open seven (7) days a week. The current hours of operation are 5:00 pm to 11:00 pm.

The project will employ approximately 4 to 8 employees that would be on-site at one time depending on the shift.

The surrounding land uses are as follows:

North: Commercial/Retail.
South: Commercial/Retail.
East: Commercial/Retail.
West: Residential.

REQUEST. Approve a Conditional Use Permit to authorize late hour operations of a restaurant with alcohol to 1:30 am seven (7) days a weeks.

USE PERMIT APPLICATION JUSTIFICATION

The proposed request meets the requirements set forth in the City of Costa Mesa Municipal Code.

BURDEN OF PROOF:

- 1. The use is consistent with the General Plan and any applicable specific plan;**

Response: The proposed late hours are consistent with the City of Costa Mesa General Plan and provisions of the Municipal Code.

- 2. The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code;**

Response: The proposed late hours are consistent and permitted in the zoning district and is subject to all the regulations, conditions, policies or other requirements of the Municipal Code.

3. The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity;

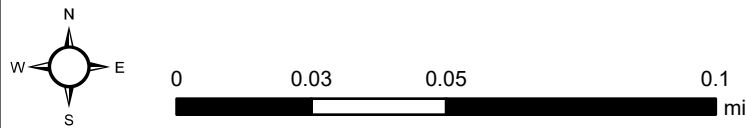
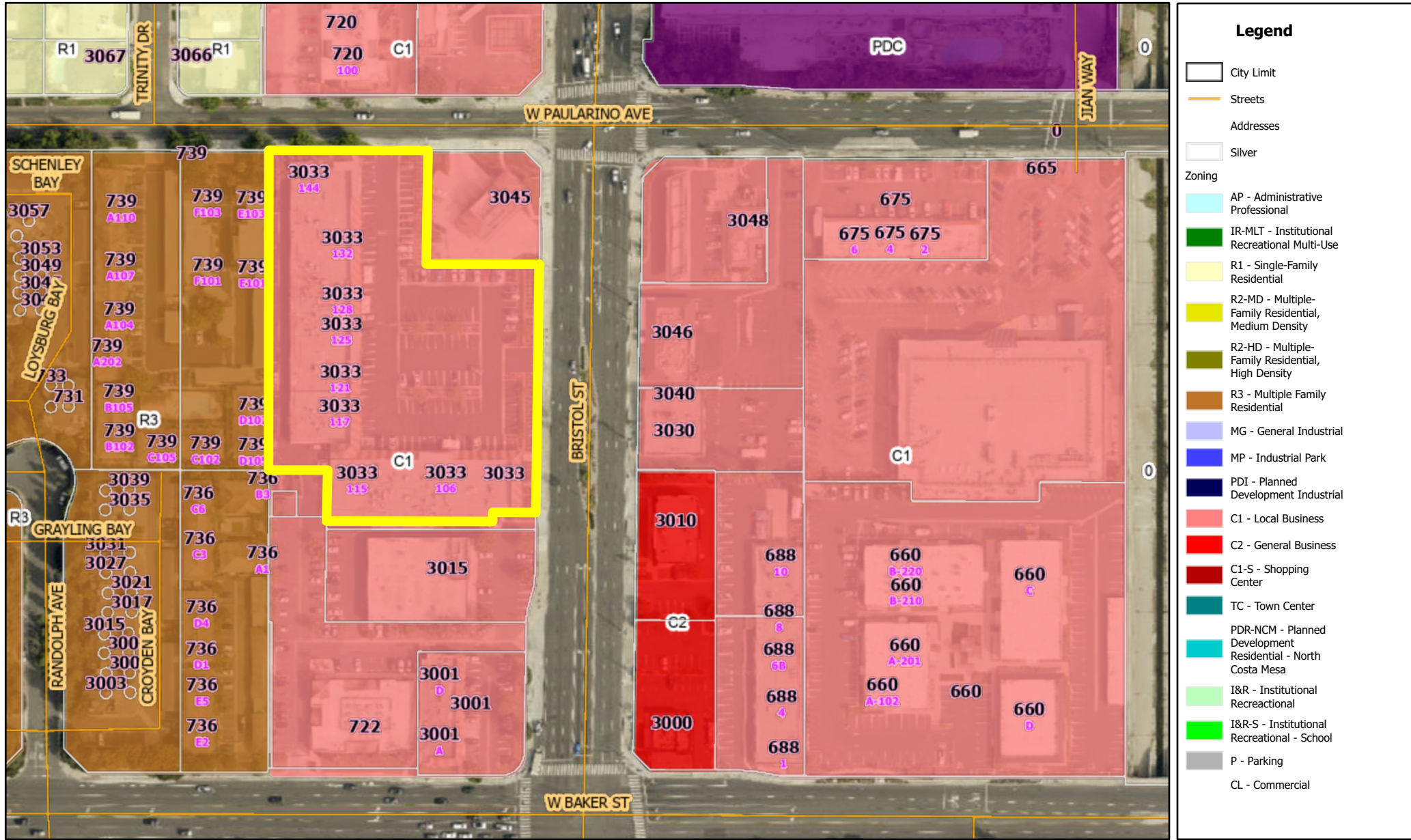
Response: The proposed late hours are consistent with the adjacent uses and will not materially affect the surrounding community or environment. The restaurant and request is ideally suited for its location being directly on Bristol Street, a major thoroughfare. The approval of the request that serves the local community and tourism, will not adversely affect the public's health, safety, welfare nor will it jeopardize or endanger the public. It will not be detrimental to the use, valuation or enjoyment of surrounding property owners or residents.

4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities; and

Response: The proposed site, an existing restaurant, is not inconsistent with the adjacent uses and will not materially affect the surrounding community or environment. The proposed site located within an existing shopping center is ideally suited for the area. The approval of the request that serves the local community and tourism, will not adversely affect the public's health, safety, welfare nor will it jeopardize or endanger the public. It will not be detrimental to the use, valuation or enjoyment of surrounding property owners or residents.

5. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, nor endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

Response: The proposed use will contribute to the economic growth of the City as it will serve the local community and tourism. The proposed use will not adversely affect the public's health, safety, welfare nor will it jeopardize or endanger the public. It will not be detrimental to the use, valuation or enjoyment of surrounding property owners or residents. Since 2000, Anjin, a Japanese Yakiniku steakhouse serving premium beef grilled tableside has operated with alcohol until 1:00 am seven days a week.



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.

1. Existing tenant frontage - front entrance



2. Portion of existing multi-tenant building - facing Bristol Street

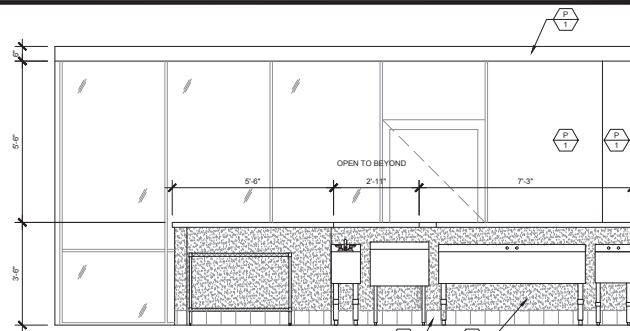


3. Remaining portion of existing multi-tenant building - facing Bristol Street



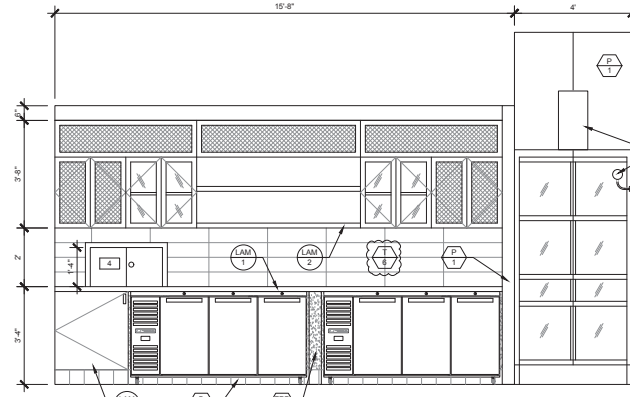
4. Existing multi-tenant building - facing Paularino Avenue





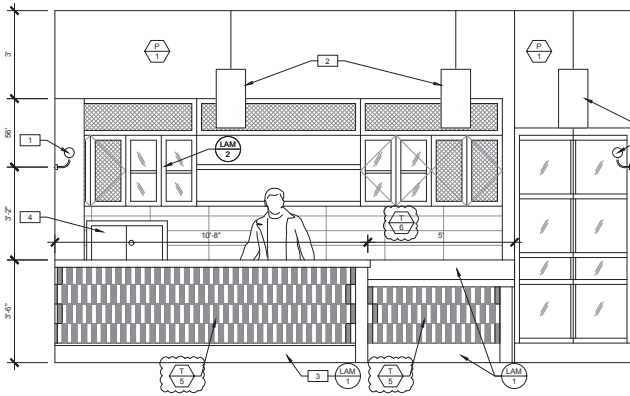
C ELEVATION - BAR 101

SCALE 1/2" = 1'-0"



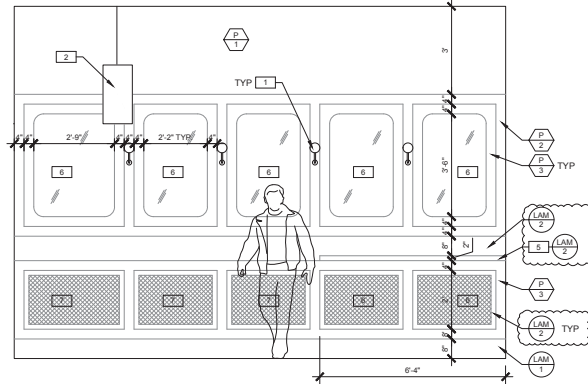
B ELEVATION - BAR 101

SCALE 1/2" = 1'-0"



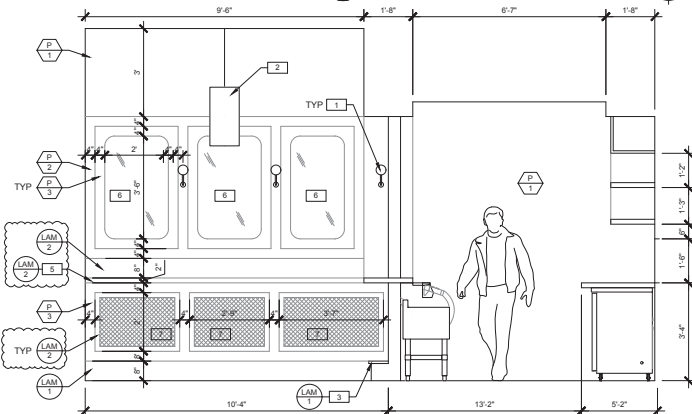
A ELEVATION - BAR 101

SCALE 1/2" = 1'-0"



E ELEVATION - BAR 101

SCALE 1/2" = 1'-0"



D SECTION - BAR 101

SCALE 1/2" = 1'-0"

KEYNOTES

- 1 WALL SCONES TO BE MOUNTED AT 80" A.F.F., SEE A4.1 FOR SPECIFICATION.
- 2 PENDANT LIGHT TO BE IN THIS LOCATION AT 8'-0" A.F.F., SEE A4.1 FOR SPECIFICATION.
- 3 FOOT REST IN THIS LOCATION, SEE 6/AB.3 FOR DETAIL.
- 4 16" H PASS THRU WINDOW TO BE AT 40" A.F.F. IN THIS LOCATION.
- 5 PROVIDE 8" DEPTH DRINK RAIL IN THIS LOCATION.
- 6 TINTED ANTIQUE MIRROR WITH FRAME TO MATCH LAM 1 TO BE IN THIS LOCATION.
- 7 BRASS MESH SCREEN PANELS WITH FRAME TO BE STAINED TO MATCH LAM 2 TO BE IN THIS LOCATION.

FINISH LEGEND

WALL FINISHES

- ITEM PAINT - ENTRY 100, BAR 101, SERVICE 104
- MFR DUNN EDWARDS
- COLOR DET641 FORDIC WHITE
- FINISH EGGSHELL
- ITEM PAINT - ENTRY 100
- MFR DUNN EDWARDS
- COLOR SETCOP FINE TO BLACK
- FINISH EGGSHELL
- ITEM PAINT - ENTRY 100
- MFR DUNN EDWARDS
- COLOR DET101 CHARCOAL BRIQUETTE
- FINISH EGGSHELL
- ITEM PAINT - HALLWAY 102
- MFR DUNN EDWARDS
- COLOR DET137 COTTON CLUB
- FINISH EGGSHELL
- ITEM PAINT - HALLWAY 102
- MFR DUNN EDWARDS
- COLOR DET433 TIFFANY ROSE
- FINISH EGGSHELL
- ITEM PAINT - SERVICE 104
- MFR DUNN EDWARDS
- COLOR DET655 RECLAIMED WOOD
- FINISH EGGSHELL
- ITEM PAINT - DINING 105
- MFR DUNN EDWARDS
- COLOR DET619 CELLARWOOD
- FINISH EGGSHELL
- ITEM WALL TILE - RESTROOM 103
- MFR BEDROSANS
- COLOR BECDLDRN2G / PINK
- FINISH GLOSS
- SIZE 12" X 12"

- ITEM STONEWORK FLUTED - DINING 105
- MFR TILE BAR
- COLOR BOTTIGNO
- FINISH 3D HONEY
- ITEM BEDROSANS
- COLOR ALLORA RHOMBIO - SERVICE 104
- FINISH MATT
- ITEM ARIZONA TILE
- MFR CURVE WALL TILE - SERVICE 104
- COLOR TALPE - ATCORVETA
- FINISH MATT (AZED)
- ITEM ALTRES HERO TILE - BAR 101
- MFR TILE BAR
- COLOR BLACK/WHITE
- FINISH POLISHED
- ITEM PREMIUM FLUTED - BAR 101, HALLWAY 102, RESTROOM 103
- MFR TILE BAR
- COLOR CALACATTA VIOLA
- FINISH HONEY
- ITEM 8" X 8" FLUTED
- MFR WOOD WALL BASE - TYPICAL
- COLOR MATCH WALL PAINT
- FINISH MATCH WALL PAINT
- ITEM QUARRY COVE BASE - BAR 101, SERVICE 104, 106
- MFR DALTLE
- COLOR ARD GRAY
- FINISH MATTE (SMOOTH)
- ITEM FIBREGLASS REINFORCED PANEL - BAR 101, SERVICE 104, 106
- MFR MARLITE
- COLOR BRIT WHITE / P190
- FINISH PEBBLED
- ITEM FLOOR FINISHES
- ITEM VINYL FLOOR - ENTRY 100
- MFR LOUIS FLOOR
- COLOR LNE212 / MEDIEVAL
- FINISH SV ACRYLIC
- ITEM QUARRY FLOOR TILE - BAR 101, SERVICE 104, 106
- MFR DALTLE
- COLOR ARD GRAY
- FINISH MATTE (SMOOTH)
- ITEM FLOOR TILE - RESTROOM 103
- MFR EASER
- COLOR F1 BERG/1224 / STERLINA 103
- FINISH MATTE
- ITEM VINYL FLOOR TILE - HALLWAY 102
- MFR ARMSTRONG
- COLOR 8076 / BLACK / SC899 WHITE
- FINISH MATTE
- ITEM EPOXY CONCRETE SEALANT - DINING 105
- MFR CUSTOM
- COLOR CUSTOM
- FINISH CUSTOM
- ITEM BRUSHED METAL LAMINATE - ENTRY 100, BAR 101
- MFR FORMICA
- COLOR M403 / B
- FINISH BRUSHED BRASS
- ITEM FREMONT OAK LAMINATE - ENTRY 100
- MFR WILSONART
- COLOR 8291K / 79
- FINISH REDWOOD
- ITEM STANDARD LAMINATE - DINING 105
- MFR WILSONART
- COLOR 7987 / 38 PALISADE OAK
- FINISH CASSEAL
- ITEM DECORATIVE DOOR METAL LAMINATE - RESTROOM 103
- MFR WILSONART
- COLOR L544 / 406
- FINISH BRUSHED AGED GOLD
- ITEM COVE SHAPE PROFILE - RESTROOM 103
- MFR SCHLUTER - DILEX / ARK
- COLOR 849K / 10500
- FINISH BRONZE
- ITEM WALL PAPER - HALLWAY 102
- MFR PHOTO WALL
- COLOR PINK / BEIGE - E93975
- FINISH PINK / BEIGE SPATTER

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All existing field dimensions and conditions are to be verified by the owner and/or contractors prior to starting construction. Any deviation or changes shall be notified to King Kong Studio Inc.



NAISHO OMAKASE
3033 BRISTOL ST, SUITE 117
COSTA MESA, CA 92626

PROJECT NAME: NAISHO OMAKASE
PROJECT LOCATION: 3033 BRISTOL ST, SUITE 117 COSTA MESA, CA 92626

STATUS / ACTION drawn by: M.L.

DATE	ACTION ITEM
06.24.2025	PLAN REVIEW
07.09.2025	LL COMMENTS
08.26.2025	1ST CORRECTION

KEYNOTE	DESCRIPTION	STATUS
1	WALL SCONES TO BE MOUNTED AT 80" A.F.F., SEE A4.1 FOR SPECIFICATION.	-
2	PENDANT LIGHT TO BE IN THIS LOCATION AT 8'-0" A.F.F., SEE A4.1 FOR SPECIFICATION.	-
3	FOOT REST IN THIS LOCATION, SEE 6/AB.3 FOR DETAIL.	-
4	16" H PASS THRU WINDOW TO BE AT 40" A.F.F. IN THIS LOCATION.	-
5	PROVIDE 8" DEPTH DRINK RAIL IN THIS LOCATION.	-
6	TINTED ANTIQUE MIRROR WITH FRAME TO MATCH LAM 1 TO BE IN THIS LOCATION.	-
7	BRASS MESH SCREEN PANELS WITH FRAME TO BE STAINED TO MATCH LAM 2 TO BE IN THIS LOCATION.	-

From: [ARIOS, JUSTIN](#)
To: [ARIOS, JUSTIN](#)
Subject: FW: PCUP-26-0033
Date: Monday, June 15, 2026 8:07:13 AM

From: Bruce Finnie <bacfinnie@ca.rr.com>
Sent: Saturday, June 13, 2026 7:41 PM
To: PC Public Comments <PCPublicComments@costamesaca.gov>
Subject: PCUP-26-0033

Sent from my iPhone

NO to extended alcohol hours..I live within 500 ft and hear late night racing on Paularino Ave virtually every night..until CM Police can get a handle on the late night racing it is ludicrous to extend the alcohol hours thus extending the high speed racing..we are fortunate that no one has been killed.

NO to extending alcohol hours

Bruce Finnie

Costa Mesa Ca

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From: [ARIOS, JUSTIN](#)
To: [ARIOS, JUSTIN](#)
Subject: FW: PCUP-26-0003 - Conditional Use
Date: Monday, June 15, 2026 8:07:10 AM

From: Susan Thompson <susanthompson@earthlink.net>
Sent: Friday, June 12, 2026 6:33 PM
To: PC Public Comments <PCPublicComments@costamesaca.gov>
Subject: FW: PCUP-26-0003 - Conditional Use

I live close to the address of the establishment that wants to allow the sale of alcohol after 11pm. I do NOT want to have any alcohol served after 11pm. We have enough trouble due to the proximity of the retail areas to our homes. We do not want to have inebriated patrons leaving the area after 11pm!! Our neighborhood is starting to have families move in and for this reason, we are AGAINST this permit.

Susan/Scott Thompson
Trinity Drive, Costa Mesa

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CITY OF COSTA MESA

77 Fair Drive
Costa Mesa, CA 92626

Agenda Report

File #: 26-324

Meeting Date: 6/22/2026

TITLE:

PROPOSED AMENDMENTS TO TITLE 13 (PLANNING, ZONING AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE TO UPDATE LAND USE CLASSIFICATIONS FOR VARIOUS NON-RESIDENTIAL USES INCLUDE BUT NOT LIMITED TO, PERSONAL SERVICES, ARTISAN STUDIO AND RETAIL USES, ACTIVE ENTERTAINMENT USES, EVENT CENTERS AND ASSEMBLY USES, SPECIALIZED FITNESS STUDIOS, AND OTHER NON-RESIDENTIAL USES AND STANDARDS- PCTY-26-0001

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES
DEPARTMENT/PLANNING DIVISION

PRESENTED BY: AMBER GREGG, CONTRACT PLANNER, AND
MARTINA CARON, PLANNING MANAGER

CONTACT INFORMATION: MARTINA CARON MARTINA.CARON@costamesaca.gov

RECOMMENDATION:

Staff recommends the Planning Commission:

1. Find that the proposed Zoning Code Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15305; and
2. Adopt a Resolution Recommending that the City Council approve amendments to Title 13 (Planning, Zoning and Development) of the Costa Mesa Municipal Code related to commercial land use classifications, emerging commercial uses, development standards, and implementation of Floor Area Ratio regulations.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: June 22, 2026

ITEM NUMBER: PH-3

SUBJECT: PROPOSED AMENDMENTS TO TITLE 13 (PLANNING, ZONING AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE TO UPDATE LAND USE CLASSIFICATIONS FOR VARIOUS NON-RESIDENTIAL USES INCLUDE BUT NOT LIMITED TO, PERSONAL SERVICES, ARTISAN STUDIO AND RETAIL USES, ACTIVE ENTERTAINMENT USES, EVENT CENTERS AND ASSEMBLY USES, SPECIALIZED FITNESS STUDIOS, AND OTHER NON-RESIDENTIAL USES AND STANDARDS- PCTY-26-0001

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

**PRESENTATION BY: AMBER GREGG, CONTRACT PLANNER, AND
MARTINA CARON, PLANNING MANAGER**

**FOR FURTHER INFORMATION CONTACT: MARTINA CARON
MARTINA.CARON@costamesaca.gov**

RECOMMENDATION

Staff recommends the Planning Commission:

1. Find that the proposed Zoning Code Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15305; and
2. Adopt a Resolution Recommending that the City Council approve amendments to Title 13 (Planning, Zoning and Development) of the Costa Mesa Municipal Code related to commercial land use classifications, emerging commercial uses, development standards, and implementation of Floor Area Ratio regulations.

APPLICANT OR AUTHORIZED AGENT

City-Initiated request.

BACKGROUND

The Zoning Code (Title 13 of the Costa Mesa Municipal Code) serves as the primary regulatory framework governing land use and development throughout the City. A clear and modern Zoning Code supports economic development by providing certainty for property owners, tenants, and investors while ensuring that new development remains consistent with the City's General Plan and community objectives.

While the Zoning Code has been periodically updated, the overall structure of the Citywide Land Use Matrix has remained largely unchanged since its adoption in 1997. Since that time, commercial business models, consumer preferences, and tenant demands have evolved significantly. New business types, including wellness-oriented services, specialized fitness facilities, active entertainment venues, artisan production spaces, food halls, ghost kitchens, commercial kitchens, and e-sports-related uses are increasingly common but are not clearly addressed within the City's existing regulatory framework.

As a result, applicants frequently seek clarification regarding land use classifications, parking requirements, and entitlement procedures. In many instances, businesses must be evaluated through use determinations or discretionary approvals because they are not specifically identified within the Zoning Code. This creates uncertainty for applicants, increases processing time, and can discourage reinvestment in commercial properties.

On April 13, 2026, the Planning Commission conducted a study session to review potential amendments intended to modernize the City's land use framework and address several recurring implementation issues. The Planning Commission was generally supportive of the proposed Zoning Code Amendments and expressed appreciation for the effort to modernize regulations. Commissioners discussed several implementation considerations, including potential traffic and circulation impacts associated with ghost kitchens, operational considerations for small fitness studios, and the importance of maintaining parking requirements that reflect current Institute of Transportation Engineers (ITE) data. Additional comments included support for adding new land use categories such as escape rooms, climbing gyms, and trampoline parks.

The Commission also discussed Microenterprise Home Kitchen Operations (MEHKOs), noting that while the County currently administers the program, cities have the option to regulate MEHKOs directly if they establish and conduct the necessary health inspection and enforcement framework.

Other topics raised included the potential future need to address autonomous vehicle dispatch and repair operations, ensuring EV charging infrastructure is properly maintained, conducting outreach with commercial property owners, and monitoring emerging retail and commercial trends for future code updates. No public comments were received.

A link to the April 13, 2026, Planning Commission Agenda Report is provided below; the minutes are provided under Attachment 3.

April 13, 2026, Agenda Report:

<https://costamesa.legistar.com/LegislationDetail.aspx?ID=7976488&GUID=694B0C33-AB5F-4F28-8F1C-4E67CB6704A9&Options=&Search=>

PROJECT DESCRIPTION

Staff is proposing eleven targeted Zoning Code updates intended to modernize land use classifications and development standards and improve regulatory clarity. These updates are also intended to support the City’s economic development goals by facilitating reinvestment in commercial properties, reducing uncertainty in the entitlement process, and better accommodating evolving business models. The proposed amendments are intentionally narrow in scope and focus on a limited set of high-priority and commonly occurring issues. Although there are additional Code topics that may merit future evaluation, the current effort is designed to advance a manageable package of amendments that can be effectively studied and implemented within existing staffing capacity and current departmental work program constraints. See a summary of the proposed amendments below:

Table 1. Summary of Proposed Zoning Code Updates

PROPOSED UPDATES TO LAND USE MATRIX			
TOPIC	DESCRIPTION	Current Process	Proposed Process
1. Personal Services	Establishes a broader Personal Services category for one-on-one customer-serving grooming, wellness, and similar uses that are currently regulated separately or not clearly identified. Adds regulations for group instruction for setting. New definition and special land use regulations proposed.	CUP* if not expressly called out	Permitted by right
2. Artisan Studio	Consolidates small-scale creative production, artist spaces, and related accessory retail uses into one category. Provides a clearer framework for hybrid businesses that produce and sell goods on-site. New definition and special land use regulations proposed.	CUP if not expressly called out	Permitted by right
3. Active Entertainment	New category for indoor, participant-based entertainment uses of 15,000 square feet or less, where customers actively engage in recreation or gaming activities. Uses would be allowed by right in Commercial zones and require MCUP in MG and MP Industrial zones. Examples include escape rooms, virtual reality venues, and similar uses. Parking requirements and definition added. Uses larger than 15,000 square feet would fall under Amusement Centers and would require a CUP. New definition and special land use regulations proposed.	CUP if not expressly called out	Permitted by right; MCUP* Industrial Zones; and CUP >15,000 sf

PROPOSED UPDATES TO LAND USE MATRIX			
TOPIC	DESCRIPTION	Current Process	Proposed Process
4. Event Centers and Assembly Uses	Consolidates banquet halls, assembly halls, reception venues, conference facilities, and spectator-oriented e-sports arenas into a single classification of event center. This update distinguishes assembly uses from active entertainment and applies consistent operating standards. New definition and special land use regulations proposed.	CUP	CUP Clarifies Standard
5. Small Fitness Studios	Establishes a category for smaller instructional fitness uses, generally 15,000 square feet or less, such as yoga, Pilates, martial arts, dance, and similar studios. This would distinguish these uses from larger fitness clubs and health clubs that operate at a greater scale and intensity and are regulated under existing "Physical Fitness Facility" uses. Parking requirements, new definition, and special land use regulations proposed.	CUP if not expressly called out	Permitted by right
6. (a) Food Halls	Defines food halls as a specifically identified restaurant-related use to clarify how multi-vendor dining spaces are classified and reviewed. Food Halls are regulated under existing standards.	Limited Definition	Clarifies Standard
6. (b) Ghost Kitchens	Defines and adds ghost kitchens to the Food And Beverage Section of the Zoning Code as a specifically identified restaurant-related use to clarify how multi-vendor dining spaces are classified and reviewed. Parking requirements, new definition and special land use regulations proposed.	CUP if not expressly called out	Ghost Kitchen Permitted or MCUP*
7. Electric Vehicle Charging	Establishes electric vehicle charging stations as a permitted use, consistent with State law. New definition and development standards proposed.	Silent	Permitted by right
8. Sports Clubs	Clarifies that indoor sports clubs, such as basketball, pickleball, volleyball, and soccer training facilities, are regulated under the existing "Physical Fitness Facility" uses. These uses require a Conditional Use Permit consistent with the existing framework for larger fitness and recreation facilities. New definition proposed.	CUP	Clarifies Standard
9. Commercial Kitchens	Establishes land use classification for commercial kitchens, including catering kitchens, shared kitchens, and similar food preparation facilities without traditional on-site dining. Provides a clearer framework for evaluating newer food service business models. Parking requirements and a new definition proposed.	CUP if not expressly called out	Permitted by right in Industrial Zones
10. Height Deviation	Allows limited height deviations for commercial development through Minor Conditional Use Permit review to accommodate architectural features and functional rooftop elements. The amendment is intended to provide flexibility for building modernization while maintaining compatibility with surrounding development. Revised development standards proposed.	Variance	Up to 12 ft or 40% increase with MCUP
11. Floor Area Ratio Definition	Clarifies how "Gross Floor Area" is measured for non-residential FAR implementation by identifying which building areas are included and excluded from the calculation. The amendment is intended to improve consistency and better align FAR with occupiable area and site intensity. Revised definitions proposed.	Limited Definition	Clarifies Standard
* CUP means Conditional Use Permit; MCUP means Minor Conditional Use Permit			

Land Use Matrix Updates

Nine amendments are proposed to consolidate specific uses into general categories, add specified uses, and clarify existing uses. The proposed amendments would modernize several land use categories to reflect emerging commercial trends. The following provides additional detail on the consolidation of specific uses into general categories.

1. *Personal Services and Personal Services, Group*

The Zoning Code currently contains several individual uses such as barber shops, massage establishments, and laundry services that function similarly but are regulated separately. These individual uses make it difficult to consistently classify similar businesses, make it challenging to determine other uses as “similar” when not explicitly permitted, and often require staff to interpret how new or hybrid service models fit within outdated or narrowly defined categories. For example, the Code specifically permits barber shops but is silent on beauty salons and nail salons.

The proposed amendment establishes a comprehensive Personal Services category encompassing personal care, grooming, and wellness-related services provided directly to customers. These individual uses would be combined into one similar “Personal Services” category for regulation purposes. Examples include:

- Barber and beauty salons
- Nail salons
- Day spas
- Wellness centers offering services such as cryotherapy or infrared therapy
- Massage establishments (subject to existing regulations)
- Tattoo and body art establishments (subject to CUP requirements)

Personal Services are permitted by right, and services offering group services or instruction have additional operational regulations that must comply with under Special Land Use Regulations (See Exhibit G of the Resolution). This change improves clarity and aligns the Zoning Code with the regulatory framework while maintaining City standards.

2. *Artisan Studio*

Several creative and production-related uses are currently listed separately in the Zoning Code. Regulating these uses as separate categories can create complexity and make it difficult to consistently classify businesses that combine elements of production, design, and retail. In recent years, more artisan businesses are emerging to fill once vacant brick and mortar spaces. These businesses often operate as hybrid

spaces, for example, an artisan may produce goods on-site while also selling them directly to customers (i.e. a ceramicist, artist, or other small-scale production). Under the current structure, these types of uses may not fit squarely into a single category, requiring staff interpretation or additional entitlement review.

The proposed amendment consolidates these uses into a new “Artisan Studio” category that allows small-scale creative production with accessory retail sales to be permitted by right. Examples include:

- Artist and maker studios
- Custom woodworking
- Photography studios
- Recording studios
- Small-scale craft production

Consolidating these uses into a single category improves clarity and provides greater flexibility for evolving business models by regulating them based on shared operational characteristics rather than narrowly defined activities. For example, a furniture maker who designs, builds, and sells products on-site would be clearly permitted within this category, rather than being split between manufacturing and retail classifications or requiring a use determination.

This new category supports creative industries and aligns with trends in adaptive reuse of commercial spaces. For commercial zones, it does not permit more intense industrial uses such as automotive uses or food manufacturing.

Staff did examine if this category of uses could fit under Personal Services. However, while “Personal Services” involve services performed directly on or for a customer (such as grooming, wellness treatments, or body care), Artisan Studio uses are centered on the creation, fabrication, or production of goods, with accessory retail sales. These uses may involve equipment, materials, and operational characteristics more similar to light production or workshop environments than customer-focused service activities. Maintaining a separate classification ensures that these uses can be appropriately regulated based on their operational impacts, including potential noise, equipment, or workspace needs, while also enabling them to establish in commercial areas.

3. Active Entertainment

“Active Entertainment” refers to indoor uses that provide interactive, participant-based recreation where customers are actively engaged in an activity, rather than observing or receiving a service. For example, an escape room or virtual reality gaming venue where customers rotate through timed sessions would be an Active Entertainment uses.

The existing Zoning Code identifies entertainment uses individually, including bowling centers, billiard parlors, and skating rinks, while imposing the same development standards for the uses, for example parking requirements are 10 spaces per 1,000 sf.

Staff proposes establishing a broader “Active Entertainment” category that would consolidate these listed uses and capture other interactive and participant-based indoor recreation uses. The proposed amendments establish special land use regulations for the uses and permit them by right if they are less than 15,000 square feet in size (see Exhibit G for details). Examples include:

- Escape rooms
- Virtual reality gaming venues
- Sports simulators
- Interactive arcades
- E-sports gaming lounges

For similar uses that are 15,000 square feet or larger, staff proposes classifying them separately as an “Amusement Center” and requiring a Conditional Use Permit (CUP). The reason for this is as the scale of the facility increases, the potential for negative land use impacts to surrounding uses also increases. Larger facilities often attract a regional customer base, accommodate greater numbers of patrons, generate higher parking demand, create increased vehicle trips, and may result in greater noise, crowd management, and circulation concerns. The 15,000 square-foot threshold serves as an objective standard that distinguishes smaller neighborhood and community serving entertainment uses from larger facilities that may function as regional destinations. Requiring a CUP for larger facilities provides the City with the opportunity to evaluate site-specific operational characteristics, including parking demand, circulation patterns, hours of operation, security measures, noise mitigation, and compatibility with surrounding land uses. Examples of these uses may include:

- Trampoline parks
- Indoor Mini-Golf
- Large Entertainment Centers
- Roller Rinks

4. Event Centers and Assembly Uses

The proposed amendment would also consolidate several assembly-related uses into a single classification. The proposed Event Center category would include but not be limited to Banquet Facilities, Assembly Halls, and E-Sports Arenas, and would include indoor or outdoor venues designed to host organized gatherings such as:

- Banquet halls
- Reception facilities

- Conference venues
- E-sports arenas designed for spectator events

The review process would continue to require a CUP but provided added Special Land Use Regulations (see Exhibit G for details). The new classification would continue to distinguish these uses from “Active Entertainment” uses and ensures consistent parking and operational standards.

5. Small Fitness Studios

Fitness-related uses have evolved significantly in recent years, with many smaller studios focusing on specialized instruction rather than traditional gym facilities. Staff proposes establishing a “Small Fitness Studio” category to address smaller-scale instructional fitness uses and are generally designed for one or two concurrent class oriented uses. Examples include:

- Yoga studios
- Pilates studios
- Martial arts studios
- Dance instruction studios
- High-intensity interval training (HIIT) studios

The proposed amendments include a new definition and special land use regulations (see Exhibit G for details). The uses in this category would be permitted by right in most commercial zones. The new definition includes operational characteristics typical of these uses, such as scheduled classes and smaller square footage. Establishing an operational threshold helps provide a clear objective standard to distinguish Small Fitness Studios from larger fitness facilities and health clubs currently permitted with a CUP under “Physical Fitness Facilities”, which operate at a greater scale and intensity. Small Fitness Studios typically have limited occupancy at any given time, shorter customer durations, and activity patterns that are more predictable. In contrast, larger fitness facilities such as 24 Hour Fitness, often include multiple activity areas, extended hours of operation, and higher membership volumes, which can result in increased parking demand and traffic generation.

6. Food Halls and Ghost Kitchens

The Zoning Code currently regulates food and beverage uses under Article IV; however, the Zoning Code does not specifically identify Food Halls or Ghost Kitchens as permitted uses. As these business models have become more common, the absence of clear classifications has created uncertainty during project review and made it difficult to consistently permit these uses under existing restaurant categories. Staff proposes new definitions to help in the review of these land uses.

Food Halls - A Food Hall is a shared dining destination that brings together multiple independent food and beverage vendors under one roof. Customers can purchase

food and drinks from a variety of vendors and enjoy them in common seating areas, creating a market-style dining experience with diverse culinary options in a single location. The proposed amendments include a definition for Food Halls. The operation for Food Halls would fall under existing food and beverage service requirements so no additional regulations are needed.

Ghost Kitchen - A Ghost Kitchen is a commercial food preparation facility that prepares meals and beverages exclusively for delivery, mobile ordering, or customer pick-up. Unlike a traditional restaurant, a ghost kitchen does not provide dine-in service and may support multiple food brands operating from a shared kitchen space. Amendments for Ghost Kitchens include a definition and new operational regulations (see Exhibit D for details). Ghost Kitchens are a more intensive food service model, often involving multiple kitchen operators within a single facility and generating substantial pick-up and delivery traffic, even where on-site dining is limited or absent. Due to this, a MCUP would be required in C1 zones to review for potential negative impacts; the use would be permitted by right in the C2 and Industrial zones.

Clearly identifying and defining these uses in the Zoning Code will improve regulatory clarity, reduce reliance on staff interpretation, and ensure that they are evaluated and regulated consistent with their operational characteristics and potential impacts.

7. Electric Vehicle Charging Stations

Electric vehicle (EV) charging infrastructure is an increasingly important component of development. The California Building Code also requires inclusion of EV charging infrastructure in new or remodeled developments. Furthermore, State law (Assembly Bill 1236, [Government Code Section 65850.7](#)) requires that EV charging stations be permitted and subject to streamlined, ministerial review. However, EV charging stations and associated equipment are not clearly identified within the Zoning Code, which can create uncertainty for applicants.

The proposed amendment would explicitly identify EV charging stations as an allowed use and clarify that they are permitted by right as both primary and accessory uses, consistent with State requirements. This update improves clarity, ensures consistency with State law, and supports the continued expansion of EV infrastructure throughout the City by allowing property owners and businesses to readily understand that these facilities are permitted without requiring additional interpretation.

8. Sports Clubs

The Zoning Code currently includes “Physical Fitness Facilities” uses, which requires a CUP, but does not clearly distinguish larger indoor sports facilities or member clubs that are increasingly common in commercial areas. These uses often include specialized

courts, training facilities or fields and operating as sports clubs, which are different from traditional gyms, large and smaller fitness studios.

Sports clubs are indoor recreational facilities focused on organized or league-based or member activities, often involving larger floor areas and specialized equipment. Examples include indoor soccer facilities, basketball training centers, pickleball courts, volleyball facilities, and similar uses.

The proposed amendment would incorporate sports clubs into the existing “Physical Fitness Facilities” within the Zoning Code clarifying the City permits these uses with a Conditional Use Permit.

9. Commercial Kitchens

The Zoning Code currently does not clearly define or classify commercial kitchens that operate independently of traditional restaurants, for example, a catering company preparing food for off-site events or a shared kitchen used by multiple small food entrepreneurs. Unlike traditional restaurants, commercial kitchens do not include on-site dining and have different operational characteristics, such as delivery activity, scheduled food preparation, and limited customer presence. As a result, commercial kitchens may be inconsistently categorized as restaurant or unlisted uses. These uses differ from ghost kitchens in that individual direct customer take-out services are not part of the use.

The proposed amendment would allow Commercial Kitchens by right in Industrial zones and establish a classification for commercial kitchens, including catering kitchens and shared kitchen facilities, to align this with the current food manufacturing land use and clearly define how these uses are regulated within the Zoning Code. Establishing a clear classification improves consistency in code administration, ensures that appropriate development and operational standards are applied, and supports the growing demand for flexible, small-scale food production spaces. It also helps distinguish these uses from traditional restaurants and more intensive food manufacturing operations.

10. Non-residential Height Limits

In most commercial zones, building height is currently limited to two stories or 30 feet, with only a narrow exception allowing up to a five percent increase when necessary to screen existing roof-mounted equipment. Height limits are an important tool for maintaining neighborhood compatibility and consistent building scale; however, when applied too rigidly, they can also limit the ability to incorporate architectural elements, functional rooftop features, and may make it more difficult for commercial properties to modernize, reposition, and compete for new investment and tenants.

In many cities, commercial height standards allow limited flexibility for features such as parapets, cornices, elevator overruns, stair enclosures, screening elements, roof access

structures, and rooftop amenities, provided the additional height does not create a full additional story or materially alter the perceived mass and scale of the building. Flexible standards allow for creativity and functional upgrades to existing buildings.

Staff proposes a process to allow a height deviation up to 12 feet or 40%, whichever is less, of the allowable height through the MCUP process. The Zoning Code already provides a similar discretionary review framework for antenna-related height exceptions. In addition to the required MCUP findings, staff proposes (Exhibit C) that the review authority find that the proposed height is:

- (a) Compatible with the existing and anticipated development in the vicinity;
- (b) Enhances the architecture and design of the development; and
- (c) Would not be materially detrimental to surrounding properties or uses and would not adversely affect the public health, safety, or welfare.

Any request for additional height would also be subject to the applicable planning application procedures, and staff would evaluate the project for consistency with the City's review criteria contained in Zoning Code Section 13-29(e). This process will allow the City to continue to evaluate the modification to ensure it maintains a compatible and harmonious relationship between the proposed building and site development and adjacent properties.

11. Floor Area Ratio (FAR)

Floor Area Ratio (FAR) is the City's primary tool for regulating the intensity of nonresidential development. FARs are established in the General Plan and further implemented through the Zoning Code. FAR establishes the amount of building floor area permitted on a site in relation to the size of the lot and is used to ensure that development intensity remains consistent with the General Plan and the City's broader land use objectives.

In the General Plan, FAR is also directly tied to traffic generation and the City's ability to evaluate development intensity based on anticipated trips. Because nonresidential traffic impacts are generally calculated based on the amount and type of active floor area associated with a use, FAR is regulated through building floor area as a practical way to manage the relationship between development intensity, land use, and trip generation. Therefore, it is important that the floor area counted toward FAR reflects the portions of a building that contribute to occupancy, activity, and traffic demand.

The Zoning Code currently provides the following limited definitions for use in application review:

Floor area ratio.

The gross floor area of a building or project divided by the project lot area upon which it is located.

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.

Given these limited definitions, the “Gross Floor Area” definition is the primary basis for implementing Floor Area Ratio (FAR); however, the current definition can result in unintended limitations for development, particularly for building areas devoted to operations or support functions rather than occupancy or site activity, which also do not impact a use’s trip generation calculations. The lack of clarity creates confusion for applicants and staff, complicates plan check and entitlement review, and may discourage tenant improvements or reinvestment in existing commercial properties.

To address this issue, staff is proposing to further expand the definitions of “Gross Floor Area” to clarify its application to nonresidential uses and to better identify which building areas should be included in FAR. See below for the proposed definition:

Nonresidential Gross Floor Area

The total horizontal area of all floors within the exterior walls of a structure that contribute to the building’s occupancy or intensity of use. Nonresidential gross floor area excludes garages or carports used for required parking, elevator and stair shafts, mechanical shafts, pipe chases, mechanical equipment rooms, electrical rooms, and other utility or service spaces devoted exclusively to building operations and maintenance. Basement, cellar, storage or attic areas used solely for accessory building functions and not intended for human occupancy are also excluded.

The intent of the proposed update is to ensure that FAR more accurately reflects occupiable building area and the functional intensity of a site, while excluding certain building service and utility areas that do not generate occupancy or increase operational demand or increase use trip calculations. This proposed clarification will improve consistency in code administration, reduce ambiguity during project review, and better align FAR implementation with the practical way commercial and industrial buildings are designed and operated. By providing greater certainty regarding how floor area is measured, the amendment would help support tenant improvements, building modernization, and reinvestment in existing commercial properties, while maintaining the City’s intent to regulate overall development intensity.

ADDITIONAL AMENDMENTS

Parking Standards

As part of the proposed Zoning Code amendments, staff aligned certain land use classifications with the City's existing off-street parking standards contained in Table 13-89 of the Costa Mesa Municipal Code.

The proposed amendments do not introduce new parking ratios. Instead, the updated land use categories are being associated with the most appropriate existing parking standards based on the operational characteristics of each use. This approach maintains consistency with the City's established parking framework while ensuring that newly defined or consolidated land use classifications are clearly linked to the applicable parking requirements.

For example, uses categorized as Active Entertainment or Small Fitness Studios would follow the existing parking requirements currently applied to similar recreation and fitness-related uses. Similarly, Artisan Studio uses would be aligned with the parking standards that apply to retail and office uses.

Aligning the updated use classifications with existing parking standards helps ensure that parking requirements remain consistent with current City regulations while providing clarity for staff, property owners, and businesses regarding the applicable parking ratios. In addition, parking ratios that had a minimum number of parking spaces as a requirement were stricken resulting in a standard parking ratio for all businesses regardless of size. For example, Retail required "4 spaces per 1,000 square feet with a minimum of 6 spaces," and staff is proposing to strike "with a minimum of 6 spaces".

The table below summarizes the applicable parking standards associated with the proposed land use classifications.

Table 2: Parking Standards

USE	PARKING STANDARD
Personal Services	6 spaces per 1,000 square feet
Personal Services (Group Instruction/Setting)	10 spaces per 1,000 square feet
Small Fitness Studios	10 spaces per 1,000 square feet
Active Entertainment	10 spaces per 1,000 square feet
Artisan Studio	4 spaces per 1,000 square feet
Event Centers / Assembly Uses	1 space per 3 seats or 1 space per 35 square feet of seating area

USE	PARKING STANDARD
Ghost Kitchen	6 paces per 1,000 square feet
Commercial Kitchen	3 spaces per 1,000 square feet

DISCUSSION

The proposed amendments represent a targeted effort to modernize the City's commercial land use framework. Rather than regulating emerging business models through subjective "similar use" determinations, the amendments establish clear classifications, definitions, and operational standards for uses that are increasingly common throughout Southern California.

The amendments reduce ambiguity within the Land Use Matrix by consolidating narrowly defined categories into broader use classifications based upon operational characteristics. This approach provides greater predictability for property owners, business operators, and City staff while maintaining the City's ability to evaluate compatibility and potential impacts.

Economic Development Benefits

The proposed amendments are intended to support economic development. By modernizing the City's Land Use Matrix and categorizing uses rather than calling them out specifically the following economic developments are achieved:

- Reducing uncertainty during tenant leasing and entitlement review.
- Facilitating adaptive reuse of existing commercial buildings.
- Providing flexibility for evolving business models.
- Supporting reinvestment in aging commercial centers.
- Improving consistency in permit processing.
- Encouraging activation of vacant commercial spaces.
- Aligning the Zoning Code with contemporary market conditions.
- Promoting redevelopment and upgrading of non-residential sites

GENERAL PLAN CONSISTENCY

The proposed Zoning Code Amendment is consistent with the Costa Mesa General Plan. The amendments support the General Plan's economic development objectives by encouraging reinvestment in commercial properties, improving regulatory clarity, facilitating adaptive reuse, and maintaining development standards that protect community character while accommodating evolving business models. Additionally, the proposed definition of "Nonresidential Gross Floor Area", further implements and clarifies trip generating area calculations, as required by the General Plan.

ENVIRONMENTAL DETERMINATION

The proposed Zoning Code Amendment has been reviewed for compliance with the California Environmental Quality Act (CEQA). The proposed amendments are exempt pursuant to CEQA Guidelines Section 15061(b)(3), the Common Sense Exemption, because it can be seen with certainty that there is no possibility that adoption of the ordinance may have a significant effect on the environment. The amendments primarily involve updates to land use classifications, definitions, and administrative development standards. Additionally, portions of the amendment are categorically exempt pursuant to CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations).

PUBLIC NOTICE

Pursuant to California Government Code Section 65854 (amended by Assembly Bill 2904 in 2025) public notification for amending the Zoning Code has been completed no less than 20 days prior to the date of the public hearing:

1. On-site posting. A public notice was posted at City Hall and on the City's website on May 29, 2026.
2. Newspaper publication. A public notice was published in the Daily Pilot newspaper on May 30, 2026.

CONCLUSION

The proposed amendments represent a focused effort to modernize the Costa Mesa Zoning Code and address recurring implementation issues identified by staff, property owners, and business operators. The amendments establish clear classifications for emerging commercial uses, improve consistency in code administration, provide targeted flexibility for building modernization, and clarify implementation of key development standards. Collectively, the amendments will help support economic development, adaptive reuse, and reinvestment in commercial properties while maintaining the City's long-standing planning and compatibility objectives.

Therefore, staff recommends that the Planning Commission adopt the attached Resolution recommending the City Council adopt the proposed Zoning Code Amendment.

ATTACHMENTS

1. Draft Planning Commission Resolution, Title 13 Amendment
Draft City Council Ordinance, Title 13 Amendment
Exhibit A: Chapter 1, Article 2, Definitions
Exhibit B: Chapter IV, Citywide Land Use Matrix

Exhibit C: Chapter V, Development Standards, Article 3 Commercial Districts
Exhibit D: Chapter V, Development Standards, Article 4, Establishments where food and beverages are served
Exhibit E: Chapter VI, Off-Street Parking Standards, Article 2, Nonresidential Districts
Exhibit F: Chapter VI, Off-Street Parking Standards, Article 3, Development Standards
Exhibit G: Chapter IX, Special Land Use Regulations

2. Strikethrough format of the proposed Zoning Code amendments

Exhibit A: Chapter 1, Article 2, Definitions
Exhibit B: Chapter IV, Citywide Land Use Matrix
Exhibit C: Chapter V, Development Standards, Article 3 Commercial Districts
Exhibit D: Chapter V, Development Standards, Article 4, Establishments where food and beverages are served
Exhibit E: Chapter VI, Off-Street Parking Standards, Article 2, Nonresidential Districts
Exhibit F: Chapter VI, Off-Street Parking Standards, Article 3, Development Standards
Exhibit G: Chapter IX, Special Land Use Regulations

3. Planning Commission April 13, 2026, Study Session Minutes

RESOLUTION NO. PC-2026-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COSTA MESA ADOPT AN ORDINANCE TO AMEND TITLE 13 OF THE CITY'S MUNICIPAL CODE (PLANNING, ZONING, AND DEVELOPMENT) TO UPDATE SPECIFIC NON RESIDENTIAL LAND USE CLASSIFICATIONS, USES AND STANDARDS (PCTY-2026-0001)

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

WHEREAS, the City of Costa Mesa Municipal Code, Title 13 Planning Zoning and Development Code was last significantly updated in 1997, and since that time has been periodically amended;

WHEREAS, Title 13 Planning, Zoning, and Development Code serves as the primary regulatory framework governing land use and development throughout the City, and a clear and modern Zoning Code supports economic development by providing certainty for property owners, tenants, and investors while ensuring that new development remains consistent with the City's General Plan and community objectives;

WHEREAS, new business types, including wellness-oriented services, specialized fitness facilities, active entertainment venues, artisan production spaces, food halls, ghost kitchens, commercial kitchens, and e-sports-related uses are increasingly common but are not clearly addressed within the City's existing regulatory framework;

WHEREAS, this Ordinance would amend the following Chapters in Title 13 of the Costa Mesa Municipal Code to implement amendments to the Zoning Code to facilitate clarity and regulation requirements:

- a. Chapter I, Article 2, Definitions
- b. Chapter IV, Citywide Land Use Matrix
- c. Chapter V Development Standards, Article 3, Commercial Development Standards
- d. Chapter V Development Standards, Article 4, Establishments Where Food or Beverages are Served
- e. Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts

f. Chapter VI, Off-Street Parking Standards, Article 3, Development Standards

g. Chapter IX, Special Land Use Regulations;

WHEREAS, a Study Session was held by the Planning Commission on April 13, 2026 with all persons having the opportunity to speak for and against the amendments;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 22, 2026 with all persons having the opportunity to speak for and against the amendments; and

WHEREAS, the proposed amendments have been reviewed for compliance with the California Environmental Quality Act (CEQA). The proposed amendments are exempt pursuant to CEQA Guidelines Section 15061(b)(3), the Common Sense Exemption, because it can be seen with certainty that there is no possibility that adoption of the ordinance may have a significant effect on the environment. The amendments primarily involve updates to land use classifications, definitions, and administrative development standards. Additionally, portions of the amendment may be categorically exempt pursuant to CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations).

NOW, THEREFORE, based on the evidence in the record the Planning Commission, in its independent judgement, hereby **RECOMMENDS APPROVAL** of the Zoning Code amendments incorporated herein as Attachment 1, Exhibits A through F:

Attachment 1 – Draft City Council Ordinance 26-XX,

- Exhibit A: Chapter 1, Article 2, Definitions;
- Exhibit B: Chapter IV, Citywide Land Use Matrix;
- Exhibit C: Chapter V, Development Standards, Article 3, Commercial Development Standards;
- Exhibit D: Chapter V Development Standards, Article 4, Establishments Where Food or Beverages are Served;
- Exhibit E: Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts;
- Exhibit F: Chapter VI, Off-Street Parking Standards, Article 3, Development Standards; and
- Exhibit G: Chapter IX, Special Land Use Regulations;

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, and in compliance with all applicable federal, state, and local laws.

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 22nd day of June, 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 June 22, 2026, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Carrie Tai, Secretary
Costa Mesa Planning Commission

ATTACHMENT 1 – Draft City Council Ordinance

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE (PLANNING, ZONING, AND DEVELOPMENT) TO UPDATE SPECIFIC NON RESIDENTIAL LAND USE CLASSIFICATIONS, USES AND STANDARDS (PCTY-2026-0001)

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

WHEREAS, the City of Costa Mesa Municipal Code, Title 13 Planning Zoning and Development Code was last significantly updated in 1997, and since that time has been periodically amended;

WHEREAS, Title 13 Planning, Zoning, and Development Code serves as the primary regulatory framework governing land use and development throughout the City, and a clear and modern Zoning Code supports economic development by providing certainty for property owners, tenants, and investors while ensuring that new development remains consistent with the City's General Plan and community objectives;

WHEREAS, new business types, including wellness-oriented services, specialized fitness facilities, active entertainment venues, artisan production spaces, food halls, ghost kitchens, commercial kitchens, and e-sports-related uses are increasingly common but are not clearly addressed within the City's existing regulatory framework;

WHEREAS, this Ordinance would amend the following Chapters in Title 13 of the Costa Mesa Municipal Code to implement amendments to the Zoning Code to facilitate clarity and regulation requirements:

- a. Chapter I, Article 2, Definitions;
- b. Chapter IV, Citywide Land Use Matrix;
- c. Chapter V Development Standards, Article 3, Commercial Development Standards;
- d. Chapter V Development Standards, Article 4, Establishments Where Food or Beverages are Served;
- e. Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential

Districts;

f. Chapter VI, Off-Street Parking Standards, Article 3, Development Standards; and

g. Chapter IX, Article 24, Group Instruction/Setting & Small Fitness Studio.

WHEREAS, a Study Session was held by the Planning Commission on April 13, 2026 with all persons having the opportunity to speak for and against the amendments;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 22, 2026 with all persons having the opportunity to speak for and against the amendments, and the Planning Commission recommended the City Council approve the proposed amendments;

WHEREAS, the proposed amendments have been reviewed for compliance with the California Environmental Quality Act (CEQA). The proposed amendments are exempt pursuant to CEQA Guidelines Section 15061(b)(3), the Common Sense Exemption, because it can be seen with certainty that there is no possibility that adoption of the ordinance may have a significant effect on the environment. The amendments primarily involve updates to land use classifications, definitions, and administrative development standards. Additionally, portions of the amendment may be categorically exempt pursuant to CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations);

WHEREAS, a duly noticed public hearing was held by the City Council on _____, 2026 with all persons having the opportunity to speak for and against the amendments; and

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

Section 1. The City Council, in its independent judgement, hereby adopts the Zoning Code amendments incorporated herein as Exhibits A through G:

- Exhibit A: Chapter 1, Article 2, Definitions;
- Exhibit B: Chapter IV, Citywide Land Use Matrix;
- Exhibit C: Chapter V, Development Standards, Article 3, Commercial Development Standards;
- Exhibit D: Chapter V Development Standards, Article 4, Establishments Where Food or Beverages are Served;

- Exhibit E: Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts
- Exhibit F: Chapter VI, Off-Street Parking Standards, Article 3, Development Standards; and
- Exhibit G: Chapter IX, Special Land Use Regulations;

Section 2. Inconsistencies. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

Section 3. Severability. If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional. No portion of this Ordinance shall supersede any local, State, or Federal law, regulation, or codes dealing with life safety factors.

Section 4. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage.

Section 5. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

PASSED AND ADOPTED this ___ day of _____, 2026.

John Stephens, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Kimberly Hall Barlow, City Attorney

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

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing Ordinance No. 2026-xx was duly introduced for first reading at a regular meeting of the City Council held on the ___ day of _____ 2026, and that thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council held on the ___ day of _____, 2026, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this ___ day of _____, 2026.

Brenda Green, City Clerk

EXHIBIT A
Chapter I, 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).

Active Entertainment. A commercial use that provides interactive, participant-based amusement, recreation, or game-oriented activities for individual or group participation and is limited to a maximum of 15,000 square feet. Active Entertainment does not include spectator-oriented uses, live performance theaters, adult entertainment businesses, physical fitness facilities, or event centers.

Adjacent. Same as abutting, but also includes properties which are separated by a public right-of-way, not exceeding 120 feet in width.

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.

Amusement Center. A commercial use that provides interactive, participant-based amusement, recreation, or game-oriented activities for individual or group participation and is larger than 15,000 gross square feet. Active Entertainment does not include spectator-oriented uses, live performance theaters, adult entertainment businesses, physical fitness facilities, or event centers.

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.

Artisan Studio. A workspace for the creation, display, and retail sale of artwork and hand crafted goods, including custom woodworking and furniture making, where products are primarily created by the artist or artisan on-site; excluding automotive repair and food related production. Examples include, but are not limited to, artist studios and workshops, photography studios and commercial photography, recording studios, music studios, galleries, and showrooms.

Assembly use. A use conducted in a structure or outdoor venue for the purpose of gathering of persons for a civic, education, political, religious, or social function, or

for the consumption or receipt of food and/or beverages. 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.

Commercial Kitchen. A food preparation facility used by one or more food operators for the preparation, cooking, processing, packaging, and storage of food or beverages for off-site consumption, distribution, catering, wholesale, or other commercial purposes, with no on-site dining, retail sales, customer pick-up, or delivery service to the general public. A commercial kitchen may include catering kitchens, commissary kitchens, shared-use kitchens, and food production facilities, but does not include a restaurant, ghost kitchen, food hall, or other food service establishment where food orders are accepted from customers and fulfilled directly from the premises.

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.

Electric vehicle charging station. As defined by Government Code Section [65850.7](#).

Electric vehicle supply equipment. The hardware, including connectors, fixtures, devices, and other components required to charge an electric vehicle.

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.

E-Sports or Electronic Sports. Means a participant-based organized competitive playing of video games using digital gaming platforms.

E-Sports Arena. A facility designed and operated primarily for organized electronic gaming competitions, tournaments, exhibitions, broadcasts, live-streaming events, or similar events where spectator viewing and attendance are the principal activities.

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

Event Center- A facility designed for assembly use and to accommodate organized events, competitions, ceremonies, meetings, entertainment, spectator viewing, or similar group activities. Event Centers are also referred to as Banquet Facilities, Assembly Halls, and Arenas.

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.

Food Hall. A single, integrated food and beverage establishment, or restaurant, containing three or more independently operated food or beverage vendors or counters within a shared building or tenant space, with common customer seating, shared circulation, and shared amenities. A food hall may include accessory alcohol service, entertainment, retail, or event programming when allowed by applicable permits, but does not include ghost kitchen or commercial kitchen.

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.

Ghost Kitchen. A food preparation facility used by one or more food operators for the preparation of meals or beverages for off-site consumption through delivery, mobile ordering, or customer pick-up, with no dine-in restaurant service. A ghost kitchen may include multiple virtual restaurant brands, shared order fulfillment areas, delivery driver staging, and limited pick-up lobby areas, but does not include a catering kitchen, commercial kitchen, or food hall.

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 Floor Area (Nonresidential). The total horizontal area of all floors within the exterior walls of a structure that contribute to the building's occupancy or intensity of use. Nonresidential gross floor area excludes garages or carports used for required parking, elevator and stair shafts, mechanical shafts, pipe chases, mechanical equipment rooms, electrical rooms, and other utility or service spaces devoted exclusively to building operations and maintenance. Basement, cellar, storage or attic areas used solely for accessory building functions and not intended for human occupancy are also excluded.

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; (3) any group home without an operator.

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, including an in-house manager, who provides residential services, i.e., the placement of individuals in a residence, setting of house rules, and/or 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.

Personal Services. A commercial use that provides personal care, grooming, wellness, aesthetic, or convenience services directly to individuals. This category does not include group fitness uses, medical offices, or other uses involving medical diagnosis or clinical treatment.

Personal Services, Group. A commercial use that provides personal care, grooming, wellness, aesthetic, or convenience services directly to individuals that include group instruction or group setting. This category does not include group fitness uses, medical offices, or other uses involving medical diagnosis or clinical treatment.

Physical Fitness Facility means a facility, building, or portion thereof designed and operated for physical fitness, athletic training, sports instruction, exercise, recreation, or wellness activities conducted individually or in groups, with a gross floor area of 15,000 square feet or greater. Such facilities may include exercise equipment, fitness classes, courts, fields, training areas, locker rooms, spectator seating accessory to the primary use, and related support amenities.

Physical Fitness Facility (small). See *Small Fitness Studios*.

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 major modifications, conditional use permits, development reviews, variances, etc.

Planning division. The planning division of the Community Development Department of the City of Costa Mesa.

Project. See *Development*.

Property line. A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

Property line, front. For interior lots, the narrowest property line of a lot abutting a public or private street. If two or more equal property lines are narrowest, the front shall be that property line across which the development takes its primary access (if the primary access is determined to be equal, there shall be two front property lines). However, for non-residentially zoned property, any property line abutting a public street designated as a secondary, primary or major street on the master plan of highways shall be deemed a front property line. A non-residentially zoned property shall have more than one front property line when it abuts more than one street designated as secondary, primary, or major on the master plan of highways.

For R-1 zoned property located on corner lots, the front property line may be the property line towards which the front of the dwelling unit is oriented.

Property line, rear. The property line opposite the front property line. A corner lot with more than one front property line shall have more than one rear property line. Irregularly shaped lots may also have more than one rear property line.

Property line, side. Any property line which is not a front or rear property line.

Property line, ultimate. The boundary of a lot after the dedication of land for use as public right(s)-of-way, whether dedicated in fee or by easement. A setback is measured from the ultimate property line.

Public area. Establishments where food or beverages are served. That portion of an establishment reserved for the exclusive use of the public for the receipt or consumption of food and/or beverages. For the purpose of this Zoning Code, public area shall not include restrooms, kitchens, hallways or other areas restricted to employees only.

Public hearing. A public proceeding conducted for the purpose of acquiring information or evidence which may be considered in evaluating a proposed action, and which affords to any affected person or persons the opportunity to present their views, opinions, and information on such proposed applications. "Mandatory hearings" are those required to be held by law, and "discretionary hearings" are those which may be held within the sole discretion of the hearing body.

Public right-of-way. A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer and/or other public uses.

Recyclable materials. Reusable materials, including, but not limited to, metals, glass, plastic and paper which are intended for reuse, remanufacture or reconstruction. Recyclable materials do not include refuse, hazardous materials or hazardous waste.

Recycling. The process by which waste products are reduced to raw materials and transformed into new products.

Recycling and collection facility. A building or enclosed space used for the collection and processing of recyclable materials for preparation for shipment, or to an end user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning or remanufacturing.

Referral facility. A residential care facility or a group home where one or more person's residency in the facility is pursuant to a court order or directive from an agency in the criminal justice system.

Residential care facility. A residential facility licensed by the state where care, services, or treatment is provided to persons living in a supportive community residential setting. Residential care facilities include, but may not be limited to, the following: intermediate care facilities for the developmentally disabled (Health & Safety Code §§ 1267.8,1267.9); community care facilities (Health & Safety Code § 1500 et seq.); residential care facilities for the elderly (Health & Safety Code § 1569 et seq.); residential care facilities for the chronically ill (22 C.C.R. § 87801(a)(5); Health & Safety Code § 1568.02); alcoholism and drug abuse facilities (Health & Safety Code §§ 11834.02—11834.30); pediatric day health and respite care facilities (Health & Safety Code § 1760 et seq.); residential health care facilities, including congregate living health facilities (Health & Safety Code §§ 1265—1271.1, 1250(i), 1250(e), (h)); family care home, foster home, group home for the mentally disordered or otherwise handicapped persons or dependent and neglected children (Wel. & Inst. Code §§ 5115—5120).

Residential, multi-family. Apartments, common interest developments, townhouses and similar multiple-family residential developments, including detached single-family homes where there is more than one primary dwelling unit on a lot.

Residential, single-family. Detached single-family home where there is no more than one primary dwelling unit on a lot.

Room, bedroom. A fully-enclosed room designed or intended to be used for sleeping purposes within a residence that typically includes a closet and is separated from the other living spaces with a door.

Room, home office. A room designed and intended to be used for a household office or small business related activity within a residence. Within a single-family detached residence, this room is strictly not intended for sleeping purposes, and lacks direct access to a bathroom. The home office may also be referred to as a studio, den, study or library.

Senior congregate care facility. A structure(s) providing residence for 13 or more senior citizens with kitchen, dining, recreational, etc. facilities with separate bedrooms and/or living quarters.

Setback. The required distance that a building, structure, parking or other designated item must be located from a property line or lot line. A setback is measured from the ultimate property line.

Single housekeeping unit. The occupants of a dwelling unit have established ties and familiarity with each other, including joint use of and responsibility for common areas, which includes interaction with each other, shared meals, household activities, and expenses and responsibilities; where residency is mutually agreed by all residents, is not transitory in nature and the residential activities of the household are conducted on a not-for-profit basis.

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 Fitness Studio - means an indoor commercial use of less than 15,000 square feet that provides instructor-led instruction, training, or structured physical activity, either in a group setting or one-on-one, including, but not limited to: dance, martial arts, yoga, Pilates, high-intensity interval training (HIIT), circuit training, and similar small-group fitness activities. These uses are characterized by scheduled classes or training sessions and are limited in scale and intensity. This use does not include large health clubs, commercial gyms, indoor sports training facilities, or uses greater than 15,000 square feet of gross floor area. Also known as Studio Fitness.

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; (3) any sober living home without an operator.

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.

Studio Fitness. See Small Fitness Studio.

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.

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. **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; Ord. No. 26-03 § 04-07-26)

EXHIBIT B

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. Electric Vehicle Charging Station, Accessory Use (subject to the requirements of Chapter IV, 13-30)	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	
13. Animals, keeping of	SEE TITLE 3, ANIMALS AND FOWL																						
14. Antennas: Amateur radio, Satellite dish, Communication	SEE CHAPTER IX, ARTICLE 2, ANTENNAS																						
16. Day care facilities (15 children or more) (see also Nursery	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	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	
schools)																							
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	•	
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	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•

**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	
21. Home occupations (subject to the requirements of chapter IX, article 6, home occupations)	P ²	P ²	P ²	P ²	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ²	P ²	P ²	P ²	P ^{2,3}	P ^{2,3}	P ²	•	P ²	•	
22. Home occupations that generate traffic and do not involve more than 1 customer/ client at a time or more than 8 customers/clients per day (subject to the requirements of ch. IX, article 6, home occupations)	MC ²	MC ²	MC ²	MC ²	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	MC ²	MC ²	MC ²	MC ²	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	•	MC ^{2,3}	•	
22.1 Non-residential accessory uses in a residential development not otherwise specified in this table	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
22.2 Accessory dwelling unit (subject to the requirements of ch. V, section 13-35, accessory dwelling units)	P ²	P ²	P ²	P ²	•	•	•	•	•	P ²	•	•	P ²	P ²	P ²	P ²	P ²	P ²	•	•	P ²	•	
22.3 Junior accessory dwelling unit (subject to the requirements of ch. V, section 13-35, accessory dwelling units)	P ²	P ²	P ²	P ²	•	•	•	•	•	•	•	•	P ²	P ²	P ²	P ²	P ²	P ²	•	•	P ²	•	
22.4 Temporary real estate and construction offices (subject to the requirements of ch. IX, art. 10, temporary trailers)	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	

**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
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	•
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	•	•	•	•	•	•	•	•	•	•	•	C ⁹	•	•	•	•	•	•	C ⁹	•	•	•

**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	
processor																							
31d. Cannabis and/or marijuana retail sales storefront	•	•	•	•	•	C ^g	C ^g	C ^g	C ^g	C ^g	•	•	•	•	•	•	•	•	•	•	•	•	
31e. Cannabis and/or marijuana retail sales nonstorefront (deliveries)	•	•	•	•	•	C ^g	C ^g	C ^g	C ^g	C ^g	•	C ^g	•	•	•	•	•	C ^g	•	•	•	•	•
31f. Cannabis and/or marijuana research and development and/or testing laboratories	•	•	•	•	•	•	•	•	•	•	•	C ^g	•	•	•	•	•	C ^g	•	•	•		
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	C	P	C	•
34. Parks and playgrounds	C	C	C	C	•	•	•	•	•	C	•	•	C	C	C	C	C	C	C	P	P	P	•
35. Public offices and facilities, such as city halls, courthouses, police/ fire stations, etc.	C	C	C	C	C	C	P	P	P	P	C	C	C	C	C	C	C	C	C	P	•	•	•
36. Schools: primary, secondary and colleges	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	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	•	•	•	•

**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
39. Swap meets	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	C	•	•
39a. Emergency shelters	•	•	•	•	•	•	•	•	•	•	•	C ¹⁰	•	•	•	•	•	P ¹⁰	•	•	•	•
SPECIAL SEASONAL EVENTS																						
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	•	•	•	•	•
42a. Active Entertainment (subject to the requirements of chapter IX, article 5, electronic game machines and Article 26, Active Entertainment)	•	•	•	•	P	P	P	P	P	P	MC	MC	•	P	P	P	P	P	•	•	•	•
43. Adult businesses (See Sexually-oriented businesses)																						
44. Aggregate batch plants; Rock or asphalt crushing; Sand	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•

**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	
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, and Article 26, Active Entertainment/Amusement Center)	•	•	•	•	•	•	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. Artisan Studio	•	•	•	•	P	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)																							

**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	
54. Reserved																							
55. Billiards parlors	•	•	•	•	•	•	MC	MC	MC	MC	MC	MC	•	MC	MC	MC	MC	MC	•	•	•	•	
56. Botanical gardens; Zoos	•	•	•	•	•	•	C	C	C	C	•	•	•	•	•	•	•	•	C	•	•	•	
57. Bowling centers	•	•	•	•	•	•	MC	MC	MC	MC	•	•	•	•	•	MC	MC	•	•	•	•	•	
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	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. Event Center (subject to the	•	•	•	•	•	•	C	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	
requirements of chapter IX, article 25, Event Center)																							
78. Flower stands— See also Carts	•	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	•	MC	MC	MC	MC	MC	MC	•	•	•	
79. Electric Vehicle Charging Station, Primary Use (subject to the requirements of Chapter IV, 13-30)	•	•	•	•	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	
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. Reserved																						•	
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	•	•	•	•	•	•	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	
requirements of 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	•	•	•	•	•	•	•	•	•	•	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	
abrasive and asbestos products • Manufacture of nonclay refractories and crucibles • Processing and preparation of clay, ceramic and refractory minerals																							
93. Manufacturing 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	•	•	•	•	•	•	•	•	•	•	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	
standards)																							
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	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	
of parking availability)																							
104. Motor vehicle service stations	•	•	•	•	•	•	C	C	C	•	•	•	•	•	•	•	C	•	•	•	•	•	•
105. Motor vehicle service stations with concurrent sale of alcoholic beverages (subject to requirements of chapter IX, article 3, concurrent sale of alcoholic beverages and motor vehicle fuel)	•	•	•	•	•	•	C ²	C ²	C ²	•	•	•	•	•	•	•	C ²	•	•	•	•	•	•
106. Motor vehicle; boat; and motorcycle repair services (including body and paint work), not within 200 feet of residential zone (subject to subsection 13-54(b))	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•	•	•
107. Motor vehicle; boat; and motorcycle repair services (including body and paint work), within 200 feet of residential zone (subject to subsection 13-54(b))	•	•	•	•	•	•	C	C	C	•	C	C	•	•	•	•	C	C	•	•	•	•	•
108. Nurseries (retail with no bulk fertilizer)	•	•	•	•	•	C	C	P	P	•	C	C	•	•	•	•	•	•	•	•	•	•	•
109. Offices: central administrative	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•	•
110. Offices: engineering; architectural; and surveying services; management; consulting and public	•	•	•	•	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	
relations																							
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	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	.	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. Personal Service	P	P	P	P	P	P	P	P	.	P	P	P	P	.	.	.	.	.
123. Personal Service with Group Instruction/Setting (see Chapter IX Article 24	P ²	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	
Group Instruction/Setting)																							
124. Physical fitness facilities	C	C	C	C	C	C	.	.	.	.	C	C	.	.	.	.	.
125. Printing and publishing	MC	P	MC	MC	P	P	.	.	.	.	P	P	.	.	.	.	.
126. Reserved																							
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 including Food Halls—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	.	.	.	.	.

**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
132. Retail: nonstore	P	P	P	P	P	P	P	P	.	P	P	P	P	P	.	.	.	.
133. Rifle, pistol, and firing ranges	C	C	.	.	.	.	.	.	C	.	.	.
134. Sexually-oriented businesses (subject to the requirements of title 9, chapter IV and title 13, chapter IX, sexually-oriented businesses)	P ²	P ²	P ²	P ²	.	.	.	.	.	.	.	P ²	.	.	.	.	.
135. Reserved																						
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	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	
including impound yard)																							
140. Storage of petroleum and coal products	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
141. Storage of rock, sand, crushed aggregate and gravel	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	•	•	•	•	•
142. Studio Fitness; Small Fitness Facilities etc. (See Chapter IX Article 24 Group Instruction Small Fitness Facilities)	•	•	•	•	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	•	
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	•	•	•	•	•	•	C ²	C ²	C ²	•	MC ²	MC ²	•	•	•	•	•	MC 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 7, mini- warehouses)																							
151. Warehouses, public	C	C	C	.	P	P	.	.	.	.	.	P	.	.	.	.	.
152. Warehousing of durable and nondurable goods except livestock and poultry—See also Storage	P	P	.	.	.	.	.	P	.	.	.	.	.
153. Wholesale trade of motor vehicles, boats and motorcycles with outdoor storage of vehicles	C	C	C	C	C	C	.	.	.	.	C	C	.	.	.	.	.
154. Wholesale trade of motor vehicles, boats and motorcycles without outdoor storage of vehicles	MC	MC	P	P	P	P	P	.	P	P	P	P	P	.	.	.	.	.
155. Wholesale trade of durable, nondurable goods, except livestock, poultry and perishable goods	MC	MC	P	P	P	P	P	.	P	P	P	P	P	.	.	.	.	.

Notes:

- 1 Uses proposed in this zone are subject to verification of consistency with the adopted master plan. Uses not specified in the master plan, could be allowed, subject to the review process indicated in this matrix, if the proposed use is determined to be compatible with the adopted master plan. Residential uses shall not be permitted on any site or parcel of land on which residential uses are expressly prohibited by the general plan.
- 2 This use is subject to the requirements of the referenced Municipal Code article or section.
- 3 If residential uses exist, accessory uses shall be permitted.

4	For the purposes of this table, the symbols in the non-shaded areas shall have the following meaning: C—Conditional Use Permit; MC—Minor Conditional Use Permit; P—Permitted; •—Prohibited; and S—Special Use Permit.
5	Six hundred fifty foot separation required between sober living homes, or from state licensed alcohol or drug abuse recovery or treatment facilities. CMMC 13-311(a)(10)(i).
6	Subject to the separation requirement set forth in sections 13-322(a)(3) and 13-323(b).
7	Small boardinghouses shall locate at least 650 feet from any other small boardinghouse. Large boardinghouses shall be located at least 1,000 feet away from any other boardinghouse.
8	Uses prohibited in the base zoning district of a mixed-use overlay zone shall also be prohibited in the overlay zone.
9	Prohibited at the SoCo property, 3303 through 3323 Hyland Ave.
10	Emergency shelters located on sites owned, controlled, and/or operated by the city in the MP and/or the PDI zone are a permitted use, not subject to a master plan requirement and the standards in section 13-200.79(1), (2), (4), (8), (10) and (13) do not apply to such uses.
11	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.
12	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.
13	Low barrier navigation centers shall be permitted by-right provided they are consistent with the requirements in Government Code Sections 65660-65668.

(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; Ord. No 26-03, 4-7-26;

EXHIBIT C
Chapter V, Development Standards
Article 3, Commercial Districts

§ 13-44 Development Standards.

Table 13-44 identifies development standards for the various commercial zones. See also Article 9, General Site Improvement Standards of this chapter for additional requirements.

TABLE 13-44 COMMERCIAL PROPERTY DEVELOPMENT STANDARDS							
DEVELOPMENT STANDARDS	P	AP	CL	C1	C2	C1-S	TC
Minimum Lot Area for newly created lots	6,000 square feet			12,000 square feet		5 acres	See Master Plan
Minimum Lot Width for newly subdivided lots	120 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width.			120 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width.			None
Minimum Lot Width	Interior Lot: 50 feet Corner Lot: 60 feet			60 feet			None
Maximum Floor Area Ratio	Refer to CHAPTER V, ARTICLE 8, FLOOR AREA RATIOS.						
Maximum Building/Structure Height	2 stories/30 feet ^{1,2}						None
SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS AND STRUCTURES (Minimum distances given, unless otherwise noted. All setbacks from streets are measured from the ultimate property line shown on the master plan of highways.)							
Front	20 feet						
Side (Interior)	15 feet on one side and 0 feet on the other side. Exception: If the side property line is adjacent to a residential zone, all buildings shall maintain a side setback from the residential property line of 2 times the building height at all locations.						None
Rear (Interior)	0 feet Exception: If the rear property line is adjacent to a residential zone, all buildings shall maintain a rear setback from the residential property line of 2 times the building height at all locations.						None

Side or Rear abutting a public street	20 feet for secondary, primary or major streets per the master plan of highways. 15 feet for all other streets.	20 feet— see also subsections 13-45(f) and (g).
PROJECTIONS (Maximum depth of projections given)		
Roof or Eaves overhang; Awning	2 feet 6 inches into required side setback. 5 feet into required front or rear setback.	None
Open, unenclosed Stairways.	2 feet 6 inches into required setback area.	None
PARKING (See CHAPTER VI)		
LANDSCAPING (See CHAPTER VII)		

1. A 5% increase is allowed if necessary to screen existing roof-mounted equipment

2. A height deviation of up to 12 feet, or 40 percent of the maximum allowable height, whichever is less, may be approved through the minor conditional use permit process. In addition to the findings required by Sections 13-29(e) and 13-29(g)(2), the review authority shall find that the proposed height is (a) compatible with the existing and anticipated development in the vicinity; (b) enhances the architecture and design of the development; and (c) would not be materially detrimental to surrounding properties or uses and would not adversely affect the public health, safety, or welfare.

Add the following to Section 13-45 Additional property development standards for commercial districts.

(h) Noise Regulations. All operations shall conform to Chapter XIII Noise Control of this Title. The operator must limit noise generated from the use to the greatest extent feasible. Any noise complaints generated from this use must be addressed by the owner/operator.

EXHIBIT D
Chapter V, Article 4
Establishments Where Food or Beverages are Served

§ 13-46. Purpose.

The purpose of this article is to regulate and provide development standards for establishments where food or beverages are served. The proximity of residential uses to these types of establishments is a concern of this article. Where the distance criterion of 200 feet from residentially-zoned property is given in this article, it shall be measured from the property line of the site to the property line of the nearest residentially-zoned property. This article also establishes requirements for outdoor dining areas to support long-term economic viability of local establishments, promote vitality in the city's commercial areas, promote progress towards creating walkable communities by facilitating pedestrian-friendly and safe public spaces, and facilitate and incentivize enhanced city dining experiences.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 2024-01, 1/16/2024)

§ 13-47. Permitted and conditionally permitted uses.

Establishments where food or beverages are served are subject to the review and approval procedures shown in Table 13-47 (a) and (b). In instances where more than one review procedure is applicable to an establishment, the more stringent procedure shall apply.

TABLE 13-47(a) PERMITTED AND CONDITIONALLY PERMITTED USES								
LOCATION AND OPERATIONAL CHARACTERISTICS	C1-S	C1	C2	CL	TC	PD	MG	MP
Establishments with 300 square feet or less of indoor public area. ³	P ^{1,2} or P	P	P	MC	P ¹ or P	P ¹ or P	P	P
Establishments with more than 300 square feet of indoor public area. ³	P ¹ or P	P	P	MC	P ¹ or P	P ¹ or P	MC	MC
EXCEPTIONS								
Located within 200 feet of a residential zone. (Subject to the requirements of section 13-49, Development Standards for section 13-49, Development Standards for Establishments Within 200 Feet of Residentially Zoned Property) ³	P ¹ or P	P	P	MC	P ¹ or P	P ¹ or P	P	P

TABLE 13-47(a)
PERMITTED AND CONDITIONALLY PERMITTED USES

LOCATION AND OPERATIONAL CHARACTERISTICS	C1-S	C1	C2	CL	TC	PD	MG	MP
Sale of alcoholic beverages for on-site consumption after 11:00 p.m. and/or provision of live entertainment or dancing located within 200 feet of a residential zone. ³	P ¹ or C	C	C	C	P ¹ or C	P ¹ or C	C	C
Sale of alcoholic beverages for on-site consumption after 11:00 p.m. and/or provision of live entertainment or dancing located not within 200 feet of a residential zone. ³	P ¹ or MC	MC	MC	MC	P ¹ or MC	P ¹ or MC	MC	MC
Drive-through operations. (Subject to the requirements of section 13-50, Development Standards for Drive-Through Operations) ³	P ¹ or MC	MC	MC	MC	P ¹ or MC	P ¹ or MC	MC	MC
Establishments with less than 300 square feet of indoor public area located in a multi-tenant center where 30% or more of the tenants are similar businesses, i.e., establishments with less than 300 square feet of indoor public area. ³	P ¹ or MC	MC	MC	MC	P ¹ or MC	P ¹ or MC	MC	MC
Establishments with a micro brewery ³	P ¹ or C	C	C	C	P ¹ or C	P ¹ or C	C	C
Commercial Kitchens						P	P	P

TABLE 13-47(a)
PERMITTED AND CONDITIONALLY PERMITTED USES

LOCATION AND OPERATIONAL CHARACTERISTICS	C1-S	C1	C2	CL	TC	PD	MG	MP
Ghost Kitchen (Subject to the requirements of section 13-52, Development Standards for Ghost Kitchens)		MC	P			P	P	P

Notes:

- ¹ Pursuant to an approved master plan which specifies these operational characteristics and/or location of the business.
- ² For the purposes of this table, the symbols shall have the following meaning:
P=Permitted; MC=Minor Conditional Use Permit; C=Conditional Use Permit.
- ³ Outdoor dining and seating areas may be considered as part of a proposed land use if allowed in the zoning district, and pursuant to the provisions, regulations and standards of this Article.

TABLE 13-47 (b) OUTDOOR DINING AREA PERMITTING PROCESS ¹	
LOCATION OF OUTDOOR AREAS AND OPERATIONAL CHARACTERISTICS	Approval Process
Courtyard Area	P ²
Setback Area - Expansion of up to 50% of indoor public area outdoors. ¹	P ²
Setback Area - Expansion of more than 50% of indoor public area outdoors. ¹	MC ²
Parking Area - Expansion of up to 50% of indoor public area outdoors and does not remove more than five parking spaces or 25% of existing, required parking, whichever is less. ¹	P ²
Parking Area - Expansion of more than 50% of indoor public area outdoors. ¹	MC ²
Parking Area - removal of more than five parking spaces, or removal of more than 25% of existing, required parking, whichever is less. ¹	MC ²

Notes:

¹ Temporary Use Permits for outdoor dining areas, including parklets within the public right-of-way, approved through Urgency Ordinance 2020-15 may continue to operate with staff approval; however, shall comply with applicable Building and Fire Code requirements, may not interfere with minimum required site access or circulation, and shall comply with the aesthetic development standards outlined in section 13-48 within six months from the time of ordinance adoption, with an allowed six-month extension of time. Outdoor dining areas approved under a temporary use permit shall also be subject to applicable fees. Any modifications to these outdoor dining areas shall be approved pursuant to this article.

For the purposes of this table, the symbols shall have the following meaning: P=Permitted; MC=Minor Conditional Use Permit.

²

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 2024-01, 1/16/2024)

Add the following new Section to Article 4, Establishments where Food or Beverages are Served:

§ 13-52. Operational standards for ghost kitchen operations.

Establishments with ghost kitchen operations shall comply with the following operational standards in addition to the development standards included in this Chapter, unless the standards are modified through the issuance of a minor conditional use permit.

- (a) The customer area shall be limited to pick-up lobby only, no dine-in seating is allowed.
- (b) Applicant shall provide a delivery/couriers management plan and shall submit it to the Planning Department for review and approval by the Community Development Director or their designee. The Plan shall include but not be limited to:
 - (1) Queuing. Queuing into drive aisles or public ROW is strictly prohibited. Should queuing be an issue the applicant/operators shall develop a solution that elevates the issue and shall be reviewed and approved by the Community Development Director or their designee.
 - (2) Loading Zone. Designated Pick-up/loading spaces shall be provided.
 - (3) Hours of operation.
 - (4) Operators. The plan shall identify the total number of operators and/or businesses in the facility.
- (c) Should parking issues arise the owner and/or operator shall work with the City to resolve the issues which may include but shall not be limited too runners to deliver meals to waiting drivers/customers, parking attendants, and valet services.
- (d) Establishments within 200 feet of residentially-zoned property shall also be subject to the development standards contained in section 13-49, Development standards for establishments within 200 feet of residentially-zoned property.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 00-4, § 1, 2-22-00; Ord. No. 2024-01, 1/16/2024)

EXHIBIT E
Chapter VI Off-Street Parking Standards, Article 2
Non-Residential Districts

§ 13-88. Purpose.

The purpose of this article is to establish parking requirements for all nonresidential zones, nonresidential components of the planned development residential zones and to mixed-use developments in all zones.

(Ord. No. 97-11, § 2, 5-5-97)

§ 13-89. Parking required.

The minimum amount of off-street parking as established in Table 13-89 shall be provided at the time:

- (a) Any building and/or structure is constructed;
- (b) Any building or structure is enlarged or increased in capacity by adding gross floor area, gross leasable area or seats;
- (c) A specific use is proposed for a building site; or
- (d) An existing use is changed to one which requires additional parking.

At all times, with the exception of the provisions of section 13-98, Declaration of land use restriction, parking shall be provided according to the requirements of Table 13-89.

TABLE 13-89 NON-RESIDENTIAL PARKING STANDARDS	
USE	PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)
Retail; offices; central administrative offices; individual counseling; group counseling; Artisan Studio and Retail Commercial; establishments where food or beverages are served with a maximum of 300 square feet of public area ¹	4 spaces per 1,000 square feet with a minimum of 6 spaces ²
Office buildings exceeding 2 stories in height and 100,000 square feet in area	3 spaces per 1,000 square feet
Banks; savings and loans; credit unions	5 spaces per 1,000 square feet with a minimum of 6 spaces
Medical and dental offices; acupressure; massage; <u>personal services (non-group instruction/setting)</u>	6 spaces per 1,000 square feet with a minimum of 6 spaces
Furniture and appliance stores with floor area greater than 5,000 square feet	2 spaces per 1,000 square feet with a minimum of 20 spaces
Churches; theaters; mortuaries; auditoriums; services and fraternal clubs and lodges; amphitheaters <u>event center, event venue, banquet facilities, assembly halls, and E-Sports area,</u> and other similar places of assembly	Within the main auditorium or assembly area: 1 space for each 3 fixed seats or 1 space for every 35 square feet of seating area if there are no fixed seats. 18 lineal inches of bench shall be considered equal to 1 fixed seat.
Racquetball and tennis facilities	3 spaces per court plus parking required for incidental uses such as restaurants which shall be calculated as noted below

**TABLE 13-89
NON-RESIDENTIAL PARKING STANDARDS**

USE	PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)
Establishments where food or beverages are served with more than 300 square feet of public area ^{1,4}	10 spaces per 1,000 square feet for the first 3,000 square feet, ² 12 spaces per 1,000 square feet for each additional 1,000 square feet above the first 3,000 square feet. ²
Health clubs; spas; figure salons; skating rinks; game arcades <u>Physical Fitness Facilities</u> <u>Active Entertainment</u>	Parking requirement is 10 spaces per 1,000 square feet <u>(unless otherwise listed in this table)</u> . <u>Accessory food or beverage service parking requirements shall be:</u> <u>First 25% of gross leasable area for food and beverage service: 1 space per 1,000 square feet</u> <u>Remaining gross leasable area for food and beverage service: 5 spaces per 1,000 square feet</u> <u>Total parking requirement shall be the sum of all uses combined, but the provisions of section 13-89.5 may be applied.</u>
Bowling alleys	3 spaces per lane plus parking required for incidental uses such as restaurants which shall be calculated as noted under "Establishments where food or beverages are served"
Trade schools; business colleges; dancing and music academies	10 spaces per 1,000 square feet
Motels	1 space for each rentable unit without cooking facilities. Each rentable unit with cooking facilities shall be governed by residential parking standards
Hotels	1 space for each 2 rentable units plus 10 spaces per 1,000 square feet for the first 3,000 square feet, and 20 spaces per 1,000 square feet for each additional 1,000 square feet above the first 3,000 square feet for restaurant, banquet, meeting room and kitchen spaces
Establishments with live entertainment; i.e., go-go dancers, topless dancers, bikini dancers	1 parking space for each person for the first 100 persons as authorized by capacity signs posted by the fire department; 1 parking space for each 2 persons for every 101 to 300 persons as authorized by capacity signs posted; 1 parking space for each 3 persons for every 301 plus persons as authorized by capacity signs posted by the fire department.
<u>Personal Service Group Instruction/Setting; Studios, Small Fitness Facilities</u>	<u>Parking requirement is 10 spaces per 1,000 square feet</u>
<u>Commercial Kitchens</u>	<u>3 spaces per 1,000 square feet of gross leasable area</u>
<u>Ghost Kitchens</u>	<u>6 spaces per 1,000 square feet of gross leasable area</u>
Shopping centers with a minimum of 600,000 square feet of contiguous gross leasable area:	
Main structure or group of abutting structures	

**TABLE 13-89
NON-RESIDENTIAL PARKING STANDARDS**

USE	PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)
Retail	5 spaces per 1,000 square feet of gross leasable area
Establishments where food or beverages are served occupying 5% or less of the total contiguous gross leasable area	1 space per 1,000 square feet of gross leasable area
Establishments where food or beverages or served in excess of 5% of the total contiguous gross leasable area	5 spaces per 1,000 square feet of gross leasable area
Office Space occupying 10% or less of the total contiguous gross leasable area	None
Office Space in excess of 10% of the total contiguous gross leasable area	4 spaces per 1,000 square feet of gross leasable area with a minimum of 6 spaces
Theaters (cumulative)	
750 seats and less	5 spaces per 1,000 square feet of gross leasable area
More than 750 seats	5 spaces per 1,000 square feet of gross leasable area plus 3 spaces for each additional 100 seats
Uses within freestanding structures	
Establishments where food or beverages are served	10 spaces per 1,000 square feet of gross leasable area

**TABLE 13-89
NON-RESIDENTIAL PARKING STANDARDS**

USE	PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)
All others	Pursuant to this table
Mixed use developments	<p>When there are mixed uses within a single development which share the same parking facilities, the total requirement for parking should be determined as outlined in "City of Costa Mesa Procedure for Determining Shared Parking Requirements" which are included herein by this reference and which may be amended from time to time by resolution of the city council. A greater reduction in parking than would be allowed under this procedure may be approved by minor conditional use permit where it can be demonstrated that less parking is needed due to the hours of operation or other unusual features of the users involved.</p> <p>For mixed-use developments located in the mixed-use overlay zone, refer to the applicable urban plan for parking rates.</p>
Industrial	<p>3 parking spaces shall be provided per 1,000 square feet of gross floor area for the first 25,000 square feet of building; 2 parking spaces shall be provided per 1,000 square feet of gross floor area between 25,000 and 50,000 square feet of building; and one and one-half parking spaces shall be provided per 1,000 square feet of gross floor area over 50,001 square feet of building.</p>
Garden centers; plant nurseries	<p>4 spaces per 1,000 square feet of gross floor area; and 2 spaces per 1,000 square feet of outdoor display area.</p>
Smoking lounges	<p>17 spaces per 1,000 square feet</p>

Notes:

- 1 Establishments limited to seating for 12 or fewer persons prior to June 4, 1997, shall remain at that seating limit unless additional parking is provided pursuant to this Zoning Code.
- 2 The outdoor patio seating area(s) shall not be included in the floor area calculations for purposes of determining the required parking.
- 3 The final review authority may apply a maximum credit of one parking space due to the provision of bicycle racks. This credit shall only apply to the overall parking supply and not to multiple uses.

When the approval of a use permit is required, the final review authority may require additional parking spaces at a ratio not to exceed 30 spaces per 1,000 square feet of floor area of the entire building. Factors that may warrant additional parking include, but are not limited to, the provision of entertainment and/or dancing, or substantial ratio of floor area devoted to bar as compared to restaurant use. The maximum parking rate shall be applicable to uses that have substantially maximized the building's occupancy due to design and provision of concentrated uses.
- 4 When the approval of a use permit is required, the final review authority may require additional parking spaces at a ratio not to exceed 30 spaces per 1,000 square feet of floor area of the entire building. Factors that may warrant additional parking include, but are not limited to, the provision of entertainment and/or dancing, or substantial ratio of floor area devoted to bar as compared to restaurant use. The maximum parking rate shall be applicable to uses that have substantially maximized the building's occupancy due to design and provision of concentrated uses.

- 5 The square footage of electrical and mechanical equipment and the surrounding three feet for clearance shall be excluded from the calculation of gross floor area for the purpose of determining parking requirements

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-5, § 16, 3-2-98; Ord. No. 02-4, § 1j, 3-18-02; Ord. No. 06-9, § 1g., 4-18-06; Ord. No. 12-4, § 1, 5-15-12; Ord. No. 15-10, § 2C, 9-15-15; Ord. No. 21-20, § 1, 12-7-21; Ord. No. 2024-01, 1/16/2024; Ord. 2025-07, 10/21/2025)

§ 13-89.5. Reduction in parking requirements.

Where it can be shown that the required parking for a nonresidential land use will substantially exceed the demand of the actual use, the zoning administrator may, by minor conditional use permit, allow a reduction in the amount of required parking. The zoning administrator may place the following conditions on the approval of the minor conditional use permit:

- (a) Allow such excess parking to be provided as landscaping, plazas, courtyards, or similar open space feature.
- (b) Require recordation of a land use restriction that restricts the future use of the property to ensure adequate parking availability.

(Ord. No. 99-15, § 2, 11-16-99)

§ 13-90. Parking for uses not specified.

The parking requirements for the uses not specified in Table 13-89 shall be determined by the planning division. The determination shall be based upon the requirements for the most comparable use specified in this chapter or other appropriate sources including but not limited to a parking study.

(Ord. No. 97-11, § 2, 5-5-97)

§ 13-91. General development standards.

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

(Ord. No. 97-11, § 2, 5-5-97)

EXHIBIT F

CHAPTER VI, OFF-STREET PARKING STANDARDS

Article 3 Development Standards

Add the following Section to Article 3:

13-100.10 Electric Vehicle Charging Stations

(a) Purpose.

The purpose of this chapter is to comply with Government Code Section 65850.7 and to promote and encourage the use of electric charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations.

(b) Regulations.

(1) Accessory Use. An electric vehicle charging station (EVCS) for public or private use shall be permitted as an accessory use within any existing legal single-family or multiple-family residential garage or carport, or within any existing legal commercial parking space in a parking lot or in a parking garage, subject to the development standards listed in subsection (c) below.

(2) Primary Use. An electric vehicle charging station (EVCS) as a primary use shall be permitted in non-residential and mixed use zones, pursuant to the Mesa Land Use Matric Chapter IV, Table 13-30 and shall comply with all standards applicable to the underlying zone and the development standards listed in subsection (c) below.

(c) Development Standards:

All EVCS shall:

- (1) Be protected as necessary to prevent damage by automobiles;
- (2) Be designed to minimize potential damage by vandalism and to be safe for use in inclement weather;
- (3) Include complete instructions and appropriate warnings concerning the use of the EVCS, which shall be posted on a sign in a prominent location on or near each station for use by the operator;

- (4) Be maintained in good working order. Damaged or broken EV chargers or related infrastructure shall be repaired within 48 hours;
- (5) Be located in a manner which will be easily seen by the public for informational and security purposes, when available for public use;
- (6) Be located so as not to obstruct required parking areas, drive aisles, pedestrian walkways, accessible paths of travel, emergency access, or required visibility areas; and
- (7) Comply with all applicable building, electrical, fire, accessibility, parking, circulation, and zoning requirements.

EXHIBIT G

Chapter IX Special Land Use Regulations

The following new Articles are added to Chapter IX, Special Land Use Regulations:

Article 24 – Group Instruction/Setting and Small Fitness Studios.

13-200.210 Purpose: The purpose of Article is to establish operational and development standards for uses with group instruction, group setting and for Small Fitness Studio uses and to ensure compatibility with surrounding commercial uses.

13-200.211 Permits required. The required permit is identified in Chapter IV, Table 13-30, City of Costa Mesa Land Use Matrix.

13-200.212 Operational and Development Standards.

- (a) Parking. Parking requirements shall be provided pursuant to Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts, Table 13-89, Non-Residential Parking Standards.
- (b) Indoor Operations. All activities shall occur entirely within an enclosed building. Outdoor activities shall require approval of a Minor Conditional Use Permit per Chapter V, Development Standards, Article 3, Commercial Districts, Section 13-44 of this title.
- (c) Small Fitness Studios shall not exceed 15,000 square feet in gross floor area. Facilities larger than 15,000 square feet of gross floor area are classified as Physical Fitness Facilities.
- (d) Noise. Whenever amplified music, instruction, or sound is utilized, all exterior doors and windows shall remain closed.
- (e) A minimum of 15 minutes shall be provided between each group instruction or class.

Article 25 – Event Centers.

13-200.215 Purpose and Intent. The purpose of this Article is to establish operational and development standards for Event Centers and similar assembly uses, including banquet facilities, assembly halls, conference facilities, and arenas, in order to ensure compatibility with surrounding uses.

13-200.216 Permits required. The required permit is identified in Chapter IV, Table 13-30, City of Costa Mesa Land Use Matrix.

13-200.217 Operational and Development Standards.

- (a) Parking. Parking requirements shall be provided pursuant to Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts, Table 13-89, Non-Residential Parking Standards.
- (b) Occupancy. Occupancy shall not exceed the maximum occupant load approved by the Building Official and Fire Authority, or any occupancy limitation imposed through a planning entitlement.
- (c) Noise. Amplified music, outdoor speakers, and public address systems shall comply with the City's Noise Ordinance. Outdoor amplified sound shall cease by 11:00 p.m., unless otherwise authorized through a Conditional Use Permit. A Noise study may be required to evaluate impacts on adjacent properties.
- (d) Operation Plan. Operator shall provide a detailed Operations Plan as part of the application package which shall include, at a minimum, the following:
 - 1. Description of Operations. A description of the proposed use, including the types of events to be conducted, maximum occupancy, seating capacity, frequency of events, and anticipated hours of operation.
 - 2. Site Management. Identification of on-site management personnel responsible for facility operations during events, including contact information for an on-site manager or responsible party.
 - 3. Parking and Circulation. A description of parking management practices, valet operations (if applicable), rideshare pick-up and drop-off locations, employee parking locations, loading and unloading activities, and measures to prevent vehicle congestion on adjacent streets.
 - 4. Noise Management. Identification of any amplified sound, entertainment, public address systems, or outdoor activities and measures to ensure compliance with the City's Noise Ordinance.
 - 5. Security and Crowd Management. Procedures for crowd control including procedures for event dismissal and dispersal of attendees, event monitoring, security staffing, and coordination with public safety agencies, as appropriate.
 - 6. Alcohol Service. A description of alcohol management practices, type of Alcohol Beverage Control license, including proof of compliance with all applicable Alcoholic Beverage Control regulations.
 - 7. Loading and Deliveries. A description of delivery schedules, vendor access, equipment loading and unloading activities, and designated service areas.

8. Trash and Maintenance. Procedures for refuse collection, litter control, site maintenance, and post-event cleanup.
9. Modification of Operations. The Director may require modifications to an approved Operations Plan when necessary to address documented operational impacts, ensure compliance with conditions of approval, or maintain compatibility with surrounding properties.

(e) Excluded Uses. Event Centers do not include:

1. Restaurants, bars, or nightclubs where food and beverage service is the primary use, and
 - i. Private events do not occur regularly and are accessory and subordinate to the permitted restaurants, bars, or nightclub use; and
 - ii. The tenant space does not have space dedicated for private events.
2. Indoor commercial fitness or sports training facilities;
3. Churches or other places of religious assembly regulated under Article 4.5 (Development Standards for Churches and Other Places of Religious Assembly);
4. Civic and Community clubs or other private social clubs regulated elsewhere in this Title;
5. E-sports gaming lounges and participant-oriented electronic gaming facilities regulated as Active Entertainment uses; or
6. Schools or educational institutions.

Article 26 – Active Entertainment and Amusement Center

13.200.220 Purpose and Intent. The purpose of the Article is to establish operational and development standards for Active Entertainment and Amusement Center uses and to ensure compatibility with surrounding properties.

13-200.221 Permits required. The required permit is identified in Chapter IV, Table 13-30, City of Costa Mesa Land Use Matrix.

13-200.222 Operational and Development Standards.

- (a) Indoor Operations. Active Entertainment and Amusement Center uses shall be conducted entirely within an enclosed building and shall be limited to a maximum gross square footage of 15,000 sf. Uses larger than 15,000 gross

square feet are classified as Amusement Centers. For uses that proposes outdoor uses (uses not underroof) a Minor Conditional Use Permit is required per Chapter V, Development Standards, Article 3, Commercial Districts, Section 13-44 of this title.

- (b) Parking. Parking requirements shall be provided pursuant to Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts, Table 13-89, Non-Residential Parking Standards.
- (c) Noise. All activities, including amplified sound, public address systems, gaming equipment, and entertainment devices, shall comply with the City's Noise Ordinance. Sound generated by the use shall not create a nuisance on adjacent properties. Should an issue arise from noise the operator shall work with the City and implement best practice to eliminate the issue.
- (d) Occupancy. The use shall not exceed the maximum occupant load established by the Building Official and Fire Authority.
- (e) Food and Beverage. Accessory food and beverage service may be permitted, subject to Chapter V, Article 4 (Establishments Where Food or Beverages Are Served).
- (f) Queuing and Circulation. The use shall be designed and operated so that customer queues, waiting areas, and patron gatherings do not obstruct pedestrian walkways, building entrances, drive aisles, parking spaces, or required accessible routes.
- (g) Excluded Uses. Active Entertainment and Amusement Center uses shall not include spectator-oriented assembly uses, event centers, concert venues, e-sports arenas, or other assembly uses where viewing or attendance is the primary activity. Such uses shall be regulated as Event Centers and Assembly Uses.

Article 27 – Artisan Studio

13.200.225 Purpose and Intent. The purpose of this Article is to establish development and operational standards for Artisan Studio retail uses that also support onsite opportunities for small-scale creative production, fabrication, repair, while ensuring compatibility with surrounding commercial uses and distinguishing Artisan Studio uses from manufacturing and industrial operations.

13-200.226 Permits required. The required permit is identified in Chapter IV, Table 13-30, City of Costa Mesa Land Use Matrix.

13-200.227 Operational and Development Standards.

- (a) Indoor Operations. All production, fabrication, assembly, repair, and retail activities shall occur entirely within an enclosed building. For studios that propose outdoor uses (uses not underroof) a Minor Conditional Use Permit is

required per Chapter V, Development Standards, Article 3, Commercial Districts, Section 13-44 of this title.

- (b) Parking. Parking requirements shall be provided pursuant to Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts, Table 13-89, Non-Residential Parking Standards
- (c) Customer-Oriented Component. The use shall maintain a customer-facing component, which may include retail sales, display areas, demonstrations, workshops, classes, or other public interaction associated with the artisan production activities.
- (d) Classes, Workshops, or Group Instruction. For uses that propose classes, workshops, or group instruction the following shall apply:
 - 1. Parking requirements shall be provided per Table 13-89, Non-Residential Parking Standards.
 - 2. Whenever amplified music or sound is played, all exterior doors and windows shall remain closed.
 - 3. A minimum of 15 minutes shall be provided between each class, workshop or group instruction.
- (e) Production Scale. The use shall be limited to small-scale production activities involving handcrafted, custom, artistic, specialty, or limited-production goods that are sold onsite. Uses involving assembly-line production, mass manufacturing, bulk processing, or large-scale industrial operations are prohibited.
- (f) Permitted Equipment. Equipment and machinery customarily associated with artisan production, fabrication, repair, design, and creative activities may be utilized provided such equipment complies with all applicable building, fire, and noise regulations.
- (g) Compatibility with Commercial Areas. Operations shall not create noise, vibration, dust, smoke, glare, fumes, odors, electrical interference, hazardous conditions, or other impacts beyond the property boundaries.
- (h) Screening. All exterior mechanical equipment, and/or roof mounted equipment, shall be screened from view from public right-of-way and adjacent properties.
- (i) Materials and Storage. All materials, supplies, products, and equipment shall be stored within an enclosed building. Outdoor storage of raw materials, products, equipment, or waste materials is prohibited. The use shall not involve the storage or use of hazardous materials in quantities exceeding those permitted by the California Fire Code or other applicable regulations.

- (j) Food Production. Food preparation, food manufacturing, ghost kitchens, commercial kitchens, catering kitchens, or other food-related production uses shall not be considered Artisan Studio and shall be regulated separately.

EXHIBIT A
Chapter I, 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).

Active Entertainment. A commercial use that provides interactive, participant-based amusement, recreation, or game-oriented activities for individual or group participation and is limited to a maximum of 15,000 square feet. Active Entertainment does not include spectator-oriented uses, live performance theaters, adult entertainment businesses, physical fitness facilities, or event centers.

Adjacent. Same as abutting, but also includes properties which are separated by a public right-of-way, not exceeding 120 feet in width.

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.

Amusement Center. A commercial use that provides interactive, participant-based amusement, recreation, or game-oriented activities for individual or group participation and is larger than 15,000 gross square feet. Active Entertainment does not include spectator-oriented uses, live performance theaters, adult entertainment businesses, physical fitness facilities, or event centers.

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.

Artisan Studio. A workspace for the creation, display, and retail sale of artwork and hand crafted goods, including custom woodworking and furniture making, where products are primarily created by the artist or artisan on-site; excluding automotive repair and food related production. Examples include, but are not limited to, artist studios and workshops, photography studios and commercial photography, recording studios, music studios, galleries, and showrooms.

Assembly use. A use conducted in a structure or outdoor venue for the purpose of gathering of persons for 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.

Commercial Kitchen. A food preparation facility used by one or more food operators for the preparation, cooking, processing, packaging, and storage of food or beverages for off-site consumption, distribution, catering, wholesale, or other commercial purposes, with no on-site dining, retail sales, customer pick-up, or delivery service to the general public. A commercial kitchen may include catering kitchens, commissary kitchens, shared-use kitchens, and food production facilities, but does not include a restaurant, ghost kitchen, food hall, or other food service establishment where food orders are accepted from customers and fulfilled directly from the premises.

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.

Electric vehicle charging station. As defined by Government Code Section [65850.7](#).

Electric vehicle supply equipment. The hardware, including connectors, fixtures, devices, and other components required to charge an electric vehicle.

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.

E-Sports or Electronic Sports. Means a participant-based organized competitive playing of video games using digital gaming platforms.

E-Sports Arena. A facility designed and operated primarily for organized electronic gaming competitions, tournaments, exhibitions, broadcasts, live-streaming events, or similar events where spectator viewing and attendance are the principal activities.

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

Event Center- A facility designed for assembly use and to accommodate organized events, competitions, ceremonies, meetings, entertainment, spectator viewing, or similar group activities. Event Centers are also referred to as Banquet Facilities, Assembly Halls, and Arenas.

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.

Food Hall. A single, integrated food and beverage establishment, or restaurant, containing three or more independently operated food or beverage vendors or counters within a shared building or tenant space, with common customer seating, shared circulation, and shared amenities. A food hall may include accessory alcohol service, entertainment, retail, or event programming when allowed by applicable permits, but does not include ghost kitchen or commercial kitchen.

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.

Ghost Kitchen. A food preparation facility used by one or more food operators for the preparation of meals or beverages for off-site consumption through delivery, mobile ordering, or customer pick-up, with no dine-in restaurant service. A ghost kitchen may include multiple virtual restaurant brands, shared order fulfillment areas, delivery driver staging, and limited pick-up lobby areas, but does not include a catering kitchen, commercial kitchen, or food hall.

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 Floor Area (Nonresidential). The total horizontal area of all floors within the exterior walls of a structure that contribute to the building's occupancy or intensity of use. Nonresidential gross floor area excludes garages or carports used for required parking, elevator and stair shafts, mechanical shafts, pipe chases, mechanical equipment rooms, electrical rooms, and other utility or service spaces devoted exclusively to building operations and maintenance. Basement, cellar, storage or attic areas used solely for accessory building functions and not intended for human occupancy are also excluded.

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; (3) any group home without an operator.

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, including an in-house manager, who provides residential services, i.e., the placement of individuals in a residence, setting of house rules, and/or 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.

Personal Services. A commercial use that provides personal care, grooming, wellness, aesthetic, or convenience services directly to individuals. This category does not include group fitness uses, medical offices, or other uses involving medical diagnosis or clinical treatment.

Personal Services, Group. A commercial use that provides personal care, grooming, wellness, aesthetic, or convenience services directly to individuals that include group instruction or group setting. This category does not include group fitness uses, medical offices, or other uses involving medical diagnosis or clinical treatment.

Physical Fitness Facility means a facility, building, or portion thereof designed and operated for physical fitness, athletic training, sports instruction, exercise, recreation, or wellness activities conducted individually or in groups, with a gross floor area of 15,000 square feet or greater. Such facilities may include exercise equipment, fitness classes, courts, fields, training areas, locker rooms, spectator seating accessory to the primary use, and related support amenities.

Physical Fitness Facility (small). See *Small Fitness Studios.*

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 major modifications, conditional use permits, development reviews, variances, etc.

Planning division. The planning division of the ~~development services~~ Community Development Department of the City of Costa Mesa.

Project. See Development.

Property line. A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

Property line, front. For interior lots, the narrowest property line of a lot abutting a public or private street. If two or more equal property lines are narrowest, the front shall be that property line across which the development takes its primary access (if the primary access is determined to be equal, there shall be two front property lines). However, for non-residentially zoned property, any property line abutting a public street designated as a secondary, primary or major street on the master plan of highways shall be deemed a front property line. A non-residentially zoned property shall have more than one front property line when it abuts more than one street designated as secondary, primary, or major on the master plan of highways.

For R-1 zoned property located on corner lots, the front property line may be the property line towards which the front of the dwelling unit is oriented.

Property line, rear. The property line opposite the front property line. A corner lot with more than one front property line shall have more than one rear property line. Irregularly shaped lots may also have more than one rear property line.

Property line, side. Any property line which is not a front or rear property line.

Property line, ultimate. The boundary of a lot after the dedication of land for use as public right(s)-of-way, whether dedicated in fee or by easement. A setback is measured from the ultimate property line.

Public area. Establishments where food or beverages are served. That portion of an establishment reserved for the exclusive use of the public for the receipt or consumption of food and/or beverages. For the purpose of this Zoning Code, public area shall not include restrooms, kitchens, hallways or other areas restricted to employees only.

Public hearing. A public proceeding conducted for the purpose of acquiring information or evidence which may be considered in evaluating a proposed action, and which affords to any affected person or persons the opportunity to present their views, opinions, and information on such proposed applications. "Mandatory hearings" are those required to be held by law, and "discretionary hearings" are those which may be held within the sole discretion of the hearing body.

Public right-of-way. A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer and/or other public uses.

Recyclable materials. Reusable materials, including, but not limited to, metals, glass, plastic and paper which are intended for reuse, remanufacture or reconstruction. Recyclable materials do not include refuse, hazardous materials or hazardous waste.

Recycling. The process by which waste products are reduced to raw materials and transformed into new products.

Recycling and collection facility. A building or enclosed space used for the collection and processing of recyclable materials for preparation for shipment, or to an end user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning or remanufacturing.

Referral facility. A residential care facility or a group home where one or more person's residency in the facility is pursuant to a court order or directive from an agency in the criminal justice system.

Residential care facility. A residential facility licensed by the state where care, services, or treatment is provided to persons living in a supportive community residential setting. Residential care facilities include, but may not be limited to, the following: intermediate care facilities for the developmentally disabled (Health & Safety Code §§ 1267.8,1267.9); community care facilities (Health & Safety Code § 1500 et seq.); residential care facilities for the elderly (Health & Safety Code § 1569 et seq.); residential care facilities for the chronically ill (22 C.C.R. § 87801(a)(5); Health & Safety Code § 1568.02); alcoholism and drug abuse facilities (Health & Safety Code §§ 11834.02—11834.30); pediatric day health and respite care facilities (Health & Safety Code § 1760 et seq.); residential health care facilities, including congregate living health facilities (Health & Safety Code §§

1265—1271.1, 1250(i), 1250(e), (h)); family care home, foster home, group home for the mentally disordered or otherwise handicapped persons or dependent and neglected children (Wel. & Inst. Code §§ 5115—5120).

Residential, multi-family. Apartments, common interest developments, townhouses and similar multiple-family residential developments, including detached single-family homes where there is more than one primary dwelling unit on a lot.

Residential, single-family. Detached single-family home where there is no more than one primary dwelling unit on a lot.

Room, bedroom. A fully-enclosed room designed or intended to be used for sleeping purposes within a residence that typically includes a closet and is separated from the other living spaces with a door.

Room, home office. A room designed and intended to be used for a household office or small business related activity within a residence. Within a single-family detached residence, this room is strictly not intended for sleeping purposes, and lacks direct access to a bathroom. The home office may also be referred to as a studio, den, study or library.

Senior congregate care facility. A structure(s) providing residence for 13 or more senior citizens with kitchen, dining, recreational, etc. facilities with separate bedrooms and/or living quarters.

Setback. The required distance that a building, structure, parking or other designated item must be located from a property line or lot line. A setback is measured from the ultimate property line.

Single housekeeping unit. The occupants of a dwelling unit have established ties and familiarity with each other, including joint use of and responsibility for common areas, which includes interaction with each other, shared meals, household activities, and expenses and responsibilities; where residency is mutually agreed by all residents, is not transitory in nature and the residential activities of the household are conducted on a not-for-profit basis.

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 Fitness Studio - means an indoor commercial use of less than 15,000 square feet that provides instructor-led instruction, training, or structured physical activity, either in a group setting or one-on-one, including, but not limited to: dance, martial arts, yoga, Pilates, high-intensity interval training (HIIT), circuit training, and similar small-group fitness activities. These uses are characterized by scheduled classes or training sessions and are limited in scale and intensity. This use does not include

large health clubs, commercial gyms, indoor sports training facilities, or uses greater than 15,000 square feet of gross floor area. Also know as Studio Fitness.

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; (3) any sober living home without an operator.

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.

Studio Fitness. See Small Fitness Studio.

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.

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. *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; Ord. No. 26-03 § 04-07-26)

EXHIBIT B
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																							
<u>12. Electric Vehicle Charging Station, Accessory Use (subject to the requirements of Chapter IV, 13-30)</u>	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	
13. Animals, keeping of	SEE TITLE 3, ANIMALS AND FOWL																						
14. Antennas: Amateur radio, Satellite dish, Communication	SEE CHAPTER IX, ARTICLE 2, ANTENNAS																						
16. Day care facilities (15 children or more) (see also Nursery)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	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	
schools)																							
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	•	
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	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•

**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	
21. Home occupations (subject to the requirements of chapter IX, article 6, home occupations)	P ²	P ²	P ²	P ²	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ²	P ²	P ²	P ²	P ^{2,3}	P ^{2,3}	P ²	•	P ²	•	
22. Home occupations that generate traffic and do not involve more than 1 customer/ client at a time or more than 8 customers/clients per day (subject to the requirements of ch. IX, article 6, home occupations)	MC ²	MC ²	MC ²	MC ²	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	MC ²	MC ²	MC ²	MC ²	MC ^{2,3}	MC ^{2,3}	MC ^{2,3}	•	MC ^{2,3}	•	
22.1 Non-residential accessory uses in a residential development not otherwise specified in this table	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
22.2 Accessory dwelling unit (subject to the requirements of ch. V, section 13-35, accessory dwelling units)	P ²	P ²	P ²	P ²	•	•	•	•	•	P ²	•	•	P ²	P ²	P ²	P ²	P ²	P ²	•	•	P ²	•	
22.3 Junior accessory dwelling unit (subject to the requirements of ch. V, section 13-35, accessory dwelling units)	P ²	P ²	P ²	P ²	•	•	•	•	•	•	•	•	P ²	P ²	P ²	P ²	P ²	P ²	•	•	P ²	•	
22.4 Temporary real estate and construction offices (subject to the requirements of ch. IX, art. 10, temporary trailers)	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	

**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
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	•
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	•	•	•	•	•	•	•	•	•	•	•	C ⁹	•	•	•	•	•	•	C ⁹	•	•	•

**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	
processor																							
31d. Cannabis and/or marijuana retail sales storefront	•	•	•	•	•	C ^g	C ^g	C ^g	C ^g	C ^g	•	•	•	•	•	•	•	•	•	•	•	•	
31e. Cannabis and/or marijuana retail sales nonstorefront (deliveries)	•	•	•	•	•	C ^g	C ^g	C ^g	C ^g	C ^g	•	C ^g	•	•	•	•	•	C ^g	•	•	•	•	•
31f. Cannabis and/or marijuana research and development and/or testing laboratories	•	•	•	•	•	•	•	•	•	•	•	C ^g	•	•	•	•	•	C ^g	•	•	•	•	
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	C	P	C	•
34. Parks and playgrounds	C	C	C	C	•	•	•	•	•	C	•	•	C	C	C	C	C	C	C	P	P	P	•
35. Public offices and facilities, such as city halls, courthouses, police/ fire stations, etc.	C	C	C	C	C	C	P	P	P	P	C	C	C	C	C	C	C	C	C	P	•	•	•
36. Schools: primary, secondary and colleges	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	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	•	•	•	•

**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
39. Swap meets	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	C	•	•
39a. Emergency shelters	•	•	•	•	•	•	•	•	•	•	•	C ¹⁰	•	•	•	•	•	P ¹⁰	•	•	•	•
SPECIAL SEASONAL EVENTS																						
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	•	•	•	•	•
<u>42a. Active Entertainment (subject to the requirements of chapter IX, article 5, electronic game machines and Article 26, Active Entertainment)</u>	:	:	:	:	P	P	P	P	P	P	MC	MC	:	P	P	P	P	P	:	:	:	:
43. Adult businesses (See Sexually-oriented businesses)																						
44. Aggregate batch plants; Rock or asphalt crushing; Sand	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•

**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	
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, and Article 26, Active Entertainment/Amusement Center)	•	•	•	•	•	•	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 <u>Artisan Studio</u>	•	•	•	•	P	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)																							

**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
54. Reserved Barber and beauty shops with accessory uses such as permanent make up, facials, and accessory massage	•	•	•	•	•	P	P	P	P	P	•	•	•	P	P	P	P	P	•	•	•	•
55. Billiards parlors	•	•	•	•	•	•	MC	MC	MC	MC	MC	MC	•	MC	MC	MC	MC	MC	•	•	•	•
56. Botanical gardens; Zoos	•	•	•	•	•	•	C	C	C	C	•	•	•	•	•	•	•	•	C	•	•	•
57. Bowling centers	•	•	•	•	•	•	MC	MC	MC	MC	•	•	•	•	•	MC	MC	•	•	•	•	•
58. Breweries; Distilleries	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	•	•	•	•
59. <u>Reserved</u>																						
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	•	•	•	•

**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
67. Commercial art; Graphic design	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
68. Commercial testing laboratories	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•	•
69. Computer and data processing	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
70. Contracting: general contractors; operative builders	•	•	•	•	•	C	C	P	C	•	P	P	•	•	•	•	•	P	•	•	•	•
71. Convenience stores; mini-markets (subject to the requirements of chapter IX, article 16, liquor stores, convenience stores, and mini-markets)	•	•	•	•	•	•	C ²	C ²	C ²	C ²	•	•	•	•	C ²	C ²	C ²	•	•	•	•	•
72. Department stores (retail)	•	•	•	•	•	•	P	P	P	P	•	•	•	•	•	•	P	•	•	•	•	•
73. Electronic game machines (four or more), incidental to the primary use, (subject to the requirements of chapter IX, article 5, electronic game machines)— Excluding amusement centers listed separately	•	•	•	•	•	MC ²	MC ²	MC ²	MC ²	MC ²	MC ²	MC ²	•	MC ²	MC ²	MC ²	MC ²	MC ²	•	•	•	•
74. Engineering; architectural; and surveying services— See Offices																						
75. Entertainment, live or public	•	•	•	•	•	SEE TITLE 9, ARTICLE 11, REGULATORY PERMITS FOR PUBLIC ENTERTAINMENT						•	SEE TITLE 9, ARTICLE 11, REGULATORY PERMITS FOR PUBLIC ENTERTAINMENT						•	•		
76. Establishments where food or beverages are served	•	•	•	•	•	SEE CHAPTER V, ARTICLE 4, ESTABLISHMENTS WHERE FOOD OR BEVERAGES ARE SERVED						•	SEE CHAPTER V, ARTICLE 4, ESTABLISHMENTS WHERE FOOD OR BEVERAGES ARE SERVED						•	•		

**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
77. Exhibition of products produced on premises or available for wholesale distribution	•	•	•	•	•	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
77. Event Center (subject to the requirements of chapter IX, article 25, Event Center)	:	:	:	:	:	:	C	C	C	C	C	C	:	:	:	C	C	C	:	:	:	:
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	•	•	•	•
79. Electric Vehicle Charging Station, Primary Use (subject to the requirements of Chapter IV, 13-30)	:	:	:	:	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
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	•	•	•	•	•	MC	MC	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	
and maintenance)																							
85. Reserved Laundry, cleaning and garment services, including plants	*	*	*	*	*	P	P	P	P	P	P	P	*	P	P	P	P	P	*	*	*	*	
86. Leather tanning and finishing	C	C	.	.	.	.	.	C	.	.	.	.
87. Limousine services	C	C	C	C	C	C	C	.	.	.	.	C	C	.	.	.	.
88. Liquor stores (subject to the requirements of chapter IX, article 16, liquor stores, convenience stores, and mini- markets)	C ²	C ²	C ²	C ²	.	.	.	.	.	.	C ²	.	.	.	.	.
89. Lumber and building materials dealers, (wholesale)	P	P	.	.	.	.	.	P	.	.	.	.
90. Manufacturing: Light EXCEPT the following which are prohibited: • Manufacture of fertilizer • Manufacture of products involving the use of explosives 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	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	
concrete products EXCEPT the following which are prohibited: • Manufacture of flat glass • Manufacture of cement and structural clay products • Manufacture of concrete, gypsum and plaster products • Manufacture of abrasive and asbestos products • Manufacture of nonclay refractories and crucibles • Processing and preparation of clay, ceramic and refractory minerals																							
93. Manufacturing 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	•	•	•	•	•

**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
94. Massage— See also Acupressure (subject to the requirements of title 9, chapter II, article 22, massage establishments and practitioners)	P ²	P ²	P ²	P ²	P ²	P ²	.	.	.	.	.	.	P ²	.	.	.	.	.
95. Medical laboratories	MC	MC	P	P	P	P	MC	MC	.	.	.	.	MC	MC	.	.	.	.
96. Metal fabrication, welding, foundry, die casting (subject to subsection 13-54(a), performance standards)	P ²	P ²	.	.	.	.	.	.	.	.	.	.
97. Motels— (Subject to requirements of chapter IX, article 8, motels) Excluding Hotels listed separately	C ²	C ²	.	.	.	.	.	.	.	.	.	.	.	.	.	.
98. Motion picture and television studios	C	C	C	C	.	.	P	P	.	.	.	.	P	P	.	.	.	.
99. Motion picture theaters and other theaters not within 200 feet of residential zones	P	P	P	P	.	.	.	.	.	.	P	.	.	.	.	.
100. Motion picture theaters and other theaters within 200 feet of residential zones	C	C	C	C	.	.	.	.	.	.	C	.	.	.	.	.
101. Motor oil, used—Collection facility (subject to the requirements of chapter IX, article 9, off-site hazardous waste facilities)	P ²	P ²	P ²	.	P ²	P ²	.	.	.	.	P ²	P ²	P ²	P ²	.	.

**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
102. Motor vehicle, boat, and motorcycle retail sales, leasing, rentals and service with two or more outdoor display parking spaces	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•	•
103. Motor vehicle, boat, and motorcycle retail sales, leasing, and rentals with one or less outdoor display parking space and no service (subject to verification of parking availability)	•	•	•	•	•	•	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•	•
104. Motor vehicle service stations	•	•	•	•	•	•	C	C	C	•	•	•	•	•	•	•	C	•	•	•	•	•
105. Motor vehicle service stations with concurrent sale of alcoholic beverages (subject to requirements of chapter IX, article 3, concurrent sale of alcoholic beverages and motor vehicle fuel)	•	•	•	•	•	•	C ²	C ²	C ²	•	•	•	•	•	•	•	C ²	•	•	•	•	•
106. Motor vehicle; boat; and motorcycle repair services (including body and paint work), not within 200 feet of residential zone (subject to subsection 13-54(b))	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•	•
107. Motor vehicle; boat; and motorcycle repair services (including body and paint work), within 200 feet of residential	•	•	•	•	•	•	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	
zone (subject to subsection 13-54(b))																							
108. Nurseries (retail with no bulk fertilizer)	C	C	P	P	.	C	C
109. Offices: central administrative	P	P	P	P	P	P	P	P	.	.	.	.	P	P	.	.	.	.
110. Offices: engineering; architectural; and surveying services; management; consulting and public relations	P	P	P	P	P	P	P	P	.	MC	MC	MC	P	P	.	.	.	.
111. Offices: general	P	P	P	P	P	P	MC	MC	.	MC	MC	MC	P	P	.	.	.	.
<u>112. Reserved</u>																							
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	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	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	.	.	.	.

**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
120. Photofinishing laboratories	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•	•
121. Photofinishing stores	•	•	•	•	•	P	P	P	P	P	•	•	•	•	•	•	P	P	•	•	•	•
122. <u>Personal Service Photography:—Commercial</u>	•	•	•	•	P	P	P	P	P	P	<u>P</u> MC	<u>P</u> MC	•	<u>P</u> •	<u>P</u> •	<u>P</u> •	P	• MC	•	•	•	•
123. <u>Personal Service with Group Instruction/Setting (see Chapter IX Article 24 Group Instruction/Setting)</u> Photography:—portrait-studio	•	•	•	•	P ²	P ²	P ²	P ²	P ²	P ²	<u>P²</u> •	<u>P²</u> •	•	<u>P²</u> •	<u>P²</u> •	<u>P²</u> •	P ²	• MC	•	•	•	•
124. Physical fitness facilities	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•	•
125. Printing and publishing	•	•	•	•	•	•	MC	P	MC	MC	P	P	•	•	•	•	P	P	•	•	•	•
126. <u>Reserved Recording studios</u>	•	•	•	•	•	•	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. <u>Restaurants including Food Halls—See Establishments where food or beverages are served</u>																						
130. Retail: general— Excluding antique malls, pawn shops,	•	•	•	•	•	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	
supermarkets, grocery stores, convenience stores; and liquor stores listed separately																							
131. Retail, incidental sales to the main use (subject to the requirements of section 13-54(a), incidental retail sales)	•	•	•	•	P	P	P	P	P	P	P ²	P ²	•	P	P	P	P	P ²	•	•	•	•	•
132. Retail: nonstore	•	•	•	•	P	P	P	P	P	P	P	P	•	P	P	P	P	P	•	•	•	•	•
133. Rifle, pistol, and firing ranges	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	C	•	•	•	•
134. Sexually- oriented businesses (subject to the requirements of title 9, chapter IV and title 13, chapter IX, sexually-oriented businesses)	•	•	•	•	•	P ²	P ²	P ²	P ²	•	•	•	•	•	•	•	P ²	•	•	•	•	•	•
135. <u>Reserved</u> Skating rinks	•	•	•	•	•	•	€	€	€	€	€	€	•	•	•	€	€	€	€	€	€	•	•
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)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•

**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	
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	.	.	.	.	.	.	.	.	.	.	.
142. Studios <u>Fitness; dance; martial arts; music; Small Fitness Facilities etc. (See Chapter IX Article 24, Group Instruction Small Fitness Facilities)</u>	<u>P²</u>	<u>P²</u>	P ²	P ²	P ²	<u>P²</u> MG	<u>P²</u> MG	<u>P²</u> MG	.	<u>P²</u> MG	<u>P²</u> MG	<u>P²</u> MG	P ²	<u>P²</u> MG	<u>P²</u>	.	<u>P²</u>	.	
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	MC	MC	MC	.	MC	MC	.	.	.	.	MC	MC	.	.	.	.	.

**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	
zone																							
147. Tow companies with or without impound yard	C	C	C	.	MC	MC	.	.	.	.	.	MC	.	.	.	.	.
148. Transfer station for refuse, sewage treatment	C	C	.	.	.	.	.	C	C	.	.	.	.
149. Trucking: local and long distance	C	.	.	P	P	.	.	.	.	.	C	.	.	.	.	.
150. Warehouses, mini (subject to the requirements of chapter IX, article 7, mini- warehouses)	C ²	C ²	C ²	.	MC ²	MC ²	.	.	.	.	.	MC ²	.	.	.	.	.
151. Warehouses, public	C	C	C	.	P	P	.	.	.	.	.	P	.	.	.	.	.
152. Warehousing of durable and nondurable goods except livestock and poultry—See also Storage	P	P	.	.	.	.	.	P	.	.	.	.	.
153. Wholesale trade of motor vehicles, boats and motorcycles with outdoor storage of vehicles	C	C	C	C	C	C	.	.	.	.	C	C	.	.	.	.	.
154. Wholesale trade of motor vehicles, boats and motorcycles without outdoor storage of vehicles	MC	MC	P	P	P	P	P	.	P	P	P	P	P	.	.	.	.	.
155. Wholesale trade of durable, nondurable goods,	MC	MC	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
except livestock, poultry and perishable goods																						

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.
- 11 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.
- 12 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.
- 13 Low barrier navigation centers shall be permitted by-right provided they are consistent with the requirements in Government Code Sections 65660-65668.

(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; Ord. No. 26-03, 4-07-26;

EXHIBIT C
Chapter V, Development Standards
Article 3, Commercial Districts

§ 13-44 Development Standards.

Table 13-44 identifies development standards for the various commercial zones. See also Article 9, General Site Improvement Standards of this chapter for additional requirements.

TABLE 13-44 COMMERCIAL PROPERTY DEVELOPMENT STANDARDS							
DEVELOPMENT STANDARDS	P	AP	CL	C1	C2	C1-S	TC
Minimum Lot Area for newly created lots	6,000 square feet			12,000 square feet		5 acres	See Master Plan
Minimum Lot Width for newly subdivided lots	120 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width.			120 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width.			None
Minimum Lot Width	Interior Lot: 50 feet Corner Lot: 60 feet			60 feet			None
Maximum Floor Area Ratio	Refer to CHAPTER V, ARTICLE 8, FLOOR AREA RATIOS.						
Maximum Building/Structure Height	2 stories/30 feet ^{1,2} (except a 5% increase is allowed if necessary to screen existing roof-mounted equipment)						None
SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS AND STRUCTURES (Minimum distances given, unless otherwise noted. All setbacks from streets are measured from the ultimate property line shown on the master plan of highways.)							
Front	20 feet						
Side (Interior)	15 feet on one side and 0 feet on the other side. Exception: If the side property line is adjacent to a residential zone, all buildings shall maintain a side setback from the residential property line of 2 times the building height at all locations.						None
Rear (Interior)	0 feet Exception: If the rear property line is adjacent to a residential zone, all buildings shall maintain a rear setback from the residential property line of 2 times the building height at all locations.						None

Side or Rear abutting a public street	20 feet for secondary, primary or major streets per the master plan of highways. 15 feet for all other streets.	20 feet— see also subsections 13-45(f) and (g).
PROJECTIONS (Maximum depth of projections given)		
Roof or Eaves overhang; Awning	2 feet 6 inches into required side setback. 5 feet into required front or rear setback.	None
Open, unenclosed Stairways.	2 feet 6 inches into required setback area.	None
PARKING (See CHAPTER VI)		
LANDSCAPING (See CHAPTER VII)		

1. A 5% increase is allowed if necessary to screen existing roof-mounted equipment

2. A height deviation of up to 12 feet, or 40 percent of the maximum allowable height, whichever is less, may be approved through the minor conditional use permit process. In addition to the findings required by Sections 13-29(e) and 13-29(g)(2), the review authority shall find that the proposed height is (a) compatible with the existing and anticipated development in the vicinity; (b) enhances the architecture and design of the development; and (c) would not be materially detrimental to surrounding properties or uses and would not adversely affect the public health, safety, or welfare.

Add the following to Section 13-45 Additional property development standards for commercial districts.

(h) Noise Regulations. All operations shall conform to Chapter XIII Noise Control of this Title. The operator must limit noise generated from the use to the greatest extent feasible. Any noise complaints generated from this use must be addressed by the owner/operator.

EXHIBIT D

**Chapter V, Article 4
Establishments Where Food or Beverages are Served**

§ 13-46. Purpose.

The purpose of this article is to regulate and provide development standards for establishments where food or beverages are served. The proximity of residential uses to these types of establishments is a concern of this article. Where the distance criterion of 200 feet from residentially-zoned property is given in this article, it shall be measured from the property line of the site to the property line of the nearest residentially-zoned property. This article also establishes requirements for outdoor dining areas to support long-term economic viability of local establishments, promote vitality in the city's commercial areas, promote progress towards creating walkable communities by facilitating pedestrian-friendly and safe public spaces, and facilitate and incentivize enhanced city dining experiences.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 2024-01, 1/16/2024)

§ 13-47. Permitted and conditionally permitted uses.

Establishments where food or beverages are served are subject to the review and approval procedures shown in Table 13-47 (a) and (b). In instances where more than one review procedure is applicable to an establishment, the more stringent procedure shall apply.

TABLE 13-47(a) PERMITTED AND CONDITIONALLY PERMITTED USES								
LOCATION AND OPERATIONAL CHARACTERISTICS	C1-S	C1	C2	CL	TC	PD	MG	MP
Establishments with 300 square feet or less of indoor public area. ³	P ^{1,2} or P	P	P	MC	P ¹ or P	P ¹ or P	P	P
Establishments with more than 300 square feet of indoor public area. ³	P ¹ or P	P	P	MC	P ¹ or P	P ¹ or P	MC	MC
EXCEPTIONS								
Located within 200 feet of a residential zone. (Subject to the requirements of section 13-49, Development Standards for section 13-49, Development Standards for Establishments Within 200 Feet of Residentially Zoned Property) ³	P ¹ or P	P	P	MC	P ¹ or P	P ¹ or P	P	P

TABLE 13-47(a)
PERMITTED AND CONDITIONALLY PERMITTED USES

LOCATION AND OPERATIONAL CHARACTERISTICS	C1-S	C1	C2	CL	TC	PD	MG	MP
Sale of alcoholic beverages for on-site consumption after 11:00 p.m. and/or provision of live entertainment or dancing located within 200 feet of a residential zone. ³	P ¹ or C	C	C	C	P ¹ or C	P ¹ or C	C	C
Sale of alcoholic beverages for on-site consumption after 11:00 p.m. and/or provision of live entertainment or dancing located not within 200 feet of a residential zone. ³	P ¹ or MC	MC	MC	MC	P ¹ or MC	P ¹ or MC	MC	MC
Drive-through operations. (Subject to the requirements of section 13-50, Development Standards for Drive-Through Operations) ³	P ¹ or MC	MC	MC	MC	P ¹ or MC	P ¹ or MC	MC	MC
Establishments with less than 300 square feet of indoor public area located in a multi-tenant center where 30% or more of the tenants are similar businesses, i.e., establishments with less than 300 square feet of indoor public area. ³	P ¹ or MC	MC	MC	MC	P ¹ or MC	P ¹ or MC	MC	MC
Establishments with a micro brewery ³	P ¹ or C	C	C	C	P ¹ or C	P ¹ or C	C	C
<u>Commercial Kitchens</u>						<u>P</u>	<u>P</u>	<u>P</u>

TABLE 13-47(a)
PERMITTED AND CONDITIONALLY PERMITTED USES

LOCATION AND OPERATIONAL CHARACTERISTICS	C1-S	C1	C2	CL	TC	PD	MG	MP
<u>Ghost Kitchen (Subject to the requirements of section 13-52, Development Standards for Ghost Kitchens)</u>		<u>MC</u>	<u>P</u>			<u>P</u>	<u>P</u>	<u>P</u>

Notes:

- ¹ Pursuant to an approved master plan which specifies these operational characteristics and/or location of the business.
- ² For the purposes of this table, the symbols shall have the following meaning:
P=Permitted; MC=Minor Conditional Use Permit; C=Conditional Use Permit.
- ³ Outdoor dining and seating areas may be considered as part of a proposed land use if allowed in the zoning district, and pursuant to the provisions, regulations and standards of this Article.

TABLE 13-47 (b) OUTDOOR DINING AREA PERMITTING PROCESS ¹	
LOCATION OF OUTDOOR AREAS AND OPERATIONAL CHARACTERISTICS	Approval Process
Courtyard Area	P ²
Setback Area - Expansion of up to 50% of indoor public area outdoors. ¹	P ²
Setback Area - Expansion of more than 50% of indoor public area outdoors. ¹	MC ²
Parking Area - Expansion of up to 50% of indoor public area outdoors and does not remove more than five parking spaces or 25% of existing, required parking, whichever is less. ¹	P ²
Parking Area - Expansion of more than 50% of indoor public area outdoors. ¹	MC ²
Parking Area - removal of more than five parking spaces, or removal of more than 25% of existing, required parking, whichever is less. ¹	MC ²

Notes:

¹ Temporary Use Permits for outdoor dining areas, including parklets within the public right-of-way, approved through Urgency Ordinance 2020-15 may continue to operate with staff approval; however, shall comply with applicable Building and Fire Code requirements, may not interfere with minimum required site access or circulation, and shall comply with the aesthetic development standards outlined in section 13-48 within six months from the time of ordinance adoption, with an allowed six-month extension of time. Outdoor dining areas approved under a temporary use permit shall also be subject to applicable fees. Any modifications to these outdoor dining areas shall be approved pursuant to this article.

For the purposes of this table, the symbols shall have the following meaning: P=Permitted; MC=Minor Conditional Use Permit.

²

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 2024-01, 1/16/2024)

Add the following new Section to Article 4, Establishments where Food or Beverages are Served:

§ 13-52. Operational standards for ghost kitchen operations.

Establishments with ghost kitchen operations shall comply with the following operational standards in addition to the development standards included in this Chapter, unless the standards are modified through the issuance of a minor conditional use permit.

- (a) The customer area shall be limited to pick-up lobby only, no dine-in seating is allowed.
- (b) Applicant shall provide a delivery/couriers management plan and shall submit it to the Planning Department for review and approval by the Community Development Director or their designee. The Plan shall include but not be limited to:
 - (1) Queuing. Queuing into drive aisles or public ROW is strictly prohibited. Should queuing be an issue the applicant/operators shall develop a solution that elevates the issue and shall be reviewed and approved by the Community Development Director or their designee.
 - (2) Loading Zone. Designated Pick-up/loading spaces shall be provided.
 - (3) Hours of operation.
 - (4) Operators. The plan shall identify the total number of operators and/or businesses in the facility.
- (c) Should parking issues arise the owner and/or operator shall work with the City to resolve the issues which may include but shall not be limited too runners to deliver meals to waiting drivers/customers, parking attendants, and valet services.
- (d) Establishments within 200 feet of residentially-zoned property shall also be subject to the development standards contained in section 13-49, Development standards for establishments within 200 feet of residentially-zoned property.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 00-4, § 1, 2-22-00; Ord. No. 2024-01, 1/16/2024)

EXHIBIT E
Chapter VI Off-Street Parking Standards, Article 2
Non-Residential Districts

§ 13-88. Purpose.

The purpose of this article is to establish parking requirements for all nonresidential zones, nonresidential components of the planned development residential zones and to mixed-use developments in all zones.

(Ord. No. 97-11, § 2, 5-5-97)

§ 13-89. Parking required.

The minimum amount of off-street parking as established in Table 13-89 shall be provided at the time:

- (a) Any building and/or structure is constructed;
- (b) Any building or structure is enlarged or increased in capacity by adding gross floor area, gross leasable area or seats;
- (c) A specific use is proposed for a building site; or
- (d) An existing use is changed to one which requires additional parking.

At all times, with the exception of the provisions of section 13-98, Declaration of land use restriction, parking shall be provided according to the requirements of Table 13-89.

TABLE 13-89 NON-RESIDENTIAL PARKING STANDARDS	
USE	PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)
Retail; offices; central administrative offices; individual counseling; group counseling; <u>Artisan Studio and Retail Commercial</u> ; establishments where food or beverages are served with a maximum of 300 square feet of public area ¹	4 spaces per 1,000 square feet with a minimum of 6 spaces ²
Office buildings exceeding 2 stories in height and 100,000 square feet in area	3 spaces per 1,000 square feet
Banks; savings and loans; credit unions	5 spaces per 1,000 square feet with a minimum of 6 spaces
Medical and dental offices; acupressure; massage; <u>personal services (non-group instruction/setting)</u>	6 spaces per 1,000 square feet with a minimum of 6 spaces
Furniture and appliance stores with floor area greater than 5,000 square feet	2 spaces per 1,000 square feet with a minimum of 20 spaces
Churches; theaters; mortuaries; auditoriums; services and fraternal clubs and lodges; amphitheaters <u>event center, event venue, banquet facilities, assembly halls, and E-Sports area</u> , and other similar places of assembly	Within the main auditorium or assembly area: 1 space for each 3 fixed seats or 1 space for every 35 square feet of seating area if there are no fixed seats. 18 lineal inches of bench shall be considered equal to 1 fixed seat.
Racquetball and tennis facilities	3 spaces per court plus parking required for incidental uses such as restaurants which shall be calculated as noted below

**TABLE 13-89
NON-RESIDENTIAL PARKING STANDARDS**

USE	PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)
Establishments where food or beverages are served with more than 300 square feet of public area ^{1,4}	10 spaces per 1,000 square feet for the first 3,000 square feet, ² 12 spaces per 1,000 square feet for each additional 1,000 square feet above the first 3,000 square feet. ²
Health clubs; spas; figure salons; skating rinks; game arcades <u>Physical Fitness Facilities</u> <u>Active Entertainment</u>	Parking requirement is 10 spaces per 1,000 square feet <u>(unless otherwise listed in this table)</u> . <u>Accessory food or beverage service parking requirements shall be:</u> <u>First 25% of gross leasable area for food and beverage service: 1 space per 1,000 square feet</u> <u>Remaining gross leasable area for food and beverage service: 5 spaces per 1,000 square feet</u> <u>Total parking requirement shall be the sum of all uses combined, but the provisions of section 13-89.5 may be applied.</u>
Bowling alleys	3 spaces per lane plus parking required for incidental uses such as restaurants which shall be calculated as noted under "Establishments where food or beverages are served"
Trade schools; business colleges; dancing and music academies	10 spaces per 1,000 square feet
Motels	1 space for each rentable unit without cooking facilities. Each rentable unit with cooking facilities shall be governed by residential parking standards
Hotels	1 space for each 2 rentable units plus 10 spaces per 1,000 square feet for the first 3,000 square feet, and 20 spaces per 1,000 square feet for each additional 1,000 square feet above the first 3,000 square feet for restaurant, banquet, meeting room and kitchen spaces
Establishments with live entertainment; i.e., go-go dancers, topless dancers, bikini dancers	1 parking space for each person for the first 100 persons as authorized by capacity signs posted by the fire department; 1 parking space for each 2 persons for every 101 to 300 persons as authorized by capacity signs posted; 1 parking space for each 3 persons for every 301 plus persons as authorized by capacity signs posted by the fire department.
<u>Personal Service Group Instruction/Setting; Studios, Small Fitness Facilities</u>	<u>Parking requirement is 10 spaces per 1,000 square feet</u>
<u>Commercial Kitchens</u>	<u>3 spaces per 1,000 square feet of gross leasable area</u>
<u>Ghost Kitchens</u>	<u>6 spaces per 1,000 square feet of gross leasable area</u>
Shopping centers with a minimum of 600,000 square feet of contiguous gross leasable area:	
Main structure or group of abutting structures	

**TABLE 13-89
NON-RESIDENTIAL PARKING STANDARDS**

USE	PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)
Retail	5 spaces per 1,000 square feet of gross leasable area
Establishments where food or beverages are served occupying 5% or less of the total contiguous gross leasable area	1 space per 1,000 square feet of gross leasable area
Establishments where food or beverages or served in excess of 5% of the total contiguous gross leasable area	5 spaces per 1,000 square feet of gross leasable area
Office Space occupying 10% or less of the total contiguous gross leasable area	None
Office Space in excess of 10% of the total contiguous gross leasable area	4 spaces per 1,000 square feet of gross leasable area with a minimum of 6 spaces
Theaters (cumulative)	
750 seats and less	5 spaces per 1,000 square feet of gross leasable area
More than 750 seats	5 spaces per 1,000 square feet of gross leasable area plus 3 spaces for each additional 100 seats
Uses within freestanding structures	
Establishments where food or beverages are served	10 spaces per 1,000 square feet of gross leasable area

**TABLE 13-89
NON-RESIDENTIAL PARKING STANDARDS**

USE	PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)
All others	Pursuant to this table
Mixed use developments	<p>When there are mixed uses within a single development which share the same parking facilities, the total requirement for parking should be determined as outlined in "City of Costa Mesa Procedure for Determining Shared Parking Requirements" which are included herein by this reference and which may be amended from time to time by resolution of the city council. A greater reduction in parking than would be allowed under this procedure may be approved by minor conditional use permit where it can be demonstrated that less parking is needed due to the hours of operation or other unusual features of the users involved.</p> <p>For mixed-use developments located in the mixed-use overlay zone, refer to the applicable urban plan for parking rates.</p>
Industrial	<p>3 parking spaces shall be provided per 1,000 square feet of gross floor area for the first 25,000 square feet of building; 2 parking spaces shall be provided per 1,000 square feet of gross floor area between 25,000 and 50,000 square feet of building; and one and one-half parking spaces shall be provided per 1,000 square feet of gross floor area over 50,001 square feet of building.</p>
Garden centers; plant nurseries	<p>4 spaces per 1,000 square feet of gross floor area; and 2 spaces per 1,000 square feet of outdoor display area.</p>
Smoking lounges	<p>17 spaces per 1,000 square feet</p>

Notes:

- 1 Establishments limited to seating for 12 or fewer persons prior to June 4, 1997, shall remain at that seating limit unless additional parking is provided pursuant to this Zoning Code.
- 2 The outdoor patio seating area(s) shall not be included in the floor area calculations for purposes of determining the required parking.
- 3 The final review authority may apply a maximum credit of one parking space due to the provision of bicycle racks. This credit shall only apply to the overall parking supply and not to multiple uses.

When the approval of a use permit is required, the final review authority may require additional parking spaces at a ratio not to exceed 30 spaces per 1,000 square feet of floor area of the entire building. Factors that may warrant additional parking include, but are not limited to, the provision of entertainment and/or dancing, or substantial ratio of floor area devoted to bar as compared to restaurant use. The maximum parking rate shall be applicable to uses that have substantially maximized the building's occupancy due to design and provision of concentrated uses.
- 4 When the approval of a use permit is required, the final review authority may require additional parking spaces at a ratio not to exceed 30 spaces per 1,000 square feet of floor area of the entire building. Factors that may warrant additional parking include, but are not limited to, the provision of entertainment and/or dancing, or substantial ratio of floor area devoted to bar as compared to restaurant use. The maximum parking rate shall be applicable to uses that have substantially maximized the building's occupancy due to design and provision of concentrated uses.

- 5 The square footage of electrical and mechanical equipment and the surrounding three feet for clearance shall be excluded from the calculation of gross floor area for the purpose of determining parking requirements

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-5, § 16, 3-2-98; Ord. No. 02-4, § 1j, 3-18-02; Ord. No. 06-9, § 1g., 4-18-06; Ord. No. 12-4, § 1, 5-15-12; Ord. No. 15-10, § 2C, 9-15-15; Ord. No. 21-20, § 1, 12-7-21; Ord. No. 2024-01, 1/16/2024; Ord. 2025-07, 10/21/2025)

§ 13-89.5. Reduction in parking requirements.

Where it can be shown that the required parking for a nonresidential land use will substantially exceed the demand of the actual use, the zoning administrator may, by minor conditional use permit, allow a reduction in the amount of required parking. The zoning administrator may place the following conditions on the approval of the minor conditional use permit:

- (a) Allow such excess parking to be provided as landscaping, plazas, courtyards, or similar open space feature.
- (b) Require recordation of a land use restriction that restricts the future use of the property to ensure adequate parking availability.

(Ord. No. 99-15, § 2, 11-16-99)

§ 13-90. Parking for uses not specified.

The parking requirements for the uses not specified in Table 13-89 shall be determined by the planning division. The determination shall be based upon the requirements for the most comparable use specified in this chapter or other appropriate sources including but not limited to a parking study.

(Ord. No. 97-11, § 2, 5-5-97)

§ 13-91. General development standards.

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

(Ord. No. 97-11, § 2, 5-5-97)

EXHIBIT F

CHAPTER VI, OFF-STREET PARKING STANDARDS

Article 3 Development Standards

Add the following Section to Article 3:

13-100.10 Electric Vehicle Charging Stations

(a) Purpose.

The purpose of this chapter is to comply with Government Code Section 65850.7 and to promote and encourage the use of electric charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations.

(b) Regulations.

- (1) Accessory Use. An electric vehicle charging station (EVCS) for public or private use shall be permitted as an accessory use within any existing legal single-family or multiple-family residential garage or carport, or within any existing legal commercial parking space in a parking lot or in a parking garage, subject to the development standards listed in subsection (c) below.
- (2) Primary Use. An electric vehicle charging station (EVCS) as a primary use shall be permitted in non-residential and mixed use zones, pursuant to the Mesa Land Use Matric Chapter IV, Table 13-30 and shall comply with all standards applicable to the underlying zone and the development standards listed in subsection (c) below.

(b) Development Standards:

All EVCS shall:

- (1) Be protected as necessary to prevent damage by automobiles;
- (2) Be designed to minimize potential damage by vandalism and to be safe for use in inclement weather;
- (3) Include complete instructions and appropriate warnings concerning the use of the EVCS, which shall be posted on a sign in a prominent location on or near each station for use by the operator;

- (4) Be maintained in good working order. Damaged or broken EV chargers or related infrastructure shall be repaired within 48 hours;
- (5) Be located in a manner which will be easily seen by the public for informational and security purposes, when available for public use;
- (6) Be located so as not to obstruct required parking areas, drive aisles, pedestrian walkways, accessible paths of travel, emergency access, or required visibility areas; and
- (7) Comply with all applicable building, electrical, fire, accessibility, parking, circulation, and zoning requirements.

EXHIBIT G

Chapter IX Special Land Use Regulations

The following new Articles are added to Chapter IX, Special Land Use Regulations:

Article 24 – Group Instruction/Setting and Small Fitness Studios.

13-200.210 Purpose: The purpose of Article is to establish operational and development standards for uses with group instruction, group setting and for Small Fitness Studio uses and to ensure compatibility with surrounding commercial uses.

13-200.211 Permits required. The required permit is identified in Chapter IV, Table 13-30, City of Costa Mesa Land Use Matrix.

13-200.212 Operational and Development Standards.

- (a) Parking. Parking requirements shall be provided pursuant to Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts, Table 13-89, Non-Residential Parking Standards.
- (b) Indoor Operations. All activities shall occur entirely within an enclosed building. Outdoor activities shall require approval of a Minor Conditional Use Permit per Chapter V, Development Standards, Article 3, Commercial Districts, Section 13-44 of this title.
- (c) Small Fitness Studios shall not exceed 15,000 square feet in gross floor area. Facilities larger than 15,000 square feet of gross floor area are classified as Physical Fitness Facilities.
- (d) Noise. Whenever amplified music, instruction, or sound is utilized, all exterior doors and windows shall remain closed.
- (e) A minimum of 15 minutes shall be provided between each group instruction or class.

Article 25 – Event Centers.

13-200.215 Purpose and Intent. The purpose of this Article is to establish operational and development standards for Event Centers and similar assembly uses, including banquet facilities, assembly halls, conference facilities, and arenas, in order to ensure compatibility with surrounding uses.

13-200.216 Permits required. The required permit is identified in Chapter IV, Table 13-30, City of Costa Mesa Land Use Matrix.

13-200.217 Operational and Development Standards.

- (a) Parking. Parking requirements shall be provided pursuant to Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts, Table 13-89, Non-Residential Parking Standards.
- (b) Occupancy. Occupancy shall not exceed the maximum occupant load approved by the Building Official and Fire Authority, or any occupancy limitation imposed through a planning entitlement.
- (c) Noise. Amplified music, outdoor speakers, and public address systems shall comply with the City's Noise Ordinance. Outdoor amplified sound shall cease by 11:00 p.m., unless otherwise authorized through a Conditional Use Permit. A Noise study may be required to evaluate impacts on adjacent properties.
- (d) Operation Plan. Operator shall provide a detailed Operations Plan as part of the application package which shall include, at a minimum, the following:
 - 1. Description of Operations. A description of the proposed use, including the types of events to be conducted, maximum occupancy, seating capacity, frequency of events, and anticipated hours of operation.
 - 2. Site Management. Identification of on-site management personnel responsible for facility operations during events, including contact information for an on-site manager or responsible party.
 - 3. Parking and Circulation. A description of parking management practices, valet operations (if applicable), rideshare pick-up and drop-off locations, employee parking locations, loading and unloading activities, and measures to prevent vehicle congestion on adjacent streets.
 - 4. Noise Management. Identification of any amplified sound, entertainment, public address systems, or outdoor activities and measures to ensure compliance with the City's Noise Ordinance.
 - 5. Security and Crowd Management. Procedures for crowd control including procedures for event dismissal and dispersal of attendees, event monitoring, security staffing, and coordination with public safety agencies, as appropriate.
 - 6. Alcohol Service. A description of alcohol management practices, type of Alcohol Beverage Control license, including proof of compliance with all applicable Alcoholic Beverage Control regulations.
 - 7. Loading and Deliveries. A description of delivery schedules, vendor access, equipment loading and unloading activities, and designated service areas.

8. Trash and Maintenance. Procedures for refuse collection, litter control, site maintenance, and post-event cleanup.
9. Modification of Operations. The Director may require modifications to an approved Operations Plan when necessary to address documented operational impacts, ensure compliance with conditions of approval, or maintain compatibility with surrounding properties.

(e) Excluded Uses. Event Centers do not include:

1. Restaurants, bars, or nightclubs where food and beverage service is the primary use, and
 - i. Private events do not occur regularly and are accessory and subordinate to the permitted restaurants, bars, or nightclub use; and
 - ii. The tenant space does not have space dedicated for private events.
2. Indoor commercial fitness or sports training facilities;
3. Churches or other places of religious assembly regulated under Article 4.5 (Development Standards for Churches and Other Places of Religious Assembly);
4. Civic and Community clubs or other private social clubs regulated elsewhere in this Title;
5. E-sports gaming lounges and participant-oriented electronic gaming facilities regulated as Active Entertainment uses; or
6. Schools or educational institutions.

Article 26 – Active Entertainment and Amusement Center

13.200.220 Purpose and Intent. The purpose of the Article is to establish operational and development standards for Active Entertainment and Amusement Center uses and to ensure compatibility with surrounding properties.

13-200.221 Permits required. The required permit is identified in Chapter IV, Table 13-30, City of Costa Mesa Land Use Matrix.

13-200.222 Operational and Development Standards.

- (a) Indoor Operations. Active Entertainment and Amusement Center uses shall be conducted entirely within an enclosed building and shall be limited to a maximum gross square footage of 15,000 sf. Uses larger than 15,000 gross

square feet are classified as Amusement Centers. For uses that proposes outdoor uses (uses not underroof) a Minor Conditional Use Permit is required per Chapter V, Development Standards, Article 3, Commercial Districts, Section 13-44 of this title.

- (b) Parking. Parking requirements shall be provided pursuant to Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts, Table 13-89, Non-Residential Parking Standards.
- (c) Noise. All activities, including amplified sound, public address systems, gaming equipment, and entertainment devices, shall comply with the City's Noise Ordinance. Sound generated by the use shall not create a nuisance on adjacent properties. Should an issue arise from noise the operator shall work with the City and implement best practice to eliminate the issue.
- (d) Occupancy. The use shall not exceed the maximum occupant load established by the Building Official and Fire Authority.
- (e) Food and Beverage. Accessory food and beverage service may be permitted, subject to Chapter V, Article 4 (Establishments Where Food or Beverages Are Served).
- (f) Queuing and Circulation. The use shall be designed and operated so that customer queues, waiting areas, and patron gatherings do not obstruct pedestrian walkways, building entrances, drive aisles, parking spaces, or required accessible routes.
- (g) Excluded Uses. Active Entertainment and Amusement Center uses shall not include spectator-oriented assembly uses, event centers, concert venues, e-sports arenas, or other assembly uses where viewing or attendance is the primary activity. Such uses shall be regulated as Event Centers and Assembly Uses.

Article 27 – Artisan Studio

13.200.225 Purpose and Intent. The purpose of this Article is to establish development and operational standards for Artisan Studio retail uses that also support onsite opportunities for small-scale creative production, fabrication, repair, while ensuring compatibility with surrounding commercial uses and distinguishing Artisan Studio uses from manufacturing and industrial operations.

13-200.226 Permits required. The required permit is identified in Chapter IV, Table 13-30, City of Costa Mesa Land Use Matrix.

13-200.227 Operational and Development Standards.

- (a) Indoor Operations. All production, fabrication, assembly, repair, and retail activities shall occur entirely within an enclosed building. For studios that propose outdoor uses (uses not underroof) a Minor Conditional Use Permit is required per Chapter V, Development Standards, Article 3, Commercial

Districts, Section 13-44 of this title.

- (b) Parking. Parking requirements shall be provided pursuant to Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts, Table 13-89, Non-Residential Parking Standards
- (c) Customer-Oriented Component. The use shall maintain a customer-facing component, which may include retail sales, display areas, demonstrations, workshops, classes, or other public interaction associated with the artisan production activities.
- (d) Classes, Workshops, or Group Instruction. For uses that propose classes, workshops, or group instruction the following shall apply:
 - 1. Parking requirements shall be provided per Table 13-89, Non-Residential Parking Standards.
 - 2. Whenever amplified music or sound is played, all exterior doors and windows shall remain closed.
 - 3. A minimum of 15 minutes shall be provided between each class, workshop or group instruction.
- (e) Production Scale. The use shall be limited to small-scale production activities involving handcrafted, custom, artistic, specialty, or limited-production goods that are sold onsite. Uses involving assembly-line production, mass manufacturing, bulk processing, or large-scale industrial operations are prohibited.
- (f) Permitted Equipment. Equipment and machinery customarily associated with artisan production, fabrication, repair, design, and creative activities may be utilized provided such equipment complies with all applicable building, fire, and noise regulations.
- (g) Compatibility with Commercial Areas. Operations shall not create noise, vibration, dust, smoke, glare, fumes, odors, electrical interference, hazardous conditions, or other impacts beyond the property boundaries.
- (h) Screening. All exterior mechanical equipment, and/or roof mounted equipment, shall be screened from view from public right-of-way and adjacent properties.
- (i) Materials and Storage. All materials, supplies, products, and equipment shall be stored within an enclosed building. Outdoor storage of raw materials, products, equipment, or waste materials is prohibited. The use shall not involve the storage or use of hazardous materials in quantities exceeding those permitted by the California Fire Code or other applicable regulations.
- (j) Food Production. Food preparation, food manufacturing, ghost kitchens,

commercial kitchens, catering kitchens, or other food-related production uses shall not be considered Artisan Studio and shall be regulated separately.



**REGULAR PLANNING COMMISSION
MONDAY, APRIL 13, 2026 - MINUTES**

CALL TO ORDER - The Regular Planning Commission Meeting was called to order by Chair Harlan at 6:02 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Commissioner Dickson led the Pledge of Allegiance.

ROLL CALL

Present: Chair Jeffrey Harlan, Vice Chair Jon Zich, Commissioner Angely Andrade, Commissioner Robert Dickson, Commissioner David Martinez (remotely), Commissioner Johnny Rojas

Absent: Commissioner Karen Klepack

ANNOUNCEMENTS AND PRESENTATIONS:

1. PRESENTATION REGARDING THE 2025 GENERAL PLAN ANNUAL PROGRESS REPORT

Presentation by Principal Planner, Melinda Dacey.

Chair Harlan and Mrs. Dacey discussed at what stage of the building process does the City receive RENA credit.

Public comments: None.

PUBLIC COMMENTS - MATTERS NOT LISTED ON THE AGENDA: None.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Martinez mentioned his attendance at the City’s Cruise the Loop. He announced two upcoming events including the April 18 Arbor Day event and the April 18 Earth Day event at City Hall. He mentioned when comments are due for the Fairview Developmental Center Specific Plan. He asked for an update on when the City’s ADU blueprints would be provided and on City Council’s final decision previously recommended housing element rezoning item.

Chair Harlan thanked City staff, especially Public Works staff and Rob Ryan, for managing the project for the reopening of Brentwood Park on April 3.

CONSENT CALENDAR:

1. MARCH 9, 2026, UNOFFICIAL MEETING MINUTES

MOVED/SECOND: DICKSON/ ZICH

MOTION: Move approval.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Commissioner Klepack

Recused: None

Motion carried: 6-0

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

Two ex-parte communication reported.

Presentation by Associate Planner, Justin Arios.

John McDonald, applicant, stated he read and agreed to the conditions of approval.

Public comments:

Public Speaker No. 1 spoke in support of the item.

Motion Discussion:

Commissioner Dickson commented on the responsiveness of the applicant to complaints and the aesthetics of the application.

MOVED/SECOND: ZICH/DICKSON

MOTION: Move staff's recommendation with a correction on condition of approval No. 8 mono eucalyptus instead of mono pine.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Commissioner Klepack

Recused: None

Motion carried: 6-0

ACTION:

The Planning Commission adopted a resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303 (Class 3) New Construction or Conversion of Small Structures; and
2. Approve Minor Conditional Use Permit (PMCP-24-0029) for a new wireless communication facility at 2065 Placentia Avenue by adopting the attached Resolution.

Condition of Approval No. 8 to read: All antennas shall be mounted as shown on the plans with appropriate screening to minimize visual impacts to surrounding properties and uses. Antennas shall be painted to match the foliage of the mono-eucalyptus. Supports shall be painted to match branches.

2. CONDITIONAL USE PERMIT (PCUP-25-0023) TO MODIFY THE EXISTING OFF-SALE STATE ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSE FROM TYPE 20 (BEER AND WINE) TO TYPE 21 (GENERAL) FOR AN EXISTING CONVENIENCE STORE (7-ELEVEN) AT 675 PAULARINO AVENUE, UNIT 1

No ex-parte communication reported.

Presentation by Associate Planner, Justin Arios.

Bruce Evans, applicant, stated he read and agreed to the conditions of approval.

Public comments: None.

Motion Discussion:

Commissioner Dickson commented on the facility being well maintained and spoke in support of the motion.

MOVED/SECOND: DICKSON/ZICH

MOTION: Move staff's recommendation.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Commissioner Klepack

Recused: None

Motion carried: 6-0

ACTION:

The Planning Commission adopted a resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Conditional Use Permit 25-0023 based on findings of fact and subject to conditions of approval.

OLD BUSINESS: None.

NEW BUSINESS:

- 1. OVERVIEW OF PROPOSED AMENDMENTS TO THE COSTA MESA MUNICIPAL CODE (TITLE 13 - ZONING CODE) TO UPDATE LAND USE CLASSIFICATIONS FOR PERSONAL SERVICES, ARTISAN STUDIO AND RETAIL USES, ACTIVE ENTERTAINMENT USES, EVENT CENTERS AND ASSEMBLY USES, SPECIALIZED FITNESS STUDIOS, AND RELATED COMMERCIAL USES - PCTY-26-0001**

Presentation by Contract Planner, Amber Gregg.

Public comments: None.

Motion Discussion:

Commissioners expressed support for the proposed amendments and spoke in support of staff's work on the item.

MOVED/SECOND: DICKSON/ADRADE

MOTION: Move to receive and file.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Commissioner Klepack

Recused: None

Motion carried: 6-0

ACTION: Received and filed a presentation regarding proposed updates to the Costa Mesa Zoning Code related to emerging commercial uses and zoning implementation issues.

DEPARTMENTAL REPORTS:

1. PUBLIC WORKS REPORT - None.

2. DEVELOPMENT SERVICES REPORT - Director Tai reported that the Housing Element-related rezoning amendments were adopted at the April 7 City Council meeting. She also noted that the City Council approved two modifications to the Housing Element sites: the removal of the minimum parking requirement and increased flexibility for open space. City staff will submit the Housing Element and the associated zoning amendments to the state and request certification. The Stephouse Recovery group home application and the Annual Action Plan for Community Development Block Grant funds will be presented at the May 5 City Council meeting. Lastly, Director Tai thanked Brenda Green and Julie Colgan for their assistance with the meeting.

CITY ATTORNEY REPORT:

1. CITY ATTORNEY REPORT - None.

ADJOURNMENT AT 8:19 p.m.

Submitted by:

CARRIE TAI, SECRETARY
COSTA MESA PLANNING COMMISSION