



# **CITY OF COSTA MESA**

## **PLANNING COMMISSION**

### **Agenda**

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**Monday, June 24, 2024**

**6:00 PM**

**City Council Chambers  
77 Fair Drive**

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The Commission meetings are presented in a hybrid format, both in-person at City Hall and as a courtesy virtually via Zoom Webinar. If the Zoom feature is having system outages or experiencing other critical issues, the meeting will continue in person.

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- During the Public Comment Period, use the “raise hand” feature located in the participants’ window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

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4. Additionally, members of the public who wish to make a written comment on a specific agenda item, may submit a written comment via email to the [PCPublicComments@costamesaca.gov](mailto:PCPublicComments@costamesaca.gov). Comments received by 12:00 p.m. on the date of the meeting will be provided to the Commission, made available to the public, and will be part of the meeting record.

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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.

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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>.

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**PLANNING COMMISSION REGULAR MEETING**

**JUNE 24, 2024 – 6:00 P.M.**

**ADAM ERETH  
CHAIR**

**RUSSELL TOLER  
VICE CHAIR**

**JOHNNY ROJAS  
PLANNING COMMISSIONER**

**ANGELY ANDRADE  
PLANNING COMMISSIONER**

**KAREN KLEPACK  
PLANNING COMMISSIONER**

**JON ZICH  
PLANNING COMMISSIONER**

**DAVID MARTINEZ  
PLANNING COMMISSIONER**

**TARQUIN PREZIOSI  
ASSISTANT CITY ATTORNEY**

**SCOTT DRAPKIN  
ASSISTANT DIRECTOR**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**ANNOUNCEMENTS AND PRESENTATIONS**

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

**PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS**

**CONSENT CALENDAR:**

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the Planning Commission, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion. The public can make this request via email at [PCPublicComments@costamesaca.gov](mailto: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.

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1. [JUNE 10, 2024 UNOFFICIAL MEETING MINUTES](#) [24-270](#)

RECOMMENDATION:

Planning Commission approve the Regular Meeting Minutes of June 10, 2024.

**Attachments:** [JUNE 10, 2024 UNOFFICIAL MEETING MINUTES](#)

**PUBLIC HEARINGS:**

1. [PLANNING APPLICATION 22-23 FOR A CONDITIONAL USE PERMIT 24-271 TO OPERATE A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 2905 RED HILL AVENUE \(“TERRA FIRMA”\)](#)

RECOMMENDATION:

Staff recommends the Planning Commission adopt 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 (Class 1), Existing Facilities; and
2. Approve Planning Application 22-23, 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. Shared Parking Analysis](#)

**OLD BUSINESS: NONE.**

**NEW BUSINESS: NONE.**

**DEPARTMENTAL REPORTS:**

1. PUBLIC WORKS REPORT
2. DEVELOPMENT SERVICES REPORT

**CITY ATTORNEY REPORTS:**

1. CITY ATTORNEY REPORT.

**ADJOURNMENT**

**PLANNING COMMISSION MEETING:**

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

**APPEAL PROCEDURE:**

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

**CONTACT CITY STAFF:**

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



# CITY OF COSTA MESA

## Agenda Report

77 Fair Drive  
Costa Mesa, CA 92626

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**File #:** 24-270

**Meeting Date:** 6/24/2024

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**TITLE:**

**JUNE 10, 2024 UNOFFICIAL MEETING MINUTES**

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

**RECOMMENDATION:**

Planning Commission approve the Regular Meeting Minutes of June 10, 2024.

UNOFFICIAL UNTIL APPROVED

**MEETING MINUTES OF THE CITY OF  
COSTA MESA PLANNING COMMISSION**

**June 10, 2024**

**CALL TO ORDER**

The Chair called the meeting to order at 6:02 p.m.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

The Chair led the Pledge of Allegiance.

**ROLL CALL**

Present: Chair Adam Ereth, Vice Chair Russell Toler, Commissioner Karen Klepack, Commissioner David Martinez, Commissioner Jonny Rojas, Commissioner Jon Zich

Absent: Commissioner Angely Andrade

Officials Present: Assistant Director of Development Services Scott Drapkin, Planning and Sustainable Development Manager Bill Rodrigues, Assistant City Attorney Tarquin Preziosi, Assistant Planner Jeffery Rimando, City Engineer Seung Yang and Recording Secretary Anna Partida

**ANNOUNCEMENTS AND PRESENTATIONS:**

None.

**PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:**

None.

**PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:**

Commissioner Rojas congratulated all the graduating senior classes of 2024 in the Newport-Mesa School District. He continued his comments by thanking the Costa Mesa Police Department for escorting the senior class of Mesa High school in celebration of their achievements.

Commissioner Martinez wished the public a Happy Pride Month and expressed his appreciation for the City flying a Pride Flag. He continued his comments by informing the public of the upcoming Special City Council Session taking place on June 11, 2024 at 5:00 p.m.



## UNOFFICIAL UNTIL APPROVED

Chair Ereth announced that it is Pet Adoption Month. He expressed his appreciation for Priceless Pet Rescue located in Costa Mesa.

**CONSENT CALENDAR:**

**No member of the public nor Commissioner requested to pull a Consent Calendar item.**

**1. APPROVAL OF MEETING MINUTES: MAY 28, 2024**

**ACTION:** Planning Commission approved the minutes of the regular meeting of May 28, 2024.

Chair Ereth made a motion to approve the minutes with one revision. He asked that the language in the last paragraph on page 3 of the minutes under the heading of 'The Chair opened the Public Hearing' and before 'The Chair opened public comments' reflect that upon being asked if the applicant were to hypothetically deviate from the City's recommended parking standards, the Applicant said "No" and wanted to adhere to staff's recommendation. Motion was seconded by Commissioner Zich.

**MOVED/SECOND:** Ereth/Zich

**MOTION:** Approve recommended action for Consent Calendar Item No. 1 with the requested language change.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Klepack, Martinez, Rojas, Zich

Nays: None

Absent: Andrade

Abstained: None

Motion carried: 6-0

**PUBLIC HEARINGS:**

**1. PLANNING APPLICATION PCUP-24-0001 FOR A CONDITIONAL USE PERMIT FOR A NEW ESCAPE ROOM USE AND A MINOR CONDITIONAL USE PERMIT TO DEVIATE FROM PARKING REQUIREMENTS AT 2706 HARBOR BOULEVARD, SUITES 200 & 202-205**

**Project Description:** Conditional Use Permit 24-0001 proposes an escape room use located in five suites of an existing two-story nine-suite building and a Minor Conditional Use Permit to deviate from parking requirements. The proposed hours of operation would be Monday through Friday from 6:30 p.m. to 10:00 p.m. and Saturday and Sunday from 11:00 a.m. to 11:45 p.m.

## UNOFFICIAL UNTIL APPROVED

**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.

No ex-parte communications reported.

Jeffery Rimando, Assistant Planner, presented the staff report.

The Commission asked questions of staff including about the process to change hours of operation; list of surrounding business included in the applicant's materials including why Stiizy was not listed; zoning designation for other approved escape rooms; why a previous escape room was approved by the Zoning Administrator but this one requires action by the Planning Commission; how the use is classified for purposes of determining parking requirements; shared parking agreement and how parking conflicts would be resolved; opportunity to reduce the gap between the staggered start time for escape room games; how special events by Stiizy might affect parking; security for employees and customers; location of the previously approved onsite Cannabis delivery business, and potential parking impacts their delivery schedule might have on this business.

**The Chair opened the Public Hearing.**

Long John Ngyuen, applicant, stated he had read and agrees to the conditions of approval.

The Commission asked questions of the applicant including discussion of applicant's reasons for 30-minute break between games, and about security.

**The Chair opened public comments.**

No public comments.

**The Chair closed public comments.**

**The Chair closed the Public Hearing.**

Commissioner Martinez made a motion. Seconded by Commissioner Klepack.

The Commission discussed the motion including the idea of making uses that previously been approved by the Planning Commission subject to Zoning Administrator review; parking standards.

**MOVED/SECOND:** Martinez/Klepack

**MOTION:** Approve staff's recommendation.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Klepack, Martinez, Rojas, Zich

## UNOFFICIAL UNTIL APPROVED

Nays: None  
 Absent: Andrade  
 Abstained: 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 (Class 1) Existing Facilities; and
2. Approve Planning Application PCUP-24-0001 based on findings of fact and subject to conditions of approval.

**RESOLUTION PC-2024-15 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION PCUP-24-0001 FOR A CONDITIONAL USE PERMIT FOR A NEW ESCAPE ROOM AND A MINOR CONDITIONAL USE PERMIT FOR A DEVIATION FROM PARKING REQUIREMENTS AT 2706 HARBOR BOULEVARD, SUITES 200 & 202-205**

The Chair explained the appeal process.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**DEPARTMENTAL REPORTS:**

1. Public Works Report – None.
2. Development Services Report – None.

**CITY ATTORNEY'S OFFICE REPORT:**

1. City Attorney – None.

**ADJOURNMENT AT 6:39 PM**

UNOFFICIAL UNTIL APPROVED

Submitted by:

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SCOTT DRAPKIN, SECRETARY  
COSTA MESA PLANNING COMMISSION



# CITY OF COSTA MESA

## Agenda Report

77 Fair Drive  
Costa Mesa, CA 92626

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**File #:** 24-271

**Meeting Date:** 6/24/2024

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**TITLE:**

PLANNING APPLICATION 22-23 FOR A CONDITIONAL USE PERMIT TO OPERATE A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 2905 RED HILL AVENUE ("TERRA FIRMA")  
DEPARTMENT: **ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/ PLANNING DIVISION**

**PRESENTED BY: MICHELLE HALLIGAN, SENIOR PLANNER**

**CONTACT INFORMATION: MICHELLE HALLIGAN, 714.754.5608; [Michelle.Halligan@costamesaca.gov](mailto:Michelle.Halligan@costamesaca.gov)**

**RECOMMENDATION:**

Staff recommends the Planning Commission adopt 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 (Class 1), Existing Facilities; and
2. Approve Planning Application 22-23, subject to conditions of approval.



# **PLANNING COMMISSION AGENDA REPORT**

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MEETING DATE: June 24, 2024      ITEM NUMBER: PH-1

**SUBJECT: PLANNING APPLICATION 22-23 FOR A CONDITIONAL USE PERMIT TO OPERATE A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 2905 RED HILL AVENUE (“TERRA FIRMA”)**

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

**PRESENTATION BY: MICHELLE HALLIGAN, SENIOR PLANNER**

**FOR FURTHER INFORMATION CONTACT: MICHELLE HALLIGAN  
714.754.5608  
Michelle.Halligan@costamesaca.gov**

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## **RECOMMENDATION**

Staff recommends the Planning Commission adopt 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 (Class 1), Existing Facilities; and
2. Approve Planning Application 22-23, subject to conditions of approval.

## **APPLICANT OR AUTHORIZED AGENT**

The applicant is Shanna Droege on behalf of the property owner, Clayton Olivier Trust and Terra Firma Costa Mesa LLC.

## PLANNING APPLICATION SUMMARY

Location:	2905 Red Hill Avenue	Application Number(s):	PA-22-23
Request:	Planning Application 22-23 is for a Conditional Use Permit to operate a retail cannabis storefront business with delivery.		

### SUBJECT PROPERTY:

### SURROUNDING PROPERTY:

Zone:	C1 (Local Business District)	North:	PDI (Planned Development Industrial) across State Route 73
General Plan:	General Commercial	South:	C1 (Local Business District)
Lot Dimensions:	65 x 92	East:	MP (Industrial Park) across State Route 73
Lot Area:	5,930 SF	West:	C1 (Local Business District)
Existing Development:	The parcel is developed with an existing 3,268-square-foot two-story multi-tenant commercial building within the Bristol Village Plaza commercial center.		

## DEVELOPMENT STANDARDS COMPARISON

Development Standard	Required/Allowed Zone Dev. Standard	Proposed/Provided
Building Height	2 Stories / 30 ft.	2 stories / 30 ft.
Setbacks:		
Front	20 ft.	25 ft.
Side	15 ft. / 0 ft.	6.5 ft. / 5 ft. <sup>2</sup>
Rear	0 ft.	15 ft.
Landscaping - front	10 ft. <sup>1</sup>	10 ft. <sup>1</sup>
Parking	13 spaces (185 spaces for entire commercial center)	212 <sup>3</sup>
Floor area ratio (FAR)	0.20	0.07 <sup>4</sup>
<ol style="list-style-type: none"> <li>1. The landscaped setback requirement was reduced from 20 ft. to 10 ft. by variance ZE-77-47.</li> <li>2. One side setback is legal non-conforming.</li> <li>3. The subject site shares a surface parking lot with six other properties that constitute the Bristol Village Plaza commercial center.</li> <li>4. The FAR provided is for the entire commercial center.</li> </ol>		
CEQA Status	Exempt per CEQA Guidelines Section 15301 (Class 1, Existing Facilities)	
Final Action	Planning Commission	

## **BACKGROUND**

The subject 5,930-square-foot property is located at 2905 Red Hill Avenue, within the Bristol Village Plaza, a multi-tenant commercial center encompassing six parcels. The site is zoned C1 (Local Business District) with other C1 zoned properties located to the west and south. Properties zoned PDI (Planned Development Industrial) and MP (Industrial Park) are located to the north and east across State Route 73. The site has a General Plan Land Use Designation of “General Commercial.”

Existing development on the subject property consists of a two story, 3,268-square-foot multi-tenant commercial building (see the below Image 1). The second-floor suite in the subject building is currently occupied by a massage spa. The three first-floor suites are vacant. The subject retail cannabis storefront establishment proposes to occupy the entire building.

**Image 1 – 2905 Red Hill Avenue**



Bristol Village Plaza has three points of vehicular ingress/egress on Bristol Street and one on Red Hill Avenue, adjacent to the proposed use. An existing 212-space surface parking lot is shared by all six parcels within the Bristol Village Plaza. Existing uses in the area include but are not limited to, restaurants, salons, gas stations, offices, hotels, and a car dealership.

### ***Nonconforming Development***

The existing development on the subject property has a legal, nonconforming side setback and therefore is subject to the nonconforming provisions of the Costa Mesa Municipal Code (CMMC) Section 13-204. Pursuant to this Code section, a conforming use may be located on a nonconforming property so long as any new site modifications do not result in greater site nonconformities, and such improvements bring the site into greater conformance with Code requirements.



Improvements would be made to bring the structure into compliance with current building and safety codes, remove unpermitted fencing, and improve the landscaping in the front setback; however, and as specifically allowed by the CMMC, the existing site nonconformity can remain pursuant to the City's legal nonconforming provisions.

### ***City of Costa Mesa Medical Marijuana Measure (Measure X) and Costa Mesa Retail Cannabis Tax and Regulation Measure (Measure Q)***

In November 2016, Costa Mesa voters approved Measure X, allowing medical cannabis manufacturing, packaging, distribution, research and development laboratories, and testing laboratories in "Industrial Park" (MP) and "Planned Development Industrial" (PDI) zoned properties north of South Coast Drive and west of Harbor Boulevard ("The Green Zone," excluding the South Coast Collection property located at 3303 Hyland Avenue). Measure X is codified in Titles 9 and 13 of the CMMC.

In 2018, non-medical adult use cannabis became legal in California under the State's Medicinal and Adult-Use Cannabis Regulation and Safety Act (Proposition 64). On April 3, 2018, the City Council adopted Ordinance No. 18-04 to allow non-medical use cannabis facilities in the same manner and within the same geographic area as were previously allowed pursuant to Measure X.

On November 3, 2020, Costa Mesa voters approved Measure Q, the Costa Mesa Retail Cannabis Tax and Regulation Measure. This measure allowed the City to adopt regulations permitting cannabis storefront retail (dispensaries) and non-storefront retail (delivery) within the City subject to numerous operational requirements. On June 15, 2021, the City Council adopted Ordinances No. 21-08 and No. 21-09 to amend Titles 9 and 13 of the CMMC to establish regulations for legal cannabis storefront and non-storefront uses. A "non-storefront" retailer sells packaged cannabis goods to customers through direct delivery. On May 7, 2024, the City Council adopted Ordinances No. 24-03 and No. 24-04 to amend the City's retail cannabis provisions in Titles 9 and 13.

### ***Cannabis Business Permit (CBP) Application Process***

The process to establish a retail cannabis business is subject to an extensive submittal and application review procedure. Retail cannabis applicants must obtain the following City approvals and also obtain State permitting/license approval before conducting business in Costa Mesa:

- Pre-Application Determination;
- CBP Notice to Proceed;
- Conditional Use Permit (CUP);
- Building Permit(s);
- Final City Inspections;
- CBP Issuance; and
- City Business License.

The “Pre-Application Determination” includes staff review of a detailed applicant letter that describes the proposed business, an existing site plan, statement attesting that there is/has been no unpermitted cannabis activity at the site within one-year, and a detailed map demonstrating the proposed storefront’s distance from sensitive uses. Staff also visits the site at this time. Planning staff has completed the aforementioned pre-application review, visited the site, and issued a letter indicating that the application complies with the City’s required separation distances from sensitive uses and may proceed to submittal of a CBP.

Following completion of the pre-application review, the applicant submitted a CBP application for the initial phase of the CBP process. Staff’s initial CBP review includes:

- A background check of the business owner(s)/operator(s);
- An evaluation of the proposed business plan (including a capitalization analysis); and
- An evaluation of the proposed security plan by the City’s cannabis security consultant, HdL Companies (HdL).

The applicant successfully passed these evaluations and staff issued a “CBP Notice to Proceed,” which allows the applicant to submit a CUP application.

The CUP application and required supportive materials were submitted by the applicant and reviewed for conformance with City standards and regulations by the Planning Division, Building Division, Public Works Department (including Transportation and Engineering Divisions), Fire Department, and Police Department.

If the Planning Commission approves the CUP, the applicant may then begin the remaining steps of the CBP process, which include:

- Obtaining building permits;
- Completing tenant improvements; and
- Demonstrating through various City reviews/inspections that all conditions of approval have been satisfied, and that all other requirements of the CMMC have been met.

After passing the final City and HdL inspections, the CBP would be issued. CBP approval is valid for a two-year period and must be renewed prior to expiration. During the two-year CBP period, the Community Improvement Division (CID), along with other City staff, will conduct site inspections to verify that the business is operating in compliance with CUP and CBP requirements. Violations identified during site inspections will be required to be corrected, or may be grounds for revocation of issued permits and/or non-renewal of a CBP.

After obtaining the CBP, the applicant would apply for and obtain a City Business License through the Finance Department. As previously mentioned, the applicant must obtain the

appropriate permits/licenses from the State Department of Cannabis Control (DCC) prior to operating. Lastly, cannabis retail businesses are subject to a City-established seven-percent gross receipts tax, which must be paid to the City of Costa Mesa's Finance Department. Records and revenues are audited annually by the Finance Department and HdL Companies.

## **DESCRIPTION**

Planning Application 22-23 is a request for a CUP to allow a retail cannabis use within an existing commercial building located at 2905 Red Hill Avenue. The affiliated State license is a Type 10 "storefront retailer." Upon approval of a CUP, CBP, City Business License, and State licenses, the business would sell pre-packaged cannabis and pre-packaged cannabis products directly to customers onsite and through delivery, subject to conditions of approval and other City and State requirements.

## **ANALYSIS**

### ***Conditional Use Permit Required***

Pursuant to CMMC Sections 13-28(B) and 13-200.93(c)(1), subject to the approval of the Planning Commission, a CUP is required for the establishment of cannabis retail storefronts and non-storefronts (delivery) in a commercial zone. To obtain a CUP, an applicant must show that the proposed use is compatible with the City's applicable zoning and General Plan provisions/policies, and will not be detrimental to public health, safety, and welfare.

The subject site is located within a commercial zone (C1 – Local Business District) where commercial development is specifically allowed to include cannabis retail storefronts subject to a conditional use permit. As defined in the CMMC, "this district 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." Pursuant to the CMMC, cannabis retail storefronts and non-storefronts are subject to extensive regulation (as further described in this report) which are adopted to prevent land use inconsistencies with adjacent properties. Pursuant to the CMMC, the approval of a CUP requires that the Planning Commission make specific findings related to neighborhood compatibility, health and safety, and land use compatibility. The analysis regarding CUP findings is provided below in this report.

### ***Separation Requirements***

The proposed project location was evaluated based on the separation requirements in effect during the pre-application submittal. At that time, CMMC Section 13-200.93(e) stipulated that no cannabis retail storefront use shall be located within 1,000 feet from a K-12 school, playground, licensed child daycare, or homeless shelter, or within 600 feet from a youth center as defined in CMMC Title 9, Chapter VI, Section 9-485, that is in operation at the time of submission of a completed cannabis business permit application. All separation distances are measured in a straight line ("as the crow flies") from the

“premises” where the cannabis retail use is to be located to the closest property line of the sensitive use(s) (with the exception of playgrounds). (For playgrounds, the required separation distance is measured from a 30-foot radius from the exterior physical boundaries of the playground equipment area.) Premises is as defined in the State’s Business and Professions Code Section 26001 as *“the designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or licensee where the commercial cannabis activity will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one licensee”*. Therefore, the premises only include the retail cannabis activity areas (including sales, storage, back-of-house and/or other ancillary areas) and excludes the parking lot and other areas that are not part of the area licensed by the State for commercial cannabis activity. The subject site complies with the required separation from sensitive uses.

On June 7, 2024, Ordinance No. 2024-03, amending Title 13 pertaining to cannabis storefronts, became effective. The amendment included increasing the minimum distance between a cannabis storefront and youth center from 600 to 1,000 feet and established a minimum separation of 250 feet between a cannabis storefront and properties zoned for residential use. The proposed location’s compliance with separation requirements was established prior to the amendment. Although the proposed project is not subject to the new separation requirements, the location is more than 1,000 feet from a youth center and more than 250 feet from a property zoned for residential use.

### ***Exterior Tenant Improvements***

The applicant proposes to improve the building to meet current building and safety codes as well as update the façade with new windows, doors, awnings, and paint. See Image 2, below. Other proposed exterior improvements include:

- The installation of a landscaped front setback with at least two 24-inch box trees. Enhance the existing landscaping planters with new plants, of which the majority would be California native plants. A conceptual landscaping plan has been provided and will be refined during the building plan check process, as conditioned;
- The removal of unpermitted fencing and the installation of new fencing that complies the City’s fencing standards;
- The construction of an approximate 400-square-foot exterior employee break area enclosed by a six-foot-tall solid fence (the fencing would also prevent customer access to the front exterior stairwell). As conditioned, smoking of any kind would be prohibited within the exterior employee break area.
- The installation of at least one publicly accessible bicycle rack and one employee-only bicycle rack to encourage multi-modal transportation; and
- The installation of security lighting and surveillance cameras. A preliminary lighting/photometric plan has been provided and will be further reviewed during the building plan check process, as conditioned.

Proposed business signage would be reviewed and permitted separately per the City’s sign code requirements. Pursuant to Condition of Approval No. 6 (Prior to Issuance of Building Permits), business signage shall not include references to cannabis, whether in words or symbols.

**Image 2 – Proposed Exterior**



***Interior Tenant Improvements***

The proposed interior improvements involve removing existing walls as well as the construction of new demising walls on both floors to facilitate operations of the cannabis business, including a waiting room, storage, offices, restrooms, and a retail sales floor. A floor area summary of the proposed space is provided in Table 1, below. A rendering of the proposed sales floor area is provided in Image 3, below.

**Table 1 – Floor Plan Summary**

<b>Operational Area</b>	<b>Square Feet</b>
Waiting Room	244
Sales Floor	972
Delivery	124
Offices	237
Storage	682
Breakrooms	255
Restrooms	234
Receiving	70
Hallways	355
Interior Stairs	95
<b>Total</b>	<b>3,268</b>

**Image 3 – Proposed Sales Floor Area**



### ***Customer and Employee Access***

Customer access is limited to the waiting room and retail showroom on the first floor. Customer circulation to and from the proposed establishment includes entering and exiting the licensed premise through a waiting room. Customers would be able to enter the waiting room from the pedestrian pathway connecting to the parking lot as well as to Red Hill Avenue. A greeter employee would verify the customer's identity and age before allowing the customer to enter the retail showroom. After a customer's identity and age is verified and their transaction is completed, they must leave the premise through the same doors. As further conditioned, a security guard would monitor the area to ensure that customers are following regulations.

All other areas of the premises would be accessible only to employees with the proper security credentials. Employees would enter through the customer entrance on the first floor or employee only access-controlled doors on the first and second floors.

### ***Delivery and Vendor Access***

During business hours, delivery and vendor vehicles would use a loading/unloading space in the rear of the building that is approximately 40 feet from an access-controlled door. When loading/unloading vehicles, delivery employees would enter/exit through an access-controlled door and would only be allowed to enter the premise after signing-in and while accompanied by an employee. As conditioned, the access-controlled doors, path of travel, and vehicle loading/unloading area would be under camera surveillance at all times, and the required onsite security guard would also monitor the delivery and vendor operations.

**Storefront/Delivery Operations**

The proposed business is required to comply with retail storefront and operational conditions/requirements as follows:

- Display State license, CBP, and City business license in a conspicuous building location;
- Hours of daily operations are limited to 7:00 AM to 10:00 PM;
- Shipments of cannabis goods may only be accepted during regular business hours;
- Cannabis inventory shall be secured using a lockable storage system during non-business hours;
- At least one security guard will be onsite during hours of operation. At the request of the Chief of Police or designee, based upon site- specific concerns or safety incidents, at least one (1) licensed private security guard or guards may be required to be present at the premises twenty-four (24) hours per day;
- The premises and the vicinity must be monitored by security and/or other staff to ensure that patrons immediately leave and do not consume cannabis onsite or within close proximity. The CMMC prohibits the consumption of cannabis or cannabis products in public areas; cannabis consumption is limited to non-public areas, such as within a private residence. State law further prohibits cannabis consumption and open container possession within 1,000 feet of sensitive uses and while riding in or driving a vehicle;
- There must be continuous video monitoring and recording of the interior and exterior of the premises;
- Adequate security lighting shall be provided and shall be designed to prevent offsite light spill;
- Onsite sales of alcohol or tobacco products and onsite consumption of alcohol, cannabis, and tobacco products is prohibited;
- No one under the age of 21 is allowed to enter the premises. If the business holds a retail medical cannabis license (M-license) issued by the State, persons over the age of 18 may be allowed with the proper medical approvals i.e. physician’s recommendation or medical card pursuant to CMMC Section 9-495(h)(6);
- Prior to employment, all prospective employees must successfully pass a background check conducted by the City, and the employee must obtain a City issued identification badge;
- Customers are only granted access to the retail area after their age and identity has been confirmed by an employee;
- Each transaction involving the exchange of cannabis goods between the business and consumer shall include the following information:
  - Date and time of transaction;
  - Name and employee number/identification of the employee who processed the sale;
  - List of all cannabis goods purchased including quantity; and
  - Total transaction amount paid.
- There must be video surveillance of the point-of-sale area and where cannabis goods are displayed and/or stored;

- Cannabis products shall not be visible from the exterior of the building;
- Free samples of cannabis goods are prohibited;
- When receiving new inventory from licensed distributors, employees will verify the distributor's identity and license prior to allowing them to enter the facility. After distributor's credentials have been confirmed, an employee will escort the distributor to the receiving area and remain with them throughout the process.
- Cannabis goods to be sold at this establishment (either storefront or delivery) must be obtained by a licensed cannabis distributor and have passed laboratory testing;
- Cannabis product packaging must be labeled with required test results and batch number;
- Packaging containing cannabis goods shall be tamper-resistant; if packaging contains multiple servings, the package must also be re-sealable;
- When processing orders for cannabis delivery, employees will collect the pre-packaged materials, load products into a secured container and transport the containers to delivery vehicles outside the building. Video surveillance cameras will be installed with direct views of the path of travel and loading and unloading area. All loading and unloading of delivery vehicles will be monitored by the required security guard;
- Cannabis deliveries must be made in-person by an employee of the licensed retailer. An independent contractor, third-party courier service, or an individual employed through a staffing agency would not be considered employed by the licensed retailer;
- The applicant shall maintain proof of vehicle insurance for any and all vehicles being used to deliver cannabis goods;
- During delivery, the employee shall maintain a physical or electronic copy of the delivery request and shall make it available upon request by the licensing authority and law enforcement officers;
- A delivery employee shall not leave the State of California while possessing cannabis products and while performing their duties for the cannabis retailer;
- The business shall maintain a list of all deliveries, including the address delivered to, the amount and type of product delivered, and any other information required by the State;
- Any delivery method shall be made in compliance with State law, as amended, including use of a vehicle that has a dedicated global positioning system (GPS) device for identifying the location of the vehicle (cell phones and tablets are insufficient);
- Signs, decals or any other form of advertisement on the delivery vehicles are prohibited;
- Deliveries must be made to a physical address that is not on publicly owned land and cannot be a school, a day care, homeless shelter, or a youth center; and
- A cannabis delivery employee shall not carry cannabis goods valued in excess of \$5,000 at any time, with no more than \$3,000 of cannabis goods that are not already part of a customer order that was processed prior to leaving the premises.



## ***Business Plan***

The applicant has submitted a detailed business plan that was evaluated by the City's cannabis consultant (HdL). The business plan described the owners' experience, proof of capitalization, start-up budget, a three-year pro forma, target customers, key software, and daily operations. The business plan contains proprietary details and is therefore not included as an attachment to this staff report. The City's cannabis consultant determined that the applicant's business plan was appropriate for the proposed retail operations.

## ***Security Plan***

The applicant has submitted a professionally prepared security plan for the proposed retail cannabis establishment. The City's cannabis consultant reviewed the security plan and determined that appropriate security measures were included to address the City's security requirements pursuant to CMMC Title 9, Chapter VI, and State law. In May of 2024, the City Council adopted Ordinance No. 2024-04 amending Title 9 of the CMMC which included a modification to the cannabis storefront security guard requirement from 24 hours per day to only during business hours, unless the Chief of Police determines otherwise. Therefore, and pursuant to the CMMC, staff has conditioned the proposed operations to provide an onsite security guard only during business operations, unless otherwise directed by the Chief of Police.

Since the security plan contains sensitive operational details that require limited public exposure to remain effective, the plan is not included as an attachment. However, the following is a list of general security measures that are required for all cannabis retail storefronts:

- At least one security guard will be onsite during business operation, unless otherwise directed by the Chief of Police to maintain a security guard twenty-four (24) hours per day;
- All employees, including drivers, must pass a "Live Scan" background check;
- City-issued identification badges are required for employees;
- An inventory control system shall be maintained;
- Exterior and interior surveillance cameras shall be monitored and professionally installed;
- An alarm system shall be professionally installed, maintained, and monitored;
- Surveillance footage must be maintained for a minimum of 90 days;
- Cash, cannabis, and cannabis products shall be kept in secured storage areas;
- Sensors shall be installed that detect entry and exit from all secured areas;
- Security lighting (interior and exterior) shall be installed;
- Emergency power supply shall be installed;
- Employees shall be trained for use with any/all emergency equipment;
- Delivery drivers shall be trained on delivery safety protocols;
- Employees and vendors will be trained regarding cash and product transportation protocol;
- Visitor/customer specific security measures shall be required;

- All facility entry and exit points and locations where cash or cannabis products are handled or stored shall be under camera surveillance;
- The applicant shall submit a list of all vehicles to be used for retail delivery purposes to the Costa Mesa Police Department. The list shall identify the make, model, color, license plate number, and registered owner of each vehicle. The applicant shall submit an updated vehicle list each quarter with the required quarterly update to the employee roster pursuant to the CBP;
- Delivery vehicle drivers shall be at least age 21, have a current driver's license, successfully complete a live scan, and have a City-issued badge; and
- The business operator shall ensure that all delivery vehicles are properly maintained, all delivery drivers have a good driving record, and each driver conducts a visual inspection of the vehicle at the beginning of a shift.

### ***Parking and Circulation***

On December 29, 1977, a reciprocal access and parking agreement was recorded for six parcels that share the subject property parking lot (2905 Red Hill Avenue and 250 through 290 Bristol Street). Pursuant to the CMMC Section 13-6, when there is a mixture of uses within a single development that share the same parking facilities, the total requirement for parking is determined by the Costa Mesa shared parking analysis procedures which is adopted by City Council Resolution. The analysis considers parking demand by use type, floor area, and by time period (peak hourly demand).

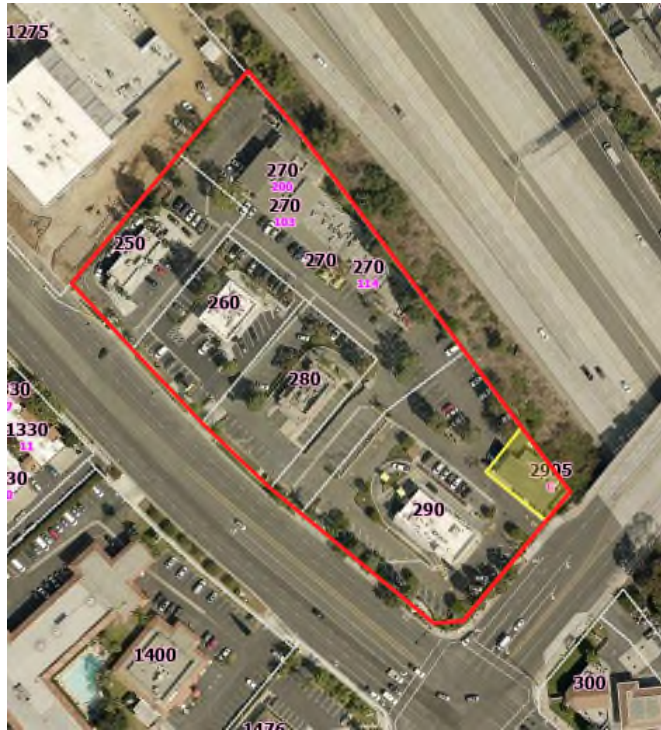
Utilizing the City's shared parking method to analyze the parking demand based on all uses (office, retail, medical, etc.) during all hours of the weekdays and weekends, the peak parking demand would be 186 parking spaces, occurring between 7 PM and 8 PM on weekdays. The existing parking lot includes 216 parking spaces and therefore the parking for the proposed use is anticipated to be adequate. See Attachment no. 7. To further investigate the parking demand of the combined properties, staff visited the site on numerous occasions for the last two months. Staff has continuously witnessed a surplus of available parking. The busiest time observed was between noon and 1 PM on weekdays.

If parking shortages or other parking-related problems occur that are related to the proposed cannabis storefront, the business owner or operator will be required to monitor the parking lot and institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services (see "Operational Conditions" of Approval No. 7 in the attached Resolution). Examples of parking demand management techniques include, but are not limited to, offsite parking for employees, reducing operating hours of the business, hiring an employee to monitor parking lot use and assist with customer parking lot circulation, encouraging delivery services to reduce in person store visits, and incentivizing employee carpooling/cycling/walking.

As previously described in the "Background" section of this report, vehicular access to the site is provided by one driveway along Red Hill Avenue and three driveways along

Bristol Street. Pedestrian and cyclist access to the commercial center is provided by existing public sidewalk located along Red Hill Avenue and Bristol Street. The applicant proposes to construct a pedestrian path from the sidewalk along Red Hill Avenue to the subject property. The shared parking area shown on Image 4, is available to all employees and customers for the properties identified in the red boundary.

**Image 4 – Aerial View of Shared Parking**



### **Traffic**

CMMC Section 13-275(e) indicates that any increase in traffic generation by a change of use that is required to obtain a discretionary permit, shall be subject to review by the appropriate reviewing authority, which may impose fees to address increased trip generation. If required, the fee collected is used to fund the City’s comprehensive transportation system improvement program. The purpose of the program is to ensure that the City’s transportation system has the capacity to accommodate additional trips. The Citywide Traffic Impact Fee related to new and expanding developments is determined using estimated Average Daily Trips (ADT), which is the combined total number of vehicular trips both in and out of a development generated throughout an average weekday. The Transportation Services Division determined that the appropriate ADT for a cannabis retail establishment is approximately 108 trips per 1,000 square feet based on the Institute of Transportation Engineers (ITE) 11<sup>th</sup> Edition Trip Generation Manual for the most similar use “pharmacy/drug store with a drive-through”. The City’s traffic engineering review focuses on net trip increase for both the ADT and peak hour trips. Therefore, the trip generation is estimated for the previous/existing use(s) and is credited (subtracted) from the proposed use to estimate potential changes in trip

generation for ADT and peak hour trips. The proposed use would be subject to a traffic impact fee based on net ADT. The estimated traffic impact fee is approximately \$41,078. The fee calculation would be finalized during the building permit plan check process and must be paid prior to building permit issuance.

CMMC Section 13-275(a), specifies that “a traffic impact study shall be required for all development projects estimated by the Public Works Department to generate one hundred (100) or more vehicle trip ends during a peak hour.” The highest peak hour trips in either the AM or PM is used to estimate the number of vehicular trips generated both in and out of a new or expanded development known as vehicle trip-ends during a peak hour. The City’s Transportation Department staff determined that the proposed use would not result in 100 peak hour trips, and thus a traffic study is not required.

### ***Odor Attenuation***

Cannabis products would arrive in State compliant packaging that is sealed and odor-resistant, and remain unopened while on the premises. However, a minimal amount of cannabis product may be removed from packaging for display purposes and would be placed in display containers. The proposed facility would provide carbon air filtration to eliminate odor from escaping the tenant space. As conditioned, the operator must replace the air filters at regular intervals, as directed in the manufacturer specifications. Cannabis products are not allowed to be disposed of in the exterior trash enclosure. Further, as conditioned, if cannabis odor is detected outside of the building or off-site, the business owner/operator will be required to institute further operational measures necessary to eliminate off-site odors in a manner deemed appropriate by the Director of Economic and Development Services.

### **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 for the next two decades. This vision focuses on protecting and enhancing Costa Mesa’s diverse residential neighborhoods, accommodating an array of businesses that both serve local needs and attract regional and international spending, and providing cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. The following analysis evaluates the proposed project’s consistency with applicable policies and objectives of the 2015-2035 General Plan.

**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 use would introduce new commercial goods at the subject commercial center. The proposed use would provide an entrepreneurial business in Costa Mesa located within a commercial area as allowed under

Measure Q and provides additional employment opportunities in the community. Although there are other cannabis storefronts in Costa Mesa, none of the approved cannabis storefront CUPs (including open storefronts), CUP applications in progress, or applications in the CBP phase are located within close proximity of the subject property.

**Objective LU-6B:** *Encourage and facilitate activities that expand the City's revenue base.*

**Consistency:** Retail cannabis uses are subject to a unique local tax that does not apply to other retail businesses in Costa Mesa. Retail cannabis uses are expected to generate increased tax revenues in that cannabis sales are subject to a seven-percent local tax on gross receipts. Approval of the proposed cannabis retail storefront would allow business operations that would expand the City's revenue base. This revenue can then be used for community services and infrastructure improvements that serve the community.

**Policy LU-6.15:** *Promote unique and specialized commercial and industrial districts within the City which allow for incubation of new or growing businesses and industries.*

**Consistency:** The proposed use is part of the specialized cannabis industry that is limited in Orange County. Out of 34 cities in the county, four have open cannabis storefronts--Costa Mesa, Laguna Woods, Santa Ana, and Stanton. Approval of this CUP would facilitate a business opportunity in a specialized and expanding industry along the City's commercial corridors.

**Policy LU-3.1:** *Protect existing stabilized residential neighborhoods, including mobile home parks (and manufactured housing parks), from the encroachment of incompatible or potentially disruptive land uses and/or activities.*

**Consistency:** The proposed cannabis storefront is located approximately 450 feet from residential development, when measured from the proposed licensed premise to the closest residential property line. The subject property has provided retail goods and services since the 1970s. As conditioned, the proposed use would operate during limited hours, be required to control odor, noise, and provide onsite security during business hours.

## **REQUIRED FINDINGS**

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets specified findings as follows:

- **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.**

The subject site is located within a commercial zone (C1, Local Business District) where commercial development is specifically allowed to include retail uses. In addition, the property is located on one of the City's primary commercial corridors that is predominantly intended for commercial uses. Pursuant to the CMMC, cannabis retail storefronts are permitted uses in the C1 zone and are subject to extensive regulation (as described in this report). Additionally, the proposed cannabis retail storefront use is not located within 1,000 feet of a K-12 school, playground, licensed child daycare, homeless shelter, or youth center as defined in the CMMC.

All retail sales would take place underroof, no outdoor storage or sales are proposed nor would be allowed, and operations would be conditioned to be compliant with applicable local and State laws, as well as to minimize potential impacts. Staff does not anticipate that the proposed retail cannabis use would be materially detrimental to the adjacent uses that include fast food, other restaurants, offices, other retailers, gas stations, and hotels. The subject property is surrounded by commercial uses and adjacent to a State Highway (Route 73).

- **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.**

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

- **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.**

The proposed retail use is located within an existing commercial building on a property that has a General Plan land use classification of General Commercial. No additional square footage is proposed; therefore, approving the CUP would not increase site density or intensity. As stated in the General Plan Land Use Element, the City's commercial designations "accommodate a full range of commercial

activity present and desired in Costa Mesa.” The use is consistent with General Plan policies related to providing a mixture of commercial goods, services, and employment opportunities; expanding the City’s tax base; and promoting the incubation of unique and specialized businesses.

## **ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing or prior use. This project site contains an existing commercial building that has been used historically for commercial activities. The application does not propose an increase in commercial floor area or otherwise expand the prior commercial use. The project is consistent with the applicable General Plan land use designation and policies as well as with the applicable zoning designation and regulations. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Specifically, the project would not result in a cumulative 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**

The Planning Commission can consider the following decision alternatives:

1. Approve the project. The Planning Commission may approve the project as proposed, subject to the conditions outlined in the attached Resolution.
2. 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 hearing could be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff can return with a revised Resolution incorporating new findings and/or conditions.
3. Deny the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months.

## **LEGAL REVIEW**

The draft Resolution and this report have been approved as to form by the City Attorney’s Office.

## **PUBLIC NOTICE**

Pursuant to Title 13, Section 13-29(d) of the Costa Mesa Municipal Code, three types of public notification have been completed no less than ten 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. 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.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper.

Any public comments received prior to the June 24, 2024, Planning Commission meeting may be viewed at this link: <https://costamesa.legistar.com/Calendar.aspx>

## **CONCLUSION**

The proposed project is a retail cannabis storefront business with delivery at an existing commercial property that is located on one of the City's commercial corridors and meets specific separation requirements. Staff and the City's cannabis consultant completed the Pre-Application Determination, Business Plan and Security Plan evaluations, owner background checks, and thoroughly reviewed the CUP materials. If approved, the operation would be required to comply with all conditions of approval and extensive City and State regulations.

If the Planning Commission approves the project, the applicant would next obtain building permits, complete tenant improvements, and pass City inspections prior to obtaining a CBP and City Business License. The CBP is valid for two years and must be continuously renewed, including inspections, prior to expiration. During each two-year CBP period, the Community Improvement Division, along with other City staff, will conduct site inspections to verify that the operation complies with CUP and CBP requirements.

As proposed and conditioned, the use would be consistent with other commercial uses in the C1 zone, the Zoning Code, and the City's General Plan. The required findings for the CUP can be made, as described above, and therefore, staff recommends approval of Planning Application 22-23 subject to conditions of approval.



**RESOLUTION NO. PC-2024-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 22-23 FOR A STOREFRONT RETAIL CANNABIS BUSINESS WITH DELIVERY (TERRA FIRMA) IN THE C1 ZONE AT 2905 RED HILL AVENUE**

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

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

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

WHEREAS, Planning Application 22-23 was filed by Shanna Droege, representing Terra Firma Costa Mesa LLC, and the authorized agent for the property owner, Clayton Olivier Trust, requesting approval of the following:

A Conditional Use Permit to operate a cannabis retail storefront retail and delivery business within a 3,268-square-foot, two-story commercial building located at 2905 Red Hill Avenue. The business would sell pre-packaged cannabis and pre-packaged cannabis products directly to customers onsite and through delivery, subject to conditions of approval and other City and State requirements;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 24, 2024 with all persons having the opportunity to speak for and against the proposal;

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

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

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application 22-23 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 22-23 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable State, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

**PASSED AND ADOPTED this 24th day of June, 2024.**

---

Adam Ereth, Chair  
Costa Mesa Planning Commission

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

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2024- was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on June 24, 2024 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

---

Scott Drapkin, Secretary  
Costa Mesa Planning Commission

Resolution No. PC-2024-

## EXHIBIT A

### FINDINGS

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

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

**Facts in Support of Findings:** The subject site is located within a commercial zone (C1, Local Business District) where commercial development is specifically allowed to include retail uses. In addition, the property is located on one of the City's primary commercial corridors that is predominantly intended for commercial uses. Pursuant to the CMMC, cannabis retail storefronts are permitted uses in the C1 zone and are subject to extensive regulation (as described in this report). Additionally, the proposed cannabis retail storefront use is not located within 1,000 feet of a K-12 school, playground, licensed child daycare, homeless shelter, or youth center as defined in the CMMC.

All retail sales would take place underroof, no outdoor storage or sales are proposed nor would be allowed, and operations would be conditioned to be compliant with applicable local and State laws, as well as to minimize potential impacts. Staff does not anticipate that the proposed retail cannabis use would be materially detrimental to the adjacent uses that include fast food, other restaurants, offices, other retailers, gas stations, and hotels. The subject property is surrounded by commercial uses and adjacent to a State Highway (Route 73).

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

**Facts in Support of Finding:** The proposed cannabis retail storefront use would follow safety measures detailed in a professionally-prepared security plan. The security plan was evaluated for compliance by the City's cannabis consultant, HdL. Measures designed to maintain safety at the site include, but are not limited to, at least one security guard that would be onsite during the hours of operation and security devices shall be installed before operation. Examples of security devices include window and door alarms, motion-detectors, limited access areas, and a monitored video surveillance system covering all exterior entrances, exits, and all interior limited access spaces. In

addition, the business employees, including part-time staff, must pass a live scan background check and obtain an identification badge from the City. The conditions of approval include, but are not limited to, the aforementioned security measures to ensure that the use would not be materially detrimental to the health, safety and general welfare of the public or be otherwise injurious to property or improvements within the immediate neighborhood.

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

**Facts in Support of Finding:** The proposed retail use is located within an existing commercial building on a property that has a General Plan land use classification of General Commercial. No additional square footage is proposed; therefore, approving the CUP would not increase site density or intensity. As stated in the General Plan Land Use Element, the City's commercial designations "accommodate a full range of commercial activity present and desired in Costa Mesa." The use is consistent with General Plan policies related to providing a mixture of commercial goods, services, and employment opportunities; expanding the City's tax base; and promoting the incubation of unique and specialized businesses.

- B. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing or prior use. This project site contains an existing commercial building that has been used historically for commercial activities. The application does not propose an increase in commercial floor area or otherwise expand the prior commercial use. The project is consistent with the applicable General Plan land use designation and policies as well as with the applicable zoning designation and regulations. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Specifically, the project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.
- C. The project is subject to a traffic impact fee, pursuant to Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

## EXHIBIT B

### CONDITIONS OF APPROVAL

#### General

- P1ng.
1. The use of this property as a cannabis storefront business shall comply with the approved plans and terms described in the resolution, these conditions of approval, and applicable sections of the Costa Mesa Municipal Code (CMMC). The Planning Commission may modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
  2. Approval of the planning/zoning application is valid for two years from the effective date of this approval and will expire at the end of that period unless the applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and has continued to maintain a valid building permit by making satisfactory progress as determined by the Building Official, 2) a certificate of occupancy has been issued, or 3) the use is established and a business license has been issued. A time extension can be requested no less than 30 days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
  3. No person may engage in any cannabis business or in any cannabis activity within the City including delivery or sale of cannabis or a cannabis product unless the person:
    - a. Has a valid Cannabis Business Permit from the City;
    - b. Has paid all Cannabis Business Permit and all application fees and deposits established by resolution of the City Council, including annual Community Improvement Division inspection deposits;
    - c. Has obtained all applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such cannabis business intends to operate;
    - d. Has obtained a City business license pursuant to Chapter I of the Municipal Code;
    - e. Is in compliance with all requirements of the Community Improvement Division regarding the property;
    - f. Has obtained any and all licenses required by State law and/or regulations; and
    - g. Has satisfied all CUP conditions of approval.

4. Any change in the operational characteristics of the use shall be subject to Planning Division review and may require an amendment to the Conditional Use Permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change.
5. No cultivation of cannabis is allowed anywhere on the premises.
6. The uses authorized by this Conditional Use Permit must be conducted in accordance with all applicable State and local laws, including, but not limited to compliance with the most current versions of the provisions of the California Code of Regulations that regulate the uses permitted hereby. Any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.
7. Except for operations allowed by this Conditional Use Permit and under an active Cannabis Business Permit and State Type 10 license, no permit holder or any of its employees shall sell, distribute, furnish, and/or otherwise provide any cannabis or cannabis product to any person, firm, corporation, group or any other entity, unless that person or entity is a lawful, bona fide customer, or it possesses all currently valid permits and/or licenses required by both the State of California and applicable local governmental entity to lawfully receive such cannabis and to engage in a "cannabis activity" as defined by Costa Mesa Municipal Code sec. 9-485. The permit holder shall verify that the recipient, regardless of where it is located, of any cannabis or cannabis product sold, distributed, furnished, and/or otherwise provided by or on behalf of the permit holder, possesses all required permits and/or licenses therefor.
8. The applicant, the property owner and the operator (collectively referred to as "indemnitors") shall each jointly and severally defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the indemnitors' joint and several obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section.
9. If any section, division, sentence, clause, phrase or portion of this approval is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.
10. The use shall operate in accordance with the approved Security Plan. Any changes to the Security Plan must be submitted to the Planning Division with

a written explanation of the changes. If the Director determines that changes are substantial, a modification to the Cannabis Business Permit and/or amendment to the CUP may be required.

11. A parking and security management plan, including techniques described in Operational Condition of Approval No. 7, must be approved by the Director of Economic and Development Services or designee prior to any grand opening or other high-volume event on the subject property.
- Bldg. 12. Development shall comply with the requirements of the following adopted codes: 2022 California Residential Code, 2022 California Building Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, 2022 California Green Building Standards Code and 2022 California Energy Code (or the applicable adopted, California Residential Code, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2022 California Building Code.
- CBP 13. The operator shall maintain a valid Cannabis Business Permit and a valid Business License at all times. The Cannabis Business Permit application number associated with this address is MQ-21-38. Upon issuance, the Cannabis Business Permit will be valid for a two-year period and must be renewed with the City prior to its expiration date, including the payment of permit renewal fees. No more than one Cannabis Business Permit may be issued to this property.
14. The use shall operate in accordance with the approved Business Plan. Any changes to the Business Plan must be submitted to the Planning Division with a written explanation of the changes. If the Director determines that changes are substantial, a modification to the Cannabis Business Permit and/or amendment to the CUP may be required.
15. A Cannabis Business Permit may be revoked upon a hearing by the Director of Economic and Development Services or designee pursuant to Section 9-120 of the CMMC for failing to comply with the terms of the permit, the applicable provisions of the CMMC, State law or regulation and/or any condition of any other permit issued pursuant to this code. Revocation of the Cannabis Business Permit shall trigger the City's proceedings to revoke the Conditional Use Permit and its amendments. The Conditional Use Permit granted herein shall not be construed to allow any subsequent owner/operator to continue operating under PA-22-23 until a valid new Cannabis Business Permit is received from the City of Costa Mesa.
16. A change in ownership affecting an interest of 51 or more percent, or an incremental change in ownership that will result in a change of 51 or more percent over a three year period, shall require submittal and approval of a



new Cannabis Business Permit. A change in ownership that affects an interest of less than 51 percent shall require approval of a minor modification to the Cannabis Business Permit.

- State
17. The business must obtain any and all licenses required by State law and/or regulation prior to engaging in any cannabis activity at the property.
  18. The applicant shall obtain State License Type 10 prior to operating. The uses authorized by this Conditional Use Permit must be conducted in accordance with all applicable State and local laws, including, but not limited to compliance with the most current versions of the provisions of the California Code of Regulations that regulate the uses permitted hereby. Any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.
  19. Suspension of a license issued by the State of California, or by any of its departments or divisions, shall immediately suspend the ability of a cannabis business to operate within the City, until the State of California, or its respective department or division, reinstates or reissues the State license. Should the State of California, or any of its departments or divisions, revoke or terminate the license of a cannabis business, such revocation or termination shall also revoke or terminate the ability of a cannabis business to operate within the City. This Conditional Use Permit will expire and be of no further force and effect if any State issued license remains suspended for a period exceeding six (6) months. Documentation of three violations during routine inspections or investigations of complaints shall result in the Community Improvement Division scheduling a hearing before the Director of Development Services to consider revocation of the Cannabis Business Permit.
  20. Third parties are prohibited from providing delivery services for non-storefront retail.
  21. Persons under the age of twenty-one (21) years shall not be allowed on the premises of this business, except as otherwise specifically provided for by state law and CMMC Section 9-495(h)(6). It shall be unlawful and a violation of this CUP for the owner/operator to employ any person who is not at least twenty-one (21) years of age.
- PD
22. Every manager, supervisor, employee or volunteer of the cannabis business must submit fingerprints and other information specified on the Cannabis Business Permit for a background check by the Costa Mesa Police Department to verify that person's criminal history. No employee or volunteer may commence paid or unpaid work for the business until the background checks have been approved. No cannabis business or owner thereof may employ any person who has been convicted of a felony within the past 7 years, unless that felony has been dismissed, withdrawn, expunged or set aside pursuant to Penal Code sections 1203.4, 1000 or 1385, or who is currently on probation or parole for the sale, distribution, possession or manufacture of a controlled substance.
- CID
23. Should any employee, volunteer or other person who possesses an identification badge be terminated or cease their employment with the

business, the applicant shall return such identification badge to the City of Costa Mesa Community Improvement Division within 24 hours, not including weekends and holidays.

24. The property owner and applicant shall use “Crime Prevention Through Environmental Design” techniques to reduce opportunities for crime, loitering and encampments on the property as deemed appropriate by the Community Improvement Manager and Director of Economic and Development Services.
- Finance 25. This business operator shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees and permits required under State and local law. This business operator shall cooperate with the City with respect to any reasonable request to audit the cannabis business’ books and records for the purpose of verifying compliance with the CMMC and this CUP, including but not limited to a verification of the amount of taxes required to be paid during any period.
26. The following records and recordkeeping shall be maintained/conducted:
  - a. The owner/operator of this cannabis business shall maintain accurate books and records, detailing all of the revenues and expenses of the business, and all of its assets and liabilities. On no less than an annual basis, or at any time upon reasonable request of the City, the owner/operator shall file a sworn statement detailing the number of sales by the cannabis business during the previous twelve month period (or shorter period based upon the timing of the request), provided on a per-month basis. The statement shall also include gross sales for each month, and all applicable taxes paid or due to be paid.
  - b. The owner/operator shall maintain a current register of the names and the contact information (including the name, address, and telephone number) of anyone owning or holding an interest in the cannabis business, and separately of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the cannabis business. The register required by this condition shall be provided to the City Manager upon a reasonable request.
  - c. The owner/operator shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all cannabis and cannabis products for all stages of the retail sale process. Subject to any restrictions under the Health Insurance Portability and Accountability Act (HIPPA), the owner/operator shall allow City officials to have access to the business’s books, records, accounts, together with any other data or documents relevant to its permitted cannabis activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents will be produced no later than twenty-four (24) hours after receipt of the City’s request, unless otherwise stipulated by the City.
  - d. The owner/operator shall have in place a point-of-sale tracking system to track and report on all aspects of the cannabis business including,

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

- Insp.
27. The City Manager or designees may enter this business at any time during the hours of operation without notice, and inspect the location of this business as well as any recordings and records required to be maintained pursuant to Title 9, Chapter VI or under applicable provisions of State law. If the any areas are deemed by the City Manager or designee to be not accessible during an inspection, not providing such access is cause for the City to begin a cannabis business permit (CBP) and/or conditional use permit (CUP) and/or business license revocation process as prescribed by the applicable Municipal Code revocation procedures.
  28. Inspections of this cannabis business by the City will be conducted, at a minimum, on a quarterly basis. The applicant will pay for the inspections according to the adopted Fee Schedule.
  29. Quarterly Fire & Life Safety Inspections will be conducted by the Community Risk Reduction Division to verify compliance with the approved operation. The applicant will pay for the inspection according to the Additional Required Inspections as adopted in the Fee Schedule.
  30. Annual Fire & Life Safety Inspections will be conducted by the Fire Station Crew for emergency response pre-planning and site access familiarization. The applicant will pay for the inspection according to the adopted Fee Schedule.
  31. Pursuant to Title 9, Chapter VI, it is unlawful for any person having responsibility for the operation of a cannabis business, to impede, obstruct, interfere with, or otherwise not to allow, the City to conduct an inspection, review or copy records, recordings or other documents required to be maintained by a cannabis business under this chapter or under State or local law. It is also unlawful for a person to conceal, destroy, deface, damage, or falsify any records, recordings or other documents required to be maintained by a cannabis business under this chapter or under State or local law.

**Prior to Issuance of Building Permits**

1. Plans shall be prepared, stamped and signed by a California licensed Architect or Engineer.
2. The conditions of approval and ordinance or code provisions of Planning Application 22-23 shall be blueprinted on the face of the site plan as part of the plan check submittal package.

3. Prior to the Building Division issuing a demolition permit, the applicant shall contact the South Coast Air Quality Management District (AQMD) located at:  
21865 Copley Dr.  
Diamond Bar, CA 91765-4178  
Tel: 909- 396-2000  
Or visit its website:  
<http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381>. The Building Division will not issue a demolition permit until an Identification Number is provided by AQMD.
4. Odor control devices and techniques shall be incorporated to ensure that odors from cannabis are not detected outside the property, anywhere on adjacent property or public right-of-way. Building and mechanical permits must be obtained from the Building Division prior to work commencing on any part of the odor control system.
5. Plan check submittal shall include, but not be limited to:
  - Demolition of unpermitted fencing.
  - Landscape and irrigation plans, including two 24-inch box shade trees within the front setback, shrubs and living ground cover, with an emphasis on drought-tolerant plants and native California plants.
  - An accessible pedestrian path from Red Hill Avenue to the storefront entrance.
  - A permanent bike rack that is publicly accessible and a bike rack that is accessible to employees only.
  - Odor control device specifications and locations.
  - A lighting plan showing all proposed exterior lighting fixtures and specifications.
  - A photometric study taking into account the proposed fence locations and heights. Lighting levels on the property including the parking lot shall be adequate for safety and security purposes (generally, at least 1.0 foot candle), lighting design and layout shall minimize light spill at the property line and glare shields may be required to prevent light spill.
  - A completely fenced in employee break area (6-foot-tall solid wood or vinyl fencing) if the applicant chooses to move forward with the exterior employee break area design concept.
6. No signage shall be installed until the owner/operator or its designated contractor has obtained permits required from the City. Business identification signage shall be limited to that needed for identification only. Business identification signage shall not include any references to cannabis, whether in words or symbols. All signs shall comply with the CMMC.
7. Each entrance to a cannabis retail business shall be visibly posted with one clear and legible notice up to twelve (12) inches by eighteen (18)

inches in size, indicating that smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the cannabis business is prohibited. The word “cannabis” is allowed to be used up to two times on each of these specific notices. Letter height in the notice shall be limited to up to two (2) inches in size. All notice lettering shall be the same font and color.

8. The plans and business operator shall comply with the requirements of the applicable California Fire Code, including any referenced standards as amended by the City of Costa Mesa.
9. The Traffic Impact Fee as calculated by the Transportation Services Division shall be paid in full.
10. Construction documents shall include a temporary fencing and temporary security lighting exhibit to ensure the site is secured during construction and to discourage crime, vandalism, and illegal encampments.
11. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.

#### **Prior to Issuance of a Certificate of Use/Occupancy**

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

#### **Prior to Issuance of Cannabis Business Permit**

1. The applicant shall contact the Planning Division for a facility inspection and provide a matrix of conditions of approval explaining how each was met prior to issuance of a Cannabis Business Permit.
2. The applicant shall pay the Planning Commission public notice fee (\$1 per notice post card) and the newspaper ad publishing cost.
3. The final Security Plan shall be consistent with the approved building plans.
4. Each entrance to the business shall be visibly posted with a clear and legible notice stating the following:
  - a. That smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the cannabis business is prohibited;
  - b. That no person under the age of twenty-one (21) years of age is permitted to enter upon the premises of the cannabis business unless the business holds a retail medical cannabis license (M-license) issued by the state;
  - c. That loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises is prohibited; and

- d. The premise is a licensed cannabis operation approved by the City of Costa Mesa. The City may also issue a window/door sticker, which shall be visibly posted.
5. The owner/operator shall obtain and maintain at all times during the term of the permit comprehensive general liability insurance and comprehensive automotive liability insurance protecting the permittee in an amount of not less than two million dollars (\$2,000,000.00) per occurrence, combined single limit, including bodily injury and property damage and not less than two million dollars (\$2,000,000.00) aggregate for each personal injury liability, products-completed operations and each accident, issued by an insurance provider admitted and authorized to do business in California and shall be rated at least A-:viii in A.M. Best & Company's Insurance Guide. Such policies of insurance shall be endorsed to name the City of Costa Mesa as an additional insured. Proof of said insurance must be provided to the Planning Division before the business commences operations. Any changes to the insurance policy must be submitted to the Planning Division within 10 days of the date the change is effective.
6. The applicant shall submit an executed Retail Cannabis Business Permit Defense and Indemnity Agreement on a form to be provided by the City.
7. The applicant shall post signs within the parking lot directing the use of consideration such as no loud voices, loud music, revving car engines, etc. The language of the parking lot signs shall be reviewed and approved by the Planning Division prior to installation.

### **Operational Conditions**

1. No product deliveries to the facility shall occur after 10:00 PM and before 7:00 AM.
2. Onsite sales hours of operations are limited to 7:00 AM to 10:00 PM Monday through Sunday.
3. The applicant shall submit an updated delivery vehicle list each quarter with the quarterly update to the employee roster which is required pursuant to the CBP. The number of delivery vehicles parked onsite shall not exceed the number of available onsite surplus parking spaces. Delivery vehicles shall not be parked on City streets.
4. At least one security guard will be onsite during business operation, unless directed by the Chief of Police or designee to maintain a security guard twenty-four (24) hours per day;
5. The operator shall maintain free of litter all areas of the property under which applicant has control.
6. The use shall be conducted, at all times, in a manner that will allow the quiet and safe enjoyment of the surrounding neighborhood. The operator shall institute appropriate security and operational measures as necessary to comply with this requirement.
7. If parking shortages or other parking-related problems develop based on the operations approved under this application, the business owner or

operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services or designee. Temporary or permanent parking management strategies include, but are not limited to, reducing operating hours of the business, hiring an additional employee trained in traffic control to monitor parking lot use and assist with customer parking lot circulation, and offering discounts for online and phone orders.

8. While working, employees shall not park on residential streets unless doing so temporarily to make a cannabis delivery.
9. All employees must wear an identification badge while on the premises of the business, in a format prescribed by the City Manager or designee. When on the premises, badges must be clearly visible and worn on outermost clothing and above the waist in a visible location.
10. The operator shall ensure that all vehicles are properly maintained, all delivery drivers have a good driving record, and each driver conducts a visual inspection of the vehicle at the beginning of each shift.
11. The operator shall ensure that deliveries are grouped to minimize total vehicle trips.
12. During each delivery stop, the delivery vehicle shall be parked in a safe manner (i.e., not impeding traffic circulation), the engine shall be turned off and the vehicle shall be locked.
13. Delivery/vendor vehicle loading and unloading shall only take place within direct unobstructed view of surveillance cameras, located in close proximity to the vendor entry door, as shown on an exhibit approved by the Director of Economic and Development Services or designee. No loading and unloading of cannabis products into or from the vehicles shall take place outside of camera view. The security guard shall monitor all on-site loading and unloading of vehicles. Video surveillance cameras shall be installed on the exterior of the building with direct views of the vendor entry door and the entire parking lot. Any modifications or additional vehicle loading and unloading areas shall be submitted to the Director of Economic and Development Services or designee for approval.
14. Delivery/vendor vehicle standing, loading and unloading shall be conducted so as not to interfere with normal use of streets, sidewalks, driveways and on-site parking.
15. The sale, dispensing, or consumption of alcoholic beverages on or about the premises is prohibited.
16. No outdoor storage or display of cannabis or cannabis products is permitted at any time.
17. Cannabis shall not be consumed on the property at any time, in any form.
18. The owner/operator shall prohibit loitering on and within fifty (50) feet of the property.
19. No cannabis or cannabis products, or graphics depicting cannabis or cannabis products, shall be visible from the exterior of the property, or on any of the vehicles owned or used as part of the cannabis business.

20. The owner or operator shall maintain air quality/odor control devices by replacing filters on a regular basis, as specified in the manufacturer specifications.
21. If cannabis odor is detected outside the building, the business owner or operator shall institute corrective measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services.
22. Cannabis liquid or solid waste must be made unusable and unrecognizable prior to leaving a secured storage area and shall be disposed of at facility approved to receive such waste. No cannabis products shall be disposed in the exterior trash enclosure. If any damaged or expired cannabis products must be disposed, the owner or operator shall return the damaged or expired cannabis products to the original licensed distributor or vendor and follow all *applicable* State and City regulations.
23. Each transaction involving the exchange of cannabis goods between the business and consumer shall include the following information: (1) Date and time of transaction; (2) Name and employee number/identification of the employee who processed the sale; (3) List of all cannabis goods purchased including quantity; and (4) Total transaction amount paid.
24. All cannabis products shall be secured in a locked container during transportation between the facility and delivery and vendor vehicles. Prior to a vendor's arrival, vendors are required to give notice to facility personnel. Upon arrival, authorized facility personnel shall escort the vendor to the facility.
25. Smoking of any kind is prohibited in the exterior cannabis employee break area.



**Attn: Costa Mesa Development Services**  
**77 Fair Drive Costa Mesa, CA 92626**  
**(714) 754-5270**

**Re: Terra Firma Costa Mesa LLC Applicant Letter for Conditional Use Permit**  
**2905 Red Hill Avenue, Costa Mesa, CA 92626 - PA-22-23**

Dear Planning Commissioners and Esteemed Staff,

We extend our sincere gratitude for the opportunity to participate in the Conditional Use Permit (CUP) process for a Retail Cannabis Business in Costa Mesa. As business owners deeply committed to community well-being and responsible enterprise, we are grateful for the diligence and collaboration of the Planning Commission and city staff in facilitating this process.

Terra Firma Costa Mesa LLC is thrilled to introduce our vision for a cannabis retail establishment at 2905 Red Hill Avenue, situated within the bustling Bristol Village Shopping Plaza. Our mission transcends mere commerce; we aspire to become a cornerstone of education, empowerment, and positive engagement within the cannabis community and beyond.

With unwavering dedication to transparency, compliance, and community enrichment, our establishment aims to redefine the narrative surrounding cannabis consumption. Our modern and inviting showroom will serve as a haven for both seasoned enthusiasts and curious novices, offering a curated selection of products accompanied by expert guidance and education initiatives.

Led by Shanna Dupont-Droege and Matthew Primm, our esteemed leadership team brings decades of collective experience in business management and retail operations. Having previously demonstrated our commitment to responsible operation and community engagement within Costa Mesa, we are poised to elevate the standards of cannabis retail with integrity and professionalism.

Located within the Bristol Village Shopping Plaza, our freestanding establishment not only offers ample parking but also complements the existing commercial landscape. Recognizing the importance of cohesive urban planning, we are committed to enhancing the aesthetics of our surroundings and adhering rigorously to all building codes and regulations.

n addition to revitalizing the physical space, Terra Firma Costa Mesa LLC is dedicated to fostering meaningful connections with the community. Through strategic partnerships with local organizations, engagement in civic initiatives, and proactive involvement in environmental stewardship, we seek to leave a lasting, positive imprint on the fabric of Costa Mesa.

Moreover, our commitment to community extends beyond rhetoric to tangible action. As proud supporters of the Susan B. Komen Foundation and proponents of local empowerment, we are steadfast in our pledge to contribute meaningfully to the social, economic, and cultural vibrancy of Costa Mesa.

Furthermore, in alignment with Costa Mesa's General Plan Land Use Policy 1.1, we are committed to ensuring that our proposed use not only aligns with but also enhances the balance and diversity of commercial goods and services within the Bristol Village Shopping Plaza. We have undertaken extensive efforts to minimize any potential disruption to existing businesses within the plaza, offering support and assistance to ensure a seamless transition and continued operations.

As we embark on this transformative journey, we eagerly anticipate the opportunity to collaborate with neighboring businesses and stakeholders, fostering an ecosystem of mutual support and prosperity. We are immensely grateful for your consideration and support as we endeavor to realize our vision of a responsible, inclusive, and community-centric cannabis retail experience.

Thank you for your time and dedication to the betterment of Costa Mesa.

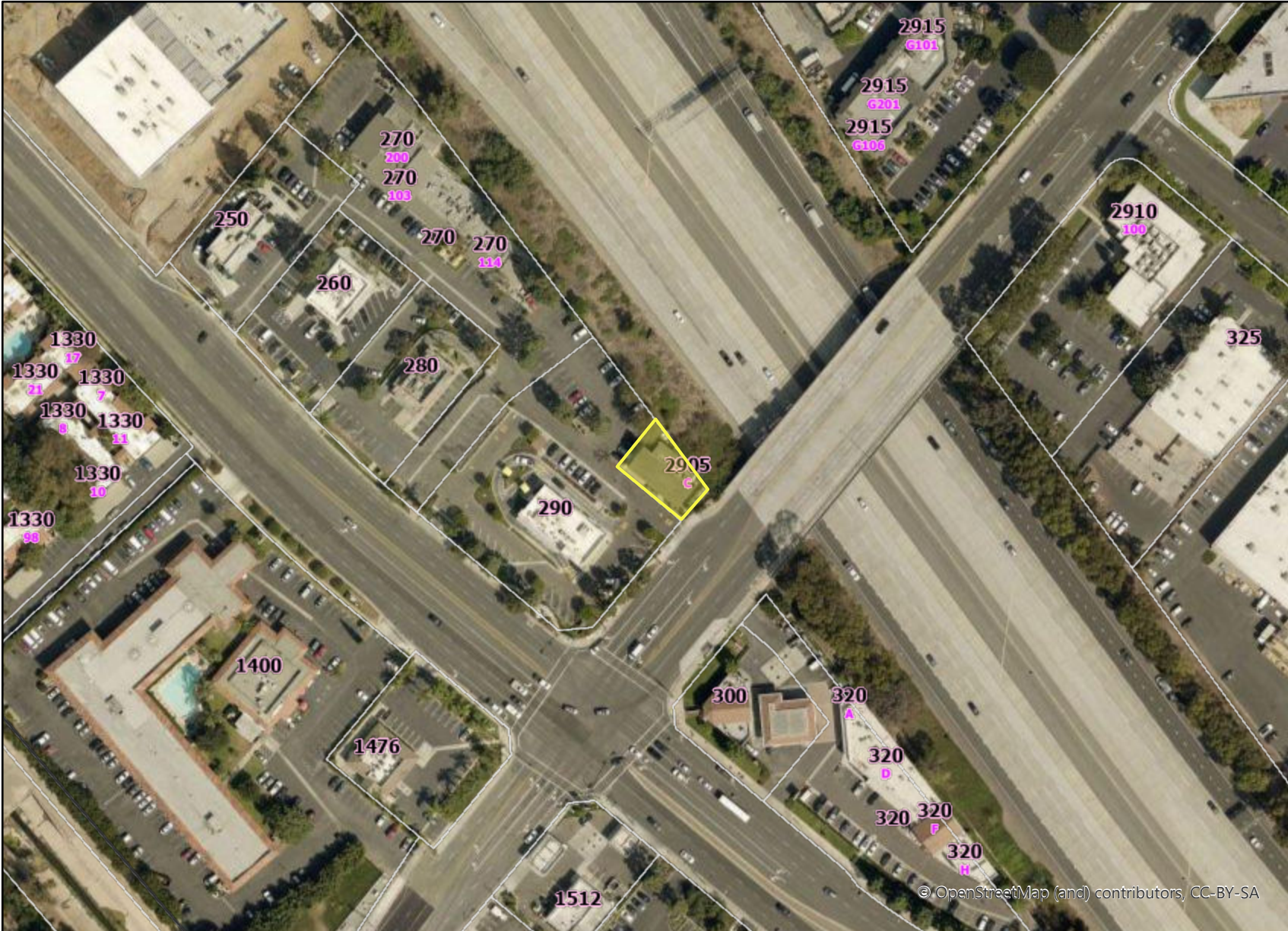
Sincerely,

Terra Firma Costa Mesa LLC  
Shanna Dupont-Droege  
Matthew Primm

# Vicinity Map - 2905 Red Hill Avenue

### Legend

-  City Limit
-  Addresses
-  Silver



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

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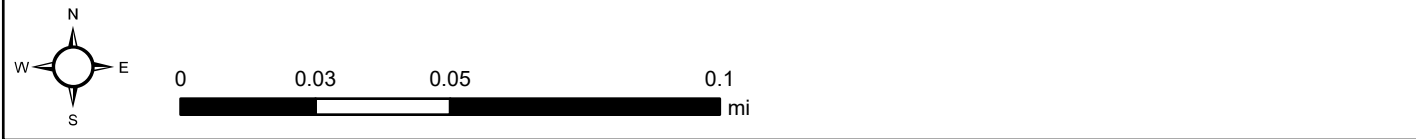
# Zoning Map - 2905 Red Hill Avenue



**Legend**

-  City Limit
-  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 Limited

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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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**SITE PHOTOS 2905 RED HILL AVENUE**



View of the proposed storefront from Red Hill Avenue (facing West)



View of the proposed storefront location from the interior of the commercial center (facing North)





TERRA FIRMA COSTA MESA, LLC

(949) 500-0472

TERRA FIRMA DISPENSARY

MQ-21-38

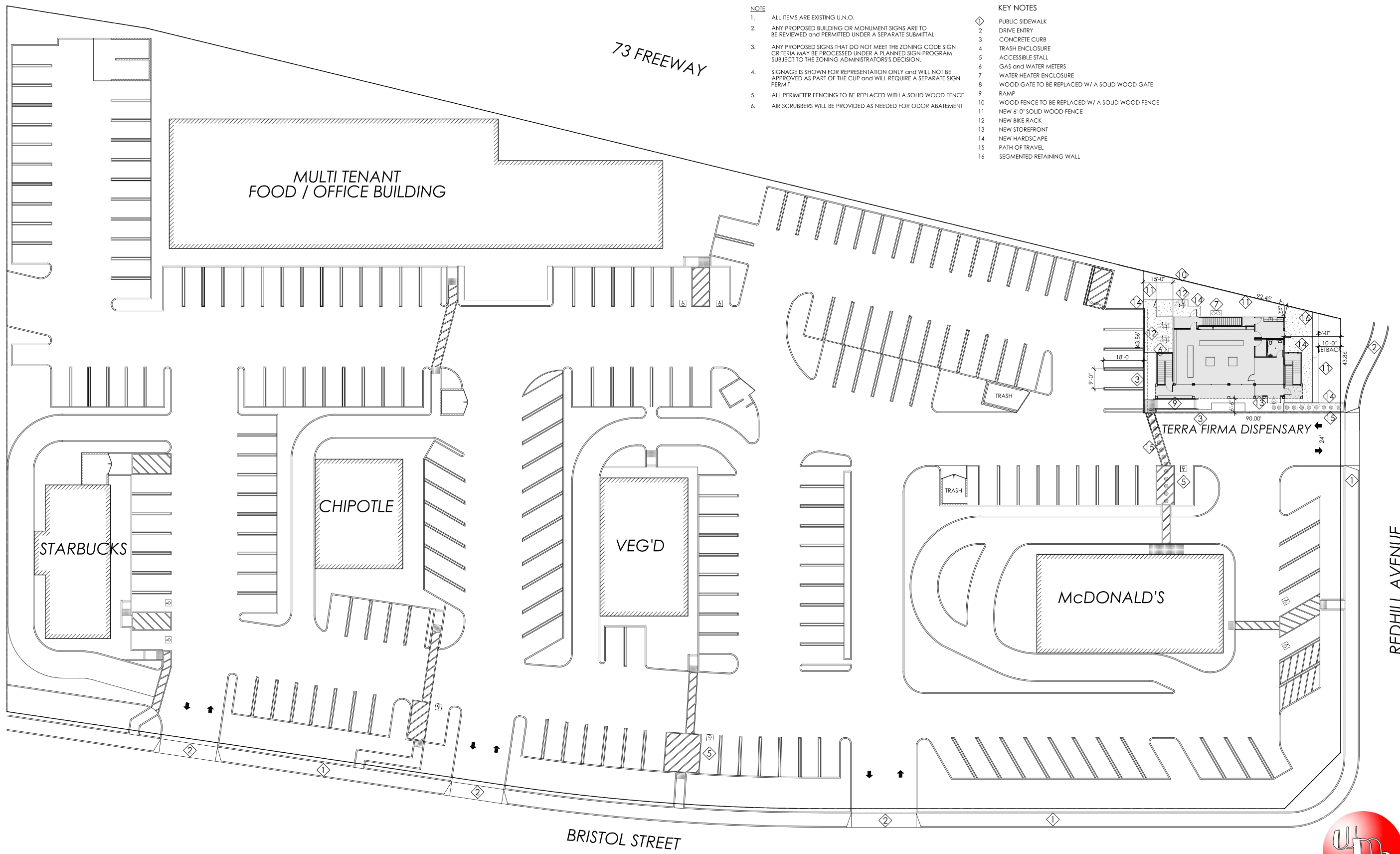
2905 REDHILL AVE  
COSTA MESA, CA 92626



ARCHITECTURE PLANNING INTERIORS  
WILLIAM MASON ARCHITECT, INC.

824 VIA ALHAMBRA, UNIT D  
LAGUNA WOODS, CALIFORNIA 92637  
O: 714.427.0688 M: 714.724.3990  
EMAIL: Bill@WilliamMasonArchitect.com  
21.036.00  
3/9/22  
6/3/22  
9/28/22  
10/14/22  
4/8/24  
4/17/24





- NOTE**
1. ALL ITEMS ARE EXISTING U.N.O.
  2. ANY PROPOSED BUILDING OR MONUMENT SIGNS ARE TO BE REVIEWED and PERMITTED UNDER A SEPARATE SUBMITTAL
  3. ANY PROPOSED SIGNS THAT DO NOT MEET THE ZONING CODE SIGN CRITERIA MAY BE PROCESSED UNDER A PLANNED SIGN PROGRAM SUBJECT TO THE ZONING ADMINISTRATOR'S DECISION.
  4. SIGNAGE IS SHOWN FOR REPRESENTATION ONLY and WILL NOT BE APPROVED AS PART OF THE CUP and WILL REQUIRE A SEPARATE SIGN PERMIT.
  5. ALL PERIMETER FENCING TO BE REPLACED WITH A SOLID WOOD FENCE
  6. AIR SCRUBBERS WILL BE PROVIDED AS NEEDED FOR ODOR ABATEMENT

- KEY NOTES**
- 1 PUBLIC SIDEWALK
  - 2 DRIVE ENTRY
  - 3 CONCRETE CURB
  - 4 TRASH ENCLOSURE
  - 5 ACCESSIBLE STALL
  - 6 GAS and WATER METERS
  - 7 WATER HEATER ENCLOSURE
  - 8 WOOD GATE TO BE REPLACED W/ A SOLID WOOD GATE
  - 9 RAMP
  - 10 WOOD FENCE TO BE REPLACED W/ A SOLID WOOD FENCE
  - 11 NEW 6'-0" SOLID WOOD FENCE
  - 12 NEW BIKE RACK
  - 13 NEW STOREFRONT
  - 14 NEW HARDSCAPE
  - 15 PATH OF TRAVEL
  - 16 SEGMENTED RETAINING WALL

TERRA FIRMA COSTA MESA, LLC

(949) 500-0472

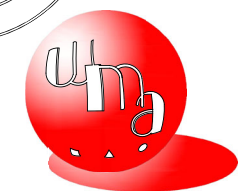
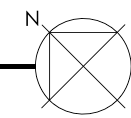
TERRA FIRMA DISPENSARY

MQ-21-38

2905 REDHILL AVE  
COSTA MESA, CA 92626 -2-

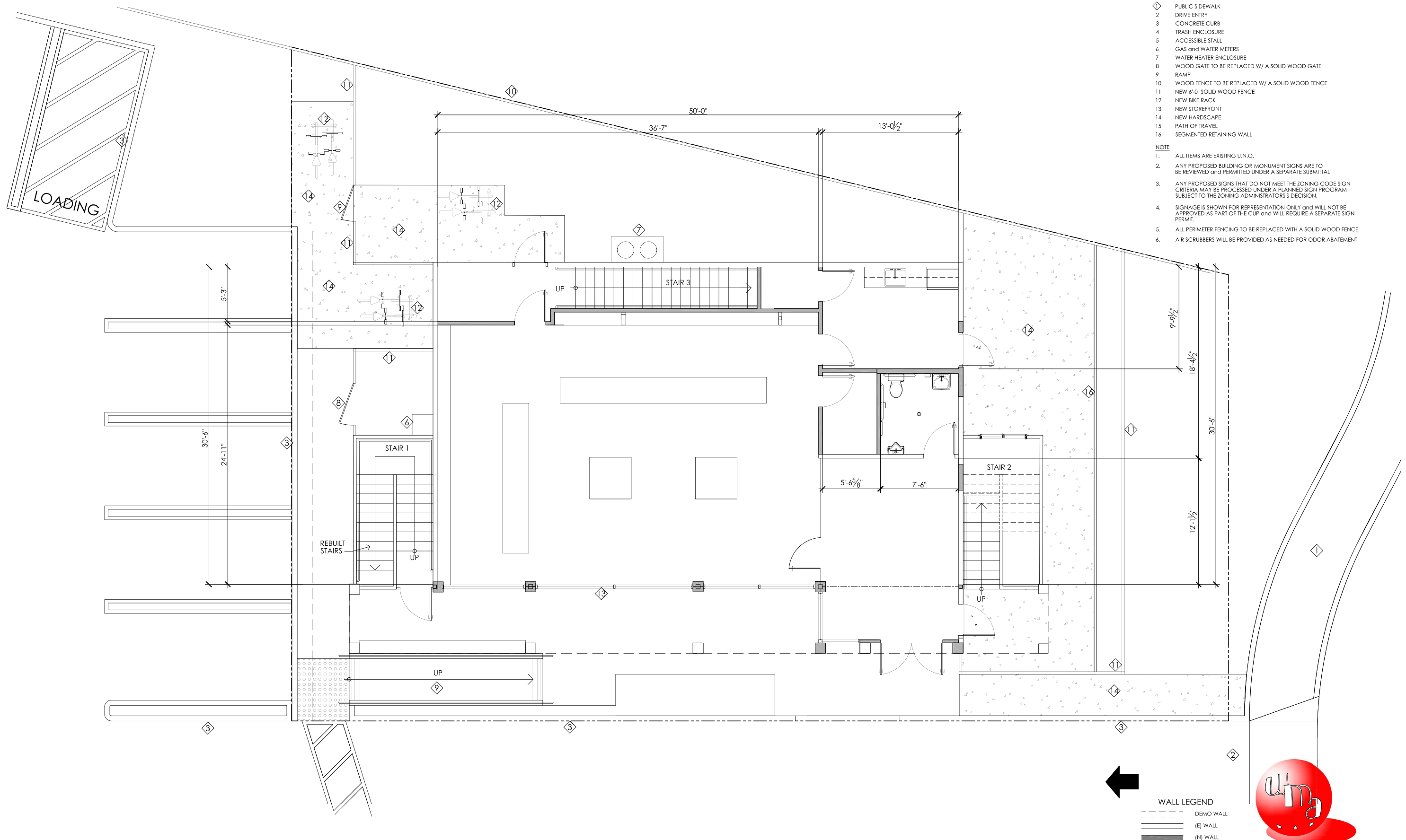
SITE PLAN

SCALE: 1"=20'-0"



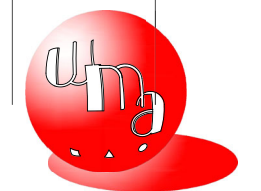
ARCHITECTURE PLANNING INTERIORS  
WILLIAM MASON ARCHITECT, INC.

824 VIA ALHAMBRA, UNIT D  
LAGUNA WOODS, CALIFORNIA 92637  
O: 714.427.0688 M: 714.724.3990  
EMAIL: Bill@WilliamMasonArchitect.com  
21.036.00  
3/9/22  
3/9/22  
9/28/22  
10/14/22  
4/8/24  
4/17/24



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- WALL LEGEND**
- DEMO WALL
  - (E) WALL
  - (N) WALL

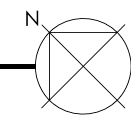


ARCHITECTURE PLANNING INTERIORS  
**WILLIAM MASON ARCHITECT, INC.**

**TERRA FIRMA COSTA MESA, LLC**

**TERRA FIRMA DISPENSARY**

**1ST FLOOR PLAN**



(949) 500-0472

MQ-21-38

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

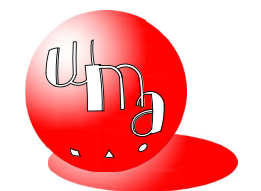
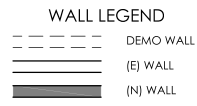
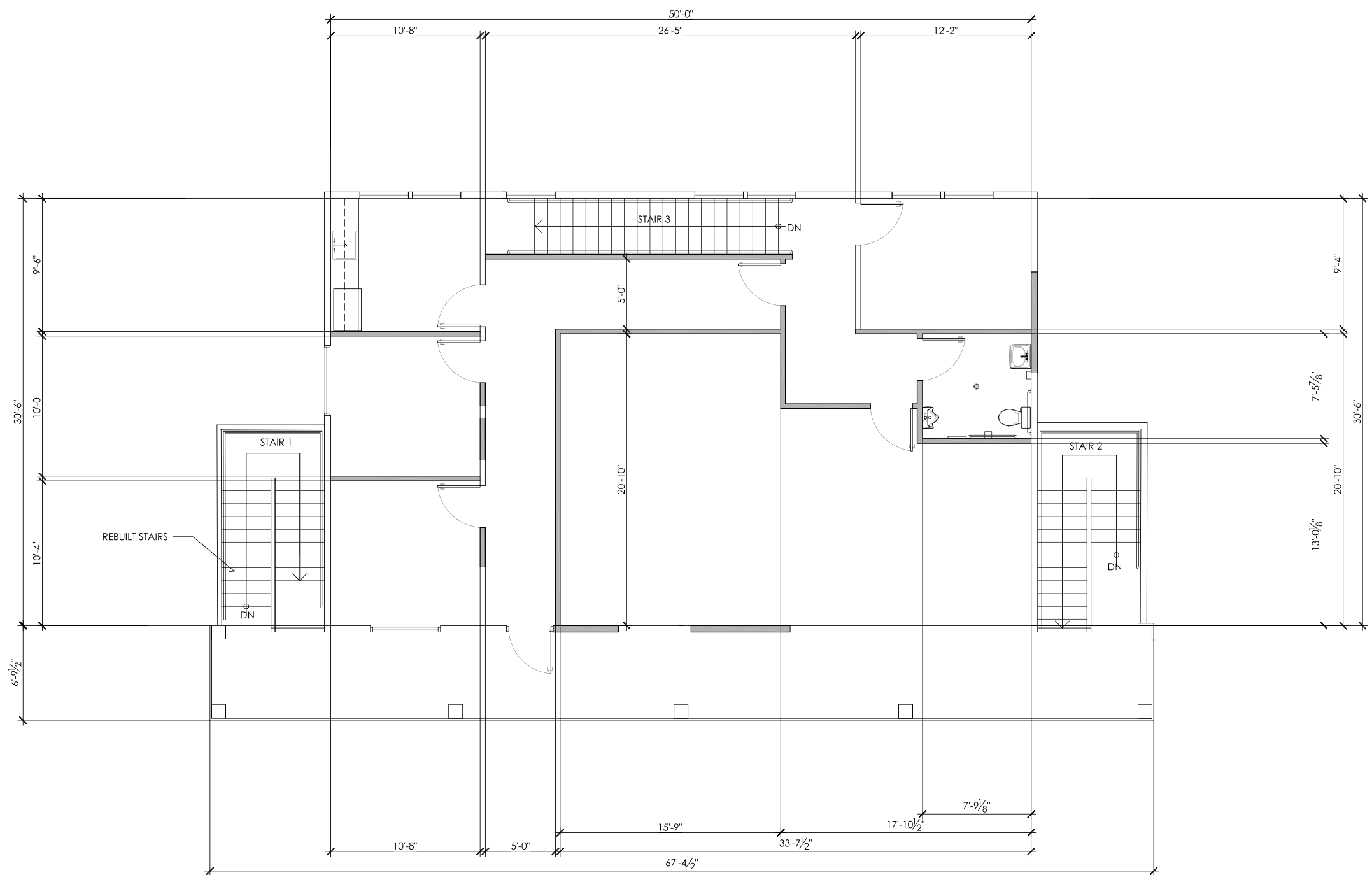
2905 REDHILL AVE  
 COSTA MESA, CA 92626 -3-

824 VIA ALHAMBRA, UNIT D  
 LAGUNA WOODS, CALIFORNIA 92637  
 O: 714.427.0688 M: 714.724.3990  
 EMAIL: Bill@WilliamMasonArchitect.com  
 21.036.00  
 3/9/22  
 8/3/22  
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 4/17/24

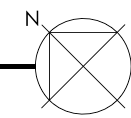


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ARCHITECTURE PLANNING INTERIORS  
**WILLIAM MASON ARCHITECT, INC.**



**TERRA FIRMA COSTA MESA, LLC**

**TERRA FIRMA DISPENSARY**

**2ND FLOOR PLAN**

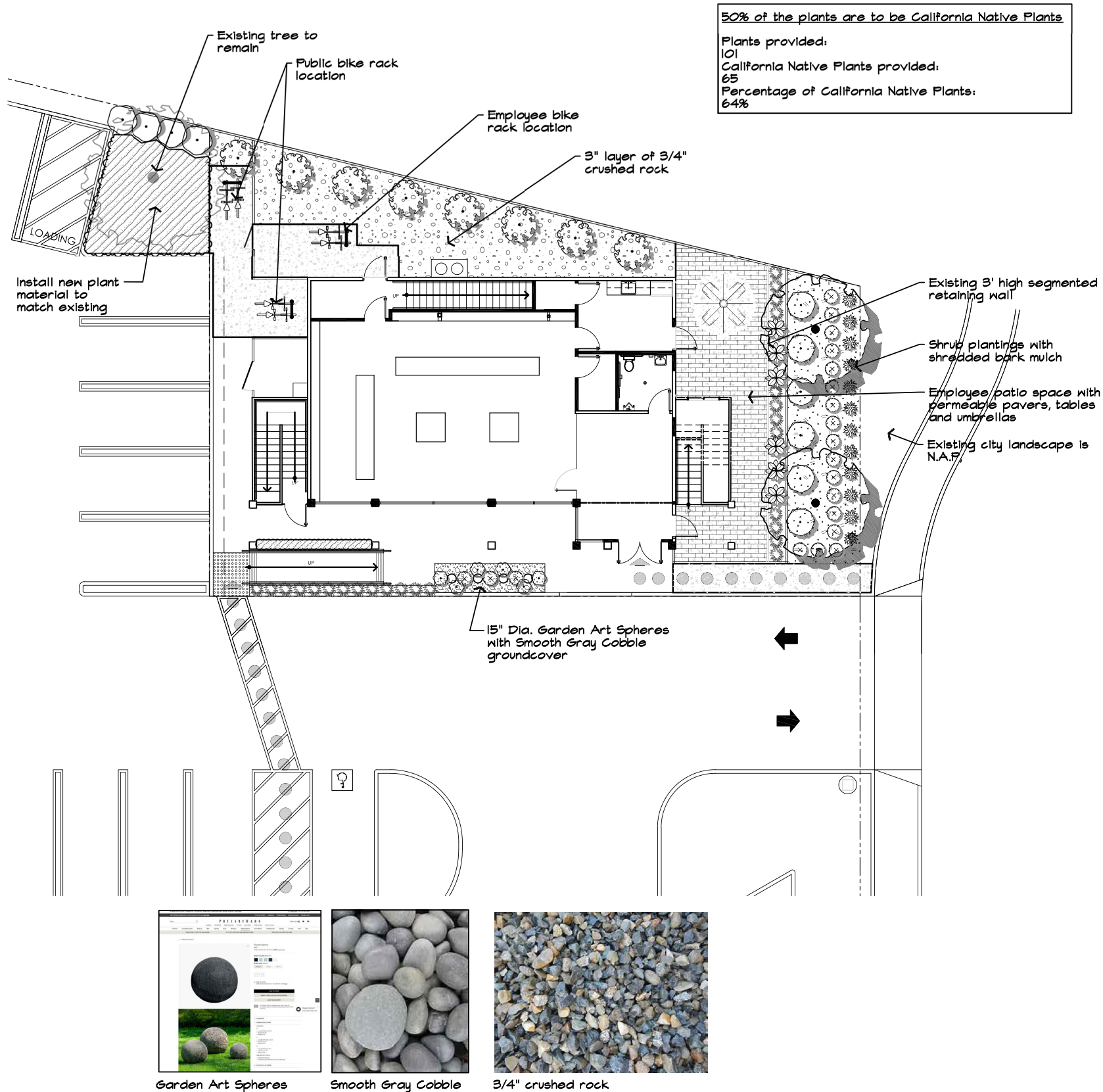
(949) 500-0472

MQ-21-38

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

2905 REDHILL AVE  
 COSTA MESA, CA 92626 -4-

824 VIA ALHAMBRA, UNIT D  
 LAGUNA WOODS, CALIFORNIA 92637  
 O: 714.427.0688 M: 714.724.3990  
 EMAIL: Bill@WilliamMasonArchitect.com  
 21.036.00  
 3/9/22  
 6/3/22  
 9/28/22  
 10/14/22  
 4/8/24  
 4/17/24



**50% of the plants are to be California Native Plants**

Plants provided:  
101  
California Native Plants provided:  
65  
Percentage of California Native Plants:  
64%

**PLANT SCHEDULE**

SYMBOL	BOTANICAL / COMMON NAME	CONT	PF	QTY	REMARKS
<b>TREES</b>					
	CERCIS OCCIDENTALIS 'CLAREMONT' / CLAREMONT WESTERN REDBUD	15 GAL	L	2	CALIFORNIA NATIVE
	PLATANUS X ACERIFOLIA / LONDON PLANE TREE	EXISTING		1	
<b>SHRUBS</b>					
	ALLIUM X 'GLOBEMASTER' / GLOBEMASTER ORNAMENTAL ONION	1 GAL	L	6	
	ALOE STRIATA / CORAL ALOE	5 GAL	L	6	
	CAREX PANSA / MEADOW SEDGE	1 GAL	M	20	CALIFORNIA NATIVE
	FESTUCA CALIFORNICA / CALIFORNIA FESCUE	1 GAL	L	25	CALIFORNIA NATIVE
	IRIS DOUGLASIANA PCH 'DEEP LAVENDER' / DEEP LAVENDER IRIS	1 GAL	L	12	CALIFORNIA NATIVE
	LIGUSTRUM JAPONICUM 'TEXANUM' / TEXAS JAPANESE PRIVET	5 GAL	L	4	
	PRUNUS CAROLINIANA 'COMPACTA' / COMPACT CAROLINA CHERRY LAUREL	15 GAL	M	8	
	PRUNUS ILICIFOLIA LYONII / CATALINA CHERRY	15 GAL	L	6	CALIFORNIA NATIVE, MAINTAINED AS A HEDGE
<b>SHRUB AREAS</b>					
	CARISSA MACROCARPA 'GREEN CARPET' / GREEN CARPET NATAL FLUM	1 GAL	M	36' o.c.	27
	MYRTUS COMMUNIS 'COMPACTA' / DWARF COMMON MYRTLE	5 GAL	L	30' o.c.	4



Cercis occidentalis



Platanus acerifolia 'Bloodgood'



Carex pansa



Festuca californica



Myrtus communis 'Compacta'



Prunus ilicifolia 'Lyonii'



Aloe striata



Prunus caroliniana 'Compacta'



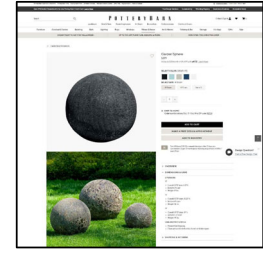
Allium 'Globemaster'



Carissa macrocarpa 'Green Carpet'



Ligustrum japonicum 'Texanum'



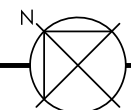
Garden Art Spheres



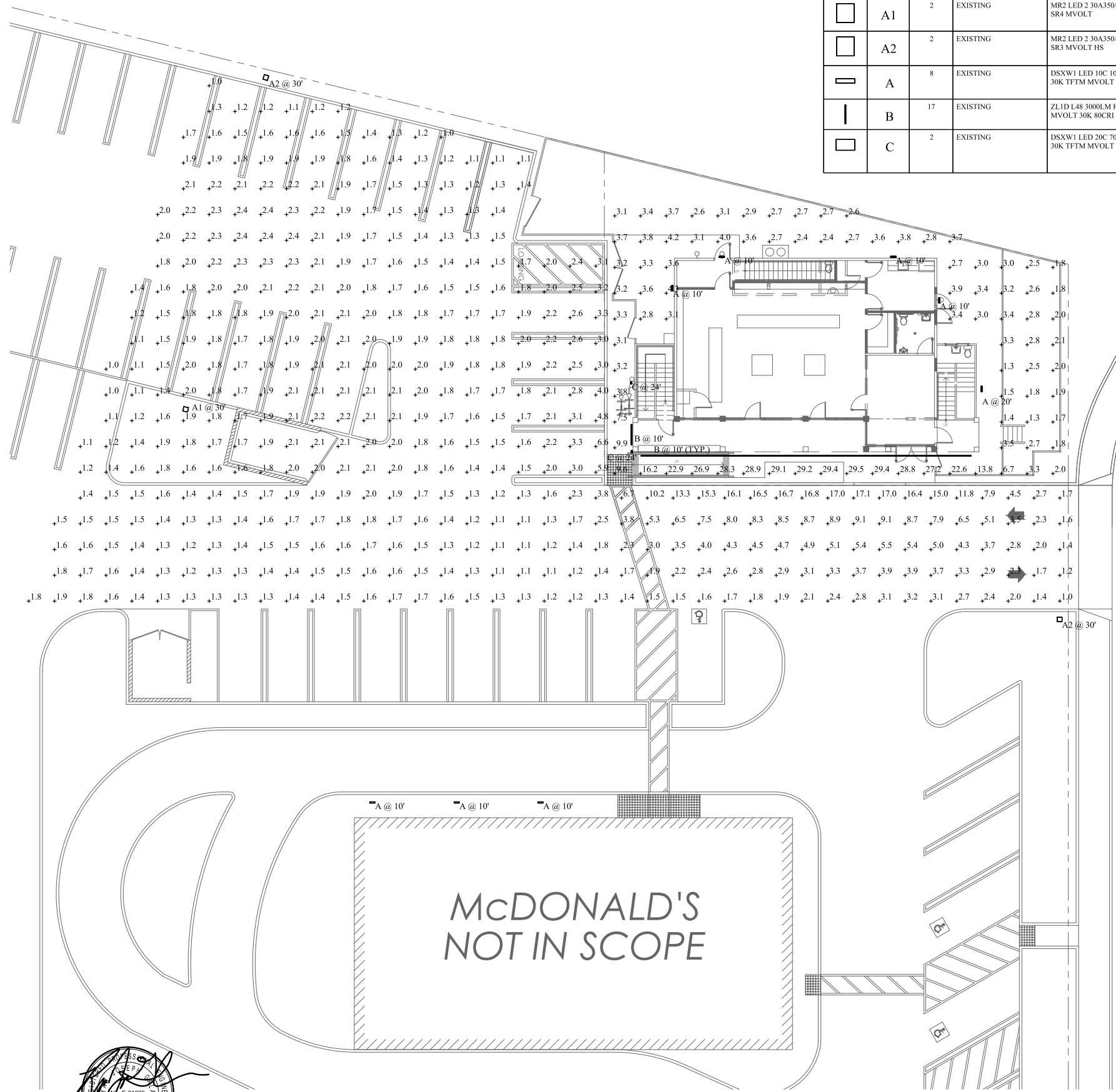
Smooth Gray Cobble



3/4" crushed rock







Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
□	A1	2	EXISTING	MR2 LED 2 30A350/51K SR4 MVOLT	MR2 HOUSING WITH TWO TYPE 4 LIGHT ENGINES AT 350mA	1	13067	0.9	225
□	A2	2	EXISTING	MR2 LED 2 30A350/51K SR3 MVOLT HS	MR2 HOUSING WITH TWO TYPE 3 LIGHT ENGINES AT 350mA WITH HOUSE SIDE SHIELDS	1	7312	0.9	226
▬	A	8	EXISTING	DSXW1 LED 10C 1000 30K TFTM MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE TFTM OPTIC, 3000K, @ 1000mA.	1	3673	0.9	38.8
	B	17	EXISTING	ZL1D L48 3000LM FST MVOLT 30K 80CRI	ZL1D 48" 3,000 Lumens Frosted Diffuser MVOLT 3,000 K 80CRI	1	3880	0.9	29.85
□	C	2	EXISTING	DSXW1 LED 20C 700 30K TFTM MVOLT ELCW	DSXW1 LED WITH 2 LIGHT ENGINES, 20 LEDs, 700mA DRIVER, 3000K LED, TYPE FORWARD THROW MEDIUM OPTIC, OPERATING IN EMERGENCY MODE	1	1111	0.9	47

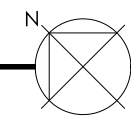
Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Parking Lot	+	2.5 fc	17.1 fc	1.0 fc	17.1:1	2.5:1
Walkway	+	6.9 fc	29.5 fc	1.3 fc	22.7:1	5.3:1

TERRA FIRMA COSTA MESA, LLC



TERRA FIRMA DISPENSARY

SITE PLAN



(949) 500-0472

MQ-21-38

SCALE: 3/32" = 1'-0"

2905 REDHILL AVE  
COSTA MESA, CA 92626 -6-

REDHILL AVENUE



Energy Solutions Group, Inc.  
Mechanical & Electrical  
Plumbing & Energy Design &  
Engineering Services

(714) 975-3501 | Rgalaz@mepesg.com  
P.O. BOX 6390 La Quinta, CA 92248  
Website | www.mepesg.com

SHARED PARKING DEMAND BRISTOL VILLAGE PLAZA 216 parking spaces																					
USE	Office		Banks (Sq. Ft.)	Medical Office (Sq. Ft.)	Retail (Sq. Ft.)	Restaurant		Theaters and Cinemas (seats)	Guest Rooms (units)	Hotel/Motel		Conference/Convention 1st 3K (Sq. Ft.)	Conference/Convention >3K (Sq. Ft.)	Residential				Guest (total units)	Total Parking Demand by Hour		
	<100,000 (Sq. Ft.)	>100,000 (Sq. Ft.)				1st 3K (Sq. Ft.)	>3K (Sq. Ft.)			Restaurant/Lounge 1st 3K (Sq. Ft.)	>3K (Sq. Ft.)			Bachelor (units)	1 bedroom (units)	2 bedroom (units)	3+ Bedroom (units)				
	5167.00	0.00	0.00	2362.00	6191.00	15179.00	877.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
<b>PEAK DEMAN</b>	20.67	0.00	0.00	14.17	24.76	151.79	10.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	221.92	
<b>WEEKDAY</b>																				<b>Weekdays</b>	
6:00 AM	0.62	0.00	0.00	0.43	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.05	6:00 AM
7:00 AM	4.13	0.00	0.00	2.83	1.98	3.04	0.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.20	7:00 AM
8:00 AM	13.02	0.00	0.00	8.93	4.21	7.59	0.53	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	34.27	8:00 AM
9:00 AM	19.22	0.00	0.00	13.18	9.91	15.18	1.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	58.54	9:00 AM
10:00 AM	20.67	0.00	0.00	14.17	16.10	30.36	2.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	83.40	10:00 AM
11:00 AM	20.67	0.00	0.00	14.17	20.55	45.54	3.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	104.09	11:00 AM
NOON	18.60	0.00	0.00	12.75	22.78	75.90	5.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	135.30	NOON
1:00 PM	18.60	0.00	0.00	12.75	23.53	106.25	7.37	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	168.50	1:00 PM
2:00 PM	20.05	0.00	0.00	13.75	22.78	91.07	6.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	153.97	2:00 PM
3:00 PM	19.22	0.00	0.00	13.18	22.29	91.07	6.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	152.08	3:00 PM
4:00 PM	15.91	0.00	0.00	10.91	20.55	75.90	5.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	128.54	4:00 PM
5:00 PM	9.71	0.00	0.00	6.66	18.57	106.25	7.37	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	148.57	5:00 PM
6:00 PM	4.75	0.00	0.00	3.26	19.32	136.61	9.47	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	173.41	6:00 PM
7:00 PM	1.45	0.00	0.00	0.99	21.05	151.79	10.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	185.80	7:00 PM
8:00 PM	1.45	0.00	0.00	0.99	20.55	151.79	10.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	185.31	8:00 PM
9:00 PM	0.62	0.00	0.00	0.43	14.36	151.79	10.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	177.72	9:00 PM
10:00 PM	0.62	0.00	0.00	0.43	7.43	136.61	9.47	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	154.56	10:00 PM
11:00 PM	0.00	0.00	0.00	0.00	2.97	106.25	7.37	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	116.59	11:00 PM
MIDNIGHT	0.00	0.00	0.00	0.00	0.00	75.90	5.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	81.16	MIDNIGHT
<b>MAXIMUM WEEKDAY DEMAND</b>				<b>185.80</b>																	
<b>WEEKEND</b>																				<b>Weekend</b>	
6:00 AM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6:00 AM
7:00 AM	0.62	0.00	0.00	0.43	0.74	3.04	0.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.03	7:00 AM
8:00 AM	2.07	0.00	0.00	1.42	2.48	4.55	0.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.83	8:00 AM
9:00 AM	2.69	0.00	0.00	1.84	7.43	9.11	0.63	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	21.70	9:00 AM
10:00 AM	2.69	0.00	0.00	1.84	11.14	12.14	0.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	28.66	10:00 AM
11:00 AM	3.51	0.00	0.00	2.41	18.08	15.18	1.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	40.23	11:00 AM
NOON	3.51	0.00	0.00	2.41	21.05	45.54	3.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.67	NOON
1:00 PM	2.69	0.00	0.00	1.84	23.53	68.31	4.74	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	101.10	1:00 PM
2:00 PM	2.07	0.00	0.00	1.42	24.76	68.31	4.74	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	101.29	2:00 PM
3:00 PM	1.45	0.00	0.00	0.99	24.76	68.31	4.74	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.24	3:00 PM
4:00 PM	1.45	0.00	0.00	0.99	22.29	68.31	4.74	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	97.77	4:00 PM
5:00 PM	0.62	0.00	0.00	0.43	18.57	91.07	6.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	117.01	5:00 PM
6:00 PM	0.62	0.00	0.00	0.43	16.10	136.61	9.47	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	163.22	6:00 PM
7:00 PM	0.62	0.00	0.00	0.43	14.86	144.20	10.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	170.10	7:00 PM
8:00 PM	0.62	0.00	0.00	0.43	13.62	151.79	10.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	176.98	8:00 PM
9:00 PM	0.00	0.00	0.00	0.00	9.91	151.79	10.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	172.22	9:00 PM
10:00 PM	0.00	0.00	0.00	0.00	9.41	144.20	10.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	163.61	10:00 PM
11:00 PM	0.00	0.00	0.00	0.00	3.22	129.02	8.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	141.19	11:00 PM
MIDNIGHT	0.00	0.00	0.00	0.00	0.00	106.25	7.37	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	113.62	MIDNIGHT
<b>MAXIMUM WEEKEND DEMAND</b>				<b>176.98</b>																	
<b>REQUIRED PARKING</b>		<b>185.80</b>																			