

**RESOLUTION NO. PC-2022-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 22-20 AND TENTATIVE PARCEL MAP 2022-140 FOR A FOUR-UNIT RESIDENTIAL SMALL LOT SUBDIVISION DEVELOPMENT AT 549 BERNARD STREET**

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

WHEREAS, Planning Application 22-20 was filed by property owner William Yang, requesting approval of the following: Design Review and Tentative Parcel Map for a proposed residential small lot subdivision project. The project proposes to demolish the existing two residential units and detached garage, and to construct four new detached units with attached two-car garages. In addition, the project proposes a variety of site improvements including new hardscape and landscaping. The subject property is proposed to be subdivided under Tentative Parcel Map 2022-140.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 10, 2022 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, the Planning Commission unanimously voted to continue the application to date certain, November 14, 2022;

WHEREAS, a duly noticed hearing was held by the Planning Commission on November 14, 2022 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 13315 (Class 15), for Minor Land Divisions and Section 15332 (Class 32), for In-Fill Development.

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 22-20 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 22-20 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

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

**PASSED AND ADOPTED this 14th day of November, 2022.**

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Byron de Arakal, Chair  
Costa Mesa Planning Commission

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

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2022- was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on November 14, 2022 by the following votes:

AYES: COMMISSIONERS  
NOES: COMMISSIONERS  
ABSENT: COMMISSIONERS  
ABSTAIN: COMMISSIONERS

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Scott Drapkin, Secretary  
Costa Mesa Planning Commission

Resolution No. PC-2022-

## EXHIBIT A

### FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(13), Findings for Tentative Parcel Maps because:

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

**Facts in Support of Findings:** The proposed parcel map is consistent with General Plan Land Use Objectives LU-1A, LU-2A, and Policy LU-1.3, in that adequate infrastructure exists to serve the proposed project; the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City; the parcel map would allow for redevelopment of an existing parcel; and improve and maintain quality of environment and neighborhood by improved architecture, aesthetics, and landscaping. The parcel map would allow for a new residential project that would not exceed the maximum allowable density of 20 units per acre and, therefore, would be consistent with the General Plan land use designation of High Density Residential and the R2-HD zone that allows for one unit per 3,000 square feet of lot area. The project design would also comply with all other development standards for a residential small lot subdivision. Lastly, the project would provide additional housing units consistent with satisfying the City's required Regional Housing Needs Assessment (RHNA).

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

**Facts in Support of Finding:** The subject property has a General Plan land use designation of High Density Residential, which allows multi-family residential uses at a maximum of 20 dwelling units per acre. The Tentative Parcel Map proposes a residential use that does not exceed the maximum density allowed per the General Plan and therefore, the proposed use is compatible with the General Plan.

**Finding:** The subject property is physically suitable to accommodate the subdivision in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the Zoning Code and General Plan, and consideration of appropriate environmental information.

**Facts in Support of Finding:** The existing property is flat and suitable to accommodate four new residential units. The size of the lot is also suitable since the proposed development meets all applicable development standards including, setbacks, parking, and open space. The parcel map proposes a maximum of one unit per 3,001 square feet of lot area, which is consistent with the maximum density allowed in the R2-HD zone. Adequate infrastructure exists to serve the proposed project and the project will not result in the loss of any

habitat, or require extensive infrastructure improvements to provide service to the site.

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

**Facts in Support of Findings:** The parcel map would meet the applicable small lot development standards including minimum open space to take advantage of shade and prevailing breezes. The project provides 36.8 percent open space for the overall development and each unit will have over 249 square feet of private open space area. The open space will accommodate landscaping that can be provided throughout the site with adequate setbacks for airflow. The project is proposed to include operable windows and will be fully insulated as required by the building code.

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

**Facts in Support of Finding:** The project has been reviewed by the Public Works Department and there are no conflicts with the City's or other utilities agencies' rights-of-way or other easements. A 2' – 6" alley dedication is required for access along the existing alley to the west of the project, which brings the alley into conformance with City standards. In addition, a new sidewalk easement will be provided within the alley improving pedestrian accessibility.

**Finding:** The discharge of sewage from this land division into the public sewer system will not violate the requirements of the State Regional Water Quality Control Board pursuant to Division 7 (commencing with State Water Code section 13000).

**Facts in Support of Finding:** The lot has been previously graded and contains connections to the public sewer system for the existing onsite units. The parcel map would allow for a residential project that would not include physical changes to the lot that would result in discharge into the public sewer system in violation of State requirements. Furthermore, the applicant will be required to comply with the regulations set forth by the Costa Mesa Sanitation District and Mesa Water District.

- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(14), Findings for Design Review because:

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

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

**Facts in Support of Findings:** The project proposes a maximum density of one dwelling unit per 3,000 square feet of lot area, which is consistent with the maximum allowable density for the R2-HD zone and the High Density Residential General Plan land use designation. The project complies with all other applicable Zoning Code standards including setbacks, parking, and open space. The project design incorporates elevations with varied roof forms, articulation of roof forms, and projections including balconies, eaves, and overhangs in order to provide visual interest from the street. The exterior materials include a combination of stucco and Hardie board siding which provides interest and will require minimal maintenance. The front unit is oriented toward the street, includes a second-story balcony, and a private open space area in the front yard which will provide adequate intermixing of public and private space. The landscaping throughout the project provides larger and more trees than required. To avoid a boxy two-floor appearance, articulation is provided by varying roof forms, wall planes, and exterior materials. The project will not result in privacy impacts to the surrounding residences based on the proposed fenestration patterns and the proposed setbacks from the neighboring properties.

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

**Facts in Support of Finding:** The neighborhood includes a mixture of one-to-three-story residential properties. In addition, the second story design proposes a second-to-first floor ratio in compliance with the design guidelines with articulation on both roof forms and wall planes. The second floor is further enhanced with a balcony, modern fascia, and elevation treatments of varying materials on the first and second floor.

- C. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), per Section 13315 (Class 15), for Minor Land Divisions and Section 15332 (Class 32), for In-Fill Development.
- D. 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

- PIng.
1. Approval of Planning Application 22-20 and Tentative Parcel Map No. 2022-140 is valid for two (2) years from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and a valid building permit has been maintained by making satisfactory progress as determined by the Building Official; 2) a certificate of occupancy has been issued. A time extension can be requested no less than thirty (30) days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
  2. The conditions of approval for PA-22-20 and Tentative Parcel Map No. 2022-140 shall be blueprinted on the face of the site plan as part of the plan check submittal package. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
  3. Second floor windows shall be designed and placed to minimize direct lines-of-sight into windows on adjacent neighboring properties, and to minimize visibility into abutting residential side and rear yards. Every effort shall be made to maintain the privacy of abutting property owners. Prior to issuance of a building permit, applicant shall provide a window placement study demonstrating compliance with this condition.
  4. The final subdivision map shall be recorded with the County prior to the issuance of grading permits or building permits for the proposed development.
  5. The applicant shall install a 6-foot high decorative block wall around the perimeter of the proposed development lot. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screen by trees and landscaping.
  6. Prior to building permit final, the developer shall construct decorative block walls, a minimum of six-feet in height, on the interior property lines of the master development lot. Any future modifications to the fencing on the interior property lines after project completion shall be first reviewed and approved by the Development Services Director and any required permits obtained prior to installation. The location and height of walls and fences shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress.
  7. No modification(s) of the approved building elevations including, but not limited to, change of architectural type, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Elevations shall not be modified unless otherwise approved by Development Services Director as consistent with the architectural design and features of the

proposed development. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process, or in the requirement to modify the construction to reflect the approved plans.

8. The subject property's ultimate finished grade level may not be filled/raised in excess of 30 inches above the finished grade of any abutting property. If additional dirt is needed to provide acceptable on-site storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public storm water facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
9. Prior to issuance of building permits, the Developer shall pay a park impact fee or dedicate parkland to meet the demands of the proposed development.
10. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.
11. Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring residential uses to the fullest extent that is reasonable and practicable. The plan shall show undisrupted access to other properties on the Alley and shall ensure that trash facilities are accessible at the south end of the Alley. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption to residents during construction. The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Development Services Director or Transportation Services Manager.
12. The ground floor exterior decks/patios shall not be built higher than six inches above natural grade.
13. Backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
14. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of (1) 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 applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section.



15. The landscaping of this project shall comply with the City's landscaping requirements and any applicable guidelines (i.e. Water Efficient Landscape Guidelines). A landscape plan shall be submitted with the plan check submittal.
16. All driveways and parking areas shall be finished with decorative stamped concrete or pervious pavers. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
17. Prior to the issuance of building permits, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Planning Division for review by the Development Services Director and City Attorney's Office. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's Office.
  - a. The CC&Rs shall contain restrictions requiring residents to park vehicles in garage spaces provided for each unit. Storage of other items may occur only to the extent that vehicles may still be parked within the required garage at the number of which the garage was originally designed and to allow for inspections by the association to verify compliance with this condition.
  - b. Any subsequent revisions to the CC&Rs related to these provisions must be review and approved by the City Attorney's Office and the Development Services Director before they become effective.
  - c. The CC&Rs shall contain restrictions prohibiting the outside storage of any boats, trailers, Recreational Vehicles, and similar vehicles.
  - d. The CC&Rs shall include a plan or manner of permanent care and maintenance of any project open spaces, pedestrian sidewalk, recreational areas and commonly used areas/facilities.
  - e. The CC&Rs shall establish requirements for the disclosure of general and specific information to buyers of issues regarding the property and its surroundings.
18. Prior to issuance of a certificate of occupancy, the applicant shall file and record a declaration of covenants, conditions, and restrictions (CC&Rs) on the property. The establishment of a maintenance association is required. Prior to issuance of a building permit, a draft of the CC&Rs shall be remitted to the Development Services Director and City Attorney's Office for review and approval. The CC&Rs shall include ground rules for architectural control over future building modifications or additions, architectural design and guidelines for the property, and engagement in alternative dispute resolution before filing a lawsuit to resolve conflicts. The Development Services Director has the discretion to request any other provisions in the CC&Rs to promote self-governance between the two property owners.
19. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
20. The Maintenance Association, as applicable, shall submit a signed affidavit to the City of Costa Mesa on an annual basis to certify the following:

- a. The two-car garages in the residential community are being used for vehicle parking by the resident(s).
- b. The vehicle parking areas within the garage are not obstructed by storage items, including but not limited to, toys, clothing, tools, boxes, equipment, etc.
- c. The resident(s) have consented to voluntary inspections of the garage to verify the parking availability, as needed.

The form and content of the affidavit shall be provided by the City Attorney's Office. Failure to file the annual affidavit is considered a violation of this condition.

- 21. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
- 22. Prior to issuance of Certificate of Occupancy (C of O) the applicant shall provide a scaled and dimensioned digital site plan(s) for the project site, on either a CD or thumb drive, to the Planning Division. All site plans shall include an accurate and precise drawing of all building footprints and property line locations for the entire project site. All buildings shall be annotated with its corresponding address and suites if applicable.
- 23. All utilities servicing irrigation, project lighting and other commonly serving improvements, shall be provided by (a) common meter(s) that is the shared responsibility for all property owners in the development project. The CC&Rs or other organizational documents shall include verbiage requiring the common meters for the life of the development project.
- 24. The precise grading plan shall clearly show the lowest and highest point of the development. The lowest point of the finished surface elevation of either the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.
- 25. On-site lighting shall be provided in all parking areas, vehicular access ways, and along major walkways. The lighting shall be directed onto driveways and walkways within the project and away from dwelling units and adjacent properties to minimize light and glare impacts, and shall be of a type approved by the Development Services Director.
- 26. Prior to the issuance of Building Permits, the Applicant shall submit a Lighting Plan and Photometric Study for the approval of the City's Development Services Department. The Lighting Plan shall demonstrate compliance with the following: (a) Lighting design and layout shall limit spill light to no more than 0.5 foot candle at the property line of the surrounding neighbors, consistent with the level of lighting that is deemed necessary for safety and security purposes on site. (b) Glare shields may be required for select light standards.

27. Prior to building permit issuance, the applicant shall submit a comprehensive utilities plan that shows utility design, undergrounding and required dedications/easements. The plan will be reviewed by both the City's Building Division and Public Works Department
- TRANS 28. The applicant shall submit a Traffic Impact Fee to the Transportation Division prior to issuance of building permits. The fee is required in an amount determined by the Transportation Division pursuant to the prevailing schedule of charges adopted by the City Council. The fee is calculated with consideration of standardized trip generation ratios for proposed uses and includes credits for existing uses. NOTE: The estimated Traffic Impact Fee for this application is \$4,018.50. The fee will be calculated at the time of issuance of building permits and based upon the prevailing schedule of charges in effect at that time.

### **CODE REQUIREMENTS**

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

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1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
  2. The location and height of walls, fences, and landscaping shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress.
  3. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
  4. Development shall comply with all requirements of Section 13-32 and Article 2.5, Title 13, of the Costa Mesa Municipal Code relating to development standards for residential projects.
  5. Prior to the issuance of building permits, the applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
  6. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suits, building, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
  7. All on-site utility services shall be installed underground.
  8. Installation of all new utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property.

The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.

9. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
10. Two sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.
11. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
12. A minimum 20-foot by 20-foot clear inside dimension shall be provided for the two-car garages, with minimum garage door width of 16 feet and automatic garage door openers. The proposed garages shall be used for parking as required by code as it is not habitable space; further excess storage which prevents parking the required number of vehicles is prohibited.
- Bldg. 13. Comply with the requirements of the following adopted codes: 2019 California Residential Code, 2019 California Building Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Green Building Standards Code and 2019 California Energy Code (or the applicable adopted, California Residential Code, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
14. Prior to issuing the Building permit the conditions of approval shall be on the approved Architectural plans.
15. Two separate plans for each address shall be submitted to the Building Division for review.
16. Prior to issuing the Building permit, the rough grading certificate shall be submitted to the Building Division.
17. Submit precise grading plans, an erosion control plan and a hydrology study. If it is determined that a grading plan is not required, a drainage plan shall be provided. Each parcel and address shall have a separate precise grading plan. A precise grading and a hydrology report plan shall not be required if any of the following are met:
  1. An excavation which does not exceed 50 CY on any one site and which is less than 2 ft in vertical depth, or which does not create a cut slope greater than 1 ½:1 (excluding foundation area).

2. A fill less than 1 foot in depth placed on natural grade with a slope flatter than 5:1, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.
  3. A fill less than 3 ft. in depth, not intended to support structures, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.
18. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus 2 percent. 2013 California Residential Code CRC 403.1.7.3
  19. Lot shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of six inches within the first 10 feet. CRC R401.3
  20. Submit a soil's report for the project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans.
  21. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.
  22. Submit a precise grading plans, an erosion control plan, and a hydrology study.
- Eng.
23. At the time of development submit for approval an Offsite Plan to the Engineering Division and Grading Plan to the Building Division that shows Sewer, Water, Existing Parkway Improvements, sidewalk and the limits of work on the site, and hydrology calculations, both prepared by a registered Civil Engineer or Architect. Construction Access approval must be obtained prior to Building or Engineering Permits being issued by the City of Costa Mesa. Pay Offsite Plan Check fee per Section 13-231 of the C.C.M.M.C. and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.
  24. Maintain the public Right-of-Way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public Right-of-Way by sweeping or sprinkling.
  25. Pay Offsite Plan Check fee per Section 13-231 of the C.C.M.M.C. and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.
  26. Obtain an encroachment permit from the Engineering Division for any work in the City public right-of-way. Pay required permit fee & cash deposit or surety bond to guarantee construction of off-site street improvements at time of permit per section 15-31 & 15-32, C.C.M.M.C. as approved by City Engineer. Cash deposit or surety bond amount to be determined by City Engineer.
  27. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approach per City of Costa Mesa Standards as shown on the Offsite Plan. Location and

dimensions are subject to the approval of the Transportation Services Manager. ADA compliance required for new driveway approaches.

28. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct residential sidewalk per City of Costa Mesa Standards as shown on the Offsite Plan, including four (4) feet clear around obstructions in the sidewalk.
29. Show all existing and proposed easements.
30. Fulfill Drainage Fee requirements per City of Costa Mesa Ordinance No. 06-19 prior to approval of approval of Plans.
31. Obtain permit from the City of Costa Mesa, Engineering Division to remove existing driveway and/or curb depression that will not be used per the approved offsite improvement plans.
32. In order to comply with the 2003 Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval.
  - a) A WQMP (Priority or Non-Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.
  - b) Location of BMPs shall not be within the public right-of-way.
33. Submit Subdivision Application and comply with conditions of approval and code requirements.
34. Dedicate 2.5-foot easement for alley purposes to the City of Costa Mesa and reconstruct the alley from the edge of v-gutter to the ultimate property line.
35. Submit a preliminary plan showing all utility connections prior to submitting plans to the City. All utility connections to Bernard Street shall be located within the subdivision.
36. Comply with the California Fire Code as adopted and amended by the City of Costa Mesa.
37. Residential fire sprinklers shall be provided for the new units

Fire