



CITY OF COSTA MESA

PLANNING COMMISSION

Agenda

Monday, September 23, 2024

6:00 PM

**City Council Chambers
77 Fair Drive**

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

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

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

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

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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.

All cell phones and other electronic devices are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.

Free Wi-Fi is available in the Council Chambers during the meetings. The network username available is: CM_Council. The password is: cmcouncil1953.

As a LEED Gold Certified City, Costa Mesa is fully committed to environmental sustainability. A minimum number of hard copies of the agenda will be available in the Council Chambers. For your convenience, a binder of the entire agenda packet will be at the table in the foyer of the Council Chambers for viewing. Agendas and reports can be viewed on the City website at <https://costamesa.legistar.com/Calendar.aspx>.

In compliance with the Americans with Disabilities Act, Assistive Listening headphones are available and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II].

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PLANNING COMMISSION REGULAR MEETING

SEPTEMBER 23, 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 and should include the item number to be addressed. Items removed from the Consent Calendar will be discussed and voted upon immediately following Planning Commission action on the remainder of the Consent Calendar.

1. [AUGUST 26, 2024 UNOFFICIAL MEETING MINUTES](#) [24-356](#)

RECOMMENDATION:

Planning Commission approve the Regular Meeting Minutes of August 26, 2024.

Attachments: [AUGUST 26, 2024 UNOFFICIAL MEETING MINUTES](#)

2. [MARCH 14, 2022 UNOFFICIAL MEETING MINUTES](#) [24-358](#)

RECOMMENDATION:

Planning Commission approve Minutes of a Regular meeting of March 14, 2022.

Attachments: [MARCH 14, 2022 UNOFFICIAL MEETING MINUTES](#)

PUBLIC HEARINGS:

1. [CONDITIONAL USE PERMIT PCUP-24-0010 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY \(THE HUMBOLDT CONNECT\) LOCATED AT 2138 NEWPORT BOULEVARD](#) [24-357](#)

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 Conditional Use Permit PCUP-24-0010 subject to the conditions of approval as contained in the Resolution.

Attachments: [Agenda Report](#)

[1. Planning Commission Resolution](#)

[2. Applicant Letter](#)

[3. Vicinity Map](#)

[4. Aerial Map](#)

[5. Site Photos](#)

[6. Project Plans](#)

[7. Public Comments](#)

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



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 24-356

Meeting Date: 9/23/2024

TITLE:

AUGUST 26, 2024 UNOFFICIAL MEETING MINUTES

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

RECOMMENDATION:

Planning Commission approve the Regular Meeting Minutes of August 26, 2024.

UNOFFICIAL UNTIL APPROVED

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

August 26, 2024

CALL TO ORDER

The Vice Chair called the meeting to order at 6:04 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Vice Chair Toler led the Pledge of Allegiance.

ROLL CALL

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

Absent: Chair Adam Ereth

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:

Windy Simo raised concerns regarding the noise emanating from The 12 Gym and issues related to e-bike safety within the city.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Andrade extended an invitation to both the Commission and the community to attend the "Homelessness 101" event, hosted by Fairview Community Church on Tuesday, August 27, 2024.

Commissioner Martinez urged the public to share their feedback and participate in the Fairview Developmental Center Survey. He continued his comments by informing the community about the upcoming community meeting at Fire Station 2, which will focus on improvements to the station, and the upcoming Orange County Public Works Active Transportation meeting scheduled for August 28, 2024. Commissioner Martinez

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expressed gratitude to the Public Works Department for their efforts in addressing the bike lane gap on Santa Ana Avenue and requested that the appointment of a Planning Commissioner to the Housing and Grant Services Committee be added to the next Planning Commission agenda.

Vice Chair Toler supported Commissioner Martinez's sentiments about and also thanked the Public Works Department for their work to close the bicycle lane gap on Santa Ana Avenue. Additionally, he announced the historical bike tour of Costa Mesa presented by the Costa Mesa Historical Society set to take place on September 28, 2024.

CONSENT CALENDAR:

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

1. APPROVAL OF MEETING MINUTES: AUGUST 12, 2024

MOVED/SECOND: Martinez / Andrade

MOTION: Approve recommended action for Consent Calendar Item No. 1.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Ereth

Abstained: None

Motion carried: 6-0-1

ACTION: Planning Commission approved the minutes of the regular meeting of August 12, 2024.

PUBLIC HEARINGS:

1. CONDITIONAL USE PERMIT PCUP-24-0003 TO OPERATE AN EMERGENCY VETERINARY CLINIC ("VETERINARY EMERGENCY GROUP") AT 2800 HARBOR BOULEVARD

Project Description: Conditional Use Permit 24-0003 requests approval to operate a 24-hour emergency veterinary clinic.

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.

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Commissioner Martinez inquired about the number of veterinary clinics currently operating in the city, their zoning designations, and the number of clinics with Conditional Use Permits (CUPs). Staff reported that there are 13 veterinary clinics in commercial zones. Commissioner Martinez further asked whether any of these clinics operate 24 hours a day and, if not, where the nearest 24-hour clinic is located. Staff indicated that the city does not have a 24-hour veterinary clinic; the nearest such facility is situated in Fountain Valley. Additionally, Commissioner Martinez sought clarification on the definition of a domesticated non-farm animal, to which staff provided an explanation. Finally, Commissioner Martinez requested further details regarding the parking requirements.

The Vice Chair opened the Public Hearing.

Amarveer Brar, applicant's representative, stated the applicant had read and agrees to the conditions of approval.

Commissioner Andrade asked about the applicant's recruitment process. The applicant responded that they conduct nationwide recruitment for veterinarians and seek to collaborate with local veterinary technology programs to attract local candidates.

The Vice Chair opened Public Comments.

No public comments.

The Vice Chair closed Public Comments.

Commissioner Klepack shared her personal experience with a veterinary emergency to highlight the need for this service in Costa Mesa.

Commissioner Martinez inquired whether the city had received any code complaints concerning veterinary clinics. Staff responded that they are not aware of any such complaints.

Vice Chair Toler questioned why a Conditional Use Permit is required for veterinary clinics. Staff explained that certain criteria, such as potential noise and odors, may need to be managed in specific areas.

The Vice Chair closed the Public Hearing.

Commissioner Klepack made a motion to approve staff's recommendation. The motion was seconded by Commissioner Andrade.

The Commission discussed the motion including:

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Commissioner Andrade spoke in support of the motion.

Commissioner Martinez indicated his support for the motion but expressed his belief that the City's land-use matrices should be reviewed and revised. He suggested that, in his view, this matter could have been approved by staff without requiring Planning Commission action.

MOVED/SECOND: Klepack/Andrade

MOTION: Approve staff's recommendation.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Ereth

Recused: None

Motion carried: 6-0-1

ACTION: The Planning Commission adopted a resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1) Existing Facilities; and
2. Approve Conditional Use Permit PCUP-24-0003 based on findings of fact and subject to conditions of approval.

RESOLUTION PC-2024-20 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION PCUP-24-0003 FOR A CONDITIONAL USE PERMIT FOR A NEW EMERGENCY VETERINARY CLINIC ("VETERINARY EMERGENCY GROUP") AT 2800 HARBOR BOULEVARD

The Vice Chair explained the appeal process.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

DEPARTMENTAL REPORTS:

1. Public Works Report – Mr. Yang informed the public about the community meeting for the Fire Station 2 project that is scheduled for August 27, 2024. He also announced that city staff is planning to schedule a groundbreaking ceremony for

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Fire Station 4's training tours. Details regarding the event will be shared with the public once the schedule is finalized.

2. Development Services Report – None.

CITY ATTORNEY'S OFFICE REPORT:

1. City Attorney – None.

ADJOURNMENT AT 6:40 PM

Submitted by:

SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 24-358

Meeting Date: 9/23/2024

TITLE:

MARCH 14, 2022 UNOFFICIAL MEETING MINUTES

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION

RECOMMENDATION:

Planning Commission approve Minutes of a Regular meeting of March 14, 2022.

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

March 14, 2022

CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner Toler led the Pledge of Allegiance.

ROLL CALL

Present: Chair Byron de Arakal, Vice Chair Jon Zich, Commissioner Adam Ereth, Commissioner Jonny Rojas, Commissioner Dianne Russell, Commissioner Russell Toler, Commissioner Jimmy Vivar

Absent: None

Officials Present: Director of Development Services Jennifer Le, Assistant Director of Development Services Scott Drapkin, Assistant City Attorney Tarquin Preziosi, Senior Planner Nancy Huynh, City Engineer Seung Yang, Executive Secretary Julie Colgan, and Recording Secretary Anna Partida

ANNOUNCEMENTS AND PRESENTATIONS:

None.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:

None.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Toler announced the Community Bike Ride to be held on Sunday, March 22nd at 2 p.m., a Community Walk scheduled on March 6, 2022, and the Kindness Festival to be held on April 23, 2022.

CONSENT CALENDAR:

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

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1. MINUTES

MOVED/SECOND: de Arakal / Vivar

MOTION: Approve recommended action for Consent Calendar Item No. 1.

The motion carried by the following roll call vote:

Ayes: de Arakal, Zich, Ereth, Rojas, Russell, Toler, Vivar

Nays: None

Absent: None

Abstained: None

Motion carried: 7-0

ACTION: Planning Commission approved the Minutes of the meetings of February 22, 2021, March 8, 2021, and April 12, 2021.

PUBLIC HEARINGS:

None.

OLD BUSINESS:**1. CANNABIS RETAIL STOREFRONT AND NON-STOREFRONT REGULATIONS - INFORMATIONAL PRESENTATION**

The Commission and staff discussion included the eligibility of sites with a history of illegal cannabis activity for permits, the licensing and number of onsite security guards, and the rationale for backup generator requirements. The Commission also explored advertising regulations, including the implications for free speech and the Planning Commission's authority to condition advertising for cannabis retailers. Additional concerns were raised about potential business displacement, separation requirements, buffer zones, and offsite advertising restrictions. Clarifications were requested regarding the inclusion of owner and applicant names in staff reports, definitions such as "areas adjacent," legal use areas for cannabis, and the process for revisiting and amending application conditions post-approval. Measurement standards for sensitive uses, playground boundaries, and whether a permanent baseball backstop qualifies as playground equipment were also addressed. Furthermore, the Commission inquired about costs and reimbursement for previous illegal cannabis locations, delivery hours, business naming requirements, and the regulations and code compliance for building and landscaping improvements.

The Chair opened for Public Comment.

None.

The Chair Closed Public Comment.

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The Commission continued their discussion on the regulations for retail cannabis businesses, proposing that operators be required to provide video surveillance data to the Costa Mesa Police Department upon request, especially in emergencies. They reviewed policies on armed security, noting it is not uniformly required across all areas. The Commission expressed confidence in the existing regulations but raised concerns about the potential displacement of traditional businesses by cannabis shops in neighborhood centers. Additionally, there was a discussion about the prohibition of flyers and advertising materials, with a focus on preventing them from ending up in the hands of children and reducing litter.

Chair de Arakal made a motion to continue the item. Seconded by Commissioner Vivar.

Vice Chair Zich commented on the motion by expressing the need for clear conditional use permit findings to ensure that applications are not automatically approved without thoroughly assessing whether they meet the necessary criteria.

MOVED/SECOND: de Arakal / Vivar

MOTION: To continue item to the March 28, 2022 Planning Commission meeting.

The motion carried by the following roll call vote:

Ayes: de Arakal, Zich, Ereth, Rojas, Russell, Toler, Vivar

Nays: None

Absent: None

Abstained: None

Motion carried: 7-0

ACTION: Planning Commission continued the item to the March 28th, 2022 Planning Commission meeting.

NEW BUSINESS:

None.

DEPARTMENTAL REPORTS:

1. Public Works Report – Mr. Yang announced the start of the Wilson Street improvement project and the construction of pedestrian signal in front of Wilson Park.
2. Development Services Report – None.

CITY ATTORNEY'S OFFICE REPORT:

1. City Attorney – None.

ADJOURNMENT AT 7:20 PM

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Submitted by:

SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 24-357

Meeting Date: 9/23/2024

TITLE:

CONDITIONAL USE PERMIT PCUP-24-0010 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY (THE HUMBOLDT CONNECT) LOCATED AT 2138 NEWPORT BOULEVARD

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**

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 Conditional Use Permit PCUP-24-0010 subject to the conditions of approval as contained in the Resolution.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: SEPTEMBER 23, 2024 ITEM NUMBER: PH-1

SUBJECT: CONDITIONAL USE PERMIT PCUP-24-0010 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY (THE HUMBOLDT CONNECT) LOCATED AT 2138 NEWPORT BOULEVARD

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

PRESENTATION BY: MICHELLE HALLIGAN, SENIOR PLANNER

**FOR FURTHER MICHELLE HALLIGAN
INFORMATION 714-754-5608
CONTACT: 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 Conditional Use Permit PCUP-24-0010 subject to the conditions of approval as contained in the Resolution.

APPLICANT OR AUTHORIZED AGENT

The applicant and property owner is Christopher Trent of The Humboldt Connect, LLC and Trent Family Trust.

PLANNING APPLICATION SUMMARY

Location:	2138 Newport Boulevard	Application Number:	PCUP-24-0010
Request:	PCUP-24-0010 is for a Conditional Use Permit for the establishment of a cannabis retail storefront with delivery.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	C1 (Local Business District)	North:	C1 (Local Business District)
General Plan:	Commercial Residential	South:	C1 (Local Business District)
Lot Dimensions:	40' x 150'	East:	C1 (Local Business District)
Lot Area:	6,000 SF	West:	State Route 55
Existing Development:	The property is developed with a 920-square-foot single-story commercial building.		

DEVELOPMENT STANDARDS COMPARISON

Development Standard	Required/Allowed C1 Zone	Provided/Proposed
Building Height	2 stories/30'	1 story/12'
Setbacks:		
Front	20'	22'-5"
Side	15'/0'	5'/5"
Rear	0'	97'-4"
Landscape Setback – front	20'	22'-5"
Parking	6	8 ¹
Floor area ratio (FAR)	0.20	0.16
1: Proposed parking includes a bike rack credit of one space.		
CEQA Status	Exempt per CEQA Guidelines Section 15301 (Class 1, Existing Facilities)	
Final Action	Planning Commission	

BACKGROUND

The subject property is an approximate 6,000-square-foot site at 2138 Newport Boulevard. The midblock site has street frontage on Newport Boulevard and is located between 21st Street and 22nd Street. The site is zoned C1 (Local Business District) and is surrounded by C1 properties to the north, south, and east, and Newport Boulevard and SR-55 are located to the west. The site has a General Plan Land Use Designation of Commercial Residential.

Existing development on the subject property consists of a 920-square-foot, one-story commercial building (see Image 1 on the following page) and a surface parking lot. Vehicular access to the property is provided via a driveway on Newport Boulevard. The proposed cannabis retail establishment with delivery ("The Humboldt Connect") would occupy the entire building. Although currently vacant, the previous tenant was a massage spa that was open from 10 AM to 9 PM, seven days a week. The subject property is located along one of the City's primary commercial corridors which includes a variety of uses such as a grocery store, massage business, mini-storage, auto services, residences, and motels.

Image 1 – Existing Condition, 2138 Newport Boulevard



Non-Conforming Development

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

Improvements would be made to bring this structure into compliance with current building and safety codes; however, and as specifically allowed by the CMMC, the existing site nonconformities can remain pursuant to the City's legal nonconforming provisions. The applicant is also proposing to bring the property into closer conformance by providing landscaping in the front-setback and parking lot. Other proposed improvements to the building and site are described later in this report.

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 provisions are included 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 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. Pursuant to the CMMC, retail cannabis applicants must obtain the following City approvals and obtain State 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 regulated sensitive uses. Staff also conducts a site visit 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 review. 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 can be issued. CBP approval is valid for a two-year period and must be renewed (every two years) 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 may be grounds for revocation of issued permits or non-renewal of a CBP.

After obtaining the CBP, the applicant would apply for and obtain a City Business License through the City’s Finance Department. Lastly, the applicant must obtain the appropriate license from the State Department of Cannabis Control (DCC) prior to operating.

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 regularly by the Finance Department and HdL Companies.

DESCRIPTION

Conditional Use Permit application PCUP-24-0010 is a request to allow a 920-square-foot retail cannabis storefront with delivery in an existing commercial building at 2138 Newport Boulevard. The affiliated State license is a Type 10 “storefront retailer” license. If the CUP is approved and the operator also obtains a CBP, City Business License, and State license, the business would be allowed to sell pre-packaged cannabis and pre-packaged cannabis products to customers onsite and by 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 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 allowed to include retail uses. 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 are subject to extensive regulation (as further described in this report). These regulations 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 findings related to neighborhood compatibility, health and safety, and land use compatibility. Proposed uses subject to CUPs will generally have site-specific conditions of approval to ensure the required findings can be met. A detailed project 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 application. Although the subject property is now located within 1,000 feet of a licensed child daycare, across SR-55, the application was determined to meet location requirements on January 19, 2022, prior to the operation of the child daycare facility.

Additionally, on June 7, 2024, the City Council adopted Ordinance No. 2024-03, amending Title 13 pertaining to cannabis storefronts. Among other local cannabis regulatory changes, 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 subject site is located more than 1,000 feet from a youth center; however, is located less than 250 feet (approximately 108 feet) from the nearest residential property line. Since the project was determined to be in compliance with the separation requirements prior to the effective date of the revised Ordinance, the location is considered Code compliant.

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 property line is 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 required separations from sensitive uses.

Exterior Improvements

The applicant proposes to update the commercial building into conformance with the Building Code, and improve the building façade with new awnings, windows, doors, and paint. Other proposed or conditioned exterior improvements include:

- Creating a parking lot that is compliant with the City's Parking Design Standards (refer to the parking discussion below);
- Adding bicycle racks to encourage multi-modal transportation;
- Adding a trash enclosure;
- Adding irrigated landscaping to the front setback and parking lot. Landscaping would include at least two new 24-inch box trees, two 15-gallon trees, and live, drought-tolerant groundcover. A detailed landscaping plan would be reviewed during the building plan check process; and
- Installing security lighting and surveillance cameras.

Proposed business signs 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 remodel includes improvements such as, but not limited to, demolishing existing demising walls, construction of new walls, constructing a second restroom, adding commercial showroom finishes, and installation of an odor control system. A proposed floor area summary is provided in Table 1.

Table 1 – Floor Plan Summary

Operational Area	Square Feet
Lobby/Reception	158
Retail Area	277
Receiving	49
Storage	154
Office	99
Breakroom	77
Restrooms	104
Total	920

Customer and Employee Access

Customer access would be limited to the lobby and retail area. Customer circulation into the proposed establishment includes entering the licensed premise through the door fronting Newport Boulevard into the lobby. An employee would verify the customer's identity and age before allowing the customer to enter the retail sales area. After a customer's identity and age is verified and their transaction is completed, they must exit the retail sales area through an exit directly into the lobby. Customers would have to leave the premise through the front door. As further conditioned, staff and 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 or an employee only access-controlled entrance that leads directly into the back-of-house area. Employees would be able to exit through the access-controlled door or through the main entrance/exit.

Vendor Delivery Operations and Access

All vendors (licensed distributors) will have pre-committed arrival times set by the storefront's operational managers for product delivery. All vendor vehicles will load and unload at the closest non-accessible parking space located approximately 22 feet from the limited access door. Vendors would only be allowed to enter the premise while accompanied by an employee with the proper security credentials. The access-controlled door, product path of travel, and vehicle loading/unloading area would be under camera surveillance at all times.

Storefront Operations

The proposed business is required to comply with the City's adopted retail storefront operational requirements as follows:

- Display State license, CBP, and City business license in a conspicuous building location;
- The hours of operations are limited to 7:00 AM to 10:00 PM Monday through Sunday;
- 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 licensed security guard shall be on premises during business hours;
- 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 on-site 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 through an access-controlled door. After distributor's credentials have been confirmed, an employee will escort the distributor to the shipping and 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 describes the owner's 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 storefront use.

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 Municipal Code, 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 Municipal Code, staff has conditioned the proposed operations to provide security only during business operation, unless otherwise directed by the Chief of Police to maintain security twenty-four (24) hours per day.

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:

- One security guard will be on-site during business hours, unless otherwise directed by the Chief of Police to have a security onsite 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

Retail cannabis establishments are subject to the same parking ratio as other retail storefronts in the City; four spaces per 1,000 square feet of gross floor area, and a minimum of six spaces provided. Pursuant to the CMMC, the parking required for the 920-square-foot retail building would be the minimum retail requirement of six spaces. The applicant is proposing eight parking spaces (including a bike rack credit of one space) as well as another parking space for vendor and delivery vehicles. Therefore, the proposed improvements to the parking lot would exceed the City's parking standard requirement. The applicant also proposes upgrading the parking lot to meet CMMC parking stall design and landscaping standards.

The property has one point of ingress/egress via the existing commercial driveway located off of Newport Boulevard. All vehicles must enter and exit the property via the Newport Boulevard driveway. The existing driveway also serves the adjacent property, 2136 Newport Boulevard. The properties at 2136 and 2138 Newport Boulevard are owned separately and maintain a shared access agreement for driveway use. Both properties have separate parking lots which are separated by a fence and rolling gate. There is an existing public sidewalk at the front of the property along Newport Boulevard which provides access to the site for pedestrians and bicyclists.

Staff has included Operational Condition of Approval No. 7 which requires that if parking shortages or other parking-related problems occur, 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, and incentivizing employee carpooling/cycling/walking. As conditioned, cannabis operators would also provide a parking plan to the Director of Economic and Development Services or their designee in advance of any special event such as a grand opening.

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) 11th Edition Trip Generation Manual for the most similar use - "pharmacy/drug store with 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 \$11,045. 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. Staff reviewed and determined that the proposed use does not meet the threshold of 100 peak hour trips requiring a traffic study based on the net peak hour trips.

Odor Attenuation

If approved, cannabis products would arrive in State compliant packaging that is odor-resistant sealed and remain unopened while on the premises. Pursuant to the CMMC, "odor control devices and techniques shall be incorporated in all cannabis businesses to ensure that odors from cannabis are not detectable off site". 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 or their designee. Lastly, cannabis products are not allowed to be disposed of in the exterior trash enclosure.

Proximity to Residential

Similar to many commercial areas in the City, this portion of Newport Boulevard is characterized by a mixture of commercial and residential uses. The proposed licensed premise is located approximately 108 feet from the nearest property zoned for residential use. Two commercial buildings on two properties, fencing, and landscaping serve as buffers between the proposed storefront and nearest property zoned for residential use. To ensure compatibility with residences in the area, proposed project conditions and requirements include the following:

- The business hours are limited from 7 AM to 10 PM;
- Security lighting is shielded and directed down/away from adjacent properties. As conditioned, a photometric study would be required to be submitted during plan check to demonstrate that light levels are appropriate;
- Operator shall post signs in the parking lot to remind customers and vendors to keep noise levels to a minimum (the security guard shall also be responsible for noise enforcement);
- Limit the hours the business can dispose of waste in the trash enclosure, i.e., dispose of trash between 8 AM and 8 PM;
- A security guard shall be onsite during hours of operation; and
- A staff person or the security guard will regularly monitor the site's parking lot to ensure that customers are quiet, turn off vehicle engines promptly, do not play loud music, etc.

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. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives, and policies contained in this Plan.

The following analysis evaluates the proposed project's consistency with applicable policies and objectives of the 2015-2035 General Plan.

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

Consistency: The proposed use would provide commercial goods, and employment opportunities on the subject commercial property. Approval of the

proposed use would result in the revitalization of a commercial building and grounds. The proposed cannabis use would also provide an entrepreneurial opportunity as allowed under Measure Q and would provide employment opportunities in the community.

The recently amended Municipal Code allows the processing of cannabis storefront applications that passed the pre-application phase prior to the May 2024 cannabis Ordinance amendments, up to 35 approvals. This established a limit of 35 cannabis storefronts throughout the City. Currently there are 25 approved CUPs for cannabis storefronts, ten of which are open. On March 27, 2023, a cannabis storefront CUP was approved at 2146 Newport Boulevard, Suites C and D, adjacent to the subject location. Pursuant to condition of approval No. 2, that CUP will be null and void unless the cannabis applicant obtains building permits prior to March 27, 2025. In July 2024, a non-cannabis tenant improvement plan check was submitted for Suites C and D. That non-cannabis application is in the redesign process.

2. **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 due to this seven-percent local tax on gross receipts. Most of this revenue will be used for community services and infrastructure improvements that serve the community. A half percent of the retail cannabis tax funds the City's Arts and Culture Master Plan and another half percent is set aside for the City's First Time Homebuyers Fund.

3. **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, only four have cannabis storefronts, including 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.

4. **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: City records demonstrate that the subject property has provided commercial goods and/or services since 1962 or earlier. The proposed cannabis storefront is located approximately 108 feet from residential development when measured from the cannabis premise to the residential property line. As conditioned, the proposed use would operate during limited

hours, operator would post signs regarding noise in the parking lot, be required to control odor and to provide onsite security during business hours, in addition to 24-hour video camera surveillance and other security features. The cannabis operation conditions of approval and the State and local cannabis regulations exceed typical requirements for other retail uses such as the previous massage use.

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, homeless shelter, or youth center as defined in the CMMC. Although the subject property is now located within 1,000 feet of a licensed child daycare, the application was determined to meet location requirements on January 19, 2022, prior to the operation of the child daycare facility. The shortest walking distance between the two properties is approximately 1,585 feet and would involve crossing SR-55 via the 22nd Street overpass.

All retail sales would take place under the roof, 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 nearby uses such as a grocery store, massage business, mini-storage, auto services, motels, and residences.

Lastly, the proposed use would not be materially detrimental to adjacent uses because the project would include features to ensure compatibility such as following a photometric plan so security lighting is shielded from adjacent properties, having a security guard onsite during hours of operation, and implementing odor control measures. As proposed and conditioned, the retail cannabis use would be compatible with other properties within the area, and in compliance with local and State requirements.

- 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 property has a General Plan land use designation of "Commercial Residential". The intent of this land use designation is to allow a mix of commercial and residential uses along Newport Boulevard. 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 proposed storefront 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 specialized businesses. The City's General Plan sets forth long-term policies that guide future development, whereas the Zoning Ordinance implements general plan policies through detailed development regulations, such as specific use types and building standards. Therefore, in determining General Plan compliance for the proposed cannabis retail storefront use, a comparison of the proposed use with the use, density and intensity allowed by the applicable zoning district is required. In this case, the applicable zoning district is "Local Business District" (C1). A variety of commercial uses are allowed in the C1 zone, including a retail cannabis storefront, subject to a CUP. No additional square footage is proposed; therefore, the proposed use would not increase the floor area ratio (building intensity) or increase the number of residential units onsite (density).

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 should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.
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 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site. 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.

As of the date this report was circulated, no public comments have been received. Any public comments received prior to the September 23, 2024 Planning Commission meeting will be provided separately.

CONCLUSION

The proposed project is a retail cannabis storefront at an existing commercial property that is located on one of the City's commercial corridors. 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 site and building improvements, and pass City inspections prior to obtaining a CBP and City Business License. The CBP would be 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, conducts 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 PCUP-24-0010 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 PCUP-24-0010 FOR
CONDITIONAL USE PERMIT FOR A STOREFRONT RETAIL
CANNABIS BUSINESS WITH DELIVERY (THE HUMBOLDT
CONNECT) IN THE C1 ZONE AT 2138 NEWPORT
BOULEVARD**

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

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

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

WHEREAS, Planning Application PCUP-24-0010 was filed by Christopher Trent, representing The Humboldt Connect, LLC, and the property owner, Trent Family Trust, requesting approval of the following:

A Conditional Use Permit to operate a cannabis retail storefront retail and delivery business within a 920-square-foot, one-story commercial building located at 2138 Newport Boulevard. 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 September 23, 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 PCUP-24-0010 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PCUP-24-0010 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 23rd day of September, 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 September 23, 2024 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

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, homeless shelter, or youth center as defined in the CMMC. Although the subject property is now located within 1,000 feet of a licensed child daycare, the application was determined to meet location requirements on January 19, 2022, prior to the operation of the child daycare facility. The shortest walking distance between the two properties is approximately 1,585 feet and would involve crossing SR-55 via the 22nd Street overpass.

All retail sales would take place under the roof, 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 nearby uses such as a grocery store, massage business, mini-storage, auto services, motels, and residences.

Lastly, the proposed use would not be materially detrimental to adjacent uses because the project would include features to ensure compatibility such as following a photometric plan so security lighting is shielded from adjacent properties, having a security guard onsite during hours of operation, and implementing odor control measures. As proposed and conditioned, the retail cannabis use would be compatible with other properties within the area, and in compliance with local and State requirements.

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 property has a General Plan land use designation of "Commercial Residential". The intent of this land use designation is to allow a mix of commercial and residential uses along Newport Boulevard. 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 proposed storefront 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 specialized businesses. The City's General Plan sets forth long-term policies that guide future development, whereas the Zoning Ordinance implements general plan policies through detailed development regulations, such as specific use types and building standards. Therefore, in determining General Plan compliance for the proposed cannabis retail storefront use, a comparison of the proposed use with the use, density and intensity allowed by the applicable zoning district is required. In this case, the applicable zoning district is "Local Business District" (C1). A variety of commercial uses are allowed in the C1 zone, including a retail cannabis storefront, subject to a CUP. No additional square footage is proposed; therefore, the proposed use would not increase the floor area ratio (building intensity) or increase the number of residential units onsite (density).

- 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

- Plng.
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-22-02. 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 PCUP-24-0010 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.
- PC 32. Prior to the installation of any exterior mural at the subject property, the applicant shall provide draft mural plans to the City. Once directed by staff to proceed, the applicant would apply for a Mural Permit through the Totally Electronic Self Service Application (TESSA), to be considered by the Arts Commission. If the application is approved by the Arts Commission, prior to installation, the Planning Commission shall have the opportunity to consider if the mural is consistent with local and State cannabis provisions, and the project conditions of approval. The Planning Commission review shall be agendized for a regular meeting of the Planning Commission but shall not require a noticed public hearing.

Prior to Issuance of Building Permits

1. Plans shall be prepared, stamped and signed by a California licensed Architect or Engineer.
2. The conditions of approval and ordinance or code provisions of PCUP-24-0010 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:
 - Landscaping and irrigation plans which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108, including at least two 24-inch box shade trees (non-palm) in the parking lot and at least two 15-gallon trees (non-palm) in the front setback, and living ground cover, with an emphasis on drought-tolerant plants.
 - A permanent bike rack that is publicly accessible.
 - A drive approach that is consistent with the City's Public Works Standard 514.
 - Odor control device specifications and locations.
 - A lighting plan showing all proposed exterior lighting fixtures and specifications.
 - A photometric study. 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.
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.

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. Waste disposal to the exterior trash enclosure shall be limited between the hours of 8 AM and 8 PM to prevent noise impacts to residential uses.
26. A staff person shall be required to periodically monitor the exterior including the parking lot, especially during the evening, to ensure customers and vendors are using consideration when entering or leaving the business.

Applicant Letter

The Humboldt Connect is applying for a *Conditional Use Permit (CUP)* to operate a retail storefront and attached ancillary non-storefront retail delivery service at 2138 Newport Blvd, Costa Mesa, 92627. Our objective is to provide the best cannabis products available, in a safe, legal and comfortable environment where all residents feel welcome and encouraged.

The Humboldt Connect is extremely excited at the prospect of bringing its valuable cannabis business acumen to Costa Mesa. Our ownership team brings an array of knowledge about the cannabis industry, sustainable business growth, compliant operations, logistics, branding, and the needs of Costa Mesa.

The Humboldt Connect will offer a wide variety of high-quality cannabis product options from a wide variety of producers, with a great deal of emphasis being placed on products and businesses that are local to Costa Mesa, that have green and environmentally friendly practices in their operations, and are social-equity minded. We strongly believe that we are everything that the city, the community, and customers look for from a cannabis retailer.

Our proposed facility is in the Measure Q, commercial zone, at the following address: 2138 Newport Blvd, Costa Mesa, CA 92627, APN# 426-121-16. The total square footage is 900 sq ft. The space will mainly be used for retail and medicinal cannabis sales; but it will also include storage, a secure vendor unloading zone, admin/office space, secure vault, and a reception/lobby. The Humboldt Connect's premises, exterior façade, and interior layout will be designed with heavy focus on the urban planning objectives and safety of the residents of the city mind. The building exterior will meet the evolving design standards and character of Costa Mesa, while the interior will create a safe, educational and fun atmosphere to purchase high quality and affordable cannabis products.

We will be focusing on a well-rounded and inclusive product offering from brands that have a proven track record of prioritizing cannabis education, consumer safety, and compliance. The target number of SKUs for our store is 450-550 different cannabis products. We will start by offering the standard best-selling brands across California while our procurement team identifies the best products from local operators in the region to carry. The products that will be sold in our store are flower (in both bulk form and pre-rolls), edibles, topicals, tinctures, vape cartridges, and concentrates.

The Humboldt Connect and its owners are incredibly excited to be part of Costa Mesa's continuing progress, and cannot wait to see what our relationship with the community, local businesses, and City yields for everyone involved!

Community Outreach Report

The following outreach measures were conducted to engage with the community regarding the proposed cannabis dispensary location:

1. Notification Letter

- A letter was mailed to property owners and occupants within 500 feet of the proposed location, informing them about the dispensary and upcoming Community Meeting.
- The letter included details about the proposed location, services, business objectives, and contact information for the business owner (email address and phone number).
- A sample letter and list of recipients are attached.

2. Community Meeting

- A Community Benefits meeting was held on Friday, July 19th, from 6 pm to 8 pm.
- Two attendees, Erma and Jorgan Mollar (residents of 2134 Newport Blvd, Costa Mesa, CA 92527), expressed support for the dispensary.

3. Business Outreach

- Chris Trent, sole owner of Humboldt Connect, personally visited 15 nearby businesses, receiving overall positive feedback.
- One neighbor expressed concerns about the dispensary due to a personal history of drug abuse; however, Humboldt Connect respects their privacy and will not disclose their name or business.
- Contact information was left for owners and managers in case they have further questions or concerns.
- The list of businesses that didn't object to having a cannabis dispensary nearby or were supportive of it is below:

Address	Business Name
2110 Newport Blvd	Sus Casitas Apartments
2100 Newport Blvd	Sunset Inn
2123 Newport Blvd	Armstrong Garden Center
2075 Newport Blvd, STE 109	Jones Coin Laundry
2075 Newport Blvd, STE 108	Koyi Sushi

Address	Business Name
2075 Newport Blvd, STE 105	GLO Nail Bar
2075 Newport Blvd, STE 103	The Strength
2075 Newport Blvd, STE 102	Today Barber
2075 Newport Blvd	Public Storage
2180 Newport Blvd	Stater Bros. Market
2154 Newport Blvd	Cars on Newport
2154 Newport Blvd	Newport Bay Inn
2148 Newport Blvd, Unit A	A Massage Place

Additional Outreach

- An attempted visit to The Crossing Church (2115 Newport Blvd) was met with a request for an appointment, which was emailed and is pending a response.
- An email of support was received from Robinson McGuire, a resident of 2080 Newport Blvd (attached).

Conclusion

While gathering positive feedback, Humboldt Connect remains committed to ongoing community engagement, addressing all public questions, comments, and concerns.

****** THIS LETTER IS ONLY INTENDED FOR MATURE AUDIENCE
OLDER THAN 21 YEARS OLD******

Community Outreach Letter

Dear Neighboring Business,

I am writing to introduce myself and my business, Humboldt Connect, a new adult-use cannabis dispensary that will be located at 2138 Newport Blvd, Costa Mesa, CA 92627. As a local entrepreneur and resident, I am excited to serve my community with high-quality, fairly-priced cannabis products.

Our Commitment

After years of success in the cannabis industry, I pledge to:

- Be fully compliant with local and state regulations
- Sell only tested cannabis products from trusted brands
- Renovate and bring the building up to code
- Emphasize responsible use and youth protection through education and community outreach

Our Vision

I envision Humboldt Connect as a welcoming space for both first-time and experienced users. Our goal is to provide a comfortable environment where customers can ask questions, receive guidance, and find a wide variety of products and brands.

Community Meeting

To ensure we are a positive addition to the community, I invite you to a Community Meeting on Friday, July 19th, from 6:00 pm to 8:00 pm at our dispensary location. This meeting is an opportunity for us to gather feedback, address questions and concerns, and build a strong relationship with our neighbors.

Contact Us

Please feel free to reach out to me directly with any questions or comments.

Best regards,

Chris Trent

Contact Information: Email: xtoner911@gmail.com, Phone: (949) 274-4206

OWNERS	ADDRESS	CITY, STATE, ZIP
CHRISTOPHER WILLIAM TRENT	1212 S AVIATOR LN	TUSTIN, CA 92782
EQUITIES STORAGE	PO BOX 25025	GLENDALE, CA 91221
THE CROSSING CHURCH	2115 NEWPORT BLVD	COSTA MESA, CA 92627
AMRATLAL MAGANLAL PATEL	205 N ST ANDREWS PL	LOS ANGELES, CA 90004
FORWARD FAMILIES	8 THOMAS	IRVINE, CA 92618
DSW PROPERTIES	342 E 18TH ST	COSTA MESA, CA 92627
BARBARA G WARD	PO BOX 2717	PO BOX 2717
ROGER F ETHERINGTON	2700 NEWPORT BLVD #222	NEWPORT BEACH, CA 92663
GORDON KHOO	136 E 21ST ST UNIT A	COSTA MESA, CA 92627
KENNETH M AMMANN	140 E 21ST ST	COSTA MESA, CA 92627
JOANNA R BEEMAN	146 1/2 E 21ST ST	COSTA MESA, CA 92627
CASITAS SUS	2110 NEWPORT BLVD UNIT #1	COSTA MESA, CA 92627
VIENNA R ASHLEY HANSEL-ASHLEY	PO BOX 10224	COSTA MESA, CA 92627
NICOLAS CLEMENCE	1101 DOLPHIN TER	CORONA DEL MAR, CA 92625
EZ ACCESS 24 HOUR STORAGE	2140 NEWPORT BLVD	COSTA MESA, CA 92627
P & C PROSPERITY PROPERTIES	2150 NEWPORT BLVD	COSTA MESA, CA 92627
JORGEN & IRMA MOLLER	2134 NEWPORT BLVD	COSTA MESA, CA 92627
2136 INVESTMENT	2136 NEWPORT BLVD	COSTA MESA, CA 92627
CHRISTOPHER WILLIAM TRENT	1212 S AVIATOR LN	TUSTIN, CA 92782
STAR CARSON	15971 PLUMWOOD ST	WESTMINSTER, CA 92683
HEMMENS, PATRICK STEPHEN	2177 RURAL LN	COSTA MESA, CA 92627
OWEN L JACKSON	2169 RURAL LN	COSTA MESA, CA 92627
LAWRENCE J COTR OLEARY	2163 RURAL LN	COSTA MESA, CA 92627
ANDREW H NGUYEN	14 BROOKHAVEN	IRVINE, CA 92618
JOHAN GOUT	3505 CADILLAC AVE UNIT F1	COSTA MESA, CA 92626
JOHN M DUSICH	2827 E ROBERTA DR	ORANGE, CA 92869
ANDREA AUGUST GOLAN	280 E WILSON ST	COSTA MESA, CA 92627
CHRISTOPHER G COURTNEY	2156 RURAL PL	COSTA MESA, CA 92627
ISAAC NEGEEB BESHAY	PO BOX 10875	COSTA MESA, CA 92627
BALUBHAI PATEL	255 S RENO ST	LOS ANGELES, CA 90057
TODD I SCHIFFMAN	9229 SUNSET BLVD STE 501	WEST HOLLYWOOD, CA 90069
2180 NEWPORT BLVD	2162 RURAL LN	COSTA MESA, CA 92627
DAVID ESPARZA	2168 RURAL LN	COSTA MESA, CA 92627
WILLIAM ROBINSON GORDON	2171 RURAL PL	COSTA MESA, CA 92627

OWNERS	ADDRESS	CITY, STATE, ZIP
ROBERT & ANNE BLAKE	2165 RURAL PL	COSTA MESA, CA 92627
GEORGE R BINGO	18281 FRANCISCO DR	VILLA PARK, CA 92861
CM 2080 NEW	1118 PARK ST	HUNTINGTON BEACH, CA 92648

OCCUPANTS	ADDRESS
OCCUPANT	2138 NEWPORT BLVD
PUBLIC STORAGE	2075 NEWPORT BLVD
TODAY BARBER	2075 NEWPORT BLVD 102
KOYI SUSHI	2075 NEWPORT BLVD 108
DOVER SHORES	2075 NEWPORT BLVD 112
MISTY SPA	2075 NEWPORT BLVD 101
THE STRENGTH CO	2075 NEWPORT BLVD 103
JONES COIN LAUNDRY	2075 NEWPORT BLVD 109
GLO NAIL BAR	2075 NEWPORT BLVD 105
ORANGE TREE CHRISTIAN PRESCHOOL	2115 NEWPORT BLVD
SUNSET INN	2100 NEWPORT BLVD
OCCUPANT	116 E 21ST ST #A
OCCUPANT	116 E 21ST ST #B
OCCUPANT	116 E 21ST ST #C
OCCUPANT	116 E 21ST ST #D
OCCUPANT	120 E 21ST ST #A
OCCUPANT	120 E 21ST ST #B
OCCUPANT	120 E 21ST ST #C
OCCUPANT	120 E 21ST ST #D
OCCUPANT	128 E 21ST ST #1
OCCUPANT	128 E 21ST ST #2
OCCUPANT	128 E 21ST ST #3
OCCUPANT	128 E 21ST ST #4
OCCUPANT	130 E 21ST ST
OCCUPANT	132 E 21ST ST
OCCUPANT	136 E 21ST ST UNIT B
OCCUPANT	146 E 21ST ST
OCCUPANT	2110 NEWPORT BLVD #2
OCCUPANT	2110 NEWPORT BLVD #3
OCCUPANT	2110 NEWPORT BLVD #4
OCCUPANT	2110 NEWPORT BLVD #5
OCCUPANT	2110 NEWPORT BLVD #6
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OCCUPANT	2110 NEWPORT BLVD #9
OCCUPANT	2110 NEWPORT BLVD #10
OCCUPANT	2110 NEWPORT BLVD #11
OCCUPANT	2110 NEWPORT BLVD #12
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OCCUPANT	2110 NEWPORT BLVD #40
OCCUPANT	2110 NEWPORT BLVD #41
OCCUPANT	2129 ELDEN AVE #1
OCCUPANT	2129 ELDEN AVE #2
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OCCUPANT	2129 ELDEN AVE #6
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OCCUPANT	2131 ELDEN AVE #2
OCCUPANT	2131 ELDEN AVE #3
OCCUPANT	2131 ELDEN AVE #4
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FAST SMOG	2148 NEWPORT BLVD
OCCUPANT	2138 NEWPORT BLVD
OCCUPANT	2156 NEWPORT BLVD
DETAILING DEPOT	2146 NEWPORT BLVD B
SPRING MASSAGE	2146 NEWPORT BLVD A
NEWPORT BAY INN	2154 NEWPORT BLVD
OCCUPANT	2157 RURAL LN
OCCUPANT	2153 RURAL LN
OCCUPANT	2150 RURAL LN A
OCCUPANT	2150 RURAL LN B
OCCUPANT	2148 RURAL PL
OCCUPANT	2146 NEWPORT BLVD
STATER BROS MARKET	2180 NEWPORT BLVD
OCCUPANT	127 E 21ST ST A
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OCCUPANT	2080 NEWPORT BLVD #248
OCCUPANT	2080 NEWPORT BLVD #249
OCCUPANT	2080 NEWPORT BLVD #250

From: Robison McGuire robmcguire1221@gmail.com
Subject: Yes Welcome
Date: Jul 20, 2024 at 6:10:54 PM
To: xtoner911@gmail.com

If this is a business that you are trying to get approval for I am on your side and anything I can do to help just let me know.

You sent a letter to me at 2080 Newport Blvd CM The Newport Senior Village apts which I was told I had to have a dog and smoke marijuana to be able to get an apt here. I actually dont have a dog or smoke but 100 other people in this complex do.

We do have a meeting room and I think lots of renters would show up if you could bring samples we could have a tasting.

Take care good luck and I am a supporter of your new neighboring business.

Rob

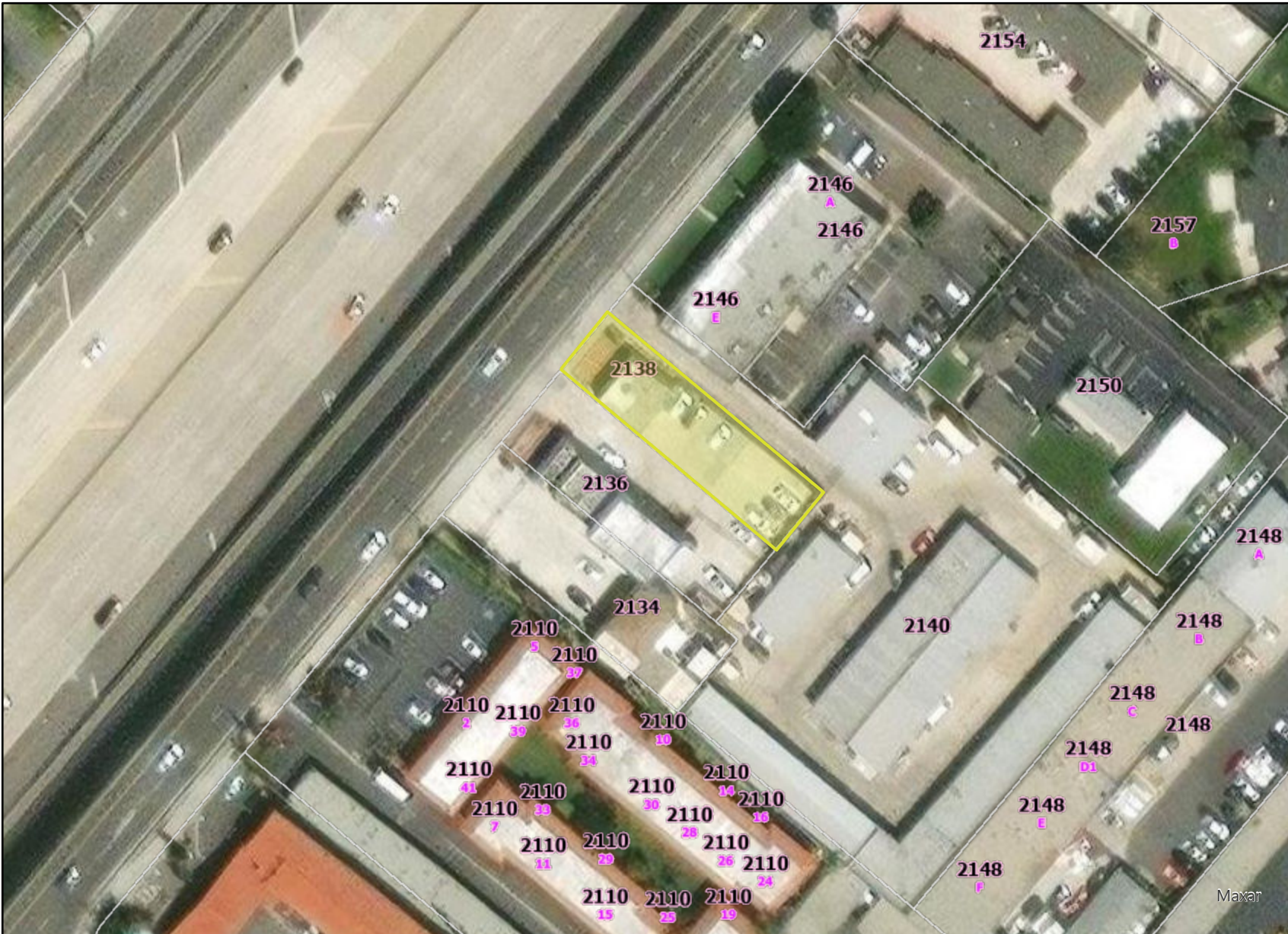
--

Robison C. McGuire
robmcguire1221@gmail.com
707-326-8463

Vicinity Map -2138 Newport Blvd.

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.

WGS 1984 Web Mercator Auxiliary Sphere
© City of Costa Mesa

SITE PHOTOS 2138 NEWPORT BOULEVARD



View of the building and parking lot from Newport Boulevard, facing northeast.



View of the building from Newport Boulevard, facing southeast.

- PROPERTY LINE
- LANDSCAPE AND IRRIGATION AREA (LOW WATER USE LIVING GROUND COVER OR LOW SHRUBS)
- ACCESSIBLE PATH OF TRAVEL 1:20 MAX. SLOPE 2% MAX. CROSS SLOPE MINIMUM REQUIRED CLEAR WIDTH SHALL BE 48 INCHES PER CBC 118-403.5.1
- ①

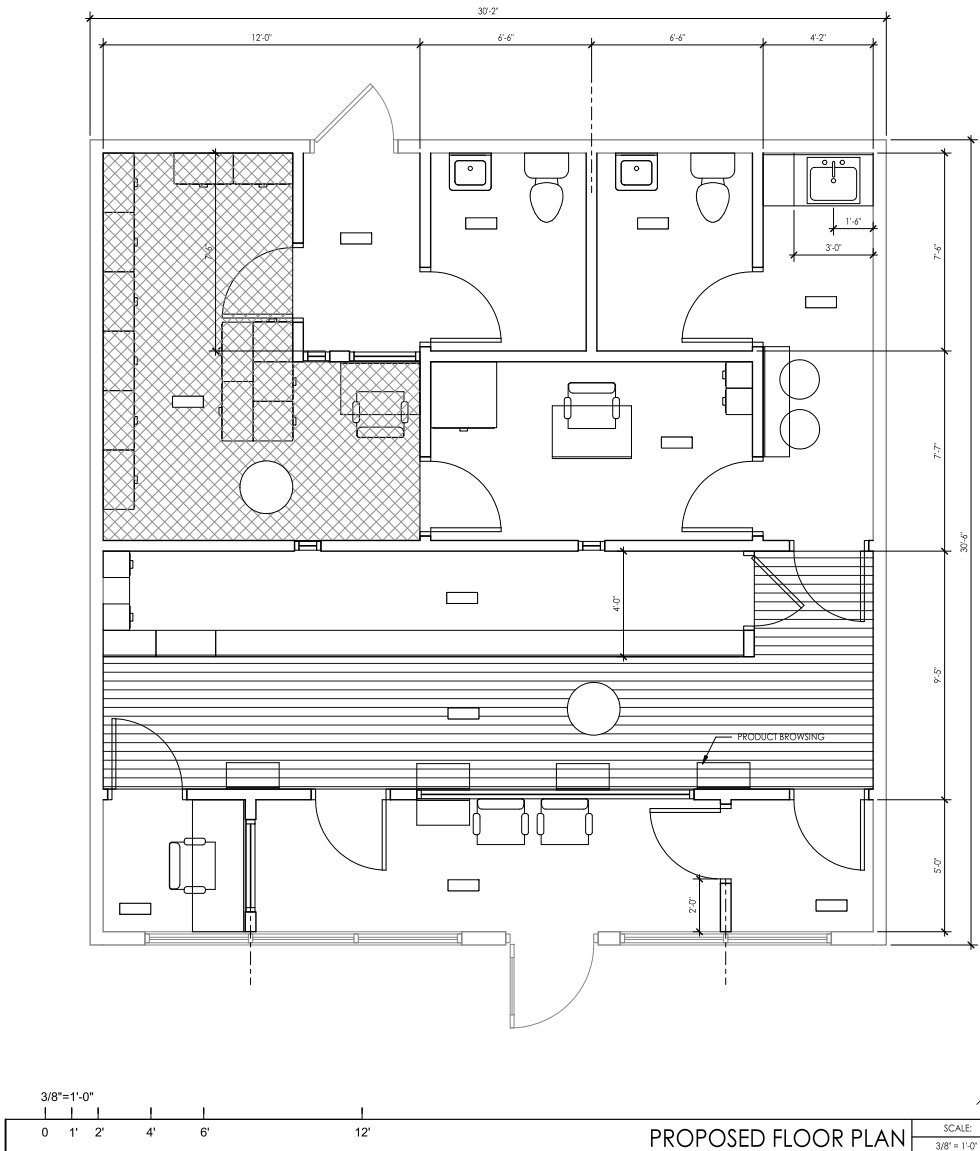
PARKING STALL COUNT TOTAL
- BUILDING PUBLIC ENTRANCE/EXIT
- BUILDING EMPLOYEE ENTRANCE/EXIT
- INDICATES AREA OF LIMITED ACCESS
- INDICATES AREA OF RESTRICTED ACCESS AREA

SITE DATA

LOT AREA:	± 6,000 S.F. = ± 0.138 ACRE
BUILDING FOOTPRINT AREA:	
EXISTING BUILDING:	± 920 S.F.
FAR:	± 920 / 6,000 = 16 %
LANDSCAPE SUMMARY:	
LANDSCAPE COVERAGE	±224 E + 533 N / 6,000 = 12.6 %

PARKING SUMMARY

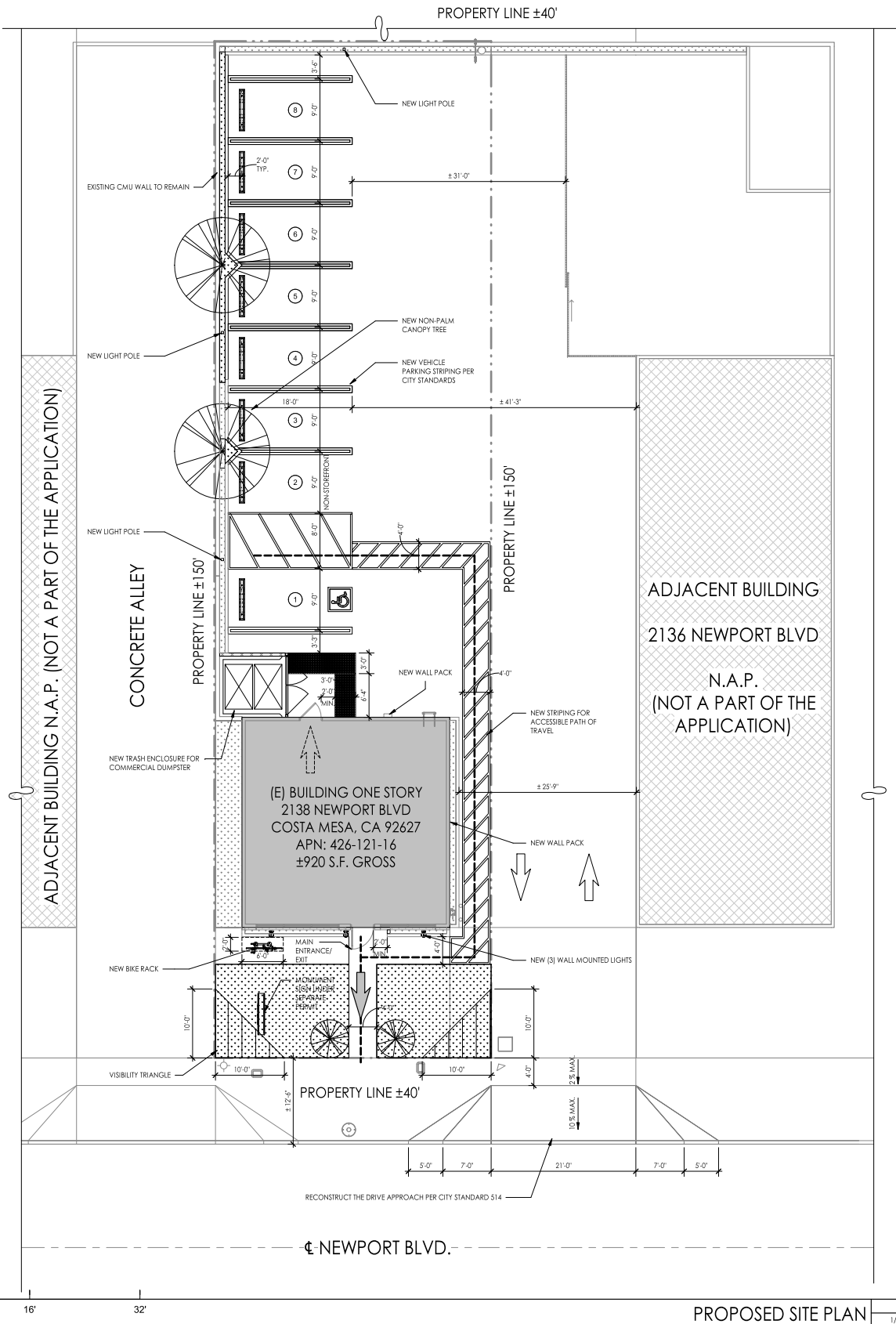
PARKING STALLS REQUIRED:	
6 PARKING STALLS REQUIRED:	
ACCESSIBLE STALLS REQUIRED:	6 STALLS
STANDARD	1 STALL
ACCESSIBLE	1 STALL
BIKE RACK	1 STALL
NON-STREETFRONT USE	
PARKING PROVIDED:	9 STALLS
TOTAL PROVIDED	



PROPOSED FLOOR PLAN

SCALE:
3/8"=1'-0"

2



PROPOSED SITE PLAN

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

1

- SIGNAGE TO BE REMOVED
- PARAPET FLASHING CAP TO REMAIN. REPAIR AS NEEDED.
- PATCH AND REPAIR PLASTER AS NEEDED.
- BLACK FABRIC AWNING TO REMAIN. WASH/CLEAN & REPAIR/REPLACE AS NEEDED.
- BRICK TO BE WASHED, SANDBLASTED AND REPAIRED AS NEEDED.
- PLANTER AREA TO REMAIN REFRESH PLANTS AND FIX THE IRRIGATION WHERE NEEDED.
- BRICK FLOOR TILES TO BE REMOVED.



EXISTING NORTHWEST ELEVATION

SCALE: 1
N.T.S.

- PAINT PARAPET BLACK
- PAINT TRIM BLACK
- PAINT BRICK BLACK
- NEW MONUMENT SIGN UNDER SEPARATE PERMIT
- NEW LANDSCAPE AND IRRIGATION AREA (LOW WATER USE LIVING GROUND COVER OR LOW SHRUBS)



PROPOSED NORTHWEST ELEVATION

SCALE: 2
N.T.S.

EXTERIOR ELEVATIONS

2138 NEWPORT
2138 NEWPORT BLVD
COSTA MESA, CA 92627

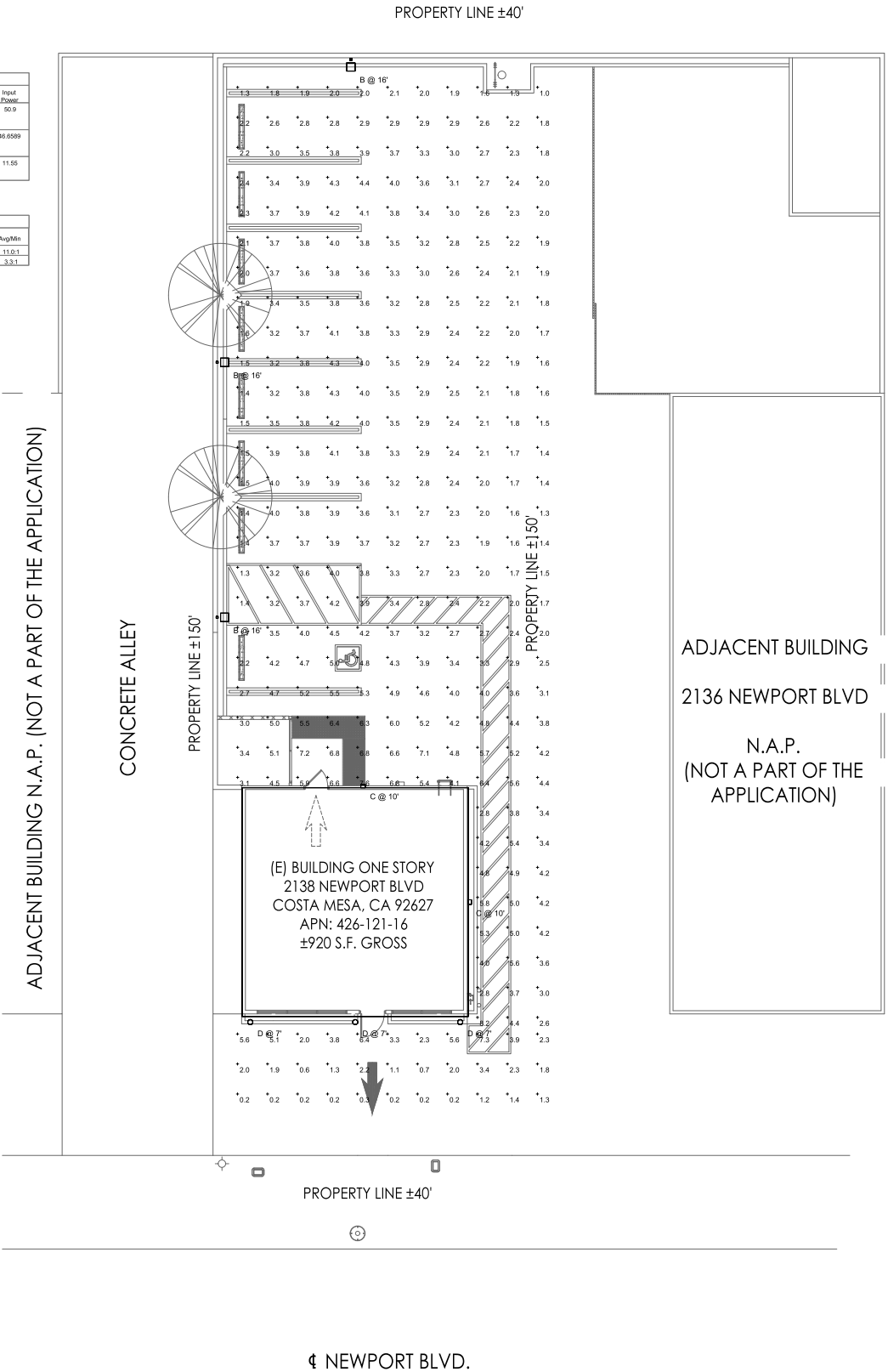
We Architects Group
Architecture, Interior Design, Planning
25449 RANCHO PRIMO S, LAKE FOREST, CA. 92630
(949) 994-9966
www.WeArchitectsGroup.com

PROJECT NUMBER: 24-033
DATE: 07/16/2024

A4.1

Schedule								
Symbol	Label	QTY	Manufacturer	Catelog	Description	LLF	Total Details	Input Data
	B	3	Lithonia Lighting	DSX1 LED P1 40K 70CRI BLC4	D-Series Size 1 Area Luminaire P1 Performance Package 4000K CCT 70 CRI Type 4 Extreme Backlight Control	0.9	5705	60.3
	C	2	Lithonia Lighting	WDGE2 LED P4 40K 70CRI T3M	WDGE2 LED WITH P4 - PERFORMANCE PACKAGE, 4000K, 70CRI, TYPE 3 MEDIUM OPTIC	0.9	4817	46.6589
	D	3	American Nail Plate	WM1926M009LDN40K	8" DIA. X 6.675" H RLM MINI WAREHOUSE SHADE	0.82	648	11.55

Statistics					
Description	Symbol	Avg	Max	Min	Max/Min
Front	+	2.2 fc	7.3 fc	0.2 fc	36.5:1
Cells Zone #1	+	3.3 fc	8.2 fc	1.0 fc	8.2:1



GENERAL NOTES

1. NOT USED.

KEY NOTES

1. NOT USED.

SPEC
SPECIALTY ELECTRICAL CONSULTANTS
© 949.889.SPEC (7752) | © 949.413.0600
WWW.SPECCORPORATION.COM

ALAN K. DWYER
No. 19312
Exp. 12/31/24
ELECTRICAL
STATE OF CALIFORNIA

We Architects Group
Architecture, Interior Design, Planning
26449 RANCHO PKWY S., LAKE FOREST, CA. 92630
(949) 994-9966
www.WeArchitectsGroup.com

PROJECT NUMBER: 24-033
DATE: 07/16/2024

E2-1

NO VOTE!



OFFICIAL PUBLIC NOTICE

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

Hearing Date:	September 23, 2024	Hearing Time & Location:	6:00 PM or soon thereafter City Hall Council Chambers 77 Fair Drive, Costa Mesa, CA; and virtual locations
Application No.	PCUP-24-0010	Applicant/Agent:	Christopher Trent/The Humboldt Connect, LLC
Site Address:	2138 Newport Blvd.	Zone:	Local Business District (C1)
Contact:	Planning Division (714) 754-5245	Email Comments to:	PCPublicComments@costamesaca.gov

Description: PCUP-24-0010 is a request for a Conditional Use Permit to allow a 920-square-foot retail cannabis storefront use with delivery in an existing one-story commercial building located at 2138 Newport Boulevard. The proposed use would be subject to Costa Mesa's regulations, conditions of approval, and State cannabis regulations. For additional information, please visit the City's website at www.costamesaca.gov/cannabis.

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

Additional Information: For more information, call (714) 754-5245, or email planninginfo@costamesaca.gov. Planning Division staff are available from 8:00 AM to 5:00 PM Monday through Thursday and alternating Fridays, except specified holidays. All interested parties may submit comments to the Planning Commission in regard to this application. Please refer to the Planning Commission meeting agenda for instructions regarding how to participate in the meeting. The Planning Commission meeting agenda and staff report will be posted online 72 hours prior to the meeting at: <https://costamesa.legistar.com/Calendar.aspx>. Members of the public may submit comments via email to PCPublicComments@costamesaca.gov. Comments received by **12:00 PM** on the date of the meeting will be provided to the Planning Commission, made available to the public, and will be part of the meeting record. Any written communications, photos, PowerPoints or other materials for distribution to the Planning Commission must be 10 pages or less and submitted to the City **NO LATER THAN 12:00 PM** on the day of the hearing via email or submitted to the Planning Department on a flash drive, or mailed to the Planning Department. All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted. A direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats: .mp4, .mov, or .wmv. Only one file may be included per speaker for public comments. Please note that materials submitted by the public that are deemed appropriate for general audiences will not be redacted in any way and will be posted online as submitted, including any personal contact information. If you challenge this project in court, you may be limited to raising only those issues you, or someone else raised, during the public hearing or in written correspondence submitted to the City, during or prior to, the public hearing.

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