

RESOLUTION NO. PC-2026-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA, CALIFORNIA APPROVING
TENTATIVE PARCEL MAP 2026-129 (PTPM-26-0006), AND
DEVELOPMENT REVIEW FOR A FOUR UNIT SMALL LOT
ORDINANCE SUBDIVISION AT 215 AND 223 MESA DRIVE**

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

WHEREAS, Tentative Parcel Map PTPM-26-0006 and Development Review PDVR-25-0005 was filed by Josh Martinez, authorized agent for the property owner, Obsidian Development, requesting approval of four-unit subdivision and ownership residential development. A development review is required for the proposed two-story construction in a residential zone;

WHEREAS, a duly noticed public hearing held by the Planning Commission on July 27, 2026, with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15315 (Class 15), for Minor Land Divisions and Section 15332 (Class 32) Infill Construction;

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**

Tentative Parcel Map 2026-129 (PTPM-26-0006), and Development Review 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 Tentative Parcel Map 2026-129 (PTPM-26-0006), and Development Review 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 27th day of July, 2026.

Jeffrey Harlan, Chair
Costa Mesa Planning Commission

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

I, Carrie Tai, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2026-__ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on July 27, 2026 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Carrie Tai, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2026-__

EXHIBIT A

FINDINGS

- A. Pursuant to CMMC Section 13-29 (g)(13) and (14), “Findings for Tentative Parcel Maps and Design Review”, in order to approve the proposal, the Planning Commission shall find by the evidence presented in the administrative record that the project substantially meets required specified findings. Staff recommends approval of the proposed project, based on the following assessment of facts and findings:

Tentative Parcel Map Findings

The information presented for the Tentative Parcel Map complies with CMMC Section 13-29(g)(13), findings for a Parcel Map, in that:

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

Facts in Support of Finding: The proposed tentative parcel map would subdivide an approximately 18,731-square-foot property into four ownership lots and associated common lots for shared access and landscaping. The project is consistent with the Medium Density Residential General Plan designation by providing a residential density of approximately 9.3 dwelling units per acre, which is below the maximum permitted density of 12 dwelling units per acre. The proposed ownership residential use is permitted within the R2-MD zoning district and complies with the applicable development standards, including setbacks, height, open space, parking, and lot configuration. The project is not located within an adopted specific plan area and is therefore consistent with all applicable land use regulations.

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

Facts in Support of Finding: The General Plan designates the property Medium Density Residential, which encourages residential development at densities up to 12 dwelling units per acre and supports increased homeownership opportunities. The proposed four-unit ownership development is consistent with this designation and advances General Plan policies encouraging ownership housing while maintaining compatibility with surrounding residential development through compliant density, scale, building height, setbacks, and site design.

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

Facts in Support of Finding: The subject site is a flat, previously developed residential property served by existing public infrastructure, including water, sewer, gas, electricity, and public streets. The proposed subdivision complies with the development standards of the R2-MD zoning district and accommodates four ownership units at a density consistent with the General Plan. A preliminary grading plan and Water Quality Management Plan have been submitted demonstrating that the site can be developed without creating significant environmental or public health impacts.

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

Facts in Support of Finding: The proposed development incorporates building orientation, operable windows, landscaping, and shade trees that provide opportunities for natural ventilation and passive heating and cooling. The landscape plan includes canopy trees that will provide shading over time, while the building design incorporates operable windows to promote natural airflow. These design features satisfy the intent of Government Code Section 66473.1 to the extent feasible.

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

Facts in Support of Finding: The proposed subdivision includes reciprocal access via the shared driveway and utility easements serving all lots. Existing and proposed utilities will be undergrounded and located within appropriate easements. The project has been designed to maintain access for utility providers and emergency services, and conditions of approval require final utility plans and any necessary easement dedications to ensure continued operation and maintenance of public and private infrastructure.

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

Facts in Support of Finding: The project will connect to the existing municipal sewer system, which currently serves the site. A preliminary Water Quality Management Plan has been submitted to address stormwater quality requirements and drainage design. The development will be reviewed by the City's Public Works Department and other applicable agencies during plan check to ensure compliance with all Regional Water Quality Control Board requirements and applicable State water quality regulations.

- B. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions, and Section 15332 (Class 32), In-Fill Development.

Under Class 15, the division of property in urbanized areas is exempt from the provisions of CEQA if the subdivision: is zoned for residential, is being subdivided into four or fewer parcels, is conformant with the General Plan and Zoning Code, is serviceable by utilities and is accessible, was not involved in a division of a larger parcel within the previous two years, and has an average slope less than 20 percent. The proposed project meets the following conditions as described under CEQA Section 15315.

- The project is entirely within the City of Costa Mesa and is consistent with the R2-MD Zoning Designation and the Medium Density Residential General Plan Designation because it propose a number of parcels at the allowed zoning density (12 dwelling units per acre maximum and 9.3 dwelling units per acre proposed). In addition, the residential use is compatible with the CMMC and the General Plan.
- The project site is serviceable by all utilities and is accessible to the public right of way.
- The parcel has not been involved in a previous subdivision in the previous two years.
- The parcel has been previously graded and is flat and therefore contains an average slope less than 20 percent.

Under Class 32, a project site less than five acres in area, with no significant environmental effects, that is consistent with the General Plan and Zoning Code, has adequate utilities to serve the site, and has no valuable habitat species is exempt from the provisions of CEQA. The proposed project meets the following conditions as described under CEQA Guidelines Section 15332.

- The project is consistent with the R2-MD Zoning Designation and the Medium Density Residential General Plan Designation because it propose a number of units at the allowed zoning density (12 dwelling units per acre maximum and 9.3 dwelling units per acre proposed). In addition the residential use is compatible with the CMMC and the General Plan.
- The proposed development occurs entirely within the City of Costa Mesa on a lot size of 18,731 square feet (0.428 of an acre).
- The project site has no value as a habitat for endangered, rare, or threatened species because the existing lot includes two residential units. The proposed development will continue the residential use.
- Approval of the project will not result in any significant effects relating to traffic, noise, air quality, or water quality because the existing use is continued and is less than the maximum dwelling units per acre permitted on the lot.
- The site can be adequately served by all required utilities and public services because they already service the site.

Further, none of the exceptions to the use of categorical exemptions set forth in CEQA Guidelines Section 15300.2 apply.

- 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

- Plng. 1. Approval of Tentative Parcel Map 2026-129 (PTPM-26-0006), and Development Review is valid for two (2) years from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and a valid building permit has been maintained by making satisfactory progress as determined by the Building Official; 2) a certificate of occupancy has been issued. A time extension can be requested no less than thirty (30) days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
2. The conditions of approval for PTPM-26-0006 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
4. The final subdivision map shall be recorded with the County prior to the issuance of grading permits or building permits for the proposed development.
5. The applicant shall install a six-foot high decorative block wall around the perimeter of the proposed development lot pursuant to the CMMC. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screen by trees and landscaping.
6. No modification(s) of the approved building elevations including, but not limited to, change of architectural type, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Elevations shall not be modified unless otherwise approved by Development Services Director as consistent with the architectural design and features of the proposed development. Failure to obtain prior Planning Division approval of the modification could

result in the requirement of the applicant to (re)process the modification through a discretionary review process, or in the requirement to modify the construction to reflect the approved plans.

7. Trash receptacles shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.
8. Backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
9. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant's project, or any approval granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.
10. The landscaping of this project shall comply with the City's landscaping requirements including providing one tree per 200 square feet of landscaping area and any applicable guidelines (i.e. Water Efficient Landscape Guidelines). A final landscape plan shall be submitted with the plan check submittal.
11. All driveways and parking areas shall consist of decorative concrete, pavers or other materials as deemed appropriate by the Development Services Director. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.

12. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
13. A precise grading plan shall be submitted and clearly identify the lowest and highest elevation point of the development. The lowest point of the finished surface elevation of either the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.
14. On-site lighting shall be provided in all parking areas, vehicular access ways, and along major walkways. The lighting shall be directed onto driveways and walkways within the project and away from dwelling units and adjacent properties to minimize light and glare impacts and shall be of a type approved by the development services department.
15. Prior to building permit issuance, the applicant shall submit a comprehensive utilities plan that shows utility design, undergrounding of existing utilities and required dedications/easements. The plan will be reviewed by both the City's Building Division and Public Works Department.
16. It is recommended that the project incorporate green building design and construction techniques where feasible. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information.
17. Prior to Parcel Map recordation, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to and shall be approved by the Development Services Director and City Attorney's office.
18. The developer shall file a declaration of covenants to be submitted with the application for approval, which will govern the association. The provisions shall include, but not be limited to, the following:
 - a. The homeowners' association shall be established prior to the sale of any unit(s).
 - b. Membership shall be mandatory for each owner and any successive owner.
 - c. Provisions to restrict parking upon other than approved and developed parking spaces and to require that garages be kept available for tenant parking shall be written into the covenants, conditions and restrictions for each project.

d. If the development is constructed in increments or phases which require one or more final maps, reciprocal covenants, conditions, and restrictions and reciprocal management and maintenance agreements shall be established which will cause a merging of increments as they are completed and embody one homeowners' association with common areas for the total development.

e. The declaration of covenants shall contain language or provisions substantially as follows:

i. The covenants, conditions and restrictions of this declaration shall run to the City of Costa Mesa insofar as they shall apply to the maintenance of the "common areas" as herein defined.

ii. In the event the association or other legally responsible person(s) fail to maintain the common area in such manner as to cause same to constitute a public nuisance, the city may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon the common area, individual units or the whole thereof as provided by law.

19. The CC&Rs and articles of incorporation and bylaws of the Property Owners Association shall reflect the conditions of approval included herein. The CC&Rs shall be submitted for review by the Planning Division to confirm use and maintenance of the driveway and shared landscaping will continue.
20. The Parcel Map shall be recorded prior to the sale of any unit.
- Code 21. Within 10 calendar days following project approval and as a condition precedent to the issuance of any building, grading and/or demolition permits, all outstanding Code Enforcement citations shall be paid, applicant shall schedule routine site visits with Code Enforcement to ensure the property remains secure and properly boarded, the property must be maintained in accordance with vacant property maintenance standards, and "No Trespassing" signs shall be posted and maintained on the property, to the satisfaction of the Director of Community Development.
- Eng. 22. Two copies of the Final Map and one copy of the Property Boundary closure calculations shall be submitted to the City of Costa Mesa Engineering Division for checking.
23. The applicant shall submit an updated Title Report for the subject property prior to Final Map review.
24. The Parcel Map shall be developed in full compliance of CMMC Sec. 13-208 through 13-261 inclusive.
25. Submit seven copies, one duplicate mylar and an electronic copy of recorded map or signed plan to Engineering Division, City of Costa Mesa, prior to occupancy.

26. In accordance with CMMC Section 13-230, the Subdivider shall submit street improvement plans and/or off-site plans at the time of first submittal of the Final Parcel Map. Plan check fee shall be paid per CMMC Section 13-231.
27. Prior to recordation of a final map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor and shall submit to the City Engineer and the County Surveyor a digital-graphic file of said map in a manner described in Sub-article 11/12, Sections 7-9-330/7-9-337 of the Orange County Subdivision Code.
28. Survey Monuments shall be preserved and referenced or set pursuant to Section 8771 of the Professional Land Surveyors Act and Business and Professional code.
29. Submit cash deposit or surety bond to guarantee monumentation prior to approval of the map. Amount to be determined by City Engineer.
30. At the time of development submit for approval an Offsite Plan to the Engineering Division and Grading Plan to the Building Division that shows Sewer, Water, Existing Parkway Improvements and the limits of work on the site prepared by a registered Civil Engineer. Cross lot drainage shall not occur. Construction Access approval must be obtained prior to Building or Engineering Permits being issued by the City of Costa Mesa.
31. Pay Offsite Plan Check fee per Section 13-231 of the CMMC and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.
32. Maintain the public Right-of-Way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public Right-of-Way by sweeping or sprinkling.
33. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. residential sidewalk per City of Costa Mesa Standards as shown on the Offsite Plan, including four (4) feet clear around obstructions in the sidewalk.
34. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approach per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager. ADA compliance required for all new driveway approaches.
35. Fulfill Drainage Ordinance Fee requirements prior to approval of Final Map.
36. In order to comply with the 2003 Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil

Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval. a) A WQMP (Priority or Non-Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to. b) Location of BMPs shall not be within the public right-of-way.

- TRAN 37. The applicant shall submit a Traffic Impact Fee to the Transportation Division prior to issuance of building permits. The fee is required in an amount determined by the Transportation Division pursuant to the prevailing schedule of charges adopted by the City Council. The fee is calculated with consideration of standardized trip generation ratios for proposed uses and includes credits for existing uses. NOTE: The estimated Traffic Impact Fee for this application is \$3,876.00. The fee will be calculated at the time of issuance of building permits and based upon the prevailing schedule of charges in effect at that time.

CODE REQUIREMENTS

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

- PIng.
1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
 2. The location and height of walls, fences, and landscaping shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress.
 3. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
 4. Development shall comply with all applicable requirements of the Costa Mesa Municipal Code relating to development standards for residential projects.
 5. Prior to the issuance of building permits, the applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
 6. All on-site utility services shall be installed underground pursuant to CMMC section 13-71(d).

7. Installation of all new utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
 8. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
 9. Detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.
 10. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
- Bldg.
11. Comply with the requirements of the most recent adopted California Residential Code, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
 12. If soil contamination exists, then remediation plans shall be submitted to both the Building Division and the County of Orange for review, approval and issuing a permit. Building permit(s) shall not be issued until the soil is certified as clean and usable by a Soil's Engineer.
 13. Plans shall be prepared under the supervision of a registered California Architect or Engineer. Plan shall be stamped and signed by the registered California Architect or Engineer.
 14. Construction/ improvements that encroach within Public Utility Easements shall require written approvals from the utility companies associated with that easement.
 15. Prior to the Building Div. (AQMD) issuing a demolition permit contact South Coast Air Quality Management District located at: 21865 Copley Dr. Diamond Bar, CA 91765-4178 Tel: 909- 396-2000 Or Visit their web site <http://www.costamesaca.gov/modules/showdocument.aspx?documentid=2338>
1 The Building Div. will not issue a demolition permit until an Identification no. is provided by AQMD.
 16. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.

17. Submit a precise grading plans, an erosion control plan and a hydrology study. A precise grading plan shall not be required if any of the following are met: 1- An excavation which does not exceed 50 CY on any one site and which is less than 2 ft in vertical depth, or which does not create a cut slope greater than 1 ½:1 (excluding foundation area). 2- A fill less than 1 foot in depth placed on natural grade with a slope flatter than 5:1, which does not exceed 50 CY on any one lot and does not obstruct a drainage course. 3- A fill less than 3 ft in depth, not intended to support structures, which does not exceed 50 CY on any one lot and does not obstruct a drainage course. Prior to issuing the Building permit, the rough grading certificate shall be submitted to the Building Division.
18. Submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans.
19. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus 2 percent. CRC 403.1.7.3 ii- Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet. CRC R401.3
- Fire 20. Comply with the requirements of the California Fire Code, including the reference standards, as adopted and amended by Costa Mesa Fire & Rescue.
21. NFPA 13D Sprinkler systems to be installed. Note for contractor awareness: NFPA 13D 11.2.3.1 Waterflow Devices - Where waterflow detection devices are installed, these devices, including the associated alarm circuits, shall be flow tested through the inspector's test connection and shall result in an audible alarm on the premises.
- Sani. 22. It is recommended that the developer contact the Costa Mesa Sanitary District at (949) 645-8400 for current district requirements.
- School 23. Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits.