



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: OCTOBER 28, 2024

ITEM NUMBER: PH-1

**SUBJECT: DESIGN REVIEW 23-0001 AND TENTATIVE PARCEL MAP 23-0002 FOR A RESIDENTIAL SMALL LOT SUBDIVISION TO CREATE TWO PARCELS EACH CONTAINING A NEW TWO-STORY DETACHED SINGLE-FAMILY RESIDENCE AND AN ATTACHED TWO-CAR GARAGE.**

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

**PRESENTATION BY: CHRISTOPHER ALDANA, ASSISTANT PLANNER**

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## **RECOMMENDATION:**

Staff recommends that 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) pursuant to CEQA Guidelines Section 15315 (Class 15) Minor Divisions of Land, and Section 15303 (Class 3) New Construction or Conversion of Small Structures; and
2. Approve Parcel Map PTPM-23-0002 (Parcel Map No. 2023-180) and Design Review PDES-23-0001 based on findings of fact and subject to conditions of approval.

## **APPLICANT OR AUTHORIZED AGENT:**

The applicant and authorized agent is Mehrzad Rafeei representing the property owner, Farshad Sha.

## PLANNING APPLICATION SUMMARY

Location:	146 Rochester Street	Application Numbers:	PDES-23-0001 and PTPM-23-0002 (PM 2023-180)
Request:	Parcel Map and Design Review for a residential small lot subdivision project consisting of two, two-story, detached single family dwelling units with attached two-car garages.		

### **SUBJECT PROPERTY:**

### **SURROUNDING PROPERTY:**

Zone:	R2-HD (Multiple-Family Residential District, High Density)	North:	R3 (Multiple-Family Residential District) improved with an apartment complex.
General Plan:	High Density Residential (HDR)	South:	R2-HD (Multiple-Family Residential District, High Density) improved with a duplex.
Lot Dimensions:	50 FT x 140.18 FT	East:	R2-HD (Multiple-Family Residential District, High Density) improved with two condominiums.
Lot Area:	7,004 sq. ft.	West:	R2-HD (Multiple-Family Residential District, High Density) improved with a single-family residence.
Existing Development:	Single-family dwelling having 894 square feet and a 361 square foot detached garage.		

## DEVELOPMENT STANDARDS COMPARISON

Development Standard	Small Lot Standards	Proposed/Provided
<b>Lot Size</b>		
Lot Width/Depth	No Standard	Parcel 1: 40-foot/80-foot Parcel 2: 50-foot /57-foot
Lot Area	No Standard	Parcel 1: 3,027 square feet Parcel 2: 3,967 square feet
<b>Density/Intensity</b>		
DUs Per Acre (Residential)	15 Lots or Less and 1 DU / 3,000 SF of Lot Area (14.52 DUA)	Total of two units (6.2 DUA)
<b>Building Height</b>		
	2 stories / 27 FT	2 stories / 26 FT 11 IN
<b>Open Space</b>		
Overall Open Space	35% of development area	2,495 SF (35.6%)
Private Open Space	200 SF / Min. 10 FT	Unit 1: Provides 200 Sq. Ft Unit 2: Provides 750 Sq. Ft
<b>Residential Design Guidelines</b>		
2 <sup>nd</sup> floor to 1 <sup>st</sup> floor ratio	Maximum 100%	Unit 1: 100% Unit 2: 92%
<b>Development Lot Building Setbacks</b>		
Front	20 FT	20 FT
Side (left (west) / right (east))	5 FT / 5 FT	Unit 1: 13 FT 3 IN/ 5 FT Unit 2: 5 FT / 5 FT
Rear	Main Buildings – 15 FT	Main Buildings – 15 FT
Distance Between Main Buildings	10 FT	13' – 1"

Parking			
Garage		2-car garage per unit	2-car garage/unit (4 spaces)
Open		2 spaces per unit	2 spaces/unit (4 spaces)
TOTAL:		8 spaces	8 spaces
CEQA Status	Exempt per CEQA Guidelines Section 15315 (Minor Division of Land) and Section 15303 (New Construction or Conversion of Small Structures)		
Final Action	Planning Commission		

**EXECUTIVE SUMMARY**

The applicant is requesting Planning Commission approval of a small two-lot residential subdivision project for the development of two new lots, each developed with a two-story, detached single-family residence and an attached two-car garage. The proposed subdivision would allow for individual ownership of the units. Staff supports the request because the proposed small lot subdivision project is consistent with applicable goals, objectives, and policies of the General Plan, complies with applicable provisions of the Zoning Ordinance and respective findings, and would be compatible with surrounding residentially zoned development.

**SETTING**

The project site is located on the north side of Rochester Street between Newport Boulevard and Orange Avenue, in eastside Costa Mesa. The project site is an interior lot located on a level, rectangularly shaped 7,004 square foot parcel.

The property has a General Plan Land Use designation of High Density Residential (HDR) and is zoned Multi-Family Residential District, High Density. The project site is surrounded by residential development that consists of condominiums, multi-tenant apartment complexes, duplexes, and single-family residences. Properties abutting the project site to the north are zoned Multi-Family Residential District (R3). The adjacent properties to the west and east are zoned Multi-Family Residential District, High Density (R2-HD). The properties to the south across Rochester Street are zoned Multi-Family Residential District, High Density (R2-HD).

**Exhibit 1 - Project Location**



## BACKGROUND

Current development on the property consists of an 894 sq. ft. single-family dwelling (SFD) that was constructed in approximately 1923 (as indicated by Orange County records). An approximate 50-foot-long driveway with access from Rochester Street abuts the north side of the residence and leads to a 361 square-foot single-car detached garage.

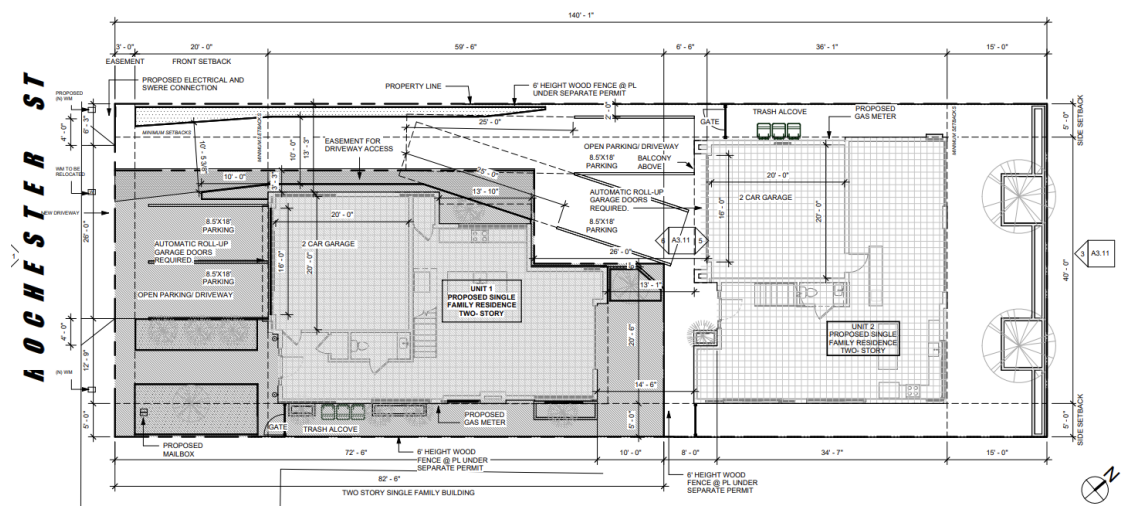
## EXHIBIT 2 - Existing Street View of 146 Rochester Street



## REQUEST

The applicant is requesting approval for a Small Lot Subdivision for the development of two-single family residences and attached garages. Small lot Subdivisions are allowed in the R2-HD zoning district pursuant to Costa Mesa Municipal Code (CMMC) Section 13-30 with the approval of a Parcel Map and Design Review applications.

## EXHIBIT 3 – Proposed Site Plan



## **ANALYSIS**

### ***Residential Small Lot Subdivision / Tentative Parcel Map***

Pursuant to CMMC Section 13-42.1, a residential small lot subdivision is allowed in multi-family residential districts and is intended to provide flexible development standards to promote a wider range of homeownership opportunities in the City. Pursuant to CMMC, small lot subdivisions shall be processed according to the City's "Design Review" and State "Parcel Map" procedures.

The CMMC requires that the maximum density of a small lot subdivision is the same as the underlying zoning district (R2-HD, Multiple-Family Residential District, High Density) and required development standards are specified pursuant to CMMC Section 13-42.3(b)(1-6). The R2-HD, Multiple-Family Residential District, High Density is intended to promote the development of multi-family rental as well as ownership dwelling units. The maximum density allowed is one unit for every 3,000 square feet of lot area, which equals 14.52 units per gross acre. A comparison of the Small Lot Subdivision standards and the proposed project is provided above in the "Development Standards Comparison" table. As indicated in this table, the project is designed in compliance with the City's standards.

The existing 7,004 square-foot property is rectangular shaped and is 140 feet deep by 50 feet wide. The Tentative Parcel Map application proposes the creation of two lots consisting of Parcel 1 (3,027 square feet) and Parcel 2 (3,976 square feet). Parcel 1 is proposed relatively rectangular shaped with 40 feet of street frontage on Rochester Street, and Parcel 2 is proposed to be located generally behind Parcel 1 with an approximate 10-foot-wide driveway access that also has frontage on Rochester Street. The City's Residential Small Lot Subdivision standards do not require a minimum lot size.

Pursuant to the Costa Mesa Municipal Code Section 13-29 (g)(13), to approve the Parcel Map the Planning Commission must find:

- *That the map is consistent with the general plan, applicable specific plan(s), and the Zoning Code;*
- *The proposed use intended for the subdivision is compatible with the general plan;*
- *That the property is physically suitable to accommodate the subdivision;*
- *That the design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities;*
- *That 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; and*

- *That 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.*

As indicated in the below “Findings” section of this report, the project complies with above findings to approve the Tentative Parcel Map. In addition, pursuant to the Subdivision Map Act, Government Code Section 66474, a parcel map must be denied if one or more findings are made:

1. *“That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451;*
2. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*
3. *That the site is not physically suitable for the type of development;*
4. *That the site is not physically suitable for the proposed density of development;*
5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;*
6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems; and*
7. *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.”*

Pursuant to the proposed subdivision design, none of the above findings for denial can be made or associated with the proposed project.

### ***Design Review***

The proposed development includes two new two-story single-family residences that are proposed to be approximately 2,400 square feet of living area each, with attached two car garages, and four bedrooms. The maximum height of the residences is proposed to be 26’ - 11”.

Pursuant to CMMC Section 13-42.2, a new residential small lot development project shall be processed according to the City’s Design Review procedures. The City’s Design Review application process ensures that the proposed development complies with the Costa Mesa Zoning Code and meets the intent of the *Residential Design Guidelines*. Table 1 below provides a summary of the residential development proposed on each Parcel.

**Table 1 - Unit Characteristics**

	1 <sup>st</sup> Floor Area (including Garage)	2 <sup>nd</sup> Floor Area	2 <sup>nd</sup> Floor/ 1 <sup>st</sup> Floor Ratio	Bedroom Count	Bathroom s (Full/Half)	Parking Spaces (Garage/ Open)	Lot Area
Unit 1 (Parcel 1)	1,767 SF	1,409 SF	0.79	4	3 Full / 1 Half	2/2	3,027.23 SF
Unit 2 (Parcel 2)	1,835 SF	1,407 SF	0.76	4	4 Full/ 1 Half	2/2	3,976.77 SF

To grant Design Review approval, the Planning Commission must find that the improvements:

- *Comply with the Zoning Code and meets the intent of the residential design guidelines;*
- *The visual prominence of a two-story house in a predominantly single-story neighborhood provides appropriate transitions between first and second floors and complies with second floor offsets; and*
- *Comply with maximum density standards pursuant to the General Plan and provides affordable housing to low or very-low-income households for affordable multi-family housing developments.*

As indicated in the below “Findings” section of this report, the project complies with all required findings to approve the requested Design Review application.

***Residential Design Guidelines***

As indicated in the above Design Review findings, small lot subdivisions are subject to the City’s *Residential Design Guidelines*. The proposed development meets the intent of the City’s *Residential Design Guidelines* as follows:

- **Second-Story Design and Building Mass:** Each proposed residence has been designed with articulation and off-sets on the various elevations to avoid boxy appearances. The elevations for the proposed development include multiple building planes and varied roof forms. The elevations also include varied facades and articulations with concrete and vertical wood siding.

- **Second-Story Setbacks:** According to the *Residential Design Guidelines*, "the second-story interior side building elevation should be set back an average of 10 feet but shall be no closer than five feet from the side property line". However, the *Guidelines* specify that only a five-foot second-story setback is required for units less than 2,700 square feet of living area. Both units are proposed less than 2,700 square feet and with five-foot secondary setback, and therefore are in compliance with the second-story setback requirements.
- **Elevation Treatments:** All units feature a variety of projections and include articulation on each wall, varying roof types and materials. Building materials include concrete and vertical wood siding and seam metal roofing.
- **Window Placement:** Consideration for design and privacy has been provided in locating the windows on the property. The applicant provided a "line of sight study" which demonstrates that first-story windows are located behind the proposed six-foot block wall. The block wall is proposed to be constructed on the property line between the neighboring properties, which would further eliminate privacy impacts for the existing neighboring properties. Second-story windows facing north, west and east are located without direct views into the neighboring properties.
- **Consistency in Architectural Design:** The proposed design includes modern farmhouse features with materials and finishes that remain durable and require minimal maintenance. In addition, each façade features a variety of overhangs, materials, and roof forms, which provides visual interest and façade articulation (see the below Exhibit 4).

#### **Exhibit 4 - Architectural Renderings**



The immediately surrounding neighborhood features a diverse collection of architectural styles including other residences with modern and eclectic influences, and residences with midcentury modern and traditional styles (see the below Exhibit 5).



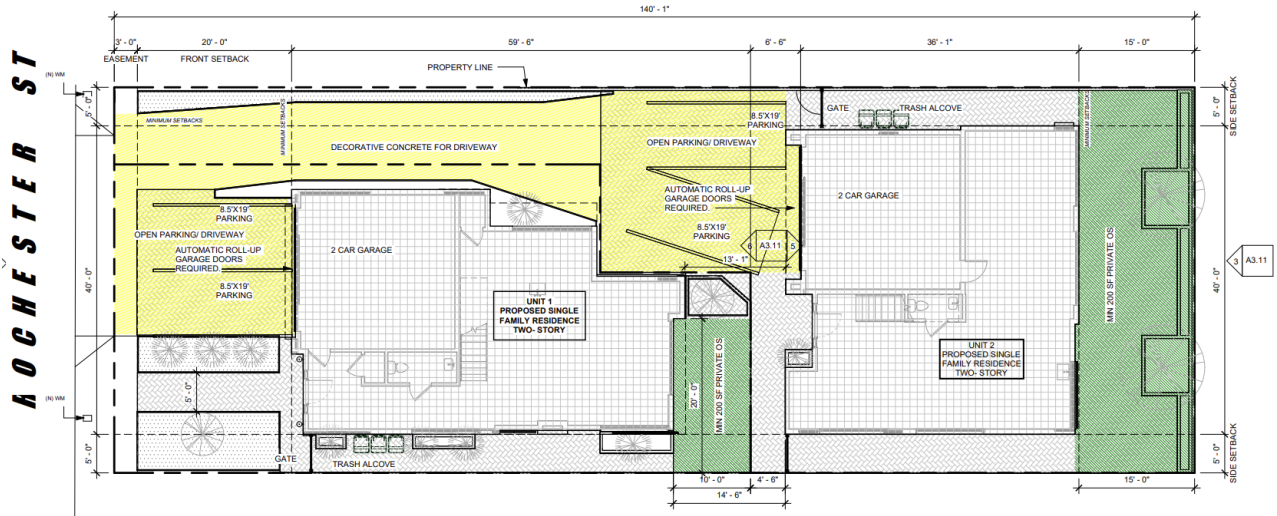
**Exhibit 5 – Neighboring Property Street View Examples**



**Open Space**

The CMMC requires that each unit be provided a minimum of 200 square feet of open space with no dimension being smaller than 10 feet. The units are proposed to be constructed to comply with the CMMC required private open space (see the below Exhibit 6). Unit 1 provides 200 square feet of private open space and Unit 2 provides 750 square feet of private open space. Pursuant to the CMMC, each unit will also provide adequate space outside for three trash containers without encroaching into the garage space and without being visible from the public right of way.

**Exhibit 6 - Open Space Plan**



**Parking and Circulation**

Pursuant to the City's Small Lot Subdivision Standards, each unit is proposed with four bedrooms and therefore requires two covered and two open parking spaces for each parcel (see the below Table 2). As required by the CMMC, the proposed open parking

spaces are located directly adjacent to the proposed garages and are surrounded by landscaped areas.

**Table 2 - Parking Requirements**

	Requirement	Proposed
Garage Parking Spaces	4 spaces (2 per unit)	4 spaces
Open Parking	4 spaces (2 per unit for 3 or more bedroom units)	4 spaces

The project proposes one 26-foot-wide vehicular ingress/egress (“driveway-apron”) that serves two driveways. Each proposed driveway provides access to a separate two-car garage and two open-parking spaces located on each parcel. Pursuant to the Residential Small Lot Subdivision standards, driveway width is required to be 10-foot minimum, except 16-foot when serving multiple dwelling units. The proposed project access design complies with the minimum 10-foot width requirement for each proposed driveway. Pursuant to CMMC Section 13.42.3(b)(3)(a), each parcel is provided adequate driveway and walkways that are connected to the existing public sidewalk. Both the City’s Fire Department and Public Works Department have reviewed the project access design for conformance with minimum safety and access criteria.

Lastly, the CMMC requires that all parking and driveways consist of decorative concrete, pavers, or other material subject to review by the Development Services Director. Condition of Approval (COA) No. 15 is included to ensure driveway material compliance, to be approved prior to issuance of a building permit.

***Fences and Walls***

Pursuant to CMMC Section 13-75, the project requires the installation of a six-foot tall masonry wall around the perimeter of the proposed development lot. The final design of the walls will be reviewed as part of the building permit submittal. Any future modifications to the site walls and fencing are subject to review and approval of the Planning Division and may require building permits to be issued prior to installation. The heights and locations of walls and fences shall comply with the CMMC requirements as well as applicable visibility standards for traffic safety.

***Landscaping and Lighting***

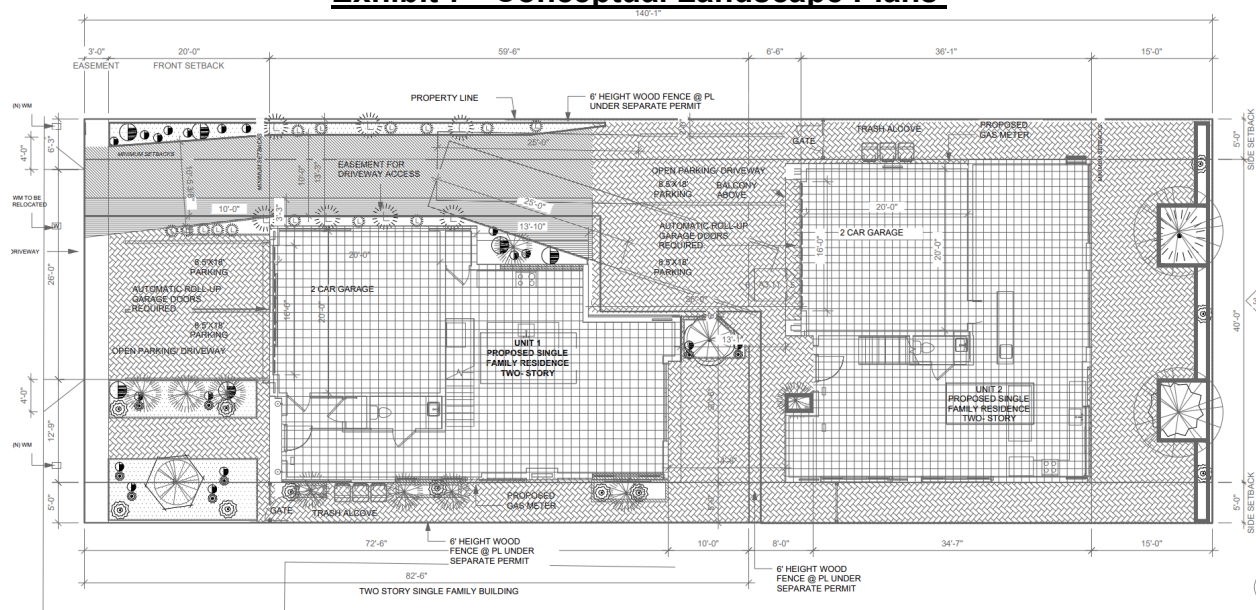
Per CMMC Section 13-106, all required landscape areas shall consist of drought tolerant plant material and shall meet the minimum number of plant types based on the total landscape square footage. The project proposes a total of 480 square feet of landscaping with a mixture of usable and decorative landscaping. The number of plants and trees required and proposed is provided in Table 3 below.

**Table 3 - Landscaping Requirements**

	Requirement	Proposed
<b>Tree Count</b>	2.4 (one, 15-gallon tree or larger per 200 square feet of landscape area)	4
<b>Shrub Count</b>	19.2 (one shrub for every 25 square feet of landscape area)	20
<b>Groundcover coverage</b>	70% with the remaining area to incorporate uncontaminated compost/mulch	70%

As part of the building permit plan check review, landscape plans will be prepared and certified by a California licensed landscape architect confirming compliance with the CMMC and water efficiency landscape guidelines (see Exhibits 7 which shows the proposed landscape plans for Parcels 1 and Parcel 2).

**Exhibit 7 - Conceptual Landscape Plans**



Lighting is also required to be provided in all parking areas, vehicular access areas, and on major walkways. The project is conditioned to have the applicant submit lighting plans with the building permit submittal.

**Utilities**

The CMMC requires that new construction provide undergrounding of all utilities on site, including existing utility poles. As required, all new and existing utilities will be installed underground. Conditions of approval require that any new backflow preventers or related equipment be installed outside of the front landscape setback and be screened from view from any location on- or off-site. As required by the CMMC, all utility meters shall be

screened from view from the public right of way and neighboring properties. Conditions of approval will require that prior to building permit approval, the applicant shall submit for approval of a comprehensive utilities plan to ensure that the water and sewer mains are adequate, and utility upgrades will be required if the existing infrastructure is not adequate. The plan will be reviewed by both the City's Building Division and Public Works Department.

## **GENERAL PLAN CONFORMANCE**

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

1. **Policy LU-1.3:** "Strongly encourage the development of residential uses and owner-occupied housing (single-family detached residences, condominiums, townhouses) where feasible to improve the balance between rental and ownership housing opportunities".

**Consistency:** The proposed project is in conformance with General Plan Policy LU-1.3 in that the proposed scope of work consists of demolishing a single-family dwelling and detached garage located on a multi-family zoned parcel (R2-HD) to construct two, two-story detached single-family dwelling units with attached garages, which will increase the City's housing stock and maximize the ownership opportunities and density of a residential property.

2. **Objective LU-2A:** "Promote land use patterns and development that contribute to community and neighborhood identity".

**Consistency:** The project site is encompassed by multi-family zoned parcels featuring various types of single and multi-family development. The proposed project complies with General Plan Objective LU-2A in that the proposed multi-unit development is consistent with the types of development within the surrounding neighborhood and contributes to architectural design that complies with the residential design standards in the neighborhood.

3. **Policy HOU-3.4:** "Consider the potential impact of new housing opportunities and their impacts on existing residential neighborhoods when reviewing development applications affecting residential properties".

**Consistency:** The project would not negatively affect surrounding residential properties as privacy impacts have been considered in the development of the project and the proposed development will generally improve neighborhood and streetscape aesthetics. The project would be located in an established residential neighborhood, would increase the total number of housing units by one and increase the total opportunities for individual housing ownership in the City.

## **FINDINGS**

Pursuant to Title 13, Section 13-29(g)(13) and (14), “Findings for Tentative Parcel Maps and Design Review”, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required findings:

### ***Tentative Parcel Map Findings – Costa Mesa Municipal Code Section 13-29(g)(13)***

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

The parcel map would allow for a new residential project that would not exceed the maximum allowable density of 14.52 units per acre and, therefore, would be consistent with the General Plan land use designation of Multiple-Family Residential District, High Density, and the R2-HD zone that allows for one unit per 3,000 square feet of lot area. The project design also complies with the applicable development standards for a residential small lot subdivision. The project would provide an additional housing unit consistent with satisfying the City’s required Regional Housing Needs Assessment (RHNA). The proposed parcel map is consistent with General Plan Land Use Objectives LU-1A and LU-2A, in that the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City, and the parcel map would allow for redevelopment of an existing parcel which would improve and maintain quality of the neighborhood by improved architecture, aesthetics, and landscaping.

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

The subject property has a General Plan land use designation of High Density Residential, which allows multi-family residential uses at a maximum of 14.52 dwelling units per acre. The Parcel Map proposes a residential use that does not exceed the maximum density allowed per the General Plan and therefore the proposed use is compatible with the General Plan. In addition, the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City, and the parcel map would allow for redevelopment of an existing parcel which would improve and maintain quality of the neighborhood by improved architecture, aesthetics, and landscaping, pursuant to General Plan Land Use Objectives LU-1A and LU-2A.

*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.*

The property is relatively flat in regards to topography, located within an established residential neighborhood, currently improved with residential development and suitable to accommodate two residential units. The size of the lot is also suitable since the proposed development meets all applicable development standards including, setbacks, parking, and open space. The parcel map proposes to subdivide a parcel into two lots that does not exceed the minimum R2-HD maximum density of one dwelling unit for 3,000 square-feet of lot area. Adequate infrastructure exists to serve the proposed project and the project will not result in the loss of any habitat, result in a negative impact on the environment as a whole or require extensive infrastructure improvements to provide service to the site.

*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.*

The project provides 35.6 percent open space for the overall development and each unit will have at least 200 square feet of private open space area. The open space will accommodate landscaping that can be provided throughout the site with adequate setbacks for airflow, and trees for site shading. The project is proposed to include operable windows and will be fully insulated as required by the building code.

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

The project has been reviewed by the Public Works Department and there are no conflicts with the City's or other utility agencies' rights-of-way or easements.

*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).*

The lot will be graded similar to existing conditions and currently has connections to the public sewer system for the existing onsite residential unit. The parcel map would allow for a residential project that would not include physical changes to the lot that would result in discharge into the public sewer system in violation of State requirements. Furthermore, the applicant will be required to comply with the regulations set forth by the Costa Mesa Sanitation District and Mesa Water District. Compliance with the Costa Mesa Sanitation District and Mesa Water District involves the implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities, which will specify the "best management practices" (BMPs) that the project will be required to implement during construction activities to ensure that all potential pollutants of concern (including sediment) are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property.

## **Design Review Findings – Costa Mesa Municipal Code Section 13-29(g)(14)**

The project complies with the City of Costa Mesa Zoning Code and meets the purpose and intent of the residential design guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. The design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.

The project proposes a maximum density of one dwelling unit per 3,000 square feet of lot area, which is consistent with the maximum allowable density for the R2-HD Zone and the Multiple-Family Residential District, High Density land use designation. The project complies with all other applicable Zoning Code standards including setbacks, parking, and open space. The project design incorporates elevations with varied roof forms, articulation of roof forms, and projections including eaves and overhangs to provide visual interest as viewed from the street. The exterior materials include a metal roof and a combination of primarily vertical sheet metal clad siding, vertical wood siding with cement plaster accents. The aesthetic of the homes include varying roof forms, wall planes, and exterior materials which allow it to avoid a boxy two-story design. Landscaping throughout the project meets code requirements and the project would introduce four new trees on-site. The project will not result in privacy impacts to the surrounding residences based on the proposed window fenestration patterns and the proposed setbacks from the neighboring properties.

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

The neighborhood includes a mixture of one and two-story residential properties consisting of apartments, duplexes, condos, and single-family residences. The abutting property to the west consists of a one-story residence and the abutting properties to the north and east consist of two-story residential development. The second-story design proposes a second-to-first floor ratio in compliance with the design guidelines with articulation on both roof forms and wall planes.

As applicable to affordable multi-family housing developments, the project complies with the maximum density standards allowed pursuant to the general plan and provides affordable housing to low or very low-income households, as defined by the California Department of Housing and Community Development. The project includes long-term affordability covenants in compliance with State law.

The application does not include an affordable multi-housing development component and therefore, the requirement to include an affordability covenant is not applicable to the project.

## **ENVIRONMENTAL DETERMINATION**

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 for the parcel map application, and Section 15303 (Class 3), New Construction or Conversion of Small Structures for the design review application.

Under Class 15, the division of property in urbanized areas is exempt from the provisions of CEQA if the subdivision: is zoned for residential use, is being subdivided into four or fewer parcels, conforms with the General Plan and Zoning Code, is accessible and serviceable by utilities, 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 aforementioned conditions as described under CEQA Section 15315 in that:

- The project is located within the City of Costa Mesa and is consistent with the R2-HD Zoning Designation and the High Density Residential General Plan Designation because it proposes lot areas and development in compliance with zoning requirements, and proposes a density below the allowed General Plan Land Use Density (14.52 units per acre);
- 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; and
- The parcel has been previously graded, is relatively flat and has an average slope less than 20 percent.

Under Class 3, a project is exempt from the provisions of CEQA if it includes the construction or conversion of less than three new single-family residences in an urbanized area. The proposed project meets this requirement in that it includes the replacement of an existing single-family residence with two new single-family residences in an urban area. Lastly, 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 environmental impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.

## **ALTERNATIVES**

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

Approve the project with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested



changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.

*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. However, because this project is subject to the Housing Accountability Act (Government Code Section 65589.5), if the Planning Commission denies or directs a reduction in the proposed density of the housing project, and the development is determined to be consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, the Planning Commission must make the following written findings:

- The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density; and
- There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density. (Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.)

## **LEGAL REVIEW**

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

## **PUBLIC NOTICE**

Pursuant to CMMC Section 13-29(d) three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site on October 16, 2024. The required notice radius is measured from the external boundaries of the property.
2. **On-site posting.** A public notice was posted on each street frontage of the project site on October 18, 2024.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on October 18, 2024.

As of the completion date of this report, no written public comments have been received. Any public comments received prior to the October 28, 2024, Planning Commission meeting will be provided separately.

## **CONCLUSION**

Staff supports the applicant's request to develop a Residential Small Lot Subdivision in that the proposed development is consistent with the City's R2-HD zoning designation which emphasizes the development of multi-family ownership dwelling units, and the General Plan which strongly encourages homeownership opportunities to improve the balance between rental and ownership housing in the City. In addition, the proposed development is in compliance with the City's Subdivision and Development Review standards and complies with the City's Residential Design Guidelines. Lastly, the State's Housing Accountability Act (Government Code Section 65589.5) applies to this project and generally requires that cities approve housing projects that are consistent with the General Plan and zoning, unless the City can make specific State mandated findings for denial (further discussed in the "Alternatives" section of this report).