

RESOLUTION NO. PC-2025-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA, CALIFORNIA APPROVING A
CONDITIONAL USE PERMIT PCUP-25-0018 TO OPERATE A
DOG DAYCARE FACILITY (“THE BONE ADVENTURE”) AT
1619 SUPERIOR AVENUE**

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

WHEREAS, Planning Application PCUP-25-0018 was filed by Diane Cuniff, authorized agent for the property owner, Clay Stevens, requesting approval of a Conditional Use Permit for a new dog daycare with outdoor play area at 1619 Superior Avenue in the General Industrial (MG) zone for The Bone Adventure;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 27, 2025, with all persons having the opportunity to speak for and against the proposal; and

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 15301 (Class 1, for Existing Facilities).

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-25-0018 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-25-0018 and upon applicant’s compliance with each and all of the conditions in Exhibit B, and compliance of all applicable federal, state, and local laws. Any approval granted by this Resolution shall be subject to review, modification, or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

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

PASSED AND ADOPTED this 27th day of October, 2025.

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-2025-13 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on October 27, 2025 by the following votes:

AYES:
NOES:

ABSENT:

ABSTAIN:

Carrie Tai, Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

- A. Pursuant to Title 13, Section 13-29(g), Findings, of the CMMC, 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 Conditional Use Permit findings:

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 proposed new use is substantially compatible with the surrounding developments and would not be materially detrimental to nearby properties in that the surrounding area is a mix of industrial uses, and no sensitive uses are located adjacent to the project site. Potential noise concerns would be minimized through conditions of approval on outdoor play hours and the fact that no overnight kenneling would occur at the new location. Conditions of approval have been implemented to limit outdoor play to between 8:00 a.m. to 7:00 p.m. The play area is also conditioned to require immediate and proper disposal of all waste and ongoing site maintenance.

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: Granting approval of the proposed dog day care use would not be detrimental to the health, safety, or general welfare of the public, nor would it be injurious to property or improvements within the immediate neighborhood in that all business activities would primarily occur within the building, and an outdoor area located to the rear of the property that would be fully fenced to ensure that dogs remain contained on site. Potential noise from outdoor operations would be mitigated through limited hours of use, and the applicant would be required to maintain the property in a clean condition to prevent odor impacts.

Conditions of approval have been included to restrict use of the outdoor play area to the hours of 8:00 a.m. to 7:00 p.m. and to require consistent trash collection. In addition, prior to commencing operations, all proposed tenant improvements would be reviewed by the City's Building and Fire Departments to ensure compliance with safety standards, appropriate occupancy, and adequate ingress and egress.

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

Facts in Support of Finding: The proposed use would be compatible with the existing uses in the industrial zone and would meet the intent of the General Plan's Light Industrial land use designation, which allows certain commercial uses that are determined to be complementary to the industrial area. The project is consistent with the Light Industrial designation and complies with the applicable development standards of the Zoning Code, as it represents a commercial use that serves both local and regional needs while continuing to provide a community service. Furthermore, the project is consistent with General Plan Land Use Policies LU-6.1 and LU-6.7, as previously described.

- B. **Environmental Determination.** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Permitting and/or Minor Alteration of Existing Facilities. The site is located in an urbanized area that is fully developed and does not contain any sensitive species or habitat including nearby water bodies. This project site contains existing buildings, and the application does not include any new construction that would adversely affect native plants or species. The project would result in limited interior improvements to adequately address operation and safety concerns. The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with 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 apply. 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.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. Approval of Planning Application PCUP-25-0018 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 PCUP-25-0018 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 3. Hours of operation open to the public shall be limited to Monday through Sunday 6:30 a.m. to 8:00 p.m.
 4. All uses shall be conducted underroof, with the exception of the designated outdoor play area per the approved site plan. All waste will be immediately and properly disposed of, and the area shall be maintained to prevent nuisance odors and negative impacts to adjacent properties and pedestrians.
 5. Outdoor yard use within the designated outdoor play area per the approved site plan shall be limited from 8:00 a.m. to 7:00 p.m. Dogs at all times will be supervised by facility staff.
 6. The operator shall maintain free of litter all areas of the premises under which the applicant has control.
 7. The facility shall operate, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood.
 8. The number of dogs shall be limited to a maximum of 51 dogs.

9. A complete landscape plan that conforms to CMMC Chapter 7 Landscape Standards shall be submitted to the Planning Division prior to the issuance of any permits for site improvements.
10. The use of outdoor loudspeakers, amplified sound systems, or similar noise-producing devices shall be prohibited within the outdoor play area. All activities shall be conducted in a manner that minimizes noise impacts to surrounding properties.
11. Kenneling shall not take place at this location at any time.
12. Veterinary services are limited to an on-call basis. On-site staff will be limited to administering of medicines.
13. Outdoor area shall be limited to the outdoor play area located at the rear of the property, as shown on the site plan.
14. All outdoor activities of the dogs shall be supervised by staff. With a minimum of 1 staff per 15 dogs.
15. All proposed improvements (Painting of the building, installation of landscaping and new fencing), shall be completed prior to the initiation of the business.
16. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the initiation of the business. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
17. If the applicant loses their lease on the property to the north at 1629 Superior Avenue, all site improvements that were installed to allow access between the two properties shall be restored to their previous condition (e.g., fencing, curbs, or other improvements). The business shall be able to operate independently on the subject site.
18. Applicants shall post signs instructing dog owners to keep dogs on leash until they are well inside the building. No dogs shall be allowed off-leash in the parking or driveway areas.
19. Owner shall install easily cleanable surfaces on interior and exterior play and rest areas. These areas shall be maintained in a sanitary condition by mopping or similar means.
20. Applicant shall employ all necessary means, including but not limited to double doors, double gate systems, to prevent dogs from escaping the facility.

21. Applicant shall ensure that waste and contaminated runoff do not reach the public right of way and storm drain system.
22. Applicant shall monitor outdoor areas, including driveway and parking areas, and clean up as necessary to prevent odors and other nuisances.
23. All exterior doors shall be maintained in the closed position during the daytime and nighttime hours.
24. All exterior facing doors shall feature drop down compression seals and perimeter seals to minimize noise transfer.
25. Trash pick-up shall be scheduled as frequently as necessary to prevent odors from becoming a nuisance to surrounding properties and tenants.
26. If odors are detected off-site or by neighboring properties, the operator shall take immediate corrective action to eliminate the source of the odor to the satisfaction of the Economic and Development Services Director or their designee. Should odor issues persist or become prevalent, the number of dogs permitted in the outdoor play areas shall be reduced to 25, until the odor issue has been resolved and verified by City staff.
27. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The operator shall institute whatever security and operational measures, including sound attenuation, are necessary to comply with this requirement.
28. 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. Modifications are subject to the final review authority determined by the Economic and Development Services Director or his/her designee.
29. The project shall be limited to the type of operation/building as described in this staff report and in the attached plans. Any change in the use, size, or design shall require review by the Planning Division and may require an amendment to the Conditional Use Permit.
30. 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.

31. 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.
32. No signage shall be installed until a sign permit is issued by the City's Development Services Department.
- Trans 33. Fulfill mitigation of off-site traffic impacts at the time of issuance of building permits by submitting to the Transportation Division the required Traffic Impact Fee pursuant to the prevailing schedule of charges adopted by the City Council. The Traffic Impact Fee is calculated based upon the average daily trip generation rate of 34.70 trip ends per TSF for the proposed project. It includes a credit for any previously existing use. At the current rate, the Traffic Impact Fee is estimated at \$ 3,648.00. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building permits based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.
34. The vehicle gate must remain open during business hours. Approved business hours are 6:30 AM to 8:00 PM.
- Eng 35. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk.
36. Submit required cash deposit or surety bond to guarantee construction of offsite improvements at time of permit per Section 15-32, C.C.M.M.C. and as approved by City Engineer. Cash deposit or surety bond amount to be determined by City Engineer.
37. Provide a secondary containment and cover for all aboveground storage containers to prevent, reduce, or eliminate the discharge of pollutants.

38. 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.
39. At the time of development submit for approval an Offsite Plan to the Engineering Division that shows parkway improvements prepared by a registered Civil Engineer or Architect. Construction Access approval must be obtained prior to Building or Engineering Permits being issued by the City of Costa Mesa. Pay Offsite Plan Check fee per Section 13-231 of the C.C.M.M.C.

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.

- Plng.
- 1. Once the use is legally established, the planning application herein approved shall be valid until revoked. The Development Services Director or his/her designee may refer the planning application to the Planning Commission for modification or revocation at any time if, in his/her opinion, any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.
 - 2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
 - 3. All noise-generating construction activities shall be limited to 8 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.

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| Bldg. | <ol style="list-style-type: none">4. Comply with the requirements of the most recent adopted, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, California Existing Building Code, California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa at the time of plan submittal or permit issuance.
Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with Chapter 11B of the California Building Code.
A change of occupancy shall require compliance with the Disabled access requirements of chapter 11B of the California Building Code.5. 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.6. If required, provide a plan to the County of Orange Health Dept. for review and approval. |
| Water | <ol style="list-style-type: none">7. Project will require a Plan Check and permit from Mesa Water District. Applicant is reminded that additional conditions of development may be imposed by Mesa Consolidated Water District (949) 631-1200 and/or other serving utilities. Subject to approval by the board of directors, Mesa Consolidated Water District may require payment of a developer impact fee prior to installation of water service or construction of required master plan facilities.
Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District. |
| Bus.
Lic. | <ol style="list-style-type: none">8. 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.9. A Business license shall be obtained prior to the initiation of the business. |