

RESOLUTION NO. PC-2025-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA, CALIFORNIA APPROVING
PLANNING APPLICATION PCUP-25-0007 FOR A
CONDITIONAL USE PERMIT TO OPERATE AN ANIMAL
KENNELING FACILITY WITH ANCILLARY VETERINARY
SERVICES (“PRICELESS PETS”) AT 126 EAST 16TH STREET**

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

WHEREAS, Planning Application PCUP-25-0007 was filed by Ryan Oldham, authorized agent for the property owner, 126 Properties LLC, requesting approval of a Conditional Use Permit for a new animal kenneling facility with ancillary veterinary services at 126 East 16th Street in the General Industrial (MG) zone for Priceless Pets;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 28, 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-25-0007 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-25-0007 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 28th day of July, 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- was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on July 28, 2025 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

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 existing industrial building was previously occupied by an auto repair shop and is proposed to be converted into an animal kenneling facility with ancillary veterinary services. Although the proposed use is located across the street from an existing mobile home park, the proposal would not generate adverse noise, traffic or parking impacts that are unusual for industrially zoned properties. Potential noise from the outdoor operations would be mitigated by limiting the number of animals outside to two maximum and these animals would always be under facility staff supervision. Conditions of approval have been implemented to limit the outdoor play area to be allowed only during the hours of operation between 10 a.m. to 6 p.m. and no more than two animals at a time. The play area has also been conditioned to require all waste to be immediately and properly disposed of and shall be maintained.

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 the approval of the animal kenneling use would not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood as all business activities would primarily be conducted within the building. Potential noise from the outdoor operations would be mitigated by limiting the number of animals outside to two maximum at any time. Further, the applicant would maintain the outdoor play area by disposing animal waste utilizing wet vacuuming and using a chemical cleaner. Conditions of approval have been implemented to limit the outdoor play area to be allowed only during the hours of operation between 10 a.m. to 6 p.m. Lastly, prior to operations, the proposed tenant improvements would be reviewed by the City's Building and Fire Departments to ensure safety, suitable occupancy and the necessary occupant 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 use would be compatible with the existing uses in the industrial complex and meets the intent of the General Plan's Light Industrial land use designation in that certain commercial uses may be allowed, provided that the commercial use is determined to be complementary to the industrial area. The proposed use is consistent with the General Plan's Light Industrial land use designation intended land uses and complies with the applicable development standards of the Zoning Code as the proposal is a commercial use that serves both local and regional needs and would continue to provide a community service. The proposed amendment would not increase the size of the existing industrial building and would not increase traffic volume to the site beyond that typical for an industrial use. Furthermore, the proposed project is consistent with General Plan Land Use Policies LU-1.1, LU-3.1 and LU-6.1 as indicated previously.

- 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

- PIng.
1. Approval of Planning Application PCUP-25-0007 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-25-0007 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 Tuesday through Sunday 10 a.m. to 6 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 10 a.m. to 6 p.m. Animals at all times will be supervised by facility staff with a maximum of two animals located outside at any time during the hours of operation of the outdoor yard use.
 6. The operator shall maintain free of litter all areas of the premises under which the applicant has control.
 7. All building walls shall be installed with soundproofing to ensure that any noise generated from the use is contained within the building.
 8. 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 are necessary to comply with this requirement.
 9. 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.

10. 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.
11. 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.
12. 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.
13. No signage shall be installed until a sign permit is issued by the City's Development Services Department.

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 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.

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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. Business license shall be obtained prior to the initiation of the business. |