

RESOLUTION NO. 2023-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING PLANNING APPLICATION 23-02 FOR A CONDITIONAL USE PERMIT TO ALLOW LIVE ENTERTAINMENT WITHIN 200 FEET OF RESIDENTIALLY ZONED PROPERTY; MAJOR AMENDMENT TO A MASTER PLAN PA-23-03 (PA-98-50 A3) FOR A REDUCTION OF REQUIRED PARKING AND TO MODIFY OPERATIONAL CHARACTERISTICS; ZONING APPLICATION ZA-23-01 MINOR CONDITIONAL USE PERMIT TO ALLOW OUTDOOR PATIO DINING; AND A PUBLIC CONVENIENCE OR NECESSITY DETERMINATION FOR ALCOHOL BEVERAGE CONTROL LICENSE TYPE 21 AND 47 FOR THE NORTHGATE MARKET LOCATED AT 2300 HARBOR BOULEVARD (UNIT C)

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY FINDS AND DECLARES AS FOLLOWS:

WHEREAS, Planning Application 23-02; PA-23-03, ZA-23-01 and a request for a finding or public convenience or necessity (PCN) was filed by Le Architecture (representing Northgate Market), authorized agent for the property owner, ICI Development Company requesting approval of the following:

A Conditional Use Permit to allow live entertainment in establishments where food or beverages are served within 200 feet of residentially zoned property, a Major Amendment to a Master Plan for a reduction of required off-street parking and to modify operational characteristics, a Zoning Application for a Minor Conditional Use Permit to allow outdoor patio dining, and a Public Convenience or Necessity determination for alcohol beverage control license Type 21 and Type 47.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 8, 2023 with all persons having the opportunity to speak for and against the proposal, and the project was approved by the Planning Commission on a 5-0 vote;

WHEREAS, on May 15, 2023 Mayor Stephens filed a request for the City Council review of the Planning Commission's decision;

WHEREAS, a duly noticed public hearing was held by the City Council on July 18, 2023 with all persons having the opportunity to speak for and against the call for review;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of CEQA per CEQA Guidelines Section 15301 (Class 1), for Existing Facilities and Section 15303 (Class 3), New Construction or Conversion of Small Structures.

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgment of the City of Costa Mesa.

WHEREAS, the City Council has considered all public comments which have been received either in writing or at the public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES as follows:

BE IT RESOLVED that 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 City Council hereby approves Planning Application 23-02; PA-23-03, ZA-23-01 and a request for a finding of public convenience or necessity (PCN) with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa City Council 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 23-02; PA-23-03, ZA-23-01 and a request for a finding of public convenience or necessity (PCN) and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance with 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 18th day of July 2023.

John Stephens, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Kimberly Hall Barlow, City Attorney

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

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2023-XX and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 18th day of July 2023, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 19th day of July 2023.

BRENDA GREEN, CITY CLERK

EXHIBIT A

FINDINGS

A. *Proposed Master Plan Amendments Findings*

The proposed project complies with the applicable Costa Mesa Municipal Code Section 13-29 (g) (5) Master Plan in that:

Finding: *The master plan meets the broader goals of the general plan, any applicable specific plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.*

Facts in Support of Finding: The proposed Master Plan amendment is compliant with the City's applicable General Plan and the Zoning Code provisions. In addition, the new supermarket is similar to the previous use that occupied the space, and will enhance the integrity of the neighboring development based on façade upgrades and the added unique experiential amenities. Additionally and based on an engineered shared parking analysis for the shopping center, a surplus of on-site parking is available.

B. *Conditional Use Permit Findings*

The proposed project complies with the applicable Costa Mesa Municipal Code Section 13-29(g)(2) Conditional Use Permit in that:

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 Finding: The proposed project includes a request for a conditional use permit to establish live entertainment as part of an eating establishment within a supermarket, as required pursuant to CMMC 13-47. As conditioned, the live entertainment would be compatible with developments in the same general area and would not be materially detrimental to other properties. The proposed 149-square-foot stage would be located within the approximate 69,000-square-foot building. The proposed stage would be activated occasionally and is subordinate to the primary market, and as conditioned, would not be incompatible with adjacent residential uses. The provision of live entertainment would be subject to the issuance and renewal of an annual live entertainment permit.

Finding: *Granting the conditional use permit or minor 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: Although the project site is located within 200 feet of residentially zoned property, the proposed live entertainment stage would be located indoors and as conditioned shall comply with the City's noise ordinance. Furthermore, the existing block wall located between the shopping center and the residential-zoned uses to the east would remain and would continue to serve as a noise buffer. A condition has also been included to limit the live entertainment to indoors only within the designated stage area. All activities, with the exception of the outdoor patio dining would be conducted underroof and inside the tenant suite. Lastly, conditions of approval have been included to ensure the use (including the live entertainment) operates in a manner that would allow the quiet enjoyment of the surrounding neighborhood.

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

Facts in Support of Finding: A grocery market with outdoor dining is a commercial use consistent with the General Commercial land use designation of the General Plan and the proposed live entertainment would not increase density or intensity. General Commercial uses are intended to provide a wide range of goods and services to meet the needs of residents as well as the regional neighborhoods.

C. **Minor Conditional Use Permit Findings**

The proposed project complies with the applicable Costa Mesa Municipal Code Section 13-29(g)(2) Minor Conditional Use Permit in that:

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 Finding: The proposed project includes a minor conditional use permit request for outdoor dining. The outdoor patio dining area is located within an existing multi-tenant commercial center and is compatible with the general area. As conditioned, the outdoor dining will operate with minimal impact on surrounding properties and uses in that an adequate amount off-street parking will be provided on the project site and would be shared amongst all tenants of the "Harbor Center". Conditions of approval, based on expert recommendations are also included to monitor/attenuate potential noise and parking impacts. Therefore, the proposed use will not be materially detrimental to the surrounding area.

Finding: Granting the minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Finding: The proposed outdoor patio dining area improvements will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. The proposed use, as conditioned, would not generate adverse noise, traffic, or parking impacts that are unusual for commercially zoned properties. Only low-level noise is permitted in the patio areas and will be consistent with the local ambient traffic noise.

Finding: Granting the minor 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 outdoor patio dining, as conditioned, is consistent with the intent of the City's Zoning Code and General Plan "General Commercial" land use designation for the property. Additionally and based on an engineered shared parking analysis for the shopping center, a surplus of on-site parking is available.

D. **Finding of Public Convenience or Necessity (PCN)**

Pursuant to Section 23958.4 of the Business and Professions Code (BPC), the governing body of a local jurisdiction has the authority to determine PCN findings.

The Public Convenience or Necessity can be determined because the operation of the supermarket would be consistent with the requirements of the Zoning Code and the General Plan. Further, the Police Department has reviewed the request and has no objections. Additionally, the licenses provide a convenience to customers without impacting the surrounding uses. Lastly, similar alcohol licenses were previously approved under the prior tenant with no neighborhood or surrounding commercial use impacts.

- E. The project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 (Class 1) for the permitting and/or minor alteration of Existing Facilities and Section 15303 (Class 3), New Construction and Conversions of Small Structures. This project will occupy an existing building and proposes minor exterior modifications including adding outdoor dining areas. No increase in building square footage is proposed, and the site is considered previously disturbed and without environmental resources. 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 applies. Specifically, the project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact historic resources.

- F. 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

- PIng.
1. The use shall be limited to the type of operation described in the staff report, subject to conditions. Any change in the operational characteristics including, but not limited to, hours of operation, shall be subject to Planning Division review and may require an amendment to the use permits, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
 2. Approval of the planning/zoning applications are 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; or 3) the use has been established and a business license 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.
 3. The applicant, the property owner and the operator (collectively referred to as "indemnitors") shall each jointly and severally defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the indemnitors' joint and several obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section.

4. The hours of operation of the market and in-store dining shall be limited to Monday – Sunday 6 AM to 11 PM. Any minor adjustments in these hours of operation that meet the intent of this condition may be granted with written approval of the Director of Development Services.
5. The hours of operation of the outdoor patio areas shall be limited to Monday – Sunday 11AM to 11PM with last call for food and beverages at 10:30PM.
6. The south patio shall be designed with an eight-foot tall acoustic block wall/glass enclosure to attenuate noise. The east portion of the enclosure is to be constructed of solid acoustic block wall and an emergency exit. The south portion of the enclosure, facing Wilson Street will have a hybrid design which would consist of four-foot tall block wall with an additional four-foot double pane glass barrier. The west portion of the enclosure is to be constructed of acoustic block wall with mass loading vinyl attached to the interior.
7. At least 35% of the interior of the southern patio enclosure must have acoustic absorption or padding such as mass loading vinyl, placed at random areas of the interior wall in order to absorb interior reflections and yield a better listening/talking environment.
8. In the event that the southern outdoor patio, along Wilson Street is removed, the area must be retrofitted and restriped to allow for the 16 parking spaces.
9. Hours of operation for all outdoor activity to the east and north of the buildings (including use of loading docks, deliveries, loading and unloading of trucks, movement of all product from outside to inside the building, trucks driving to the back of the site, and forklift operations) shall be limited to 7 a.m. to 8 p.m., Monday through Friday and 8 a.m. to 5 p.m., Saturday, Sunday, and holidays, as conditioned within the original Master Plan.
10. All outdoor patios must be maintained as open-air patios and may not be fully enclosed and incorporated into the building as an addition and thereby increase the buildings existing floor area ratio.
11. Any patio doors or emergency exits must be acoustically well sealed.
12. Patio areas must have their own sound monitoring equipment with at least two devices calibrated to the maximum allowed level. Sound measurement conducted by a professional sound monitor must be made upon completion of the southern outdoor patio construction. One device must be installed near the patio sound source and one must be installed near the existing eastern wall nearest to the residential homes.
13. Live entertainment, dancing, sale of alcoholic beverage, and food and beverage sales after 11PM are prohibited.
14. Live entertainment and dancing is limited to professional performances and demonstrations within the designated 149-square-foot stage. Live entertainment must be conducted underroof. No dancing or live music/entertainment is permitted in outdoor patio areas.
15. Wine, beer and other distilled spirits sold under the Type 21 ABC license shall be sold in factory manufactured packages for retail sales. Factory multiple-packed bottles or cans shall not be unpackaged to be sold

individually. This restriction is not intended to prohibit the sale of beverages in a single container packaged by the manufacturer for individual sale.

16. The Alcohol Beverage Control Type 47 license (restaurants) authorizes the sale of beer, wine and distilled spirits for consumption on the licensed premise and must operate and maintain the licensed premises as a bona fide eating place. Food and beverage may only be consumed in designated areas shown on floor plan as inside and outside dining. The kiosks that sale ready-to-eat foods and the bar work in concert with one another and patrons are permitted to purchase food from a kiosk and alcohol from the bar and enjoy them together either in one of the desingated dining areas in-doors or outdoors.
17. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. Subject to the approval of the Development Services Departmnet, the business shall institue whatever security and noise measures that are necessary to comply with this requirement.
18. Music in all outdoor patio areas is limited to low-volume, pre-recorded ambient music played from a speaker and monitored with a noise meter by trained staff. The music shall not be audible off-site.
19. Murals must be reviewed by the City of Costa Mesa Arts Commission prior to installation.
20. A written shopping cart containment system and plan in compliance with CMMC 15-16, shall be sumbitted to the chief of code enforcement for review and approval setting forth the physical measures it plans to implement ot comply with the requirements of this article. No business license shall be issued or renewed for any retail establishment, until it has a containment plan which has been approved by the city.
21. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time. Occupant loads for the open patio area and the enclosed building area shall be calculated and posted separately.
22. There shall be no room or designated area reserved for the exclusive use of designated persons or "private club members."
23. The applicant shall maintain areas that are under the applicant's control and ensure areas are well maintained and free of litter and any graffiti on site.
24. No alcoholic beverage shall be displayed or offered for sale outside the building.
25. Exterior signage/advertisements promoting or indicating the availability of alcoholic beverages shall be prohibited. Interior signage/advertisements promoting or indicating the availability of alcoholic beverages which are visible from the exterior of the building shall be prohibited.
26. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food and meals during the same time period. The applicant

shall at all times maintain records which reflect separately the gross sales of food and gross sales of alcoholic beverages of the business. The records shall be kept no less frequently than on a quarterly basis and shall be made available to the Director of Economic & Development Services or designee on demand.

27. The business operator shall post signs inside and outside the premises in compliance with the City of Costa Mesa Municipal Code notifying the public with regard to the prohibition of open containers of alcoholic beverages without food and outside of designated dining areas.
28. The business operator shall post signs inside and outside the premises prohibiting loitering.
29. As applicable, special events shall be reviewed/approved pursuant to CMMC 9-205 et seq.
30. The live entertainment shall at all times be conducted within the building and shall not be audible off-site.
31. Music or other entertainment shall not be audible beyond the area under the control of the licensee and/or permittee.
32. The outdoor storage of boxes, equipment materials, merchandise, and other similar items shall be prohibited.
33. A copy of the conditions of approval for all Northgate planning applications shall be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
34. 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.
35. Any change in the operational characteristics of the use shall be subject to Planning Division review and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change.
36. All exterior lighting shall be shielded and/or directed away from residential areas.
37. Trash facilities shall be screened from view and designed and located appropriately to minimize potential noise and odor impacts to adjacent residential areas (behind fences).
38. Any wall, gate, or barrier proposed for the outdoor patio dining shall comply with CMMC and Building Code, and the project acoustical report.
39. Applicant shall install appropriate security lighting, and monitor areas under which applicant has control, to prevent trash, graffiti and littering. Any lighting under the control of applicant shall be directed in such a manner so as not to unreasonably interfere with the quiet enjoyment of nearby residences. The applicant shall further provide adequate lighting above the entrance to the premises sufficient in intensity to make visible the identity and actions of all persons entering and leaving the premises.

- 40. The conditional use permit herein approved shall be valid until revoked. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or it, in the opinion of the development services director or his/her designee, any of the findings upon which the approval was based are no longer applicable.
- 41. The project shall be limited to the type of 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 applicable entitlement.
- 42. Once the use is legally established, the planning/zoning application herein approved shall be valid until revoked. The Director of Economic & Development Services or designee may refer the planning/zoning application to the Planning Commission for modification or revocation at any time if 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.
- P.C. Mod. 43. Public Address (PA) systems are prohibited in any outdoor patio area. Operations must comply with the security plan provided to the police department for review. All doors, except for the main entrance to the grocery store must remain closed while live entertainment is conducted within the market. All emergency doors are to remain closed at all times and only used during emergencies.
- P.C. New 44. There shall be no TVs on the outside patio along Wilson Street.
- P.C. New 45. Noise monitoring data shall be kept digitally, and stored for six months and available to the City upon request.
- P.C. New 46. All music and entertainment (amplified and non-amplified) shall cease Friday and Saturday at or before 10PM and Sunday through Thursday at or before 9PM.
- 47. The above conditions of approval are specific to Northgate Market and do not supersede or replace the conditions of approval for the existing Harbor Center Master Plan. The above conditions are in addition to all other previous entitlement conditions associated with this property.

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. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance and the existing Harbor Center Sign Program.

2. The conditions of approval and ordinance or code provisions of Planning Application PA-23-02, PA-23-03 (PA-98-50 A3), ZA-23-0, and PCN shall be blueprinted on the face of the site plan as part of the plan check submittal package when building permits are necessary.
3. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time.
4. The project is subject to compliance with all applicable Federal, State, and local laws. A copy of the applicable Costa Mesa Municipal Code requirements has been forwarded to the Applicant and, where applicable, the Authorized Agent, for reference.
5. 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.
6. Street addresses shall be visible from the public street and may be displayed either on the front door, on the fascia adjacent to the main entrance, or on another prominent location. When the property has alley access, address numerals shall be displayed in a prominent location visible from the alley. Numerals shall be a minimum six (6) inches in height with not less than one-half-inch stroke and shall contrast sharply with the background.
7. All requirements of the California Alcoholic Beverage Control Board (ABC) shall be complied with.
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.
- Water Bldg. 9. Mesa Water District Plan Check Required.
10. Prior to issuing the Building permit the conditions of approval shall be on the approved Architectural plans.
11. Comply with the requirements of the adopted, 2019 California Building Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Green Building Standards Code and 2019 California Energy Code (or the applicable adopted, California Building code California Electrical code, California Mechanical code California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Requirements for accessibility to sites, facilities, building and elements by individuals with disability shall comply with Chapter 11B of the 2019 California Building Code.
12. Prior to the Building Division issuing a demolition permit. contact South Coast Air Quality Management District (AQMD) 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=23381>. The Building Division will not issue a demolition permit until an Identification Number is provided by AQMD.

13. A change of occupancy shall meet all the requirements of the adopted California Building codes that are relevant to the new occupancy. All added square foot area/s shall be justified with Allowable Area Analysis based on the occupancies and the Type of Construction of the existing building structure.
14. Provide a plan to the County of Orange Health Dept. for review and approval.
15. Where two exits are required to exit from the building, they shall be placed a distance apart equal to not less than one-third of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between them, for building equipped throughout the building with fire sprinkler system. [CBC 1007.1.1]
16. The minimum number of plumbing fixtures shall comply with CPC Table 422.1.
17. All public facilities and employee circulation path shall be accessible. [CBC Ch. 11]
18. All Tenant Improvements within the Market shall be checked and/or prepared under the supervision of the Architect of record prior to submittal to the City of Costa Mesa
19. 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.
- Fire 20. Comply with the requirements of the California Fire Code and referenced standards as amended by the City of Costa mesa.
- Bus. 21. All contractors and subcontractors must have valid business licenses to do Lic. 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.
- Ent. 22. Pursuant to CMMC Section 9-199 (1), the applicant shall obtain a live Lic. entertainment permit annually.