RESOLUTION NO. PC-2023-29

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL GIVE FIRST READING TO AN ORDINANCE TO AMEND TITLE 13 (PLANNING, ZONING, AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE TO MODIFY THE CITY'S OUTDOOR DINING PROVISIONS

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

WHEREAS, in response to the COVID-19 pandemic, the City Council adopted Urgency Ordinance No. 2020-15 and further extended the provisions by Ordinance No. 2022-08, temporarily suspending the permit requirements and development standards for outdoor activities and parking contained in the zoning code applicable to dining patios, places of religious assembly, and waiver of valet parking.

WHEREAS, Urgency Ordinance No. 2022-08 will expire on December 31, 2023.

WHEREAS, due to the COVID-19 pandemic, significant social shifts have occurred, creating a greater interest in outdoor dining.

WHEREAS, outdoor dining has been found to promote private and public economic interests, protect the public safety and general welfare, and create a community-oriented and pedestrian friendly dining environment.

WHEREAS, the City Council has expressed its desire to promote small businesses, placemaking and pedestrian friendly design.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 13, 2023 with all persons having the opportunity to speak for and against the proposal; and,

NOW THEREFORE, THE COSTA MESA PLANNING COMMISSION RESOLVES AS FOLLOWS:

1. Adoption of this resolution is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule) in that there is no possibility that the minor updates to the City's outdoor dining provisions will have a significant impact on the environment.
2. The Planning Commission recommends the City Council approve the ordinance attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that the CEQA exemption for this project reflects the independent judgement of the City.

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 13th day of November, 2023.

Vice chair

Adam Ereth, Chair
Costa Mesa Planning Commission

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

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2023-29 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on November 13, 2023 by the following votes:

AYES: Toler, Andrade, Vivar

NOES: Zich

ABSENT: Ereth, Klepack, Rojas

ABSTAIN: None

Scott Drapkin, Secretary
Costa Mesa Planning Commission

CHAPTER V. DEVELOPMENT STANDARDS

ARTICLE 4. ESTABLISHMENTS WHERE FOOD OR BEVERAGES ARE SERVED

13-46. Purpose.

The purpose of this article is to regulate and provide development standards for establishments where food or beverages are served. The proximity of residential uses to these types of establishments is a concern of this article. Where the distance criterion of two hundred (200) feet from residentially-zoned property is given in this article, it shall be measured from the property line of the site to the property line of the nearest residentially-zoned property. This article also establishes requirements for outdoor dining areas to support long-term economic viability of local establishments, promote vitality in the City's commercial areas, promote progress towards creating walkable communities by facilitating pedestrian-friendly and safe public spaces, and facilitate and incentivize enhanced City dining experiences.

(Ord. No. 97-11, § 2, 5-5-97)

13-47. Permitted and conditionally permitted uses.

Establishments where food or beverages are served are subject to the review and approval procedures shown in Table 13-47 (a) and (b). In instances where more than one (1) review procedure is applicable to an establishment, the more stringent procedure shall apply.

TABLE 13-47 (a)

PERMITTED AND CONDITIONALLY PERMITTED USES

LOCATION AND OPERATIONAL CHARACTERISTICS	*C1-S*	*C1*	*C2*	*CL*	*TC*	*PD*	*MG*	*MP*
Establishments with 300 square feet or less of indoor public area. [3]	P [1,2] or P	P	P	MC	P [1] or P	P [1] or P	P	P
Establishments with more than 300 square feet of indoor public area.[3]	P [1] or P	P	P	MC	P [1] or P	P [1] or P	MC	MC
EXCEPTIONS								
Located within 200 feet of a residential zone. (Subject to the requirements of section 13-49, Development Standards for	P [1] or P	P	P	MC	P [1] or P	P [1] or P	P	P

LOCATION AND OPERATIONAL CHARACTERISTICS	*C1-S*	*C1*	*C2*	*CL*	*TC*	*PD*	*MG*	*MP*
section 13-49, Development Standards for Establishments Within 200 Feet of Residentially Zoned Property)[3]								
Sale of alcoholic beverages for on-site consumption after 11:00 p.m. and/or provision of live entertainment or dancing located within 200 feet of a residential zone.[3]	P [1] or C	C	C	C	P [1] or C	P [1] or C	C	C
Sale of alcoholic beverages for on-site consumption after 11:00 p.m. and/or provision of live entertainment or dancing located not within 200 feet of a residential zone.[3]	P [1] or MC	MC	MC	MC	P [1] or MC	P [1] or MC	MC	MC
Drive-through operations. (Subject to the requirements of section 13-50, Development Standards for Drive-Through Operations)[3]	P [1] or MC	MC	MC	MC	P [1] or MC	P [1] or MC	MC	MC
Establishments with less than 300 square feet of indoor public area located in a multi-tenant center where 30% or more of the tenants are similar businesses, i.e., establishments with less than 300 square feet of indoor public area.[3]	P [1] or MC	MC	MC	MC	P [1] or MC	P [1] or MC	MC	MC
Establishments with a micro brewery[3]	P [1] or C	C	C	C	P [1] or C	P [1] or C	C	C

[1] Pursuant to an approved master plan which specifies these operational characteristics and/or location of the business.

[2] For the purposes of this table, the symbols shall have the following meaning: P=Permitted; MC=Minor Conditional Use Permit; C=Conditional Use Permit.

[3] Outdoor dining and seating areas may be considered as part of a proposed land use if allowed in the zoning district, and pursuant to the provisions, regulations and standards of this Article.

(Ord. No. 97-11, § 2, 5-5-97)

TABLE 13-47 (b)

Outdoor Dining Area Permitting Process [1]

LOCATION OF OUTDOOR AREAS AND OPERATIONAL CHARACTERISTICS	**Approval Process**
Courtyard Area	P[2]
Setback Area – Expansion of up to 50% of indoor public area outdoors. [1]	P[2]
Setback Area – Expansion of more than 50% of indoor public area outdoors. [1]	MC[2]
Parking Area - Expansion of up to 50% of indoor public area outdoors and does not remove more than five parking spaces or 25% of existing, required parking, whichever is less. [1]	P[2]
Parking Area – Expansion of more than 50% of indoor public area outdoors. [1]	MC[2]
Parking Area - removal of more than five parking spaces, or removal of more than 25% of existing, required parking, whichever is less. [1]	MC[2]

[1] Temporary Use Permits for outdoor dining areas, including parklets within the public right-of-way, approved through Urgency Ordinance 2020-15 may continue to operate with staff approval; however, shall comply with applicable Building and Fire Code requirements, circulation and parking lot standards, and aesthetic development standards outlined in Section 13-48 within six months from the time of ordinance adoption, with an allowed six-month extension of time. Outdoor dining areas approved under a temporary use permit shall also be subject to applicable fees. Any modifications to these outdoor dining areas shall be approved pursuant to this Article.

[2] For the purposes of this table, the symbols shall have the following meaning: P=Permitted; MC=Minor Conditional Use Permit.

13-48. General development standards.

Establishments where food or beverages are served are subject to the following development standards.

(a) Existing and newly constructed establishments that propose new outdoor dining areas within courtyard, parking, setback or interior landscaped areas may be approved pursuant to this Article. Development standards provided in Section 13-48 (b)(1) applies to all outdoor dining areas. Additional development standards apply to outdoor dining areas within parking areas (Section 13-48 (a)(2)) and/or setback areas (Section 13-48 (a)(3)).

(1) Development Standards for all Outdoor Dining Areas:

a. Subject to the discretion of the reviewing authority, and where practical, feasible and safe, outdoor dining areas shall be located on a development site with preference given in the order of (1) existing courtyards, plazas, or oversized walkways (2) existing setbacks and (3) existing parking areas.

b. Where practical, feasible and safe and to promote the local vitality, outdoor dining areas shall be located on a development site with preference given to areas that can be seen from the public rights-of-way or pedestrian activity areas, compared to areas that cannot be seen from these locations.

c. Outdoor dining areas shall be maintained in good condition, kept clean and shall not result in conditions which are harmful or injurious to the public health, safety and welfare.

d. Outdoor dining areas shall be removed and the areas returned to previous conditions if the corresponding food and beverage establishment is replaced by a non-food and beverage establishment, or if the outdoor dining area is no longer in use.

e. Outdoor dining areas and their corresponding restaurant must comply with all applicable Building and Fire Safety code requirements, circulation standards, and aesthetic development standards outlined in Section 13-48 at the time of their construction. Outdoor dining areas approved under Urgency Ordinance No. 2020-15 must comply with all applicable Building and Fire Safety requirements, circulation standards, and aesthetic development standards outlined in Section 13-48 within six months from the time of Ordinance No. 2023-0002 adoption, with an allowed six-month extension of time.

f. All outdoor dining areas shall observe State and local health guidelines for restaurants.

g. Outdoor dining areas shall not be counted as gross floor area when calculating required parking for an establishment where food or beverages are served.

h. Outdoor dining areas shall be located adjacent to their applicable food or beverage establishment. In this case, "adjacent" includes locations separated from the subject restaurant by a single pedestrian walkway and/or single vehicular drive aisle, or a single pedestrian walkway and/or two parking spaces perpendicular to the building and outdoor dining area. Outdoor dining areas may be located further from the subject restaurant when authorized by a minor conditional use permit.

i. A minimum 4-foot-wide pedestrian access to the entryways of all establishments on the subject property shall be provided.

j. Pedestrian ingress/egress to the subject establishments or businesses may not be obstructed.

k. Any proposed outdoor dining area covers (including but not limited to canopies, tents or shade covers) will require Fire and Building Department's approval prior to installation. and shall not be located within required setbacks. Umbrellas shall be exempt from this requirement. Outdoor dining area covers/structures may encroach into a setback area with approval of a minor conditional use permit. To allow views to remain open and unobstructed, such shade structures shall not obstruct more than fifty (50) percent of the façade area along the property line(s) with either vertical (e.g., posts) or horizontal elements (e.g., planters, sloped awnings) with a minimum twenty-four (24) inches between the shade cover and any fences, walls, or other similar structures such that the outdoor seating area is not enclosed.

l. Outdoor areas may be temporarily enclosed during inclement weather with temporary structures as approved by the City's Building and Fire Department.

m. Outdoor dining areas may not encroach into drive aisles or other vehicle circulation areas.

n. Any service of alcoholic beverages in outdoor dining areas will be subject to approval by the California Department of Alcoholic Beverage Control and shall adhere to all requirements and standards implemented

by said State agency.

o. Outdoor dining will be required to be closed between 11 PM and 6 AM; unless approved as part of a use permit as indicated in Table 13-47(a).

p. Noise concerns shall be addressed in a timely manner pursuant to Title 13, Chapter XIII of the Costa Mesa Municipal Code. A contact phone number shall be posted at the establishment's entrance and outdoor dining area so any noise concerns can be reported to the business operator. Outdoor dining areas shall be subject to review by authorized City officials to ensure that noise complaints and/or potential noise ordinance violations are addressed. If necessary, modifications of the operating characteristics of outdoor dining areas may be required. If any noise complaints and/or noise ordinance violations are not adequately addressed, approvals for outdoor dining areas may be revoked at the discretion of the appropriate review authority.

q. Approval of live entertainment and music (amplified or non-amplified) in outdoor dining areas shall be subject to Table 13-47(a).

r. Lighting for outdoor dining areas shall comply with the following:

   i. Lighting levels in the outdoor dining area shall be adequate for safety and security purposes, and shall be turned off when outdoor dining areas are not open for use.

   ii. Lighting design and layout shall minimize light spill at any adjacent residential property lines and at other light-sensitive uses. Glare shields or other design features may be required to prevent light spill onto residential properties and other light-sensitive uses.

s. Walls, planters and other barriers associated with outdoor dining areas shall be designed in a way as to not visually enclose the outdoor dining area. Walls, fences and other barriers shall be a maximum of five feet high from finished grade; the first three and a half feet of the barrier may be solid, however, the last one and a half feet of the barrier must be at least 60% open, outside of the traffic visibility triangle, or as otherwise permitted by the City's Traffic Division or the Director of Economic and Development Services. Barriers shall not impede traffic visibility from property and public right of way.

t. Barriers or other improvements installed as part of the outdoor dining area shall be consistent with the aesthetics of the subject property. The materials, design, color and any other feature of the outdoor dining area shall complement the design of the subject food or beverage

establishment, and surrounding site development. Temporary materials such as plastics, temporary fencing, non-permanent planter areas and temporary barriers shall not be permitted as part of any barriers or other improvements.

u. Landscaping shall be installed around outdoor dining areas to the greatest extent possible. Planter boxes may be used to satisfy this requirement. Landscaping installed as part of an outdoor dining area shall complement existing landscaping onsite and shall comply with the City's landscape standards and all applicable State and Federal requirements.

v. Outdoor dining shall be permitted in both conforming and nonconforming developments, subject to this Article.

w. The provision of outdoor dining areas shall not result in any customer parking offsite, (including in any adjacent commercial property parking areas, unless off-site parking is approved), with the exception of available on-street public parking. Customer parking shall not park in adjacent residential areas or on residential streets. If parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services or designee, including, but not limited to, reducing operating hours of the business, reducing interior or exterior seating capacities, hiring an additional employee trained in traffic control to monitor parking lot use and assist with customer parking lot circulation, and/or requiring employees to bike, walk or take public transit.

(2) Development standards for outdoor dining areas within existing setback areas:

a. To the greatest extent possible, outdoor dining areas should maintain a minimum three (3) foot-wide landscape barrier dimension between the dining area, any pedestrian or vehicular path of travel or neighboring property.

b. Any landscaping (including trees) removed as a result of a new proposed outdoor dining area shall be replaced on-site (in similar size), unless determined infeasible by the Planning Division.

(3) Development Standards for Outdoor Dining Areas within private parking areas:

a. Outdoor dining areas within existing private parking areas may occupy parking spaces in compliance with Table 13-47 (b). New development may receive a parking credit of up to five parking spaces, or 25% of required parking spaces, whichever is less, to accommodate an outdoor dining area.

b. Outdoor dining areas within private parking areas must comply with all parking lot and circulation standards.

(b) All establishments shall comply with the applicable standards and review procedures indicated in Table 13-47, as well as with all other development standards of the appropriate zoning district.

(c) Seasonal events that include live entertainment, dancing, and/or amplified music may be allowed without a conditional use permit or live entertainment permit provided that it complies with the following standards. Each establishment is limited to four (4) nonconsecutive events per calendar year.

(1) The event shall not exceed one day in duration;

(2) The event shall be conducted entirely indoors; and

(3) The event shall comply with Chapter XII, noise control.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-5, § 12, 3-2-98; Ord. No. 05-3, § 1e., 2-7-05; Ord. No. 21-20, § 1, 12-7-21)

13-49. Development standards for establishments within two hundred feet of residentially-zoned property.

Establishments where food or beverages are served that are within two hundred (200) feet of residentially-zoned property shall comply with the following development standards, unless the standards are modified through the issuance of a minor conditional use permit or conditional use permit.

(a) All exterior lighting shall be shielded and/or directed away from residential areas.

(b) Outdoor public communication systems shall not be audible in adjacent residential areas.

(c) Trash facilities shall be screened from view and designed and located appropriately to minimize potential noise and odor impacts to adjacent residential areas.

(d) Outdoor seating areas shall be oriented away or sufficiently buffered from adjacent residential areas.

(e) For new construction, a landscaped planter area, a minimum of five (5) feet in width, shall be provided as an additional buffer to adjacent residential areas. The planter area shall contain appropriate plant materials to provide an immediate and effective screen. Plant materials shall meet with the approval of the planning division. For remodels, the planning division may also require the construction of a landscaped planter area to buffer adjacent residential areas, if feasible.

(f) For new construction, all interior property lines abutting residentially-zoned property shall have a minimum six-foot high masonry wall, as measured from the highest grade. An eight-foot high masonry wall may be required, based on the establishment's operational characteristics, in order to provide additional protection to adjacent residential uses. A planning application may be required for walls exceeding six (6) feet in height. For remodels, the planning division may also require the construction of a masonry wall to buffer adjacent residential areas, if feasible.

(g) Hours of operation for customer service shall not occur any time between 11:00 p.m. and 6:00 a.m.

(h) Truck deliveries shall not occur anytime between 8:00 p.m. and 7:00 a.m. (Ord. No. 97-11, § 2, 5-5-97)

13-50. Development standards for drive-through operations.

Establishments with drive-through operations shall comply with the following development standards, unless the standards are modified through the issuance of a minor conditional use permit.

(a) Drive-through lanes shall not obstruct the circulation routes necessary for ingress or egress from the property, parking areas (including back-out of parking spaces), and pedestrian walkways.

(b) Each drive-through lane shall be striped, marked or otherwise distinctly delineated, and shall be a minimum of eleven (11) feet wide.

(c) On-site entrances to drive-through lanes shall be set back a minimum of twenty-five (25) feet from drive approaches from public or private streets or alleys.

(d) Each drive-through lane shall be a minimum of one hundred sixty (160) feet in length, unless modified by the zoning administrator. The length of the drive-through lane shall be measured from its entrance point to the pick-up window.

(e) Vehicle stacking areas of drive-through lanes shall be a minimum distance of ten (10) feet from outdoor seating and play areas.

(f) Application for a minor conditional use permit shall include an operation statement indicating the physical improvements and operational measures proposed to minimize idling vehicle emissions.

(g) Establishments within two hundred (200) feet of residentially-zoned property shall also be subject to the development standards contained in section 13-49, Development standards for establishments within two hundred feet of residentially-zoned property. (Ord. No. 97-11, § 2, 5-5-97)

13-51. Applicability.

(a) The provisions of this article shall apply to all new establishments where food or beverages are served which are proposed. The provisions of this article shall not apply to existing uses, even when they undergo a change of ownership, unless one (1) or more of the conditions described in subsection (b) are met.

(b) The provisions of this article shall apply, as appropriate, to any existing use where food or beverages are served under the following circumstances:

(1) A change of operational characteristics that includes one (1) or more of the following items:

a. An extension of the hours of operation for customer service between 11 p.m. and 6 a.m., if the establishment is within two hundred (200) feet of residentially-zoned property.

b. The introduction of the sale of alcoholic beverages for on-site consumption between 11 p.m. and 2 a.m.

c. The introduction of live entertainment or dancing, or the cumulative expansion of one hundred (100) square feet or more of the area devoted to dancing during the lifetime of the establishment.

d. The introduction of drive-through operations or the expansion of the existing drive-through operations.

e. Alterations resulting in a cumulative increase of one hundred (100) square feet or more in the floor area devoted to customer service, e.g., food and/or beverage service or entertainment, during the lifetime of the establishment.

f. A change from any type of alcoholic beverage control license to any of the following alcoholic beverage control license types: 40 (on-sale beer); 42 (on-sale beer and wine for public premises), 48 (on-sale general for public premises); or 61 (on-sale beer for public premises) provided that the establishment is open for customer service anytime between the hours of 11 p.m. and 2 a.m.

(2) A cumulative expansion of one hundred (100) square feet or more of the gross floor area during the lifetime of the establishment.

(3) The construction of new, or additional, outdoor dining area(s).

(4) Discretionary review by the final review authority shall be limited to the change in operational characteristics or the expansion in the area devoted to customer service. (Ord. No. 97-11, § 2, 5-5-97; Ord. No. 00-4, § 1, 2-22-00)

CHAPTER VI. OFF-STREET PARKING STANDARDS

ARTICLE 2. NON-RESIDENTIAL DISTRICTS

13-89. PARKING REQUIRED.

The minimum amount of off-street parking as established in Table 13-89 shall be provided at the time:

(a) Any building and/or structure is constructed;

(b) Any building or structure is enlarged or increased in capacity by adding gross floor area, gross leasable area or seats;

(c) A specific use is proposed for a building site; or

(d) An existing use is changed to one which requires additional parking.

At all times, with the exception of the provisions of section 13-98, Declaration of land use restriction, parking shall be provided according to the requirements of Table 13-89.

TABLE 13-89

NON-RESIDENTIAL PARKING STANDARDS

USE	*PARKING RATIO PER GROSS FLOOR AREA* *(except as noted otherwise)*
Retail; offices; central administrative offices; establishments where food or beverages are served with a maximum of 300 square feet of public area [1]	4 spaces per 1,000 square feet with a minimum of 6 spaces [2]
Office buildings exceeding 2 stories in height and 100,000 square feet in area	3 spaces per 1,000 square feet
Banks; savings and loans; credit unions	5 spaces per 1,000 square feet with a minimum of 6 spaces
Medical and dental offices; acupressure; massage	6 spaces per 1,000 square feet with a minimum of 6 spaces
Furniture and appliance stores with floor area greater than 5,000 square feet	2 spaces per 1,000 square feet with a minimum of 20 spaces
Churches; theaters; mortuaries; auditoriums; services and fraternal clubs and lodges; amphitheaters and other similar places of assembly	Within the main auditorium or assembly area: 1 space for each 3 fixed seats or 1 space for every 35 square feet of seating area if there are no fixed seats. 18 lineal inches of bench shall be considered equal to 1 fixed seat.
Racquetball and tennis facilities	3 spaces per court plus parking required for incidental uses such as restaurants which shall be calculated as noted below
Establishments where food or beverages are served with more than 300 square feet of public area [1, 4]	10 spaces per 1,000 square feet for the first 3,000 square feet; [2] 12 spaces per 1,000 square feet for each additional 1,000 square feet above the first 3,000 square feet. [2]
Health clubs; spas; figure salons; skating rinks; game arcades	Parking requirement is 10 spaces per 1,000 square feet
Bowling alleys	3 spaces per lane plus parking required for incidental uses such as restaurants which shall be calculated as noted under "Establishments where food or beverages are served"
Trade schools; business colleges; dancing and music academies	10 spaces per 1,000 square feet
Motels	1 space for each rentable unit without cooking facilities. Each rentable unit with

USE	*PARKING RATIO PER GROSS FLOOR AREA* *(except as noted otherwise)*
	cooking facilities shall be governed by residential parking standards
Hotels	1 space for each 2 rentable units plus 10 spaces per 1,000 square feet for the first 3,000 square feet, and 20 spaces per 1,000 square feet for each additional 1,000 square feet above the first 3,000 square feet for restaurant, banquet, meeting room and kitchen spaces
Establishments with live entertainment; i.e., go-go dancers, topless dancers, bikini dancers	1 parking space for each person for the first 100 persons as authorized by capacity signs posted by the fire department; 1 parking space for each 2 persons for every 101 to 300 persons as authorized by capacity signs posted; 1 parking space for each 3 persons for every 301 plus persons as authorized by capacity signs posted by the fire department.
Shopping centers with a minimum of 600,000 square feet of contiguous gross leasable area:	
Main structure or group of abutting structures Retail Establishments where food or beverages are served occupying 5% or less of the total contiguous gross leasable area Establishments where food or beverages or served in excess of 5% of the total contiguous gross leasable area Office Space occupying 10% or less of the total contiguous gross leasable area Office Space in excess of 10% of the total contiguous gross leasable area Theaters (cumulative)	 5 spaces per 1,000 square feet of gross leasable area 1 space per 1,000 square feet of gross leasable area 5 spaces per 1,000 square feet of gross leasable area None 4 spaces per 1,000 square feet of gross leasable area with a minimum of 6 spaces

USE	*PARKING RATIO PER GROSS FLOOR AREA* *(except as noted otherwise)*
750 seats and less More than 750 seats Uses within freestanding structures Establishments where food or beverages are served All others	5 spaces per 1,000 square feet of gross leasable area 5 spaces per 1,000 square feet of gross leasable area plus 3 spaces for each additional 100 seats 10 spaces per 1,000 square feet of gross leasable area Pursuant to this table
Mixed use developments	When there are mixed uses within a single development which share the same parking facilities, the total requirement for parking should be determined as outlined in "City of Costa Mesa Procedure for Determining Shared Parking Requirements" which are included herein by this reference and which may be amended from time to time by resolution of the city council. A greater reduction in parking than would be allowed under this procedure may be approved by minor conditional use permit where it can be demonstrated that less parking is needed due to the hours of operation or other unusual features of the users involved. For mixed-use developments located in the mixed-use overlay zone, refer to the applicable urban plan for parking rates.
Industrial	3 parking spaces shall be provided per 1,000 square feet of gross floor area for the first 25,000 square feet of building; 2 parking spaces shall be provided per 1,000 square feet of gross floor area between 25,000 and 50,000 square feet of building; and one and one-half parking spaces shall be provided per 1,000

USE	*PARKING RATIO PER GROSS FLOOR AREA* *(except as noted otherwise)*
	square feet of gross floor area over 50,001 square feet of building.
Garden centers; plant nurseries	4 spaces per 1,000 square feet of gross floor area; and 2 spaces per 1,000 square feet of outdoor display area.
Smoking lounges	17 spaces per 1,000 square feet

1 Establishments limited to seating for twelve (12) or fewer persons prior to June 4, 1997, shall remain at that seating limit unless additional parking is provided pursuant to this Zoning Code.

2 The outdoor patio seating area(s) shall not be included in the floor area calculations for purposes of determining the required parking.

3 The final review authority may apply a maximum credit of one parking space due to the provision of bicycle racks. This credit shall only apply to the overall parking supply and not to multiple uses.

When the approval of a use permit is required, the final review authority may require additional parking spaces at a ratio not to exceed thirty (30) spaces per one thousand (1,000) square feet of floor area of the entire building. Factors that may warrant additional parking include, but are not limited to, the provision of entertainment and/or dancing, or substantial ratio of floor area devoted to bar as compared to restaurant use. The maximum parking rate shall be applicable to uses that have substantially maximized the building's occupancy due to design and provision of concentrated uses.

4 When the approval of a use permit is required, the final review authority may require additional parking spaces at a ratio not to exceed thirty (30) spaces per one thousand (1,000) square feet of floor area of the entire building. Factors that may warrant additional parking include, but are not limited to, the provision of entertainment and/or dancing, or substantial ratio of floor area devoted to bar as compared to restaurant use. The maximum parking rate shall be applicable to uses that have substantially maximized the building's occupancy due to design and provision of concentrated uses.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-5, § 16, 3-2-98; Ord. No. 02-4, § 1j, 3-18-02; Ord. No. 06-9, § 1g., 4-18-06; Ord. No. 12-4, § 1, 5-15-12; Ord. No. 15-10, § 2C, 9-15-15; Ord. No. 21-20, § 1, 12-7-21)