



Outlook

PH-2

Title 13 Proposed Amendments

From Daniel Pietenpol <pietenpol@gmail.com>

Date Thu 7/9/2026 11:52 AM

To PC Public Comments <PCPublicComments@costamesaca.gov>

Dear Commissioners,

I was very honored to speak at the June 22nd meeting.

After reviewing the updated proposed amendments, I want to express my appreciation for your thorough review of the Small Fitness Studio and FAR sections. Both revised sections will encourage fairness, flexibility, and reasonable development.

Thank you for being responsive to your community.

Best regards,

Daniel Pietenpol
714-308-2708

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From: Daniel Pietenpol <pietenpol@gmail.com>
Sent: Thursday, June 18, 2026 2:53 PM
To: PC Public Comments
Subject: June 22, 2026 Meeting

Honorable Commissioners,

Thank you for your work in reviewing and simplifying the land use classifications within Title 13 of the Costa Mesa Municipal Code. As an owner of six buildings on Newport Boulevard in downtown Costa Mesa, I appreciate your efforts to adapt our regulations to the evolving retail landscape.

I specifically welcome the increased clarity in the new definitions for Artisan Studios, Personal Services, and Physical Fitness Facilities. However, I would like to request a review of the parking requirements for "Small Fitness Studios" compared to "Physical Fitness Facilities."

Currently, both classifications require 10 spaces per 1,000 square feet (Table 13-89). While this ratio is appropriate for large gyms, smaller studios typically host far fewer attendees—often training only two to three people at a time. Maintaining the same high requirement for these small businesses creates an undue hardship, particularly in Downtown Costa Mesa where many older buildings have limited parking capacity. Furthermore, the high volume of pedestrians and cyclists in the downtown core naturally offsets the need for such intensive parking.

Would you consider reducing the requirement for Small Fitness Studios to 4 spaces per 1,000 square feet? This adjustment would provide adequate parking while significantly reducing the burden on small business owners and align better with other surrounding cities. (See the chart below)

Thank you for your time and consideration.

Best regards,

Daniel Pietenpol
 714-308-2708

City	Fitness Type	Studio Type	Personal Services
	SPACES per 1,000 square feet	SPACES per 1,000 square feet	SPACES per 1,000 sq
Newport Beach	4 under 2,000 sq ft	4	4
	5 over 2,000 sq ft		
Irvine	7 1 space per 150 sq ft		
Fountain Valley	4	5	
Huntington Beach	5		5
	10 if group instruction		

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PUBLIC COMMENT TO THE COSTA MESA PLANNING COMMISSION

Re: Proposed Zoning Code Amendments and Electric Vehicle Charging Station Permitting

Submitted by: Jim Fitzpatrick, SOLUTIONEER

Question for Commissioners:

Costa Mesa continues to commit “Economic Terrorism”, against Business and Residents, will you help?

Was this the cause of yet another Planning Commission Meeting cancellation, when there I sso much to talk about, and so many important decision?

In this case I had to contact a state agency to require City Staff to write compline Code, after significant delays in doing so. Is that OK with you?

Recommendations:

1. Recognize the “Economic Terrorism” and get involved
2. Mandate Staff bring forward Code cleanup on a quarterly basis instead of waiting years

Summary

This comment concerns the City of Costa Mesa's treatment of electric vehicle (EV) charging stations in its proposed Zoning Code Amendments. California law requires cities to approve EV charging station permits through a streamlined, ministerial process. The City's May 18, 2026 Public Review Draft did the opposite. It proposed a discretionary Minor Conditional Use Permit for EV charging, which conflicts directly with state law and with the Attorney General's March 18, 2025 Legal Alert. After the Governor's Office of Business and Economic Development (GO-Biz) was contacted, the City revised the draft to permit EV charging by right and added dedicated code language. I am submitting this comment to document that sequence and to ask that the by-right, ministerial approach be preserved in the final ordinance.

The Governing State Law and the Compliance Timeline

Two state statutes govern here. **AB 1236** (Chiu, 2015), codified at Government Code section 65850.7, requires every city and county to adopt an ordinance that creates an expedited, streamlined, ministerial permitting process for EV charging stations, with review limited to health and safety. **AB 970** (McCarty and Chiu, 2021), codified at Government Code section 65850.71, added binding timelines to that review, generally 20 business days for projects of 25 or fewer chargers and 40 business days for larger projects. The Legislature found that timely, cost-effective installation of EV charging stations is a matter of statewide concern and not a municipal affair, so these laws apply to all cities, including charter cities, and preempt conflicting local zoning.

On **March 18, 2025**, the California Attorney General issued Legal Alert OAG 2025-01 to all local planning directors, reminding cities that these laws are mandatory and identifying the most common violations. Two of those violations describe Costa Mesa's May 18, 2026 draft precisely: applying local zoning designations to EV charging permits, and requiring discretionary review such as a conditional use permit instead of streamlined ministerial approval. The Alert is a reminder of obligations that were already in force, not a new deadline. The City was required to have a compliant streamlining ordinance years before the Alert was issued and well before the May 18, 2026 draft was published.

References with brief summaries are listed at the end of this comment.

What the May 18, 2026 Draft Proposed

The Public Review Draft published **May 18, 2026** contained requirements for a discretionary approval process rather than the ministerial process state law requires. The clearest example is the Citywide Land Use Matrix at **Page 53**, where the City proposed a discretionary Minor Conditional Use Permit for EV charging. Under the matrix structure, that designation forces an applicant into public notice, zoning administrator review, and the delay and discretion the streamlining laws were written to remove.

Legend: P = Permitted by right (ministerial) MC = Minor Conditional Use Permit (discretionary) C = Conditional Use Permit (discretionary)

Figure 1. Land Use Matrix excerpt as proposed (May 18, 2026 draft).

LAND USE	AP	CL	C1	C2	MG	MP
EV Charging Station (as proposed in May 18 draft)	MC	MC	MC	MC	MC	MC

What Changed After GO-Biz Was Contacted

On **June 8, 2026**, I emailed GO-Biz, the state agency that tracks EV charging streamlining compliance, asking who could help require City staff to bring the Zoning Code changes into line with state law. The email explained that, instead of following AB 1236 or the Attorney General's Legal Alert, the City was again proposing discretionary review through a Minor Conditional Use Permit, and it pointed to real-world consequences for charging projects already trying to open in Costa Mesa.

After GO-Biz reached out to the City, the draft was revised. EV charging is now treated as a by-right, permitted use, and dedicated code language was added that was entirely absent from the first draft:

- Page 30, Primary Use: permitted by right.
- Page 21, Accessory Use: permitted by right.
- Page 53, Section 13-100.10: EV Charging Station language finally introduced.

Figure 2. Land Use Matrix excerpt as revised after GO-Biz contact.

LAND USE	AP	CL	C1	C2	MG	MP
EV Charging Station (as revised after GO-Biz contact)	P	P	P	P	P	P

Figure 3. Before and after, by page.

Page	May 18, 2026 Draft (before)	Current Draft (after GO-Biz contact)
Page 53	Land Use Matrix listed EV Charging Station as a discretionary Minor Conditional Use Permit (MC).	Primary Use permitted by right across applicable districts.
Page 30	No by-right primary use category for EV charging.	Primary Use, permitted by right.
Page 21	No accessory-use treatment for EV charging.	Accessory Use, permitted by right.
Page 53	No dedicated EV charging station code section.	Section 13-100.10, EV Charging Station, language introduced (absent from the first draft).

Request

I appreciate that the revised draft moves EV charging to a by-right, ministerial footing and adds the missing code section. I ask the Planning Commission to keep it that way. Specifically, please confirm that the final ordinance treats EV charging stations as permitted by right in every applicable district, as both a primary use and an accessory use; limits review to health and safety as required by Government Code section 65850.7; honors the AB 970 timelines in Government Code section 65850.71; and contains no discretionary conditional use permit, minor conditional use permit, design review, or aesthetic review for EV charging. These steps bring Costa Mesa into compliance with state law and end the delays that have driven charging projects out of the city.

References

[Attorney General Legal Alert OAG 2025-01 \(March 18, 2025\)](#). Statewide reminder to local planning directors that AB 1236 and AB 970 require streamlined, ministerial EV charging permits, and that discretionary review and local zoning designations applied to EV charging are unlawful.

[Attorney General Press Release on the Legal Alert](#). Announcement of the Legal Alert, summarizing the state-mandated local program to streamline EV charging permits and the consequences of noncompliance.

[AB 1236 Fact Sheet \(Government Code section 65850.7\)](#). GO-Biz overview of the 2015 law requiring cities to adopt a streamlining ordinance and checklist and to limit EV charging review to health and safety.

[Permitting EV Charging Stations, GO-Biz Best Practices \(AB 970, Government Code section 65850.71\)](#). GO-Biz guidance describing the 2021 binding timelines added by AB 970 and best-practice ordinances and checklists for compliant jurisdictions.

[Costa Mesa Zoning Code Amendments, Public Review Draft, May 18, 2026](#). The City draft at issue. See Page 53, the Land Use Matrix, where EV charging was proposed as a discretionary Minor Conditional Use Permit, along with the revised Pages 21, 30, and 53 noted above.



Outlook

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FW: July 13, 2026 - Support for Title 13 Zoning Code Amendments (PCTY-26-0001) — Item PH-2

From CARON, MARTINA <Martina.Caron@costamesaca.gov>

Date Mon 7/13/2026 3:16 PM

To COLGAN, JULIE <JULIE.COLGAN@costamesaca.gov>

For the PC.



Martina Caron, AICP
Planning Manager | Current Planning
City of Costa Mesa | Economic and Development Services Department
(soon to be the Community Development Department)
77 Fair Drive | Costa Mesa | CA 92626
(office) (714) 754-5153

“The City of Costa Mesa serves our residents, businesses and visitors while promoting a safe, inclusive, and vibrant community.”



Beginning July 1, 2026, the Economic and Development Services Department will begin undergoing a name change to become the Community Development Department.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL. THANK YOU.

From: George Sakioka <gmks@sakioka.com>

Sent: Monday, July 13, 2026 3:14 PM

To: GREEN, BRENDA <brenda.green@costamesaca.gov>; TAI, CARRIE <Carrie.Tai@costamesaca.gov>; GREGG, AMBER <AMBER.GREGG@costamesaca.gov>; CARON, MARTINA <Martina.Caron@costamesaca.gov>

Cc: Mark Sakioka <mark@sakioka.com>

Subject: July 13, 2026 - Support for Title 13 Zoning Code Amendments (PCTY-26-0001) — Item PH-2

Dear Chair Harlan and Commissioners,

I want to express our appreciation for staff's work to update Costa Mesa's zoning framework and our general support for the proposed updates to Title 13.

We support efforts to streamline the development process. Clearer classifications and definitions reduce uncertainty for property owners and tenants, improve consistency and efficiency in review, and make it easier to reinvest in and modernize existing properties—the kind of responsible, well-managed growth that benefits the broader community.

We defer to staff's expertise on the specific standards and thresholds and appreciate the balance between flexibility and the City's long-standing planning and compatibility objectives.

We're glad to remain a constructive resource as this moves forward.

Thank you for your consideration.

Best always,
George

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SAKIOKA COMPANY

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