

RESOLUTION NO. PC-2025-**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT PCUP-25-0019 TO AMEND PA - 03-14 AT 1629 SUPERIOR AVENUE TO EXPAND THE EXTERIOR PLAY AREA AT THE EXISTING DOG DAYCARE AND OVERNIGHT KENNELING FACILITY**

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

WHEREAS, Planning Application PA-03-14, approved by the City Council on July 7, 2003, authorized a Conditional Use Permit to establish a dog daycare facility, including indoor and outdoor operations, within an existing industrial building located in the MG zone; and

WHEREAS, Planning Application PCUP-25-0019 was filed by Diane Cuniff, authorized agent for the property owner, CM Commercial Properties LLC, requesting approval of a Conditional Use Permit to amend PA-03-14 to modify the existing dog kenneling site plan and expand the outdoor play area at 1629 Superior Avenue in the General Industrial (MG) zone for The Bone Adventure;

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

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15301 (Class 1, for Existing Facilities).

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

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application PCUP-25-0019 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-25-0019 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable federal, state, and local laws. Any approval granted by this Resolution shall be subject to review, modification, or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

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

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

Jeffrey Harlan, Chair
Costa Mesa Planning Commission

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

I, Carrie Tai, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2025-13 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on October 27, 2025 by the following votes:

AYES:
NOES:

ABSENT:

ABSTAIN:

Carrie Tai, Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

- A. Pursuant to Title 13, Section 13-29(g), Findings, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required Conditional Use Permit findings:

Finding: *The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.*

Facts in Support of Findings: The proposed reconfiguration of the existing site at 1629 Superior Avenue is compatible with surrounding development, will not substantially alter current operations, and would not be detrimental to adjacent properties, as the expanded play area would remain located at the rear of the site. The existing conditions of approval would continue to be enforced on site to ensure the enjoyment of neighboring property. In addition, the existing site, which contains the dog play area at the rear of the property, has not received any complaints within the last year.

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 proposed reconfiguration of the site at 1629 Superior would not be detrimental to the health, safety, or general welfare of the public, nor would it be injurious to property or improvements within the immediate neighborhood in that the proposed expanded play area would be located in the same area as previously approve. Additionally, the existing conditions of approval that have ensured the continued enjoyment of neighboring properties would remain in effect.

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

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

Facts in Support of Finding: The proposed reconfiguration of the site plan for the existing dog kenneling services would be compatible with the existing uses in

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

- B. **Environmental Determination.** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Permitting and/or Minor Alteration of Existing Facilities. The site is located in an urbanized area that is fully developed and does not contain any sensitive species or habitat including nearby water bodies. This project site contains existing buildings, and the application does not include any new construction that would adversely affect native plants or species. The project would result in limited interior improvements to adequately address operation and safety concerns. The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply. Specifically, the project would not result in a cumulative environmental impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. Approval of Planning Application PCUP-25-0019 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-25-0019 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 3. A copy of the conditions of approval for the conditional use permit must be kept on premise and presented to any authorized city official upon request. Applicant shall notify new business/property owners of conditions of approval upon transfer of business or ownership of land.
 4. Street addresses shall be displayed on the fascia or store front adjacent to the main entrance of the building, in a manner visible to the public street. Numerals shall be a minimum of 12 inches in height with not less than $\frac{3}{4}$ - inch stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrance. Letters or numerals shall be 4 inches in height with not less than $\frac{1}{4}$ inch stroke and shall contrast sharply with the background.
 5. Outdoor yard use within the designated outdoor play area per the approved site plan shall be limited from 8:00 a.m. to 7:00 p.m. Dogs at all times will be supervised by facility staff.
 6. Hours of operation open to the public shall be limited to Monday through Sunday 6:30 a.m. to 8:00 p.m.
 7. This entitlement supersedes Condition of Approval Planning Application PA-03-14. Any modification to the operational characteristics of the use or to the approved site layout shall be subject to review by the Planning

Division and may require an amendment to the Conditional Use Permit. The determination of whether such modifications require formal review or approval shall be made by the Economic and Development Services Director or designee.

8. The facility shall operate, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood.
9. Parking spaces may be used interchangeably by employees and customers, provided that all required parking spaces remain accessible and unobstructed at all times and that the site complies with all applicable parking standards.
10. The use of outdoor loudspeakers, amplified sound systems, or similar noise-producing devices shall be prohibited within the outdoor play area. All activities shall be conducted in a manner that minimizes noise impacts to surrounding properties.
11. The number of dogs shall be limited to 10-15 dogs for each handler and shall not exceed 46 dogs at any time.
12. A complete landscape plan that conforms to CMMC Chapter 7 Landscape Standards shall be submitted to the Planning Division prior to the issuance of any permits for site improvements.
13. The level of trash service shall be increased on an as-needed basis.
14. Overnight stays shall be limited to the area within the building. An on-site security staff person shall remain on the premises overnight.
15. Veterinary services are limited to an on-call basis. On-site staff will be limited to administering of medicines.
16. Outdoor activity shall be limited to the outdoor play area located at the rear and north of side of the building, as shown on the site plan.
17. All outdoor activity of the dogs shall be supervised by staff.
18. All parking stalls and any future modifications shall be striped under the direction of the Planning Division.
19. Applicant shall post signs instructing dog owners to keep dogs on leash until they are well within the building. No dogs shall be allowed off-leash in the parking or driveway areas.

20. Applicants shall employ all necessary means – including but not limited to double-door, double-gates systems- to prevent dogs from escaping the facility.
21. Owner shall install easily cleanable surfaces on interior and exterior play and rest areas. These areas shall be maintained in a sanitary condition by mopping or similar means.
22. Applicant shall monitor outdoor areas, including driveway and parking areas, and clean up as necessary to prevent odors and other nuisances.
23. Trash pick-up shall be scheduled as frequently as necessary to prevent odors from becoming a nuisance to surrounding properties and tenants.
24. Applicant shall ensure that waste and contaminated runoff do not reach the public right-of-way and storm drain system.
25. All exterior doors shall be maintained in the closed position during the daytime and nighttime hours.
26. If odors are detected off-site or by neighboring properties, the operator shall take immediate corrective action to eliminate the source of the odor to the satisfaction of the Economic and Development Services Director or their designee. Should odor issues persist or become prevalent, the number of dogs permitted in the outdoor play areas shall be reduced to 25 dogs, until the odor issue has been resolved and verified by City staff.
27. All exterior facing doors shall feature drop down compression seals and perimeter seals to minimize noise transfer.
28. If the use at 1619 Superior Avenue ceases to operate and the facilities are no longer operating together, all site improvements that were installed to allow access between the two properties shall be restored to their previous condition (e.g., fencing, curbs, or other improvements). The business shall be able to operate independently on the subject site.
29. The project shall be limited to the type of operation/building as described in this staff report and in the attached plans. Any change in the use, size, or design shall require review by the Planning Division and may require an amendment to the Conditional Use Permit.
30. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as “proceeding”) brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the

applicant's project, or any approval granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.

31. If any section, division, sentence, clause, phrase or portion of this approval is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.
32. No signage shall be installed until a sign permit is issued by the City's Development Services Department.
- Eng 33. Construct parkway drain per City of Costa Mesa Standard Drawing 418 behind the drive approach.
34. In order to comply with the 2003 Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval. a) A WQMP (Priority or Non-Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to. b) Location of BMPs shall not be within the public right-of-way.
35. Provide a secondary containment and cover for all aboveground storage containers to prevent, reduce, or eliminate the discharge of pollutants.

CODE REQUIREMENTS

The following list of federal, State and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Plng. 1. Once the use is legally established, the planning application herein approved shall be valid until revoked. The Development Services Director or his/her designee may refer the planning application to the Planning Commission for modification or revocation at any time if, in his/her opinion, any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.
2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
3. All noise-generating construction activities shall be limited to 8 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- Bldg. 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.
- Bus.
Lic. 7. 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.
8. Business license shall be obtained prior to the initiation of the business.