

TABLE 13-29(c) PLANNING APPLICATION REVIEW PROCESS					
Planning Applications	Public Notice Required	Public Hearing Required	Recommending Authority	Final Review Authority	Notice of Decision
Development Review Minor Modification	No	No	None	Planning Division	No
Reasonable Accommodation	No	No	None	Planning Division	No
Lot Line Adjustment	No	No	None	Planning Division	No
<u>Tentative Parcel Map for Urban Lot Splits and Small Lot Subdivisions (two units or fewer)</u>	<u>No</u>	<u>No</u>	<u>None</u>	<u>Planning Division</u>	<u>No</u>
Special Use Permit	Yes	Yes	None	Planning Division	No
Administrative Adjustment Minor Conditional Use Permit Minor Design Review Planned Signing Program	Yes	No	None	Zoning Administrator	Yes

<b>TABLE 13-29(c)</b> <b>PLANNING APPLICATION REVIEW PROCESS</b>					
<b>Planning Applications</b>	<b>Public Notice Required</b>	<b>Public Hearing Required</b>	<b>Recommending Authority</b>	<b>Final Review Authority</b>	<b>Notice of Decision</b>
Design Review Mobile Home Park Conversion Common Interest Development Conversion (Residential or Nonresidential) Specific Plan Conformity Review Tentative Parcel Map Tentative Tract Map Variance	Yes	Yes	Planning Division	Planning Commission	Yes
Conditional Use Permit Density Bonus Master Plan Master Plan—Preliminary	Yes	Yes	Planning Division	Planning Commission (excepted where noted otherwise in this zoning code)	Yes
Redevelopment Action	Yes	Yes	Planning Commission	Redevelopment Agency	Yes
Rezone	Yes	Yes	Planning Commission; and, if located in a redevelopment project area, the Redevelopment Agency	City Council	No
Local Register of Historic Places	No	No	Planning Commission or other commission/committee as designated by the City Council	City Council	Yes

TABLE 13-29(c) PLANNING APPLICATION REVIEW PROCESS					
Planning Applications	Public Notice Required	Public Hearing Required	Recommending Authority	Final Review Authority	Notice of Decision
Certificate of Appropriateness	No	No	Planning Commission or other commission/committee as designated by the City Council	Planning Commission or other commission/committee as designated by the City Council	No

Section 2. Title 13 Chapter V, Section 13-42.2 Planning Applications Required of the Costa Mesa Municipal Code is hereby amended to read as follows (strikeout is used to denote existing text being deleted; underline is used to denote new text being added):

**SECTION 13-42.2: Planning application required.**

(a) Small lot subdivisions are permitted in appropriate residential districts and not in combination with other development standards in the overlays zones, subject to approval of the following planning application as may be applicable. This requirement is in addition to other permits or certificates required by law.

(1) All new small lot development projects *for three or more main dwelling units* shall be processed according to the design review procedures contained in section **13-29**. *Projects with two main dwelling units being proposed or converted shall be processed ministerially subject to the development standards within this chapter and the residential design guidelines as contained in the Two Unit Small Lot Ordinance Checklist.*

(2) All small lot development projects *for three or more main dwelling units* require approval of a tentative tract or parcel map as required by law. A tentative tract map or parcel map shall not be required until a design review has been approved; however, the map may be processed concurrently. *Small lot development projects consisting of two main dwelling units shall be processed ministerially.*

(b) No person shall construct, sell, lease, convey, maintain or use a lot in a small lot subdivision project within the city without first complying with the provisions of this article.

Section 3. Title 13 Chapter V, Section 13-42.3 Development Standards and Requirements of the Costa Mesa Municipal Code is hereby amended to read as follows (strikeout is used

to denote existing text being deleted; underline is used to denote new text being added):

**SECTION 13-42.3: Development standards and requirements.**

(a) *Applicability.* The provisions of this section shall apply to all new residential small lot subdivisions of 15 lots or less in multi-family zones and not in combination with other development standards in the overlays zones except as allowed in Table 13-42 below.

(b) *Development standards.* Table 13-42 identifies the development standards for small lot subdivision developments. See also Article 9 general site improvement standards of this chapter for additional requirements. Projects shall comply with all applicable standard plans and specifications and adopted city and state codes, as well as the following provisions:

(1) The location and orientation of all buildings shall be designed and arranged to preserve natural features by minimizing the disturbance to the natural environment. Natural features such as trees, groves, waterways, scenic points, historic spots or landmarks, bluffs or slopes shall be delineated on the site plan and considered when planning the location and orientation of buildings, open spaces, underground services, walks, paved areas, playgrounds, parking areas and finished grade elevations. Pre-existing development should guide the building setbacks and new development should preserve the existing character of the neighborhood.

(2) The site design must consider both the design elements of each unit and how these designs will enhance the overall neighborhood character and vitality of the street and sidewalk. Building setbacks and site planning must relate to surrounding built form, respecting the overall neighborhood character and existing topography. Additionally, each unit must exhibit a high level of design quality with well-articulated entries and façades, proportionate windows, quality building materials and contextual landscaping.

(3) All structures proposed to be constructed within a project shall conform to the following requirements:

a. Each unit shall be provided with direct pedestrian and vehicular access to a public street, or an alley or a common drive connecting to a public street/alley.

b. Structure shall be constructed to minimize impact of the proposed development on the light, air and privacy of adjacent properties.

(4) On-site lighting shall be provided in all parking areas, vehicular access ways, and along major walkways. The lighting shall be directed onto driveways and walkways within the project and away from dwelling units and adjacent properties, and shall be of a type approved by the development services department.

**(5)** The development shall comply with the provisions of Chapter XI, subdivisions, which may include, but are not limited to, land dedication and improvements, such as drainage improvements and payment of fees.

**(6)** Outside uncovered and unenclosed storage of boats, trailers, recreational vehicles and other similar vehicles shall be prohibited unless specifically designated areas for the exclusive storage of such vehicles are set aside on the final master plan and provided for in the covenants, conditions, and restrictions. Where such areas are provided, they shall be enclosed and screened from view on a horizontal plane from adjacent areas by a combination of six-foot high opaque fences and permanently maintained landscaping.

<b>Table 13-42</b> <b>SMALL LOT SUBDIVISION STANDARDS</b>	
<b>STANDARDS</b>	<b>SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)</b>
Maximum Number of Stories & Building Height	2 stories/27 feet, except as allowed in the Westside Overlay Districts. Note: Lofts, as defined in section <b>13-6</b> , without exterior access and having only clerestory windows will not be regarded as a story. See also Attic discussion below.
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. In zoning districts where the maximum number of stories is two stories, attics above second stories shall be an integral part of the second story roofline and not appear as a 3rd story on any building elevation. Windows in any attic space above the second story shall be incidental and limited to a dormer style.
Maximum Density (based on gross acreage)	Same as underlying zoning district or as specified in an applicable specific plan.
Minimum Open Space (development lot)	35% of total lot area. No asphalt shall be permitted for paved areas. Parking and driveways shall consist of decorative concrete, pavers or other materials as deemed appropriate by the Development Services Director. This requirement may be decreased to a minimum of up to 30%, if the difference in the area is provided as additional open guest parking, located in a common area, and not exclusive for any specific unit.
Minimum Open Space (individual unit)	200 square feet with no dimension less than 10 feet.

<b>Table 13-42</b> <b>SMALL LOT SUBDIVISION STANDARDS</b>	
<b>STANDARDS</b>	<b>SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)</b>
Development Lot	<p>Separately owned private property interests or any portion thereof, necessary or desirable for common use, are subject to recordation of an easement for reciprocal access and maintenance. All areas of a development with 5 or more parcels, subject to a reciprocal access and/or maintenance easement shall be maintained by an association that may be incorporated or unincorporated. The association may be referred to as a maintenance association.</p>
Parking	<ul style="list-style-type: none"> <li>• Three-bedroom or more units (including a den or home office) – 2 garage spaces and 2 open parking spaces.</li> <li>• Two-bedroom or less units (including a den) – 2 garage spaces and one open parking.</li> <li>• No tandem parking is permitted for open or guest parking spaces.</li> </ul> <p>For developments with 5 or more units (up to 10 units) where open/guest parking spaces are provided in driveways in front of garages for exclusive use of that unit, one additional on-site guest parking shall be provided. Two additional open guest-parking shall be provided for developments with more than 10 units.</p> <ul style="list-style-type: none"> <li>• For all small lot developments subject to the provisions of this article, all open parking not located within an individual driveway shall be unassigned and nonexclusive.</li> </ul>
Distance Between Buildings <i>(development lot)</i>	6 feet minimum
Driveway Width (development lot)	10-foot minimum, except 16-foot minimum driveway is required if the driveway serves tenants and/or guest parking for more than one dwelling unit. Driveway width shall be a maximum of 26 feet for lots less than 50 feet wide and a maximum of 50% for lots greater than 50 feet wide.
Driveway Length	<p>Straight-in driveways to garages shall have a minimum length of 19 feet from the ultimate public or private right-of-way. No driveways shall be more than 5 feet in length if parking is not provided in front of garage.</p> <p>Driveways accessing rear parcels shall be in compliance with the requirements of the Parking Design Standards, minimum separation between driveways and maximum 50% hardscape requirement.</p>

<b>Table 13-42</b> <b>SMALL LOT SUBDIVISION STANDARDS</b>	
<b>STANDARDS</b>	<b>SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)</b>
Mechanical Equipment (excluding antennas and flush-mounted solar panels on roofs)	Roof-top location is prohibited unless completely screened from public rights-of-way and adjacent properties.
<u>Development Lot</u> Front <u>Setback</u> <del>Development Lot</del>	20 feet
<u>Development Lot</u> Side yard <u>Setback</u> (interior)	5 feet
<u>Development Lot</u> Side <u>Setback</u> (street side, if applicable)	10 feet Note: Driveways providing straight-in access from a public street to a garage shall be at least 19 feet long, as measured from the ultimate public or private right-of-way.
<u>Development Lot</u> Rear yard <u>Setback</u> (interior)	15 feet
<u>Development Lot</u> Rear <u>Setback</u> Abutting a Publicly Dedicated Alley	5 feet; however, garages may be required to be set back further to ensure adequate back up distance. Rear Yard Coverage does not apply.
Flag Lots and Alley Fronting Lots	Flag lots are required to be accessed with a minimum 16-foot wide driveway <u>unless serving one unit in which case a minimum of driveway width of 10-feet shall be provided</u> . Parcels with alley frontage should include a minimum 8-foot wide pedestrian access to the public street in the front. Parcels with frontage only on public alleys are prohibited.
Bluff Top Setback	No building or structure closer than 10 feet from bluff crest (see section <b>13-34</b> Bluff-top development).
Roof or Eaves Overhang; Awning	2 feet 6 inches into required side setback or building separation area. 5 feet into required front or rear setback.
Open, Unenclosed Stairways	Not permitted
Chimneys	May extend 2 feet above maximum building height.
Fireplaces	2 feet into required setback of building separation area
Automatic Roll-Up Garage Doors	Required

<b>Table 13-42</b> <b>SMALL LOT SUBDIVISION STANDARDS</b>	
<b>STANDARDS</b>	<b>SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)</b>
Location of Open Parking	Guest parking shall be located within a reasonable distance of the unit it serves. Detached garages that are not located within a reasonable distance to the units they are intended to serve are prohibited.
Trash Storage	All units shall be provided with a small alcove inside or outside the unit to allow storage of at least three trash carts without encroaching into the garage space. All efforts shall be made to provide on-site trash service. Trash carts shall be stored on-site for trash pick up to the greatest extent possible.
Above-Ground Pools and Spas	Prohibited in front yards and subject to 5-foot side and rear setback from the main structures.
<b>LANDSCAPING</b>	
A detailed landscape plan prepared pursuant to Chapter VII Landscaping Standards shall be approved by the Planning Division prior to issuance of any building permits.	
<b>SIGNS (See Chapter VIII).</b>	
<b>FENCES AND WALLS</b>	
Fences and walls placed between the property line and required setback line for main buildings shall conform to the city's walls, fences, and landscaping standards. See Article 9 General Site Improvement Standards of this chapter for further information.	
<b>PREEXISTING DEVELOPMENT</b>	
Small lot subdivisions and structures constructed, permitted or approved under the small lot ordinance prior to October 18, 2018, shall be considered conforming with regard to the above provisions.	
<b><u>TWO UNIT CONVERSIONS</u></b>	
<b><u>Projects proposing to subdivide a property with two existing units shall comply with all development standards within this table.</u></b>	