



# PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 26, 2026

ITEM NUMBER: NB-1

**SUBJECT: OVERVIEW OF THE AMENDMENTS TO THE ZONING CODE TO REZONE SIXTH CYCLE (2021-2029) HOUSING ELEMENT SITES, IMPLEMENT SPECIFIC HOUSING ELEMENT PROGRAMS TO ENCOURAGE AND FACILITATE HOUSING DEVELOPMENT PER STATE REQUIREMENTS, AND AMENDMENTS TO THE NORTH COSTA MESA SPECIFIC PLAN FOR CONSISTENCY WITH THE HOUSING ELEMENT SITES REZONING - PCTY-25-0008**

**FROM: ECONOMIC AND DEVELOPMENT SERVICES  
DEPARTMENT/PLANNING DIVISION**

**PRESENTATION BY: MICHELLE HALLIGAN, SENIOR PLANNER AND CATHY  
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## **RECOMMENDATION:**

Staff recommends the Planning Commission receive a presentation from staff and provide feedback regarding the proposed amendments to the Zoning Code and Zoning Map to rezone sixth cycle (2021-2029) Housing Element Sites, implement specific housing element programs to encourage and facilitate housing development per State requirements, and amendments to the North Costa Mesa Specific Plan for consistency with the Housing Element sites rezoning.

## **APPLICANT OR AUTHORIZED AGENT:**

Implementing the City of Costa Mesa Sixth Cycle (2021-2029) Housing Element is a City-initiated request.

## **BACKGROUND:**

On December 8, 2025, staff presented an update to the Planning Commission regarding the potential approach to rezoning Housing Element sites. The update

included an overview of Senate Bill (SB) 131, which established new California Environmental Quality Act (CEQA) statutory exemptions effective July 1, 2025, for specific housing and infrastructure projects. With input from HCD, City staff determined that under SB 131, carrying out actions in the approved Housing Element, such as amending the Zoning Code and North Costa Mesa Specific Plan to accommodate the Regional Housing Needs Assessment (RHNA), would be exempt from CEQA.

Since then, the City Attorney, staff, and consultant team evaluated SB 131 (California Public Resources Code Section 21080.085(a)) with guidance from HCD and determined that implementing actions in the approved Housing Element, such as amending the Zoning Code and North Costa Mesa Specific Plan to accommodate housing, would be exempt from CEQA. The Zoning Code amendments attached to this report were prepared to expeditiously complete rezoning actions for Housing Element sites and implement other amendments to the Zoning Code to encourage and facilitate housing development per the City's adopted Housing Element.

Accordingly, the Neighborhoods Where We All Belong (NWWAB) rezoning effort will be bifurcated and structured into two simultaneous work streams: one work stream focusing on Housing Element sites would be an expedited pathway to HCD certification, and a second work stream focusing on creating residential development opportunities on non-Housing Element Measure K sites and implementing other Housing Element programs on the City's original NWWAB timeline. These tasks would include, but are not limited to, the following:

- Studying additional housing opportunities on non-Housing Element Measure K sites;
- Preparing a subsequent amendment to the Mixed-Use Overlay District (MUOD) specific to non-Housing Element Measure K sites;
- Amending the Newport Boulevard Specific Plan to be consistent with the amendment to the MUOD for non-Housing Element Measure K sites;
- Developing broader objective design standards applicable to all residential and mixed-use development;
- Potential Zoning Code clean-up to implement other Housing Element programs and further support production of housing; and
- Completing the full CEQA environmental review process.

The Housing Element Opportunity Sites to be rezoned on the accelerated path are outlined in red in Attachment 1, Rezoning Map. The non-Housing Element Measure K sites shown in Attachment 1 would be rezoned on the original NWWAB timeline.

## **ANALYSIS:**

### Accelerated Path to Rezoning Housing Element Sites

To expedite Housing Element certification, staff proposes rezoning actions for Housing Element sites only (excluding the Fairview Development Center as it will be rezoned through a new specific plan), as well as other Zoning Code text amendments to implement Housing Element programs, meet State requirements and obtain certification by HCD. As proposed, Title 13, Chapter V, Article 11 Mixed-Use Overlay District (MUOD) of the Zoning Code would be amended to create a new section of standards applying only to Housing Element sites. This new section would establish the following on Housing Element sites only:

- Densities ranging from 20 units per acre up to the specific site density identified in the Housing Element (40, 50, and 90 units per acre) via table and map references;
- Basic objective design standards such as height and minimum setbacks that can accommodate the Housing Element identified densities; and
- Ministerial review and approval procedures consistent with State law.

The proposed text of the new section of the MOUD that would apply to Housing Element sites only, proposed updated Zoning Map have been posted on the NWWAB project webpage and is provided as Attachment 2, Exhibit I.

- Proposed zoning code amendments is also available online here:  
<https://www.costamesaneighborhoods.com/resources>

Additional amendments to the Zoning Code are needed in support of encouraging and facilitating development as well as meeting State Housing Law. A summary of the proposed amendments is provided in Table 1, below. Additionally, amendments to the North Costa Mesa Specific Plan only pertaining to Housing Element sites within the North Costa Mesa Specific Plan are necessary for consistency with the Housing Element and updated MUOD.

Table 1. Zoning Code Amendment Overview

Amendment Location	Description (add HE programs to the description)
Title 13, Chapter I, Article 2: Definitions  Attachment 2 Exhibit A	Amend the text to include definitions of efficiency unit, employee housing, and single room occupancy unit, and amend definitions of group home*, single housekeeping unit*, supportive housing, and transitional housing. These amendments implement Housing Element Programs 2J, 2N, 2O, 2P, and 3F. Change Administrative Adjustment to Major Modification for consistency with proposed changes in Chapter III Planning Applications.

	<p>*Group home and Single housekeeping unit definitions are forthcoming and anticipated to be included in the February 9, 2025, packet materials.</p>
<p>Title 13, Chapter III Planning Applications</p> <p>Attachment 2 Exhibit B</p>	<p>Amend text and Table 13-28(a) references to change the name Administrative Adjustments to Major Modifications.</p> <p>Allow a Streamline Development Review process for specific types of projects that comply with applicable development standards. Amend the text regarding development reviews to no longer include the specific types of projects that would be eligible for streamline review.</p> <p>Remove the master plan, master plan screening, and master plan finding requirements for development within the Mixed-Use Overlay to facilitate housing development per State law.</p> <p>Remove Design Review and Minor Design Review. The review of design will be accomplished through the Streamline Development Review, Development Review, and through Objective Design Guidelines, which is forthcoming as part of the NWWAB efforts.</p> <p>Amend Table 13-29(c) to add Streamlined Development Review, change the name Administrative Adjustment to Major Modification, and other minor edits.</p> <p>Remove references to the Redevelopment Agency.</p> <p>Text amendments to the related to mailed notice requirements are for clarity.</p> <p>These amendments partially implement Housing Element Program 3S and would further encourage and facilitate residential and mixed-use development.</p>
<p>Title 13, Chapter IV, Table 13-30: City of Costa Mesa Land Use Matrix</p> <p>Attachment 2 Exhibit C</p>	<p>Amend the table and footnotes to add employee housing, supportive housing, transitional housing, and low barrier navigation center uses. These amendments implement Housing Element Programs 2J and 4E.</p> <p>Remove an "incidental residential use that includes a toilet in combination with a bathtub or shower..." as it is out-of-date and now covered by the accessory dwelling unit uses in the Accessory Uses section of the matrix.</p> <p>Additional text updates to correct typos and remove unnecessary "reserved" and "reserved for future use" categories from the matrix.</p>
<p>Title 13, Chapter V Development Standards, Article 11Mixed-Use Overlay District</p> <p>Attachment 2 Exhibit D</p>	<p>Add Section 13-83.58 to extend the MOUD to all Housing Element sites, including those in the NCMSP, except for the Fairview Development Center site which will be subject to a new specific plan.</p> <p>The new section will establish development regulations specific to Housing Element sites to meet court-mandated requirements (minimum 50% residential at a minimum density of 20 units per acre).</p>

	The new MOUD section is the rezoning and as such, implements Housing Element Programs 2N, 3C, and 3D. Note that the proposed new section of the MOUD would only apply to Housing Element sites.
Title 13, Chapter VI Off-Street Parking Standards, Article 1 Residential Districts  Attachment 2 Exhibit E	Amend Table 13-85(A) to remove the requirement to add parking for bedroom additions in single-family residential units per State law.  Amend Table 13-85 to have multifamily units with 3 or more bedrooms subject to the same parking requirements as multifamily units with 2 or more bedrooms to reduce potential constraints to multifamily housing development. Other amendments include reducing open parking and guest parking minimums. These amendments implement Housing Element Program 2M.
Title 13, Chapter IX Special Land Use Regulations, Article 8 Motels  Attachment 2 Exhibit F	Amend a provision on termination of tenancy to comply with State and Federal laws.
Title 13, Chapter IX Special Land Use Regulations, Article 15 Reasonable Accommodations  Forthcoming	The City is in the process of reviewing its Reasonable Accommodation procedures for potential amendments per Housing Element program 2N. These revisions are anticipated to be included in the February 9, 2025, packet materials.
Title 13, Chapter IX Special Land Use Regulations, Article 18 Emergency Shelters  Attachment 2 Exhibit G	Amend this section to clarify parking requirements and remove regulations pertaining to towing vehicles and alcohol/narcotics as State law limits City regulations to specific topics. This amendment would implement Housing Element Program 4G.

### North Costa Mesa Specific Plan Amendments

Housing Element Program 3C calls for the amendment of the North Costa Mesa Specific Plan to permit residential development on Housing Element sites at a density of 90 dwelling units per acre. The following actions, shown in Attachment 2 Exhibit H, are proposed to implement this program:

- Add a new section specific to Housing Element sites that will extend the new MUOD, with a density up to 90 dwelling units per acre and a minimum of 50% residential development, only to Housing Element sites within the North Costa Mesa Specific Plan area;
- Update Figure 2, General Plan Land Use Designation, and Figure 3, Zoning;
- Update Table 1, General Plan Designations to include the MOUD;

- Update the Building Heights text to specify that maximum building heights apply unless a proposed project is utilizing the MOUD on a qualifying property; and
- Update Table 2, Maximum Building Heights to reference the MOUD.

## **GENERAL PLAN CONFORMANCE**

The proposed rezoning of Housing Element sites, including proposed amendments to the North Costa Mesa Specific Plan, is consistent with the General Plan Amendments adopted by the City Council and effective on November 4, 2025.

## **ENVIRONMENTAL DETERMINATION**

The information being received and discussed by the Planning Commission is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(3) of the CEQA Guidelines because the study session is not a “project” pursuant to Section 15378(b)(5).

On November 15, 2022, the Costa Mesa City Council adopted Resolution No. 2022-67, certifying and adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program that analyzed the candidate housing sites for the 6th Cycle (2021-2029) Housing Element. The Mitigated Negative Declaration provided environmental clearance for the adoption of the Housing Element but did not study and mitigate the potential impacts of the rezoning actions. When the Professional Service Agreement for the Rezoning Program was signed in March 2025, an Environmental Impact Report was determined to be necessary for the rezoning to comply with CEQA. However, on July 1, 2025, a new statutory CEQA exemption, known as SB 131 or Public Resources Code Section 21080.085, went into effect, providing a CEQA exemption for rezoning actions needed to implement Housing Elements. The City’s proposed amendments implement a schedule of actions contained in the approved Housing Element pursuant to Government Code Section 65583 and do not allow the construction of a distribution center, or oil and gas infrastructure. Therefore, the proposed amendments are statutorily exempt from California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.085.

## **ALTERNATIVES**

This item is for discussion purposes, as such no actions nor alternative actions are required.

## **PUBLIC NOTICE**

There is no public notice requirement for the Planning Commission Study Session. However, to encourage public engagement, the City provided the following notification:

- Information on the study session including the draft Zoning Code, Zoning Map, and North Costa Mesa Specific Plan amendments, and date, time and location of the study session were posted on the project website on January 15, 2026;
- Information about the study session including a link to the draft amendments was distributed via email to the project interest list on January 15, 2026, and January 21, 2026.

### **CONCLUSION/NEXT STEPS**

The Planning Commission, at their regularly scheduled meeting on February 9, 2026, will conduct a public hearing and consider a recommendation to the City Council on the proposed amendments to the Costa Mesa Municipal Code to rezone Housing Element sites and update definitions, planning application processing, uses in the Land Use Matrix, residential parking minimums, motel conversion resident relocation procedures, and emergency shelter regulations, Zoning Map and an amendment to the North Costa Mesa Specific Plan to rezone Housing Element sites within that area.

### **ATTACHMENTS**

1. Attachment 1 (Draft amendments to the Zoning Code, North Costa Mesa Specific Plan, and Zoning Map)
2. Attachment 2 (Housing Element and Measure K Sites Map)