

RESOLUTION NO. PC-2025-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT PCUP-25-0017 TO ALLOW OUTDOOR STORAGE OF MOTOR VEHICLES (TOW TRUCKS AND EMPLOYEE VEHICLES) AT 2648 NEWPORT BOULEVARD**

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

WHEREAS, Planning Application PCUP-25-0017 was filed by Steve Hartman, authorized agent for the property owner, David Padua (Southside Towing) requesting approval of Planning Application PCUP-25-0017, a request for a Conditional Use Permit (CUP) to allow outdoor storage of motor vehicles (tow trucks and employee vehicles), not including impound yards. The applicant, Southside Towing, currently operates at 1643 Placentia Avenue and proposes utilizing the parking lot at 2648 Newport Boulevard for tow truck and employee vehicle storage. The existing 4,228-square-foot building on the site is proposed to be used for secured storage. Importantly, no impound yard is proposed at this location;

WHEREAS, a duly noticed public hearing held by the Planning Commission on September 22, 2025 with all persons having the opportunity to speak for and against the proposal;

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-25-0017 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-25-0017 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 22nd day of September, 2025.**

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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-\_\_\_\_ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on September 22, 2025 by the following votes:

AYES:           COMMISSIONERS

NOES:           COMMISSIONERS

ABSENT:        COMMISSIONERS

ABSTAIN:       COMMISSIONERS

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Carrie Tai, Secretary  
Costa Mesa Planning Commission

Resolution No. PC-2025-\_\_

## EXHIBIT A

### FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(2) because:

**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 existing site and commercial building were previously occupied by a piano repair use and is proposed to be utilized for the storage of company tow trucks and employee vehicles with the existing building used for secured storage. Conditions of approval have been implemented to ensure the site is not used as an impound lot and that no repair of vehicles occur on site. In addition, conditions have been included to ensure that there is no use of backup alarms or idling of vehicles and is not open to the public. As such, the proposal would not generate adverse noise, traffic or parking impacts that are unusual for commercially zoned properties.

**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 outdoor storage of motor vehicles (tow trucks and employee vehicles) would not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood as the proposed use at the property would be more similar to an outdoor vehicle store use. The existing 4,228-square-foot building will be used solely for secured storage associated with the business. With the inclusion of a perimeter block wall, motorized gate, and new landscaping, the site will be adequately screened from public view, minimizing potential visual or operational impacts. Conditions of approval will ensure that no outdoor vehicle repair or dismantling occurs, that all operations remain orderly, and that noise, traffic, and site activity remain consistent with surrounding uses, thereby protecting the health, safety, and welfare of the community.

**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 project is in conformance with the Newport Boulevard Specific Plan in that the use will activate the unused property and the use is allowable by the specific plan. The proposed project is in conformance with the City’s General Plan in that the use would be

compatible with the existing uses along Newport Boulevard and meets the intent of the General Plan's Commercial Residential land use designation. The proposed use is consistent with the General Plan's Commercial Residential land use designation's intended land uses and complies with the applicable development standards of the Zoning Code. The Commercial Residential is intended to allow a complementary mix of commercial and residential zoning along Newport Boulevard. The proposed outdoor storage of motor vehicles (tow trucks and employee vehicles) is compatible with the existing site improvements and is an allowable use pursuant to the City's Land Use Matrix, with approval of a CUP. The proposed project would not increase the size of the existing commercial building and would not increase traffic volume to the site beyond that typical for a commercial use. Furthermore, the proposed project is consistent with General Plan Land Use Policies LU-3.1 and LU-6.7 in that the existing building, located toward the rear of the property, would be utilized for secured storage only. Conditions of approval have been placed to mitigate potential noise impacts to the nearby properties and would allow for a local service business to retain and expand their existing operation.

- B. 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 an existing building, 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 and the Newport Boulevard Specific Plan. 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 (PCUP-25-0017)**

- Plng.
1. The use of this property as outdoor storage of motor vehicles (tow trucks and employee vehicles) shall comply with the approved plans and these conditions of approval.
  2. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to final building inspection. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
  3. Any change in the operational characteristics of the use of the property shall be subject to Planning Division review and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change.
  4. No impounded, abandoned, or repossessed vehicles shall be stored on the site.
  5. Storage of vehicles shall be limited to tow trucks and business-related vehicles only (i.e. employee vehicles in exchange for the company vehicles).
  6. No repair, dismantling, or maintenance of vehicles shall be conducted onsite.
  7. No public vehicle release, customer pick-up, or general retail activity shall occur onsite.
  8. Tow truck engines shall not be left idling for extended periods, and back-up alarms shall be properly maintained and disabled when operating vehicles onsite.
  9. Tow trucks, when not in use, shall not be parked or stored on a public street or any other property in violation of the Costa Mesa Municipal Code (CMMC) (ZA 07-27 Condition No. 12)
  10. Onsite lien sales of vehicles is prohibited.
  11. The conditions of approval and code requirements of Planning Application PCUP-25-0017 shall be blueprinted on the face of the site plan sheet of the plan check submittal package.

12. The applicant shall defend, with attorneys of City's choosing, 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 City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. 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.

## **CODE REQUIREMENTS**

The following list of 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. The applicant is also required to comply with any other applicable State and local laws not provided below.

- Plng.    1.        Approval of the planning / zoning application is valid for two 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 has continued to maintain a valid building permit by making satisfactory progress as determined by the Building Official, 2) a certificate of occupancy has been issued, or 3) the use is established and a business license has been issued. A time extension can be requested no less than 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.        Hours of construction shall comply with Section 13-279, Title 13, of the Costa Mesa Municipal Code.

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| Bldg.        | 3. | Comply with the requirements of the applicable adopted California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, and 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. |
|              | 4. | Plans shall be prepared by a California licensed Architect or Engineer. Plans shall be wet stamped and signed by the licensed Architect or Engineer prior to the issuance of building permits.  |
|              | 5. | Construction / improvements that encroach within Public Utility Easements shall require written approvals from the utility companies associated with that easement.   |
| Bus.<br>Lic. | 6. | 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.  |