

**DRAFT STANDARD CONDITIONS OF APPROVAL** (*Informational Only for City Council Review and Comment*)

1. The expiration of Planning Application PA-XX shall coincide with the expiration of the approval of the Tentative Tract Map No. XX which is valid for two years. An extension request is needed to extend the expiration for each additional year after the initial 2-year period.
2. The conditions of approval for PA-XX-XX shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, buildings, etc, shall be blueprinted on the site plan and on all floor plans in the working drawings.
4. No modification(s) of the approved building elevations including, but not limited to, change of architectural type, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process or a variance, or in the requirement to modify the construction to reflect the approved plans.
5. Two (2) sets of detailed landscape and irrigation plans, consistent with the preliminary plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.
6. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
7. Two (2) sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.
8. Street trees in the landscape parkway shall be selected from Appendix D of the Streetscape and Median Development Standards and appropriately sized and spaced (e.g. 15-gallon size planted at 30' on centers), or as determined by the Development Services Director once the determination of parkway size is made. The final landscape concept plan shall indicate the design and material of these areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
9. Transformers, backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened upon view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
10. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted. This condition relates to visually prominent features of scuppers or downspouts that not only detract from the architecture but may be spilling water from overhead without an integrated gutter system which would typically channel the rainwater from the scupper/downspout to the ground. An integrated downspout/gutter system which is painted to match the building would comply with the condition. This condition shall be completed under the direction of the Planning Division.
11. Prior to issuance of certificate of occupancy, the applicant shall construct a minimum 6-foot tall decorative block wall around the perimeter of the project site, unless otherwise approved by the Developer Services Director. Where walls on adjacent properties

- already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screening by trees and landscaping.
12. The subject property's ultimate finished grade level may not be filled/raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public storm water facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties. Applicant is advised that recordation of a drainage easement across the private street may be required to fulfill this requirement.
  13. To avoid an alley-like appearance, the private street shall not be developed with a center concrete swale. The private street shall be complemented by stamped concrete or pervious pavers. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
  14. Prior to issuance of building permits, the developer shall provide the Conditions, Covenants, and Restrictions (CC&Rs), or maintenance agreement to the Development Services Director and City Attorney's office for review. The CC&Rs or maintenance agreement must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office. The CC&Rs or maintenance agreement shall contain provisions that effectively implement the following requirements: (1) require effective management of parking. If onsite parking is not appropriately managed, the Development Services Director shall require implementation of corrective measure(s) to address onsite parking problems in the future; (2) require that the maintenance association, unless no maintenance association is required, contract with a towing service to enforce the parking regulations; (3) Allow third party intervention by the City of Costa Mesa; (4) Any subsequent revisions to the CC&Rs or maintenance agreement related to these provisions must be reviewed and approved by the City Attorney's office and the Development Services Director before they become effective.
  15. Applicant shall provide proof of establishment of a maintenance association prior to release of any utilities, unless exempted from association requirement.
  16. The project entrance is not designed for vehicular gates. A buyer notification shall be provided to future buyers that the community will not be able to accommodate gates without physical changes to the proposed ingress and egress configuration.
  17. If the project is constructed in phases, the perimeter wall, landscaping along the frontages and irrigation shall be installed prior to the release of utilities for the first phase.
  18. The applicant shall submit a Buyer's Disclosure Form to the Development Services for review/approval prior to issuance of building permits. The disclosure notice shall indicate that the most significant implication of no HOA for the City is the lack of an enforcement body for conditions which the City has an interest in maintaining and/or which City required as a condition of approval. For example, cross lot parking, access, or drainage easements or maintenance requirements may not be enforced over time by private individuals. The buyer's notice shall specify that the CC&R's includes a

statement that the City is a third party beneficiary of the CC&R's and that the City may, but is not required, to enforce such provisions. Both the buyer's notice and the CC&Rs shall be approved by the City Attorney's office prior to issuance of the first certificate of occupancy.

19. All units shall be provided with a small alcove inside or outside the unit to allow storage of at least two trash carts without encroaching into the garage space.
20. The applicant and future homeowners shall contract with a private waste disposal company that will provide full on-site trash and recyclable collection. There shall be no storage of trash bins or cans on public streets with the exception of temporary use of the right-of-way for rolling containers or loading to larger trash trucks.
21. The applicant shall disclose the following information to the future homebuyers three days prior to execution of a sale agreement:
  - The type, thickness, and R-value of the insulation that has been installed in the home
  - Any potential hazards or lead-based paint
  - Uses other than residential and any unusual zoning in proximity to the project
  - Distance to airport if within two miles
  - Any special costs that will be incurred by the lot buyer as a result of the installation of a building foundation or any other construction due to unusual soil/geological conditions
  - If there is fill in excess of 2 feet
  - Schools servicing subdivision and any special conditions
  - Any unusual flooding conditions
  - Conditions of approval by the City and any resale restrictions
  - Dedications and easements
  - Project phasing plan
  - Recorded CC&Rs
22. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
23. Prior to issuance of grading permits, developer shall identify to the Development Services Director a construction relations officer to act as a community liaison concerning on-site activity, including resolution of issues related to dust generation from grading/paving activities.
24. Open parking spaces be designated as unreserved, available, open guest parking for all visitors to the site. Signage will be posted to indicate that these spaces are available to all visitors. The CC&Rs shall contain restrictions prohibiting parking in the driveway and in front of garage doors.
25. Residents shall park vehicles in garage spaces. Storage of other items may occur only to the extent that vehicles may still be parked within the require garage spaces.
26. The applicant and each successor in interest to the property which is the subject of this project approval, shall defend, indemnify and hold harmless the City of Costa Mesa and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees (i) to attack, set aside, void or annul any approval, permit or land use entitlement of the City, City Council, or City Planning Commission concerning the herein use, application or project, or (ii) regarding the applicability of federal and state laws governing common-interest developments to the applicant or the subject property.

- 27.\* A "Notice to Buyers" shall disclose that the project is located within an area designated as Light Industry in the City of Costa Mesa General Plan and is subject to existing and potential annoyances or inconveniences associated with industrial land uses. The Notice shall disclose the existing surrounding industrial land uses, including but not limited to, operational characteristics such as hours of operation, delivery schedules, outdoor activities, and noise and odor generation. In addition, the Notice shall state that the existing land use characteristics are subject to change in the event that new businesses move or existing businesses change ownership. The Buyer's Notice shall be reviewed/approved by the City Attorney's office and Development Services Director prior to recordation. The Buyer's Notice shall serve as written notice of the then existing noise environment and any odor generating uses within the mixed-use development and within a 500-foot radius of the mixed use development, as measured from the legal property lines of the development lot. The Buyer's Notice shall be remitted to any prospective purchaser or tenant at least 15 days prior to close of escrow, or within three days of the execution of a real estate sales contract or rental/lease agreement, whichever is longer. The Buyer's Notice shall also indicate that business operations in the live/work units shall be consistent with the land use matrix of the Mesa West Bluffs Urban Plan subject to zoning authorization and obtaining a business license.
- 28.\* Prior to the issuance of Building Permits, the Applicant shall submit a Lighting Plan and Photometric Study for the approval of the City's Development Services Department. The Lighting Plan shall demonstrate compliance with the following:
- The mounting height of lights on light standards shall not exceed 18 feet in any location on the Project site unless approved by the Development Services Director.
  - The intensity and location of lights on buildings shall be subject to the Development Services Director's approval.
  - All site lighting fixtures shall be provided with a flat glass lens. Photometric calculations shall indicate the effect of the flat glass lens fixture efficiency.
  - Lighting design and layout shall limit spill light to no more than 0.5 footcandle at the property line of the surrounding neighbors, consistent with the level of lighting that is deemed necessary for safety and security purposes on site.
  - Glare shields may be required for select light standards.

\* Applicable to projects in urban plan areas.