19West

Urban Plan

Development Services Dept.
City of Costa Mesa
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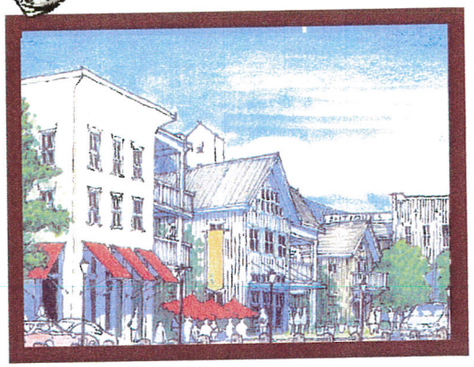
(714) 754-5245

Costa Mesa

TOWNHOMES

COMMERCIAL



RETAIL STORES

CONDOMINIUMS

Mixed-Use Development

August 2006

HISTORICAL CONTEXT

The City of Costa Mesa was incorporated in 1953. The Westside was among the earliest areas in the City to develop and is characterized by a diverse population, land uses, job opportunities, and housing choices. Some positive aspects of the Westside include its diverse land uses and convenient access to Fairview Park, beaches, and other recreation areas.

The Westside area is located as follows: Fairview Park and the Costa Mesa Golf Club to the north, the Santa Ana River to the west, the City of Newport Beach to the south, and Harbor Boulevard and Superior Avenue to the east. The area contains approximately 1,788 acres, or 2.8 square miles (see Figure 1).

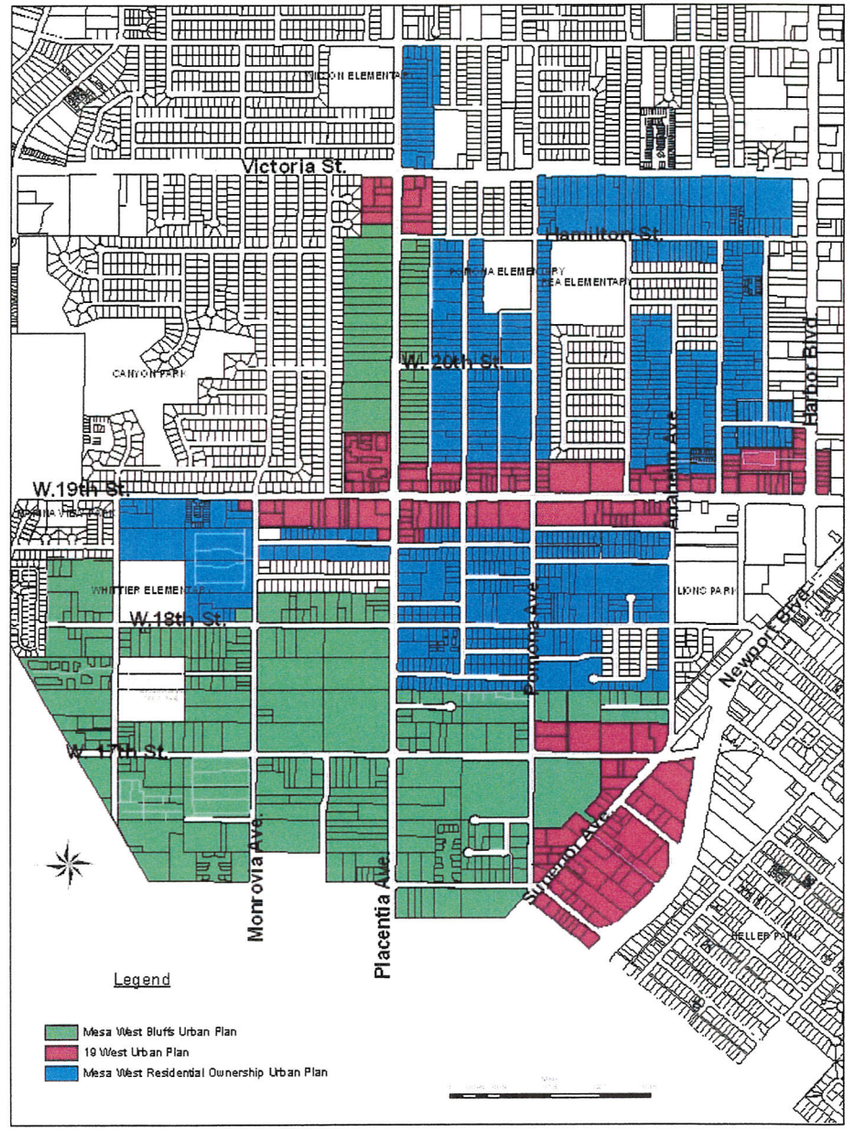
The Westside Specific Plan was prepared in October, 2000. While this planning document was not formally adopted, some of the revitalization strategies in the plan have been used as a guide to stimulate area-wide improvement. In addition, the Westside Revitalization Oversight Committee (WROC) was convened to recommend revitalization strategies and identify specific areas for further improvement. The recommendations of the WROC assisted the City Council in identifying the Live/Work Overlay Zone and providing policy direction.

Relationship to other Westside Urban Plans

The Westside Implementation Plan was adopted in March 2005. Three Urban Plans were created to establish overlay zones in specific areas of the Westside: (1) 19 West Urban Plan, (2) Mesa West Bluffs Urban Plan, and (3) Mesa West Residential Ownership Urban Plan. (See Figure 2.) Each Urban Plan provides guidance to property owners and Developers for new development and redevelopment. All together, these plans will provide a framework for major private market reinvestment and improvements for the Westside. However, the Urban Plans avoid being excessively restrictive by not dictating architectural design guidelines or establishing exterior building colors.

Figure 1: Vicinity Map of Westside

Figure 2: Identification of three separate Urban Plan areas for revitalization of Westside



WROC COMMITTEE

Many cities face similar situations where incompatible land uses are located side-by-side, and where public safety programs are consistently being impacted by a high demand for services from concentrated problem areas within the community. These problems often tend to spread, thus impacting adjoining neighborhoods or business areas. In August, 2003, the Redevelopment Agency appointed 40 members to the Westside Revitalization Oversight Committee (WROC). The WROC's objective was to build upon previous work completed by the Community Redevelopment Action Committee (CRAC). Through the efforts of an intense citizen participation program, the WROC assisted City Council/Redevelopment Agency in developing a long-term vision for the Westside.

Citizen participation was a critical part of the Westside Revitalization Program. The City wished to encourage all residents, especially those living adjacent to industrial properties, to participate in its planning process. In addition, other representatives from the business community were invited. The members of the Westside Revitalization Oversight Committee consisted of representatives of the following groups:

- Homeowners
- Industrial Business and Property Owners
- Rental Property Owners
- Commercial Business and Property Owners
- Residential Tenants
- Community Service Organizations

The public participation process was based on the premise that community planning begins with open communication and the exchange of information and ideas. With this exchange, a comprehensive revitalization plan could be developed which had both effective actions to implement in the short-term future and also broad public support.

The WROC provided all persons interested in the Westside with the opportunity to participate and provide feedback on what they envisioned for the future of the Westside (Figure 3). This concept was unusual because seldom is a committee encouraged to have a large membership. However, this committee of forty members proved that multiple diverse opinions and interest groups could come together to provide valuable input to its City leaders. This was demonstrated by the WROC through their intense commitment, a strong desire for change, diverse representation of the community, and numerous varying ideas and opinions. Compromise was not easily achieved, but when reached it was supported by a supermajority of the membership. The WROC's final report and implementation plan are significant since both documents represent the consensus of this 40-member committee Figure 4). The City of Costa Mesa's Redevelopment Agency and City Council used the WROC's findings and recommendations in their decision-making process to identify the Urban Plan areas and to apply General Plan land use policies promoting mixed-use development.

The primary difference between this urban plan and the WROC recommendations for the commercial/residential overlay zone lie in the scope of the overlay zone. The WROC recommendations identified two areas for this type of development. The first is a PUD Commercial/Residential overlay zone for properties located south of West 19th Street, between Anaheim and Monrovia Avenues. The second was a PUD Commercial/ Industrial/ Residential Live/Work overlay zone for properties located north of West 19th Street, between Maple Avenue and 840 West 19th Street, with a two-story height limit. The overlay zone included in this urban plan includes an expanded West 19th Street area, plus additional areas located at the south corners of Victoria Street and Placentia Avenue, and west of Newport Boulevard, and along Superior Avenue, and West 17th Street between Pomona and Anaheim Avenues, with a four-story height limit in the entire throughout the plan area.

Figure 3 Several Westside Revitalization Oversight Committee members making public comments at City Council meeting.

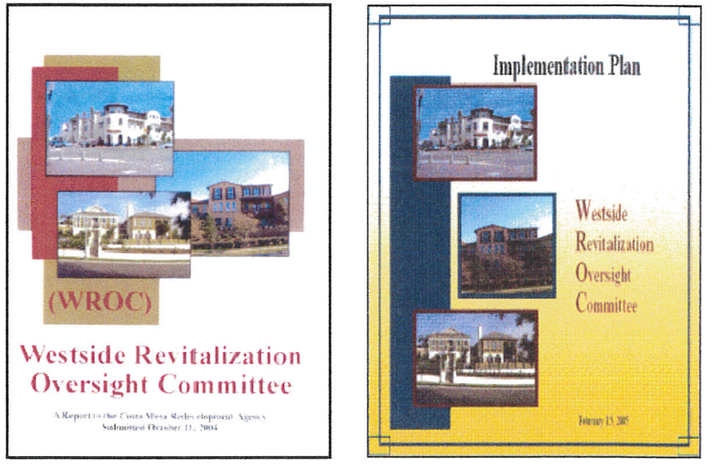


Figure 4 WROC Planning documents

IDENTIFICATION OF 19 WEST MIXED-USE OVERLAY ZONE

Identifying 19 West Urban Plan Area

On March 15, 2005, the Costa Mesa City Council unanimously approved several revitalization strategies aimed to improve the Westside. City Council identified the 19 West Urban Plan area as a commercial/residential hybrid overlay area. This area is north and south of West 19th Street and the area between Newport Boulevard and Superior Avenue. The Zoning Map was amended on [date pending] to reflect this overlay zone for the plan area.

The 19 West Urban Plan area is approximately 106.3 acres in size. Some major roadways in the plan area include West 19th Street, West 17th Street, Superior Avenue, and Placentia Avenue.

Adoption of the Urban Plan

On February 13 and March 13, 2006, Planning Commission conducted public hearings on the three proposed Westside Urban Plans. The Planning Commission (Figure 5A) reviewed these plans at a total of five study sessions and two public hearings and unanimously recommended approval of the plan to City Council.

On April 4, 2006, City Council (Figure 5B) adopted the 19 West Urban Plan.

Chair Bill Perkins

Vice Chair Donn Hall

Commissioner Eleanor Egan

Commissioner James Fisler

Commissioner Bruce Garlich

PLANNING COMMISSION (Figure 5A)

CITY COUNCIL (Figure 5B)

Mayor Allan Mansoor

Council member Linda Dixon

Mayor Pro Tem Eric Bever

Council member Katrina Foley

Council member Gary Monahan

OBJECTIVES OF URBAN PLAN

Purpose of Overlay Zoning

Overlay zoning is a useful tool in promoting the long-term goals of the 19 West Urban Plan. By giving a plan the weight of law, an overlay zoning district helps ensure successful implementation of the plan's strategies. The overlay zone applies zoning provisions to the 19 West Urban Plan area. When activated by an approved Master Plan, the underlying zoning district is superseded by the zoning regulations of the 19 West Urban Plan, unless otherwise indicated.

The 19 West Urban Plan does not propose any major intensification of land uses. The emphasis is on improving the Urban Plan area by providing visual enhancement and encouraging the development of mixed-use urban villages along specified areas of W. 17th Street, W. 19th Street, and Superior Avenue.

Thus, future traffic will be supported by the General Plan roadway network. In this regard, it should be emphasized that the 19 West Urban Plan would not redirect traffic to any neighborhood streets in the area, and essentially maintains the existing traffic patterns.

With regard to the Commercial/Residential Overlay Zone, the 19 West Urban Plan implements General Plan goals/objectives/policies for mixed-use development by regulating allowable land uses and development standards.

The objectives of the 19 West Urban Plan include:

- ***Identify development regulations*** to realize the vision of the Urban Plan. These regulations address mixed-use development standards as well as public streetscapes and urban design improvements and amenities.
- ***Provide a Land Use Matrix of allowable uses*** that recognizes the development potential of the plan area and the need to sensitively integrate new development with the surrounding areas, and therefore, promote both resident and business community confidence in the long term.
- ***Encourage Commercial/Residential mixed-use development*** that combines residential and nonresidential uses in a single building (vertical mixed-use development) or in proximity on the same site (horizontal mixed-use development). This type of development includes office, retail, business services, personal services, public spaces and uses, and other community amenities to revitalize the area **without exceeding** the development capacity of the General Plan transportation system.
- ***Attract more residents and merchants*** by allowing mixed-use development in a single-use zoning area – specifically, vertical or horizontal mixed-use development offering first floor retail/office and upper story residential condominium units.
- ***Encourage adaptive reuse*** of existing industrial or commercial structures, which would result in rehabilitated buildings with unique architecture and a wider array of complementary uses.
- ***Stimulate improvement in the 19 West Urban Plan area*** through well-designed and integrated urban residential development that is nontraditional in form and design with flexible open floor plans and which complements the surrounding existing development.
- ***Meet demand for a new housing type*** from artists, designers, craftspeople, professionals and small-business entrepreneurs.
- ***Promote new type of urban housing*** that would be target-marketed to people seeking alternative housing choices in an industrial area. An urban loft would be an alternative to a traditional single-family residence, tract home, or small-lot subdivision.
- ***Encourage the design and development of urban residential structures*** reflecting the urban character of the surrounding area both in the interior and exterior design.

Figure 7: Illustration of mixed-use development, including live/work units.

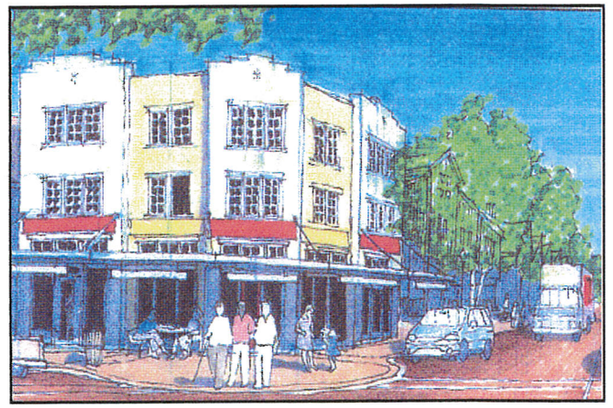


Figure 6: Artist Rendering of a Vertical Mixed-Use Development Project

GENERAL PLAN AND ZONING

The 19 West Urban Plan area is characterized by a wide variety of land uses. The plan area is composed of the following General Plan land use designations:

- High Density Residential
- Neighborhood Commercial
- General Commercial
- Commercial Center
- Light Industry

The plan area consists of the following zoning classifications:

- R3 – Multi-Family Residential
- CL – Commercial Limited
- C1 – Local Business District
- C2 – General Business
- AP – Administrative Professional
- MG – General Industrial

The General Plan land use designations (Figure 9A) and Zoning districts (Figure 9B) are shown.

EXISTING LAND USE CONTEXT

The Westside's primary uses are single- and multi-family neighborhoods, and industrial uses. The single-family neighborhoods are located north and south of 19th Street and, in some areas, are undergoing increased renovation activities. Multi-family neighborhoods are found throughout the Westside, with a substantial number of units both north and south of 19th Street. The industrial areas of the Westside are concentrated south of 19th Street and along Placentia, north of 19th Street.

Multi-family residential uses are located adjacent to general commercial areas in the 19 West Urban Plan area. Light industrial uses are located along Superior Avenue, Placentia Avenue, and West 17th Street. There are approximately 680 dwelling units (general estimate only) located in the plan area. A wide range of land uses are shown in Figure 8 below.

Figure 8: Collection of site photos of residential structures and existing businesses in 19 West Urban Plan area.

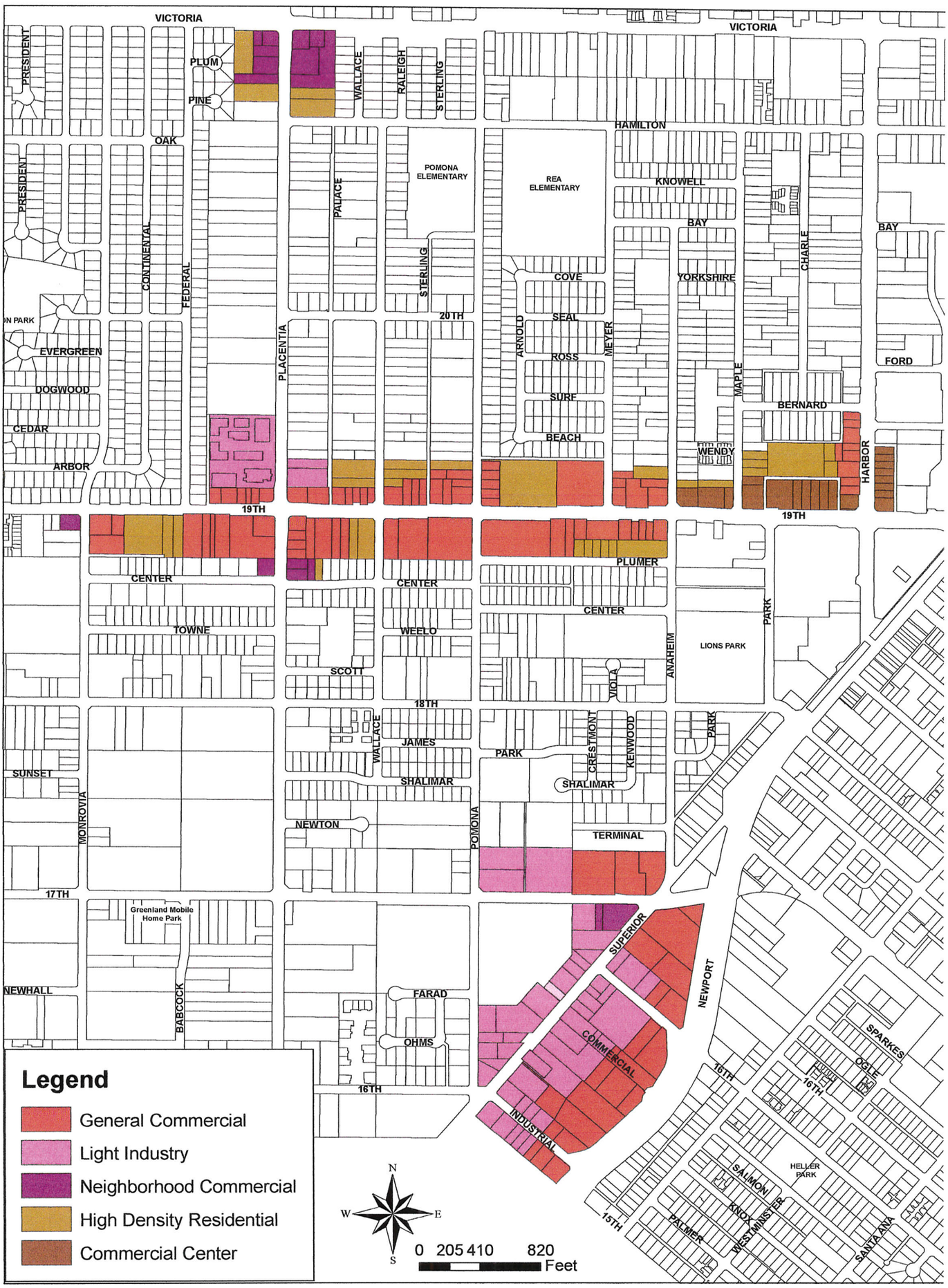


FIGURE 9A

19 West Urban Plan Area

General Plan Land Use Designations

19 West Village Mixed-Use Overlay District

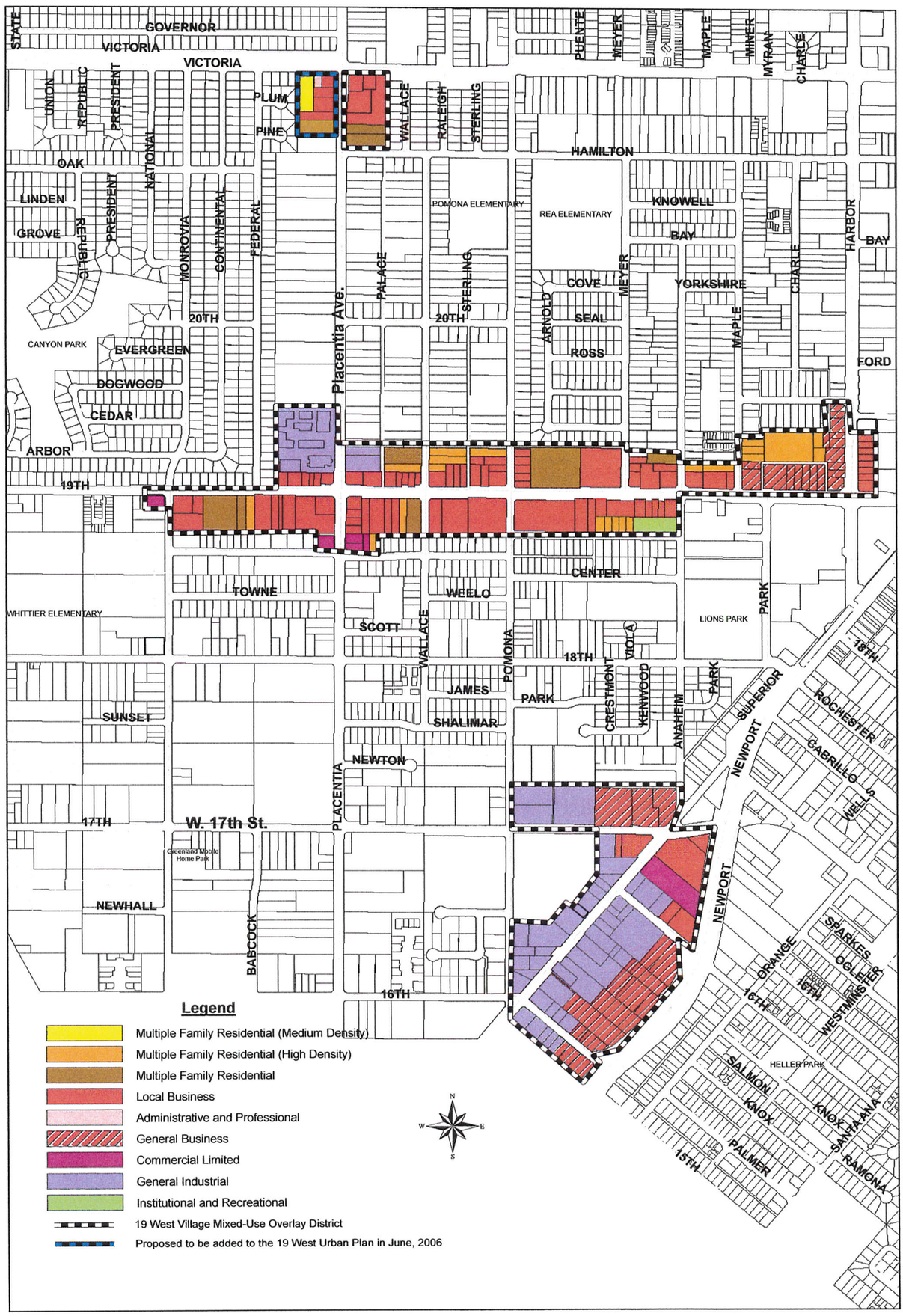


FIGURE 9B

19 West Zoning Designations

PLANNING PROCESS

It is the express intent of the 19 West Urban Plan to allow existing businesses to continue to operate and expand consistent with existing General Plan and zoning requirements. Opportunities for mixed-use development in the 19 West Urban Plan area involve properties that may be redeveloped, rehabilitated, or adaptively re-used.

The land use regulations for mixed-use development may only be activated through an approved Mixed-Use Master Plan. Specific mixed-use development regulations supersede those of the underlying zoning district (e.g. commercial and industrial), unless otherwise indicated.

Mixed-Use development proposed in the 19 West Urban Plan area requires approval of a Master Plan pursuant to Title 13, Chapter II, Planning Applications, of the Costa Mesa Municipal Code. In accordance with City procedures, the Planning Commission reviews and considers Master Plans. Refer to Section 13-28(g), Master Plan, of the Zoning Code regarding the review process for preliminary Master Plans and amendments to the Master Plan.

A deviation from the 19 West district's development standards (as shown in Table A of the 19 West Urban Plan) may be approved through the Master Plan process provided that specific findings are made pursuant to the Zoning Code.

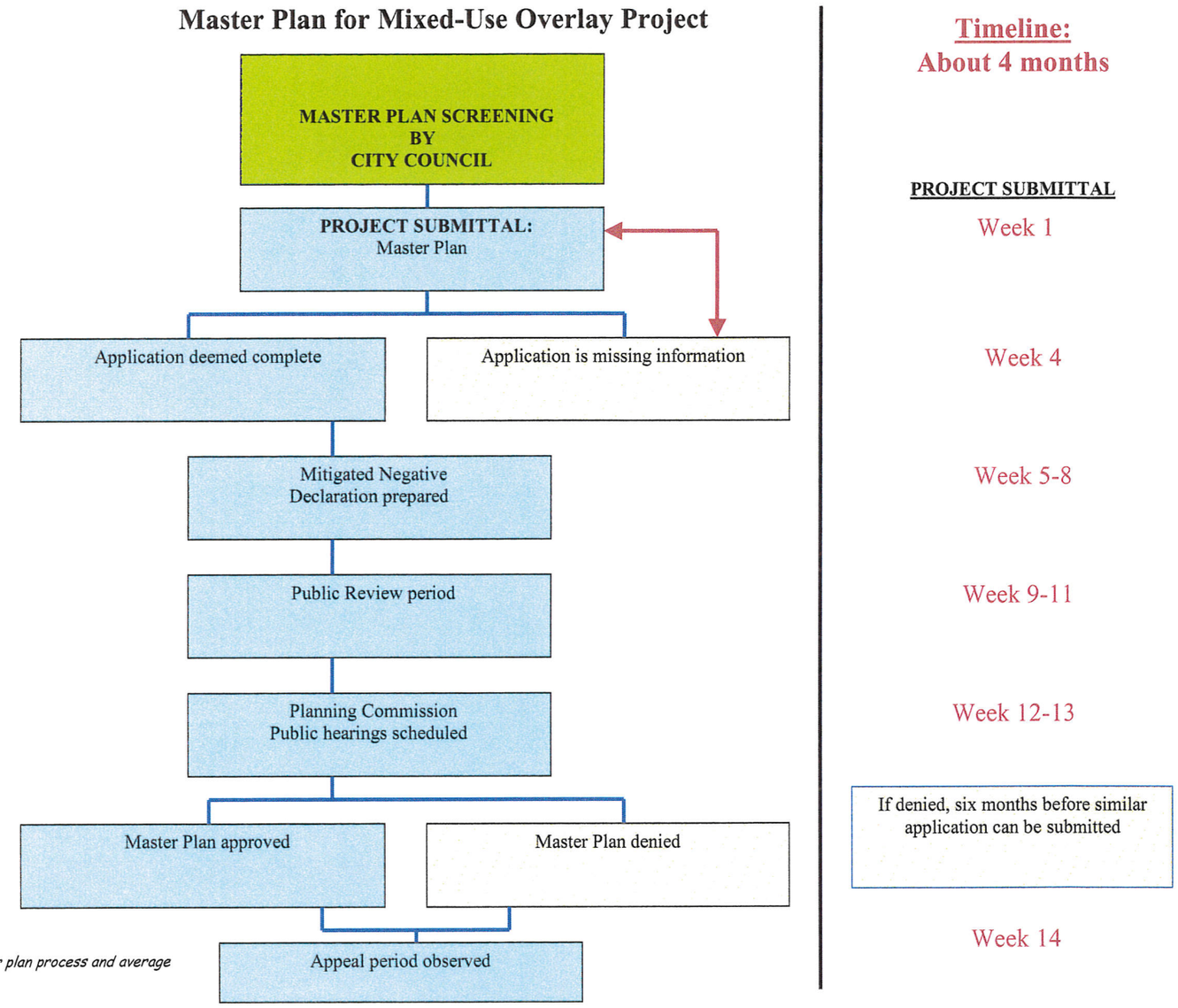


Figure 10: Flowchart of master plan process and average processing time.

DEFINITIONS

Live/Work Loft or Live/Work Unit. A mixed-use development composed of commercially- or industrially-oriented joint work and living quarters in the same building, where typically the primary use is a place of work and where there are separately-designated residential and work areas. A live/work unit consists of the following: (a) living/sleeping area, kitchen, and sanitary facilities in conformance with the Uniform Building Code and (b) adequate work space accessible from the living area, reserved for, and regularly used by the resident(s).

Master Plan. The overall development plan for a parcel or parcels, which is depicted in both a written and graphic format.

Mixed-use development - Horizontal. A type of mixed-use development where nonresidential and residential uses are located adjacent to one another on the same or adjoining lots of the same development site and are typically sited in separate buildings.

Mixed-use development - Vertical. A type of mixed-use development where nonresidential and residential uses are located in the same building and where the dwelling units are typically located on the upper levels and the nonresidential uses on the lower levels.

Mixed-use overlay zoning district. A zoning district superimposed over a base zoning district, which modifies the regulations of the base zoning district to allow mixed-use development. The provisions of the mixed-use overlay district shall be distinct from and supersede, in some instances, the zoning regulations of the base zoning district when activated through an approved Master Plan.

Nonresidential component. Areas of the mixed-use development including, but not limited to, commercial/industrial buildings, work spaces, storage areas, public spaces, and parking areas primarily or exclusively used by the tenants of the businesses.

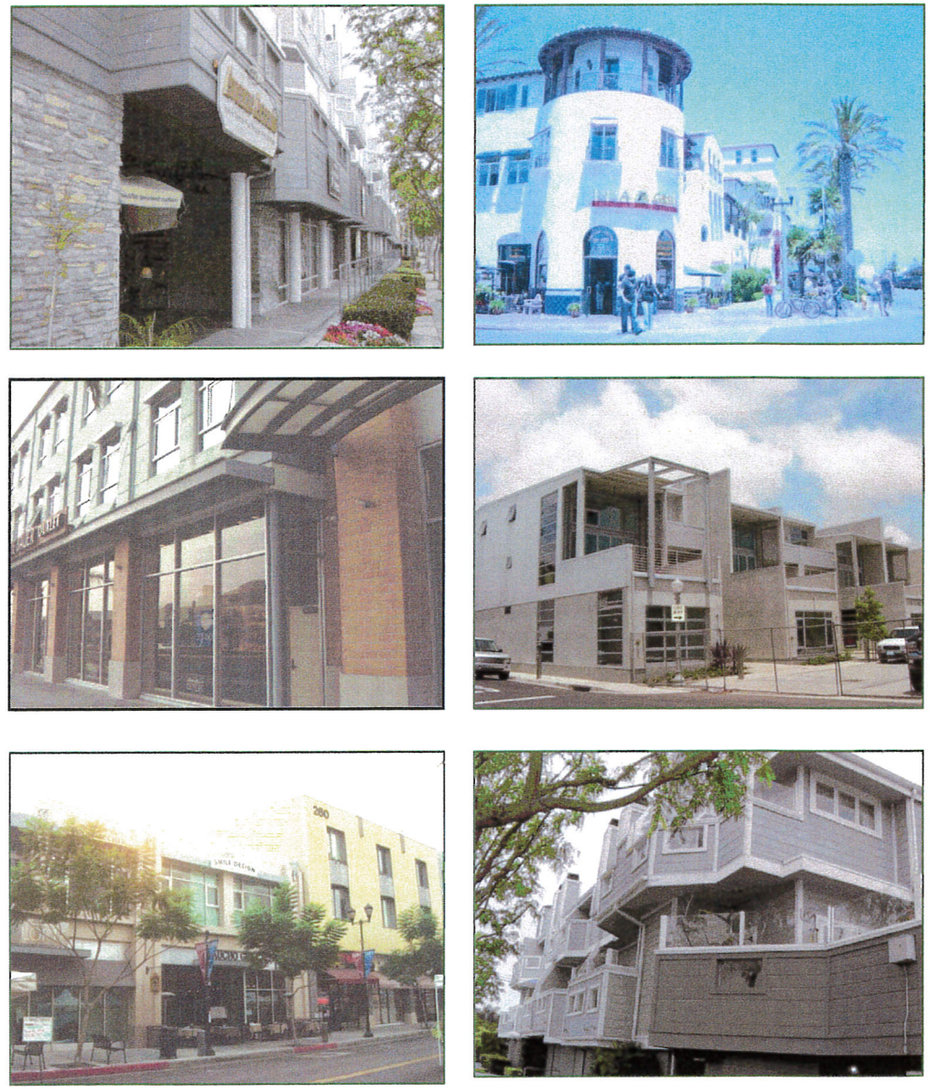
Overlay Zone - Zoning district that applies another set of zoning provisions to a specified area within an existing zoning district. The overlay zone supersedes the zoning regulations of the base zoning district, unless otherwise indicated.

Residential component. Areas of the mixed-use development, including buildings, habitable spaces, common spaces, recreational facilities, and parking areas primarily or exclusively used by the residents of the dwelling units.

Residential Loft/Urban Loft: A residential loft is a multiple-family residential dwelling unit with an open or flexible floor plan designed to accommodate a variety of activities, including a but not limited to living, sleeping, food preparation, entertaining, and work spaces in a single housekeeping unit. Residential lofts can include multi-level townhomes and single-level stacked flats. Residential lofts typically have floor-to-ceiling dimensions in excess of 10 feet and may have open ceilings with exposed duct work, overhead lighting, fire sprinklers, etc.

Urban Plan. An implementation document adopted by ordinance by the City Council that sets forth development standards and land use regulations relating to the nature and extent of land uses and structures in compliance with the City's General Plan. An Urban Plan is designed to establish the vision, development framework, and historical/local context for a specified area.

Figure 11: Photos of mixed-use development projects in Orange County cities.



VERTICAL MIXED-USE DEVELOPMENT

Vertical mixed-use development involves nonresidential and residential uses located in the same building, where the dwelling units are typically located on the upper levels and the nonresidential uses on the lower levels.

VERTICAL MIXED-USE ILLUSTRATIVE

The following live/work development is a representation of a project that may be constructed in the plan area.

Project Site:	1 acre
Project Type:	Commercial Building & Two-Bedroom Residential Units
No. of Stories:	3 stories total

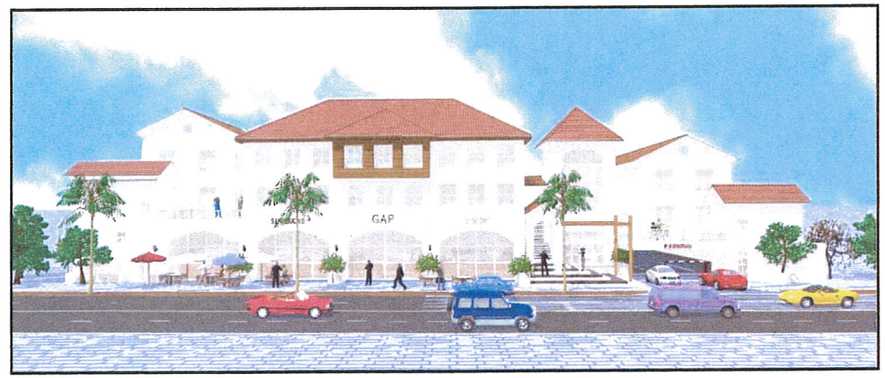
Commercial Component

Building Size:	6,777 sq.ft.
No. of Stories:	one story
Parking:	27 commercial Parking spaces (4 spaces/1,000sf)

Residential Component

Unit Size:	1,200 sq.ft. Two-bedroom units
No. of Stories:	2 stories
No. of Units:	37 dwelling units
Parking:	93 parking spaces (Each unit has enclosed garage)
FAR:	1.17 FAR

Figure 12: Illustrative example of a vertical mixed-use development with commercial uses on the ground floor and two-bedroom units on the upper floors. All parking provided on the ground level.



ILLUSTRATIVE PERSPECTIVE

VERTICAL MIXED USE

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ILLUSTRATIVE PERSPECTIVE

VERTICAL MIXED USE

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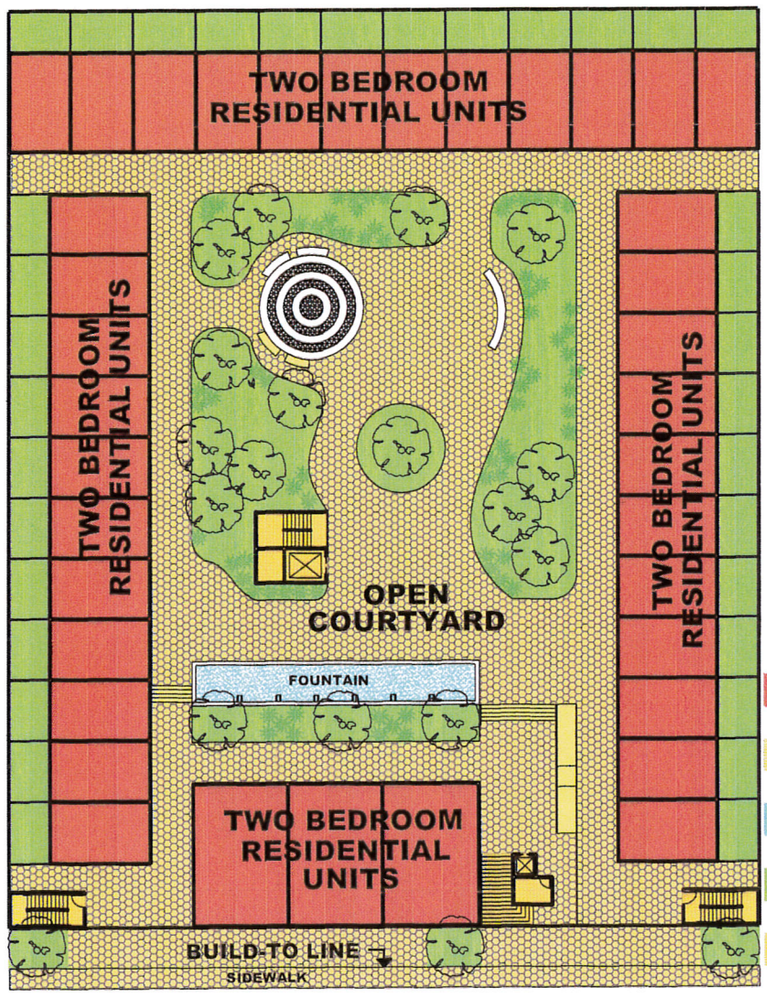
ILLUSTRATIVE PLAN
VERTICAL MIXED USE

SCALE: 1/32" = 1'-0"



PODIUM LEVEL

PUBLIC STREET

PROJECT SITE: 1 ACRE SITE,
PROJECT TYPE: COMMERCIAL BUILDING AND TWO BEDROOM RESIDENTIAL UNITS

COMMERCIAL COMPONENT:
BUILDING SIZE: 6777 SQ.FT.
NO. OF STORIES: 1 STORY
PARKING: 27 COMMERCIAL PARKING SPACES

RESIDENTIAL COMPONENT:
UNIT SIZE: 1,200 SQ. FT.
NO. OF STORIES: 2 STORIES
NO. OF UNITS: 37 DWELLING UNITS
PARKING: 93 RESIDENTIAL PARKING SPACES (EACH UNIT HAS TWO COVERED PARKING SPACES)
FAR: 1.17 FAR

- RESIDENTIAL SPACE
- CIRCULATION SPACE
- FOUNTAIN
- LANDSCAPE
- VERTICAL CIRCULATION

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HORIZONTAL MIXED-USE DEVELOPMENT

Horizontal mixed-use development involves nonresidential and residential uses located adjacent to one another on the same or adjoining lots of the same development site and are typically sited in separate buildings.

VERTICAL MIXED-USE ILLUSTRATIVE

The following live/work development is a representation of a project that may be constructed in the plan area.

Project Site:	2 acres
Project Type:	Commercial Building & Three-Bedroom Residential Units
No. of Stories:	3 stories total

Commercial Component

Building Size:	4,620 sq.ft.
No. of Stories:	one story
Parking:	18 spaces required 34 spaces provided (4 spaces/1,000sf)

Residential Component

Unit Size:	2,528 sq.ft. Three-bedroom units
No. of Stories:	3 stories
No. of Units:	20 dwelling units
Parking:	60 parking spaces (Each unit has enclosed garage)
FAR:	0.64 FAR

Figure 13: Illustrative example of horizontal mixed-use development with a freestanding commercial building surrounded by three-bedroom residential units.

ILLUSTRATIVE PERSPECTIVE

HORIZONTAL MIXED USE

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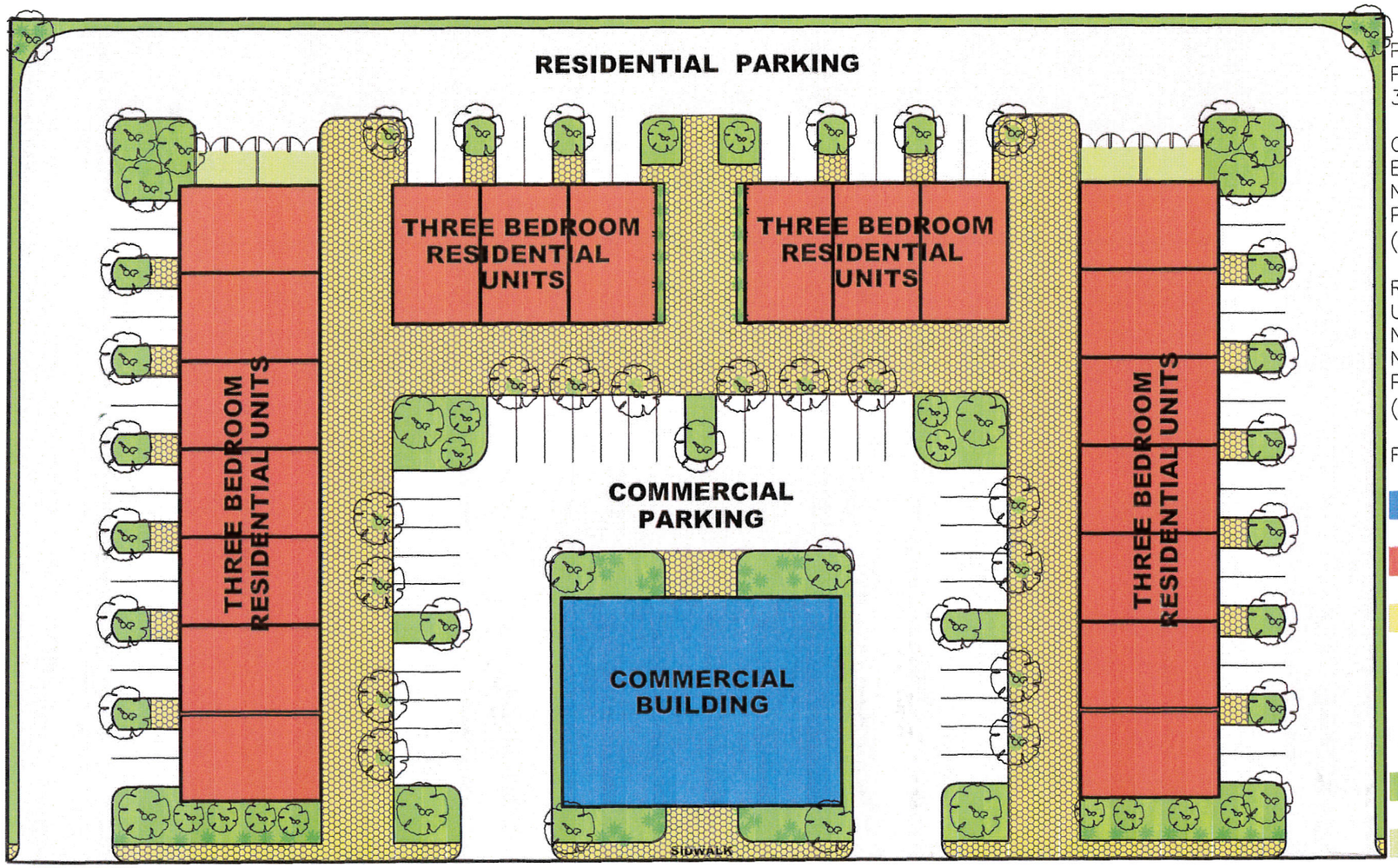
ILLUSTRATIVE PLAN
HORIZONTAL MIXED USE

SCALE: 1/32" = 1'-0"



PROJECT SITE: 2 ACRE SITE
PROJECT TYPE: COMMERCIAL BUILDING AND 3-BEDROOM RESIDENTIAL DWELLING UNITS

COMMERCIAL COMPONENT:
BUILDING SIZE: 4620 SQ. FT.
NO. OF STORIES: ONE STORY
PARKING: 34 COMMERCIAL PARKING SPACE (MIN. 18 PARKING SPACES REQUIRED)

RESIDENTIAL COMPONENT:
UNIT SIZE: 2,528 SQ.FT.
NO. OF STORIES: 3 STORIES
NO. OF UNITS: 20 DWELLING UNITS
PARKING: 60 RESIDENTIAL PARKING SPACE (EACH UNIT HAS A SINGLE CAR GARAGE)

FAR: .63 FAR

- COMMERCIAL SPACE
- RESIDENTIAL SPACE
- CIRCULATION SPACE
- PARKING CIRCULATION SPACE
- PARKING SPACE
- LANDSCAPE
- MAINTENANCE SPACE

M-BA

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ILLUSTRATIVE PERSPECTIVE

HORIZONTAL MIXED USE

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HORIZONTAL MIXED USE

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HORIZONTAL MIXED USE

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DEVELOPMENT STANDARDS

The land use regulations for allowable mixed-use development are activated by a Master Plan. The development regulations of the base zoning district shall be superseded by those contained in the 19 West Urban Plan, unless otherwise noted (Table A, Development Standards).

TABLE A - 19 WEST URBAN PLAN
MIXED-USE DEVELOPMENT
DEVELOPMENT STANDARDS

DEVELOPMENT STANDARD	Deviations from development standards may be granted through the master plan approval process with consideration to existing development configuration, compatibility of adjacent uses, inclusion of pedestrian-oriented space, and/or inclusion of amenities along the street side.
Maximum Floor Area Ratio for mixed-use development project (including residential uses) • Commercial Base Zoning District • Industrial Base Zoning District	 1.0 FAR 1.0 FAR
Minimum Floor Area Ratio for nonresidential component of development • Commercial Base Zoning District • Industrial Base Zoning District	 0.15 FAR 0.175 FAR
Overall Maximum Building Height for Mixed-Use Project • Max. Building Height for Nonresidential Component: • Max. Building Height for Residential Component:	4 stories/ 60 feet (Roof gardens/terraces in mixed-use development projects shall not be considered a story. 2 stories/ 40 feet 4 stories/60 feet (Lofts, as defined in Section 13-6 of the Zoning Code, without exterior access and having only clerestory windows will not be regarded as a story.
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. Attics above the maximum number of stories shall be an integral part of the building roofline and not appear as an additional story on any building elevation. Windows in any attic space above the maximum number of stories shall be incidental and limited to a dormer style.
Maximum Lot Coverage	90%

TABLE A - 19 WEST URBAN PLAN
MIXED-USE DEVELOPMENT
DEVELOPMENT STANDARDS

Minimum Open Space Development Lot: Residential Open Space:	 10% (This minimum open space requirement strictly applies to the overall development lot area. This minimum 10% open space will be in addition to any residential open space required per dwelling unit.) Minimum 200 sq.ft. per dwelling unit of residential component (This requirement does not apply to live/work units) Residential open space may be any combination of private and common open space areas. Common open space may be distributed throughout the residential component of the mixed-use development and need not be in a single large area. Common open space areas may be satisfied by common roof gardens, common recreational/leisure areas, recreational facilities featuring swimming pools, decks, and court game facilities. Private open space may be provided for each dwelling unit above the first floor in the form of a private patio or balcony.
FRONT BUILD-TO-LINE AND SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS Minimum distances given, unless otherwise noted. All setbacks from streets to development lots are measured from the ultimate property line shown on the Master Plan of Highways. Increased side and rear setbacks may be required pursuant to Uniform Building Code requirements.	
Front Build-To-Line • Abutting public street	 Build-To-Line of 10 feet along all public streets
Side Setback • Interior • Abutting a public street • Abutting a publicly-dedicated alley • Abutting residential zone	 0 feet 10 feet along Anaheim Avenue, Industrial Way, Monrovia Avenue, Placentia Avenue, Pomona Avenue, Superior Blvd., Victoria St., W. 16th Street, W. 17th Street, 5 feet for all other streets 5 feet 20 feet
Rear Setback • Abutting a public street • Abutting residential zone • All other rear property lines	 10 feet along all public streets 20 feet 0 feet
Distance between main buildings	Minimum 10 foot distance between main buildings on the same site.
Distance between accessory structures.	Minimum 6 foot distance between accessory structures and main buildings.

TABLE A - 19 WEST URBAN PLAN
MIXED-USE DEVELOPMENT
DEVELOPMENT STANDARDS

PARKING

(1) Vehicle parking is required either on-site or on another lot within a distance deemed acceptable by the Planning Commission. A reduction in the vehicle parking requirements shall be determined as outlined in "City of Costa Mesa Procedure for Determining Shared Parking Requirements." The parking reduction for the mixed-use development project and may be approved in conjunction with the master plan approval.

(2) Parking spaces shall be specifically designated for nonresidential and residential uses by the use of posting, pavement markings, and physical separation. The parking area design may include the use of alternative parking techniques such as mechanized stacked parking systems to satisfy parking requirements, subject to review and approval by the Planning Commission. Parking design shall also consider the use of separate entrances and exits, or a designated lane, for residents, so that residents are not waiting in line behind shoppers or moviegoers. Parking structures shall be architecturally integrated with the project design.

(3) Parking structures shall be screened from view at street level and include architectural detailing, artwork, landscape, or similar visual features to enhance the street facade. Screening of parking structure levels above street grade is encouraged through the use of vines or architectural screening detail that is compatible with the project.

Nonresidential Component Commercial or Industrial Uses	1. Parking requirements for commercial or industrial uses shall comply with off-street parking requirements for nonresidential uses in the base zoning district. See Table 13-89, Nonresidential Parking Standards in the Zoning Code.
Residential Component	1. Parking requirements for dwelling units in a mixed-use development shall be applied as follows:

Dwelling Unit	Tenant Parking Space[1a]	Guest Parking
Studio/Loft/Bachelor	1.0 space	.5 guest
1 Bedroom	1.5 spaces	.5 guest
2 Bedrooms	2.0 spaces	.5 guest
3 Bedrooms	2.5 spaces	.5 guest

(1a). *Assigned Tenant Parking*. A minimum of 50 percent of the total number of parking spaces required for the dwelling units shall be covered, with no less than 1 covered assigned parking space being provided for each dwelling unit.

TABLE A - 19 WEST URBAN PLAN
MIXED-USE DEVELOPMENT
DEVELOPMENT STANDARDS

SIGNAGE

A Planned Signing Program is required. Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage pursuant to the City's Sign Ordinance.

Building Wall Sign	Wall signs shall not exceed one square foot of sign area for each linear foot of building frontage or portion thereof.
Freestanding Sign along Placentia Avenue, Pomona Avenue, Anaheim, Avenue, Superior Blvd., 19th Street, 17th Street	Maximum 25 feet in height including the base.
Freestanding Sign along all other public streets	Maximum 7 feet in height including the base
	Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage pursuant to the City's Sign Ordinance.

POOLS AND SPAS

Above-ground pools and spas shall not be located in the required front setback from a public street and are subject to rear and side yard setbacks for main structures. Additional setbacks may be applicable pursuant to Uniform Building Code requirements.

PROJECTIONS (Maximum depth of projections given)

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.	2 feet 6 inches into required setback area.
Chimneys	2 feet above maximum building height.
Fireplaces	2 feet into required setback or building separation area

ADDITIONAL DEVELOPMENT STANDARDS

Common Interest Developments	Required. Exception: Small lot, single-family detached common-interest developments are not permitted.
19th Street Frontage Requirement	Lots abutting the rear of properties that have frontage on W. 19th Street shall be consolidated to create a resultant parcel with frontage on W. 19th Street prior to approval of any mixed-use Master Plan for such properties.

DENSITY AND INTENSITY

Density and Intensity of Mixed-Use Development

The floor-area-ratio and vehicle trip generation work in concert to ensure that new developments, as measured by average daily trip generation, do not exceed the capacity of the circulation system.

Maximum Allowable Intensity (Floor-Area-Ratio)

Intensity in mixed-use development is measured by floor-area-ratios, which determine the maximum amount of mixed-use development that is allowed on a lot or parcel. Intensity is therefore not exclusively measured by the number of dwelling units per acre of land.

Any increase from the maximum 1.0 FAR (up to a maximum of 1.25 FAR) or any decrease from the minimum FAR standards may be approved if appropriate findings can be made related to excellence in design, site planning, integration of uses and structures and protection of the integrity of the neighborhood. These findings are described in Article 11 of the Costa Mesa Municipal Code.

Table B provides maximum FARs for mixed-use development and average daily trip generation.

Table B
FARs for Mixed-Use Development

Development Standard	Commercial Base Zoning District	Industrial Base Zoning District
Maximum Floor-area-ratio for mixed-use development project	1.0 FAR	1.0 FAR
Minimum Floor-area-ratio for nonresidential component of development	0.15 FAR	0.175 FAR

Vehicle Trip Generation

Intensity refers to the magnitude of vehicle traffic activity generated by the mixed-use development. Successful mixed-use development requires a critical balance of building area (density) and vehicle traffic (intensity). The Urban Plan intends to stimulate development that both provides for the critical mass **without** exceeding the development capacity of the General Plan transportation system.

It is anticipated that as mixed-use projects develop over time in the plan area, overall vehicle trip generation will decrease when compared to more traditionally zoned and developed properties in Costa Mesa.

General Plan Conformance

The 19 West Urban Plan is consistent with the following 2000 General Plan circulation policies:

CIR-1A.8 *Encourage the integration of compatible land uses and housing into major development projects to reduce vehicle use.*

CIR-1A.9 *Encourage General Plan land uses which generate high traffic volumes to be located near major transportation corridors and public transit facilities to minimize vehicle use, congestion, and delay.*

CIR-1A.16 *Maintain balance between land use and circulation systems by phasing new development to levels that can be accommodate by roadways existing or planned to exist at the time of completion of each phase of development.*

Traffic Study (Required as determined by Transportation Services Division)

The primary objective of new development, redevelopment and adaptive reuse of the properties in the 19 West Urban Plan area is to revitalize the area **without exceeding** the development capacity of the General Plan transportation system. Independent traffic studies may be required by Transportation Services Division if there is a potential that the proposed Master Plan would adversely affect roadway conditions.

ALLOWABLE USES

A variety of small-scale services are encouraged with limited larger offices and commercial uses being permitted in ground-level units. No proposed nonresidential uses shall be designed or operated so as to expose residents to offensive odors, dust, electrical interference, and/ or vibration. Proposed new development will be required to provide onsite mitigation of impacts associated with surrounding nonresidential land uses.

The land use matrix shown in Table C provides a list of permitted and conditionally permitted in mixed-use development, including live/work units. Similar to the role of a land use matrix in Planned Development Commercial (PDC) and Planned Development Industrial (PDI) zoning districts, the Urban Plan land use matrix provides a distinct listing of allowable uses that is customized for mixed-use development projects.

For example, uses permitted by right in a mixed-use development are considered compatible with residential uses on the same development site. These permitted uses may include artist studios, retail stores, neighborhood grocery stores, coffee/sandwich shops, and neighborhood dry cleaners. Conditionally permitted uses may include photography studios, physical fitness facilities, dance studios, or movie theaters.

While the overlay zone emphasizes mixed-use development projects, any other type of mixed-use development (e.g. live/work unit) requires a conditional use permit in the plan area.

Table C: LAND USE MATRIX

LAND USE MATRIX **P = Permitted, MC = Minor Conditional Use Permit, C = Conditional Use Permit**	
LIVE/WORK UNITS	
• Artists, craftspersons, sculpture studios (woodworking, furniture restoration, painting, ceramics, etc.)	P
• Barber and beauty shops	P
• Catering	P
• Commercial art, graphic design, website designers	P
• Computer and data processing	P
• Legal, Engineering; Architectural; and Surveying services	P
• Offices: Professional, central admin., general, services to business	P
• Photocopying; Blueprinting and related services; photo finishing	P
• Printing and publishing	P
• Offices: medical/dental	MC
• Photography: Commercial	MC
• Photography: Portrait Studio	MC
• Recording studios	MC
• Studios: Dance; Martial arts; Music, Yoga, etc.	MC
• Retail Store	C
• Furniture repair and refinishing with incidental sales	C
VERTICAL/HORIZONTAL MIXED-USE DEVELOPMENT WITHOUT A LIVE/WORK COMPONENT REQUIRE A **CONDITIONAL USE PERMIT** IN THE MESA BLUFFS URBAN PLAN AREA	
1. Pursuant to an approved master plan which specifies these operational characteristics and/or location of the business. 2. All other uses not specified in this table are either prohibited or may require a Conditional Use Permit, as deemed by the Development Services Director. 3. All other zoning classifications not specified in this table are not compatible with overlay district.	

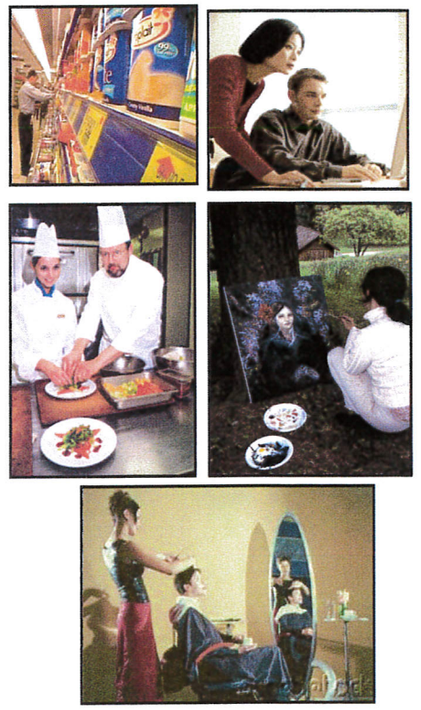


Figure 14: Examples of businesses that may be established in the nonresidential component of mixed-use development

Notes: Laundry/dry cleaners allowed in a mixed-use development refer to neighborhood drycleaners and not commercial drycleaning plants involving large scale hazardous solvents storage and chemical use.

Master Plan Land Use Matrix

A Master Plan is required to be approved for all development projects proposed in the overlay zone. As part of the Master Plan approval, a project-specific land use matrix of permitted, conditionally permitted, and prohibited land uses will be identified by refining the listing shown in the Urban Plan land use matrix.

A developer may choose to refine this Urban Plan land use matrix by identifying certain permitted and conditionally permitted uses for the specific Master Plan proposal. This "Master Plan" land use matrix will be approved by the Planning Commission in conjunction with the overall approval of the development project, and it will supercede the land use matrix in this Urban Plan. If the Master Plan approval does not include such a matrix, the land use matrix in this Urban Plan shall be applied.

Thus, the purpose of a separate land use matrix in this Urban Plan is to supersede the more generalized matrix currently provided in the Zoning Code and thereby allow further specification of uses for a mixed-use planned development.

Only the conditionally approved land uses would require subsequent review and action by the Planning Commission, at the time the land use is proposed. Parking requirements, lease space size restrictions, hours of operations, and other related conditions of approval would be stipulated for these conditional uses.

After a Master Plan is approved, a conditional use permit would be referred to the Planning Commission for review and action, if: (1) an applicant seeks approval of a land use designated in the Master Plan land use matrix as requiring a conditional use permit, or (2) an applicant seeks approval of land use that requires a conditional use permit pursuant to the Urban Plan land use matrix, because it is not listed in the applicable Master Plan land use matrix.

Additional Uses

Other than residential uses and those uses identified in this Land Use Matrix, uses that are prohibited in the base zoning district shall also be prohibited in overlay district. All other uses not specified in the Land Use Matrix may be considered by the Development Services Director.

Depending upon the project location and/or site and building design, additional permitted and conditionally permitted uses may be appropriate. These additional uses shall be considered on a project-specific basis as a part of the mater plan review process. If deemed appropriate, the master plan approval shall list the additional uses allowed within the project. Conversely, additional prohibited uses could also be identified though this same process.

LAND USE COMPATIBILITY

New development in the mixed-use overlay district shall be evaluated for compatibility with existing development on a case by case basis.

The following considerations shall be incorporated into the proposed project:

- Standard Condition of Approval: For proposed development adjacent to residentially-zoned properties that exceeds two stories, developer shall submit a shade/shadow analysis prepared by a professional aesthetic consultant. The conclusions of the aesthetic analysis shall specifically demonstrate that adequate daylight plane requirements for the abutting residential uses are provided.

- Land use compatibility studies are required in the form of a Health Risk Assessment Study and Phase 1 Environmental Assessment Study be for all mixed-use development projects. Other equivalent compatibility analysis may be approved by the Development Services Director. The studies should recommended mitigation measures to reduce any environmental concerns to below a level of significance. These measures or project design features should be incorporated into the proposed project and disclosed in the environmental document.

At the discretion of the Development Services Director and in consideration of specific site characteristics, additional or modified development standards and conditions of approval may be added to include, but not be limited to, increased setbacks, increased wall height, enhanced landscaping, and other appropriate edge treatments aimed at enhancing the compatibility of urban infill projects.

DISCLOSURES

As part of the Master Plan approval, a condition of approval may require that the Covenants, Conditions, and Restrictions (CC&Rs) disclose the existing noise environment and any odor-generating uses within and surrounding the mixed-use development.

The provision of the CC&Rs that relates to disclosures will be reviewed/approved by the City Attorney's office prior to recordation. A provision to the CC&Rs will also stipulate that any subsequent revisions to the CC&Rs related to this issue must be approved by the City Attorney's office.

A condition of approval may be included which would require that written notice of the then-existing noise environment and any odor generating uses within the mixed-use development and within a specific radius of the mixed use development be distributed 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 City Attorney's office shall determine the legal mechanism employed to ensure disclosure of noise and odor generating uses. For example, if this disclosure is required as a deed restriction, it would not need to be included in the CC&Rs.

ON-SITE LANDSCAPING

A detailed landscape plan shall be approved by the Planning Division prior to issuance of any building permits. Chapter VII, Landscaping Standards, of the City's Zoning Code provides on-site landscaping requirements for mixed-use development.

Developers should include extensive on-site landscaping, plazas and courts, art, fountains, seating, and shade shelters for shoppers and pedestrians. Consistent rows of street trees, ground landscape, pedestrian-oriented lighting fixtures, well-designed signage, distinctive paving, and public art should be used to enhance the aesthetic quality and distinguish the area.

Streetscape elements should be linked with the higher intensity improvements planned for the Mesa West Bluffs Urban Plan. The streetscape improvements should also contribute to the enhancement of the visual quality and value of the mix of commercial, residential, and community service uses located along major public streets.

LANDSCAPE

The amount of required on-site landscaping is prescribed in Title 13, Chapter VII, Landscaping Standards, of the Municipal Code. All required landscaped areas, including landscaped areas within parking lots, shall consist of predominately California native plants. Following is the recommended landscape palette for the plan area. Other landscape materials that meet the intent of this plan may be approved by the Planning Division.

LARGE DECIDUOUS TREES

Platanus racemosa (California Sycamore)

- Fast growing deciduous tree 50+ feet tall.
- Nice naturalized look with arching branches.
- Good tree for wildlife/birds.

Cercidium floridum (Palo Verde Blue)

- Deciduous tree grows up to 20-30 feet tall.
- Yellow flowers in spring March or April.
- Bare much of the year, but seems to have nice blue-green branches.
- Takes heavy soil.

Figure 15: Palo Verde Blue

Cercis occidentalis (Western Redbud)

- Nice small, single or multi-trunked tree, deciduous, grows to 20 feet tall.
- Very nice magenta flowers along branches in spring (more when mature).
- Loses leaves in winter, but very graceful branching when mature and will allow for more sun below tree for shrubs, ground cover.

Figure 16: Western Red Bud

Arctostaphylos refugioensis (Manzanita)

- Evergreen tree reaching 15 feet tall and 10 feet wide.
- Showy white flowers in spring and nice reddish/brown bark.
- Nice specimen tree – nice arching branches.
- Good companion plant is Rhamnus. Hummingbird attractant.
- Needs only monthly irrigation once established.

Figure 17: Manzanita

SMALL TREE (UNDER 20' IN HEIGHT)

Chilopsis linearis (Desert Willow)

- Deciduous, fast-growing tree that grows to about 20 feet tall.
- Needs summer water (twice monthly).
- Main appeal is the large pink blossoms.

Figure 18: Desert Willow

LARGE EVERGREENS

Pinus torreyana (Torrey Pine)

- Fast growing evergreen to 40-60 feet tall.
- Open habit in coastal area and more symmetrical inland.
- Nice pine in right conditions - seems to prefer coastal climate.
- Resistant to oak root fungus.

SHRUBS

Arctostaphylos 'Sunset' (Sunset Manzanita)

- Evergreen shrub that grows to about 3' by 6'.
- Dark red bark with white flowers.
- Considered one of cleaner/neater manzanitas and compact.
- Tolerates clay soil and drought tolerant.

Figure 19: Sunset Manzanita

Ceanothus (Skylark)

- Evergreen shrub 3-6' x 5' tall, but can be kept at 3'x3'.
- Glossy dark green leaves with bright blue flowers in spring.
- Tolerant to summer and garden watering. Blooms over long season.

Rhamnus californica 'Eve Case' and 'Mound San Bruno' (Coffeeberry)

- Nice evergreen mounding shrub that grows to about 4-6'x6'.
- Adaptable to most soils and can be shaped.
- Mound San Bruno is a little smaller than Eve Case.
- Good replacements for Indian Hawthorn, Photinia, Pittosporum, etc.

Figure 20: Sky Lark

GROUNDCOVERS

Ceanothus gloriosus (Anchor Bay)

- Grows to 1-1 ½' tall and 6-8' wide. Very dense
- Nice blue flowers in spring and good at holding down weeds.

Figure 21: Anchor Bay

Ceanothus griseus horizontalis (Yankee Point)

- Mounding ground cover or very small shrub that grows 2-3'x10'.
- Dark green glossy leaves with blue flowers in spring.

Figure 22: Yankee Point

Baccharis 'Pigeon Point' (Dwarf Coyote Brush)

- Grows 1-foot tall and about 12 feet wide dark green ground cover.
- Stays low and clean. Tolerates bad soil.

REQUIRED STUDIES

The following studies shall be submitted with the project application.

Noise Study (Required)

In the Noise Study, a qualified acoustical engineer shall certify that the proposed construction shall meet the City's Noise Ordinance requirements. Specifically, residential interior noise levels shall be 45 CNEL or less, and residential exterior noise levels in private open space areas shall be 65 CNEL or less.

The General Plan describes the indoor environment as inclusive of bathrooms, closets, corridors, and living/sleeping areas of the dwelling unit. The residential area of a live/work unit is subject to the interior residential noise requirements.

The exterior noise standards of the City's Noise Ordinance shall not apply to the following exterior areas of multi-family residential development or live/work units located within a Mixed-Use Overlay District, approved pursuant to a Master Plan, and subject to the land use regulations of the Urban Plan,

(1) Private balconies or patios regardless of size;

(2) Private or community roof decks/roof terraces;

(3) Internal courtyards and landscaped walkways that do not include resident-serving, active recreational uses such as community pool, spa, tennis courts, barbeque, and picnic areas.

Proper design may include, but shall not be limited to, building orientation, double pane or extra-strength windows, wall and ceiling insulation, and orientation and insulation of vents. Where it is necessary that windows be closed in order to achieve the required level, adequate means shall be provided for ventilation/cooling to provide a habitable environment. Commercial uses shall be designed and operated, and hours of operation limited, where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic, routine deliveries, or late night activity. No use shall produce continual loading or unloading or heavy trucks at the site.

Phase I Environmental Assessment (Required)

In the Phase 1 Environment Assessment, disclosure of and measures to remediate onsite hazardous wastes/substances shall be provided. Where applicable, a letter of case closure is required from the County of Orange Health Care Agency for mixed-use development sites, as applicable.

Figure 23: Collection of photos showing outdoor and indoor living spaces of mixed-use development projects in the United States.

Project Traffic Analysis & Annual Traffic Monitoring

In conjunction with each Master Plan submittal, Transportation Services staff will analyze the following: (a) the proposed development project's anticipated traffic/circulation impacts on the surrounding circulation system; (b) the project's consistency with the City's traffic model for the affected traffic analysis zone (TAZ), (c) trip generation characteristics of other land uses in the TAZ, and (d) any appropriate mitigation measures for significant traffic impacts that are identified. If needed, Transportation Services staff may require the applicant to provide a supplemental traffic analysis.

Additionally, through the City's annual Development Phasing and Performance Monitoring Program, Transportation Services staff will monitor traffic conditions of the affected traffic analysis zones for the plan area to ensure that traffic generation assumptions are correct and that the circulation system is operating consistent with adopted Master Plan of Highways and General Plan goals and policies.

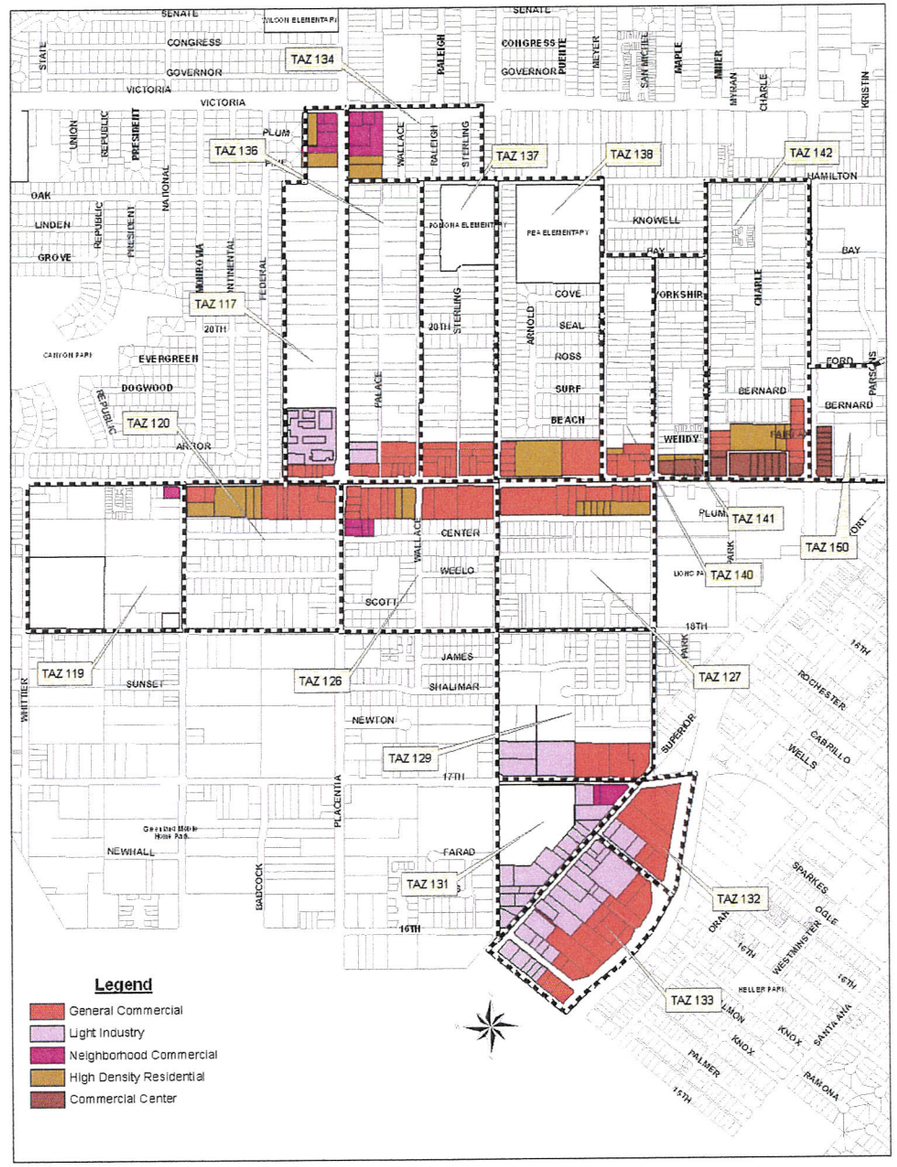


Figure 24: Traffic Analysis Zones in the plan area.

THE PUBLIC REALM

Improvements to both public and private property will enhance the overall plan area and make it more attractive to potential Developers and users. To establish a clearly defined and visually attractive entry into the 19 West Mixed-Use District, the City may study and implement, where feasible and practicable, the following:

- Public right-of-way and streetscape elements such as street trees, street furniture, pedestrian-scaled lighting that illuminate the pedestrian walks, bollards, banners, public art, and decorative crosswalk paving in this area.

- Wider sidewalks facing West 19th Street to accommodate and foster high levels of pedestrian traffic and also accommodate outdoor seating for restaurants and shops.

- Streetscape improvements along West 19th Street to visually indicate the transition from the large-scale, suburban development at Newport and Harbor Boulevards, to the urban village scale development of the 19 West Mixed-Use District.

Public realm improvements also could be jointly implemented by the City and the Developer of a mixed-use development. The Developer's level of participation in public realm improvements will be determined on a case-by-case basis during the Master Plan approval process. These improvements are intended to accomplish the following objectives:

- Reinforce the identity of the 19 West Urban Plan area through the creation of an aesthetically-pleasing pedestrian network and public spaces.

- Create a mixed-use district focus through the provision of human-scale features such as landscape and streetscape.

Landscape in Public Right-of-Way

Landscape materials have been identified for use because they do well in the area, are drought tolerant California native plants, and require low maintenance. Following is the suggested landscape palette in the public right-of-way in the 19 West Urban Plan area ***with the exception*** of any Council-approved plant palette for medians, such as medians at West 19th and Placentia.

Street Tree:
Platanus racemosa (California Sycamore)

Groundcover:
Ceanothus gloriosus (Anchor Bay)

Shrubs:
Arctostaphylos 'Sunset' (Sunset Manzanita)

Streetscape

Streetscape improvements include planting materials (i.e. trees, vines, shrubs, and groundcover in landscaped parkways) and street furnishings (i.e. seating, paving, lighting, and trash receptacles). Following are some suggested streetscape improvements that may be implemented by the City in conjunction with mixed-use development:

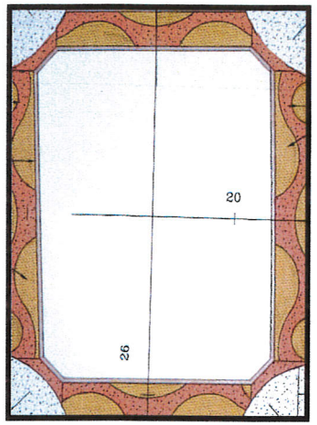
Decorative Crosswalks

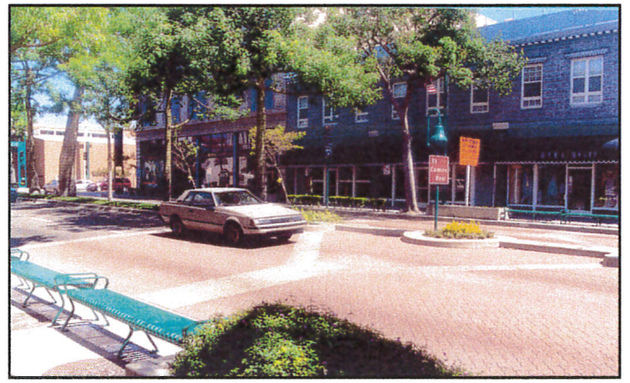
- Decorative paving of crosswalks (either a continuation of the existing pattern that is used at the intersection of 19th Street and Harbor Boulevard or a new, bolder pattern and color may be installed at this signalized intersection to make it safer and easier for pedestrians to cross. The decorative pattern should be in the crosswalks only (not in the center of the intersection) to emphasize the crosswalks.

- Priority may be given to installation of decorative crosswalks at the following intersections with West 19th Street: Federal Avenue, Placentia Avenue, Wallace Avenue, and Pomona Avenue.

- Decorative crosswalks along Superior Avenue at W. 17th Street and 16th Street will be studied. One potential location is the concrete median at Superior Avenue and W. 16th Street.

Figure 25: Examples of crosswalk treatments and decorative paving.





Street Furnishings for Major and Secondary Streets in Urban Plan Area

To provide continuity within the 19 West Urban Plan and to comply with Citywide standards, a complementary collection of street furnishings will be used. The proposed street furniture on this page are provided for informational purposes only and serve as illustrative examples of what types of furnishings may be used in the plan area. The Planning Commission may exercise creativity and flexibility in departing from any of these suggested examples. The Planning Commission may allow different types of street furniture that complement the mixed-use development projects in conjunction with Master Plan approval.

- The City's adopted "Downtown Bench" (Dwg. No. DS.104), Timberform "Renaissance" or approved equal, color Ameron #2103 or approved equal should be used along sidewalks and in public spaces. (Figure 27)

- The City's adopted trash container (Dwg. No. DS.105) should be used, with a minimum of one trash container for each 300 feet of street frontage and should be maintained (regular trash pickup and cleaning) by the City. (Figure 29)

- The City may design or select a standard news rack system to complete the family of approved street furnishings. The news rack system should permit the grouping of up to five news racks.

- Criteria for the placement of news racks should be developed. In developing those criteria, it is recommended that at least the existing number of news rack be permitted. Placement criteria may include:

    - To avoid visual obstructions that may create safety and security hazards, not more than five individual news racks should be grouped in one location and news racks should not be stacked above a height of 3'-6".

    - News racks should be located in front of businesses with high volumes of pedestrian activity, including restaurants and grocery stores.

    - Groups of news racks should be placed at least 300 feet apart where feasible.

- New bus shelters shall exhibit the same design and color palette as those shelters recently installed along West 19th Street. (Figure 28).

Following is a comprehensive list of suggested parkway improvements or public right-of-way improvements that may be required in the 19 West Urban Plan area.

Since all projects shall include specific, mandatory base elements to create a unifying theme, these elements are identified in the list below. ADA compliance is required where applicable.

Required Base Elements

- Various landscaping & irrigation improvements in public right-of-way
- Street Trees per 19 West Urban Plan
- Grated tree wells
- Benches & trash receptacles
- Standard & ornamental street light poles
- Enhanced color & textured treated sidewalks
- Decorative crosswalks
- Increased sidewalk widths or sidewalk re-alignments

Other Suggested Elements

- Architectural retaining walls (outside public right-of-way)
- Undergrounding of utilities
- Repair of adjacent parkway, curb & gutter
- Entry node monuments

Figure 26: Tree Grate

Figure 27: Photo showing street furniture.

Figure 28: Bus Shelter on West 19th Street

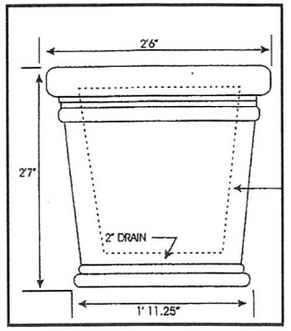


Figure 29: City's adopted trash container (Dwg. No. DS.105)

PUBLIC NODES

The 19 West Urban Plan will largely be developed with separate architectural identities. The best way to achieve cohesiveness and identity is through use of general physical elements that can be used consistently, or in some cases, complementarily throughout the mixed-use district. Unique gateway and street signage will create an appealing and consistent design/color theme throughout the district.

Gateway Monument Signs

The entry monuments will identify gateways to the 19 West Urban Plan area and enhance visibility of this area. The community identification signage will hopefully encourage property owners to redevelop their properties into mixed-use development, construct new residential development, or adaptively reuse existing buildings. The entry signage will reinforce a sense of community and value for a successful revitalization.

A monument sign, designed as a smaller scale version of the approved City entry monument sign (Figure 30) may be installed at the following locations. The exact sign dimensions and locations will be determined by the City's Planning and Transportation Services Divisions as mixed-use development is proposed..

Harbor Blvd. and W. 19th St. (Figures 31 and 32)

Two potential sign locations have been chosen in the medians of the above intersection. The first median is located on W. 19th St., east of Harbor Blvd. The second median is located on W. 19th St., west of Harbor Blvd.

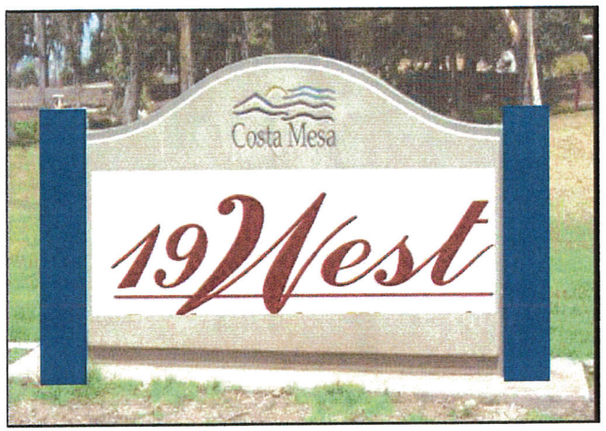


Figure 30: Visual simulation of suggested monument signage.

Figure 31 and 32: Illustrative examples of suggested monument signage at Harbor Blvd. & West 19th Street. Note: Not to Scale

Banner Signs

As major mixed-use development occurs in 19 West Urban Plan area and properties are redeveloped, a banner signage program is suggested for the area. Banners on private property may be displayed only in conjunction with current or pending cultural events in the district, in conjunction with existing permanent structures in the district, or as free-standing display of original works of artistic merit. Banners on private property shall not be displayed for any reasons other than furtherance of broad cultural goals. The banners throughout the district will make visitors aware that they have entered the 19 West Urban Plan area. An illustrative example of a banner design is provided in (Figure 34).

Streetlights

A mix of different streetlight types are found throughout the City. The most common along the majority of arterials are the concrete "Marbelite" poles with cobra head light fixtures, providing either single or dual mast-arms (Figure 35). Within the Downtown area, surrounding the Triangle Square development are the "Triangle Square" streetlights, which are owned and maintained by Triangle Square Development (Figure 36).

The nostalgic streetlights were installed along West 19th Street. For continuity with the SoBECA Urban Plan, Mesa West Bluffs Urban Plan and the East 17th Street Lighting Plan, the "Carpinteria" ornamental street light is also recommended for the 19 West Urban Plan area (Figure 33).

A uniform citywide plan is needed to designate areas for special decorative streetlights in conjunction with mixed-use development projects. For example, the following street lighting plan is proposed for the 19 West Urban Plan area:

Street Lighting for 19th Street

- Install ornamental pedestrian lighting on 12-foot poles 50 feet on center.

The decorative streetlights may be the same style and color used at the east end of West 19th Street or another complementary style to be specified by the City for the remainder of West 19th Street and Placentia Avenue.

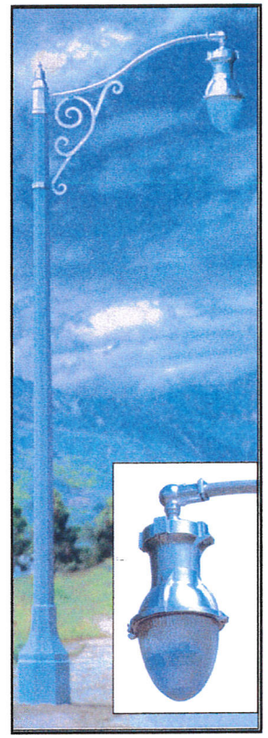


Figure 33: Carpinteria-style light standara currently being used on E. 17th Street

Figure 34: Illustration of potential banners on light standards in Urban Plan area

Figures 35 and 36: Marbelite and nostalgic style light standards.

SP-86-01

217, 219, 221 Avocado Street
Specific Plan

adopted April 21, 1986
(Resolution No. 86-41)

I. INTRODUCTION

In November, 1981 the City Council adopted a General Plan Amendment changing the Land Use Designation of 219, 221 and 221-1/2 Avocado Street from General Commercial to High Density Residential. In May, 1982 the General Plan designation for the properties at 219 and 221 Avocado was changed back to General Commercial. The property at 221-1/2 Avocado remained High Density Residential. This property is currently zoned R2 and a 4-unit apartment project is under construction on the site. The approval of the apartment project generated concerns by some of the adjacent property owners that their future development potential would be restricted by the presence of the residential project. The City Council then directed Staff to prepare a Specific Plan for the area to address the potential problems of the proximity of residential and commercial developments on these properties. The Specific Plan is for the sites known as 217, 219, and 221 Avocado Street. All three parcels are zoned for commercial use although only the property at 217 is presently being used exclusively for commercial purposes. The properties at 219 and 221 Avocado contain dwelling units.

II. AUTHORITY AND SCOPE

Section 65450 of the Government Code enables local governments to adopt specific plans for the systematic implementation of their general plans. This Specific Plan pursues the attainment of various General Plan goals, and most directly relates to the following General Plan objectives and policies:

Objective II-C: Evaluate methods of control of noise levels of operations and activities occurring within the City for the protection of residential areas from excessive and unhealthful noise.

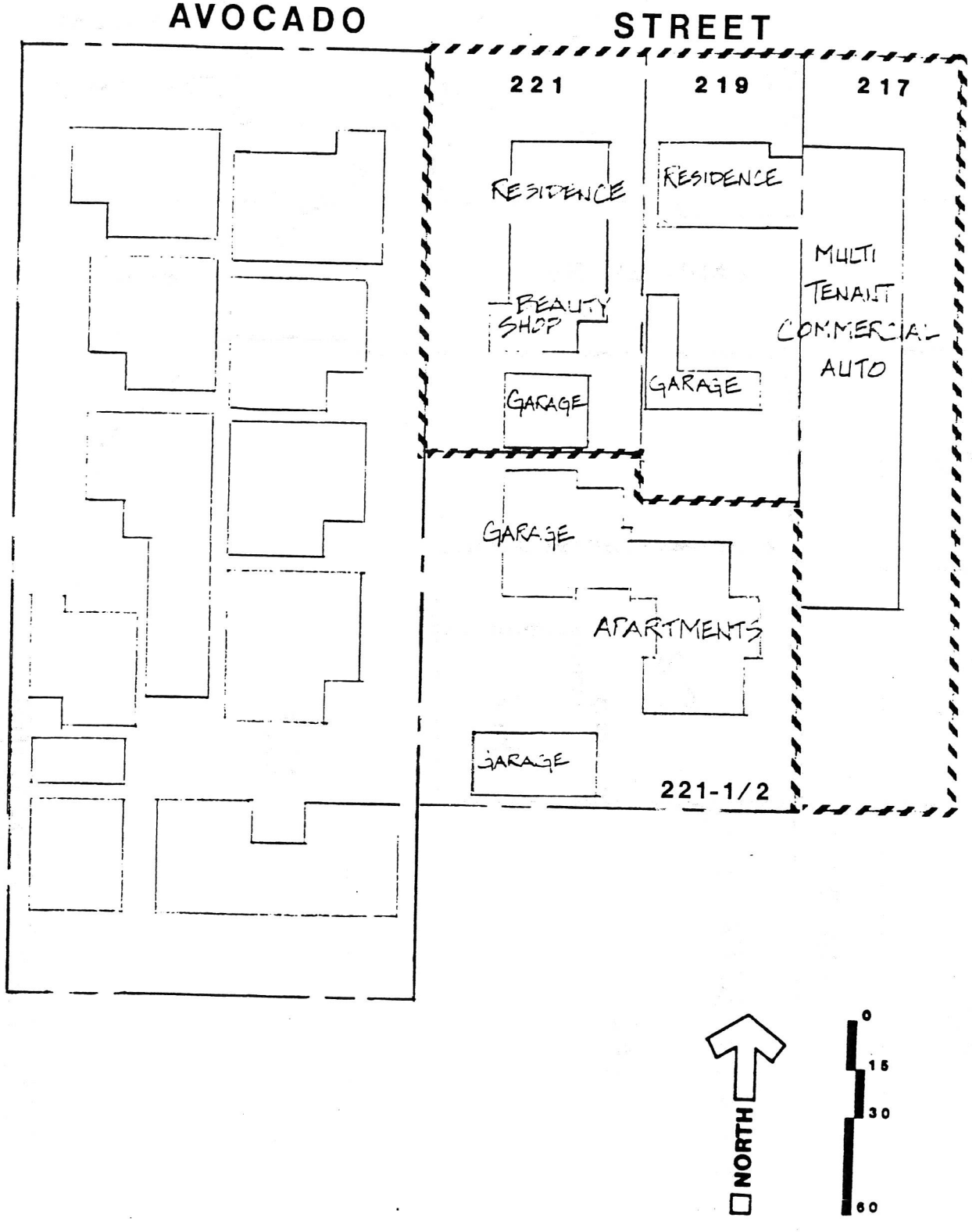
Policy 232: Require building setbacks, structure orientation, and the placement of windows to consider the privacy of adjacent residential structures within the same project or adjacent existing residential structures.

III. AREA ANALYSIS

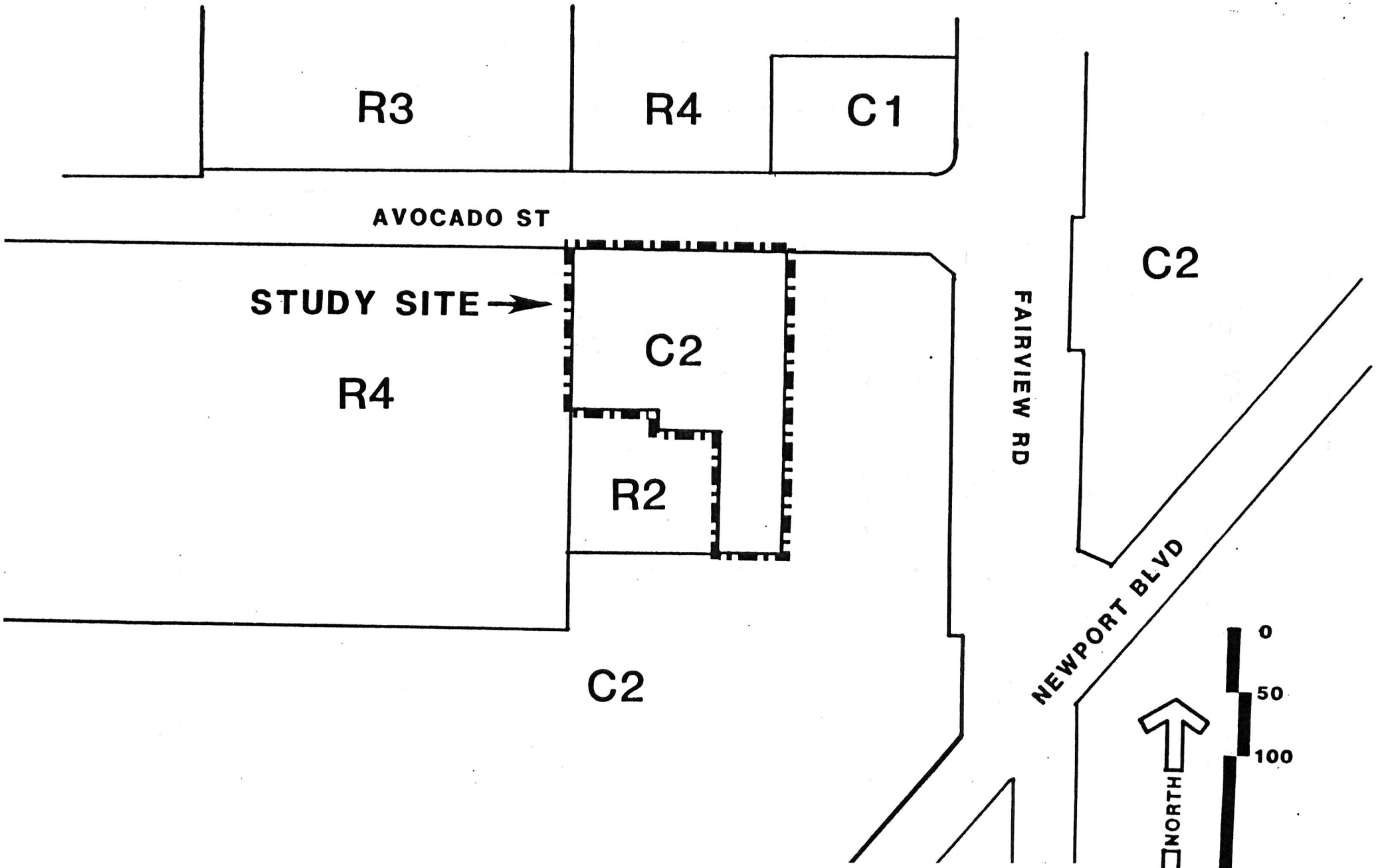
A. Area Description

The lot at 217 Avocado Street measures 50' in width by 236' in depth. It abuts the residential property along the southern portion of its western property line over a distance of 96'. The property presently contains a multi-tenant commercial building housing automobile-related uses.

The property at 219 Avocado Street measures 50' x 140' and contains one owner-occupied dwelling unit. This lot is north of the residential development and also abuts the residential development over the southern 15' of its western property line.



EXISTING DEVELOPMENT



EXISTING ZONING

The property at 221 Avocado Street measures 58.04' x 125' and is north of the residential property. A previous single-family dwelling on 221-1/2 Avocado had obtained access via an 8' wide easement over the property at 221 Avocado. This lot has commercial use on the front and a single-family dwelling on the rear.

B. Major Issues/Concerns

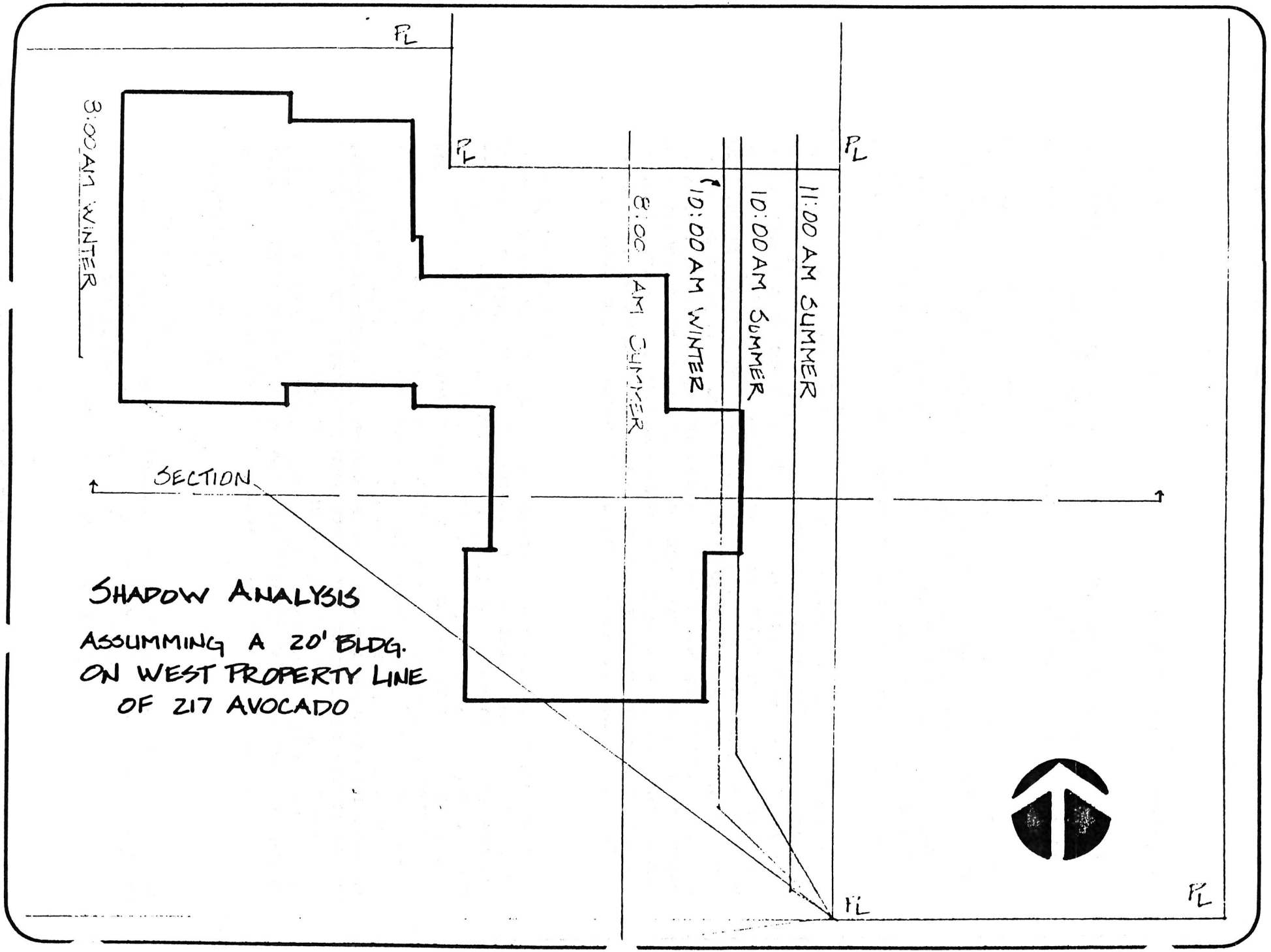
The Costa Mesa Municipal Code requires that commercial structures adjacent to residential zones be set back at least twice the building height from the residential property line. This setback requirement was established to protect the adjacent residential properties from shadow and privacy impacts. Commercial development not adjacent to residential is required to provide a 15' setback on one side and may go to the property line on the other side. Particularly in the case of 217 Avocado, where a narrow commercial lot abuts the residential along a side property line, the setback requirement could present a significant design contraint for future redevelopment of the property. This twice the building height setback requirement would pose less of a problem for the other two parcels which abut the residential to the rear, however, the parcels are fairly small for commercial development and this additional design constraint would be a further complication to successful development of the parcels.

An additional conflict which often arises between adjacent commercial and residential development is noise impacts such as automobile engines starting, parking lot conversations, noises associated with the commercial businesses (particularly automobile related uses), etc. These noise impacts can best be mitigated by positioning the commercial building on the residential property line, thereby presenting a solid blank wall to the residential use. All entrances and parking lots would be on the opposite side of the building and would be buffered from the residential use by the building. The potential noise impacts are substantially fewer from office uses than from other types of commercial uses since office buildings typically are only in use during the least noise-sensitive hours of the day.

As was mentioned above, one reason for the twice the building height setback requirement was to reduce the privacy impacts of commercial windows overlooking residential yards. If a commercial building is situated on the property line, Fire and Building Code requirements would prohibit the installation of windows in this wall. Such an arrangement would therefore also ensure the greatest privacy for the adjacent residential units.

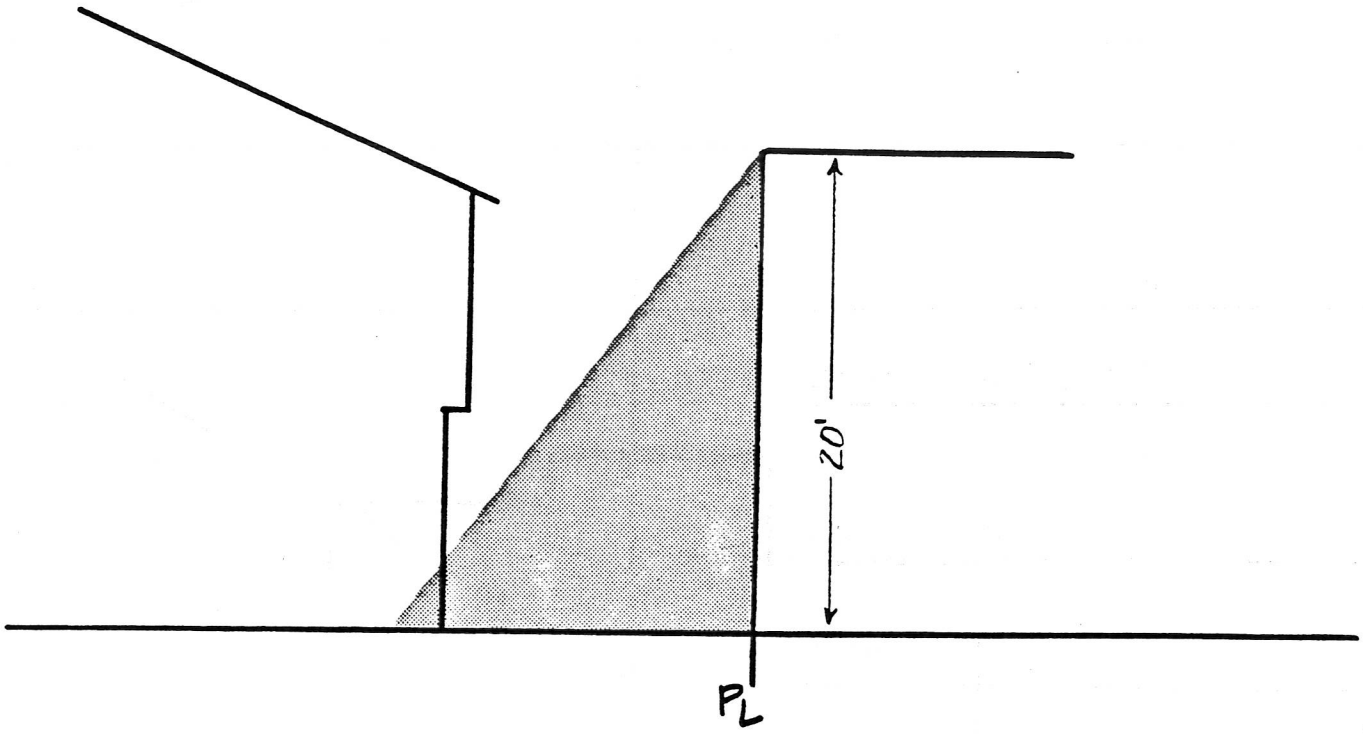
The main disadvantage to a commercial building constructed at the property line adjacent to residential is the visual impact of a 10 or 20' high solid wall at the property line. This can, however, be mitigated by landscaping.

In searching for a plan which would allow maximum design flexibility



SHADOW ANALYSIS

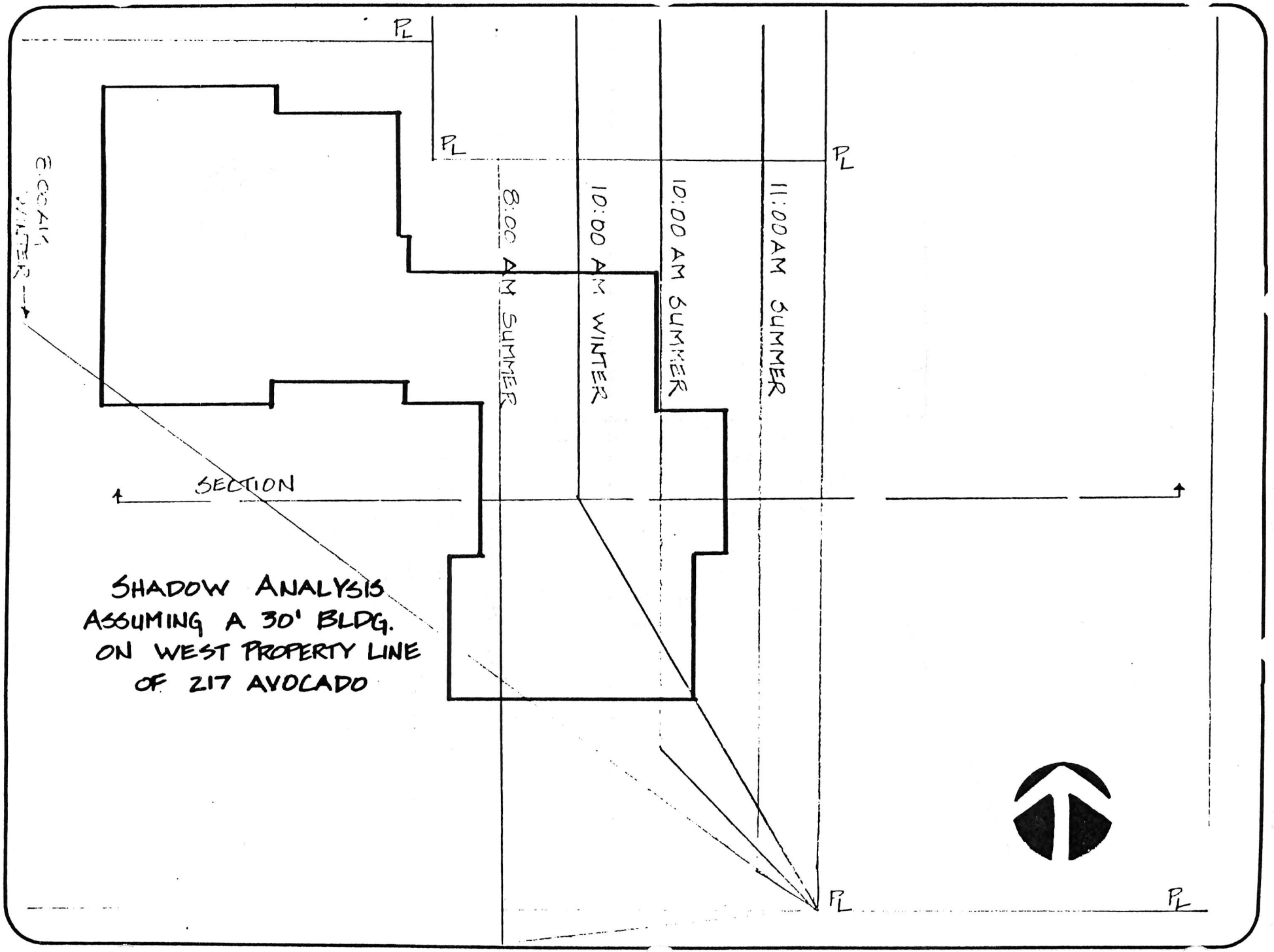
ASSUMMING A 20' BLDG. ON WEST PROPERTY LINE OF 217 AVOCADO



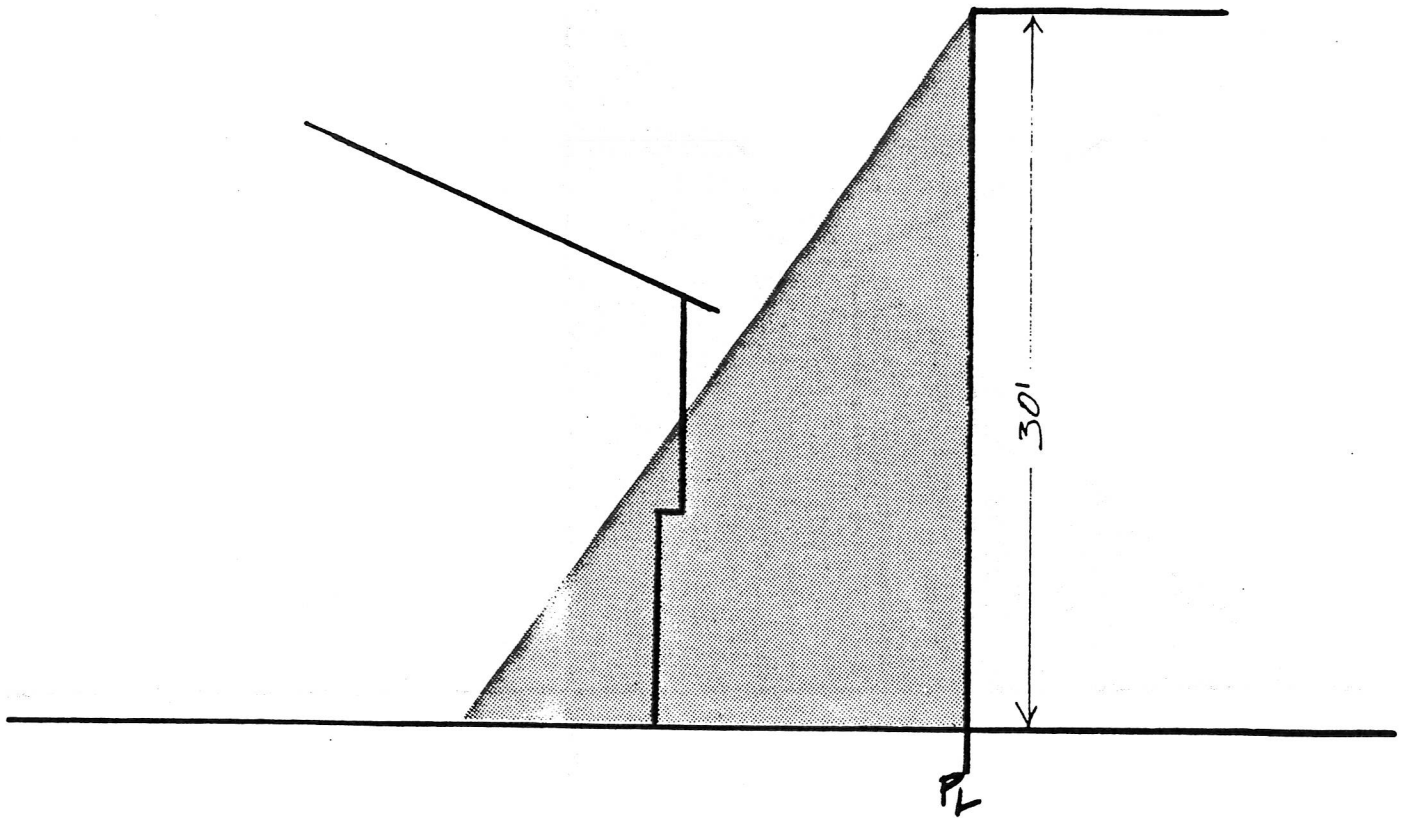
Shadow Analysis

Assuming a 20' bldg.
on west property line
of 217 Avocado

10:00 AM winter



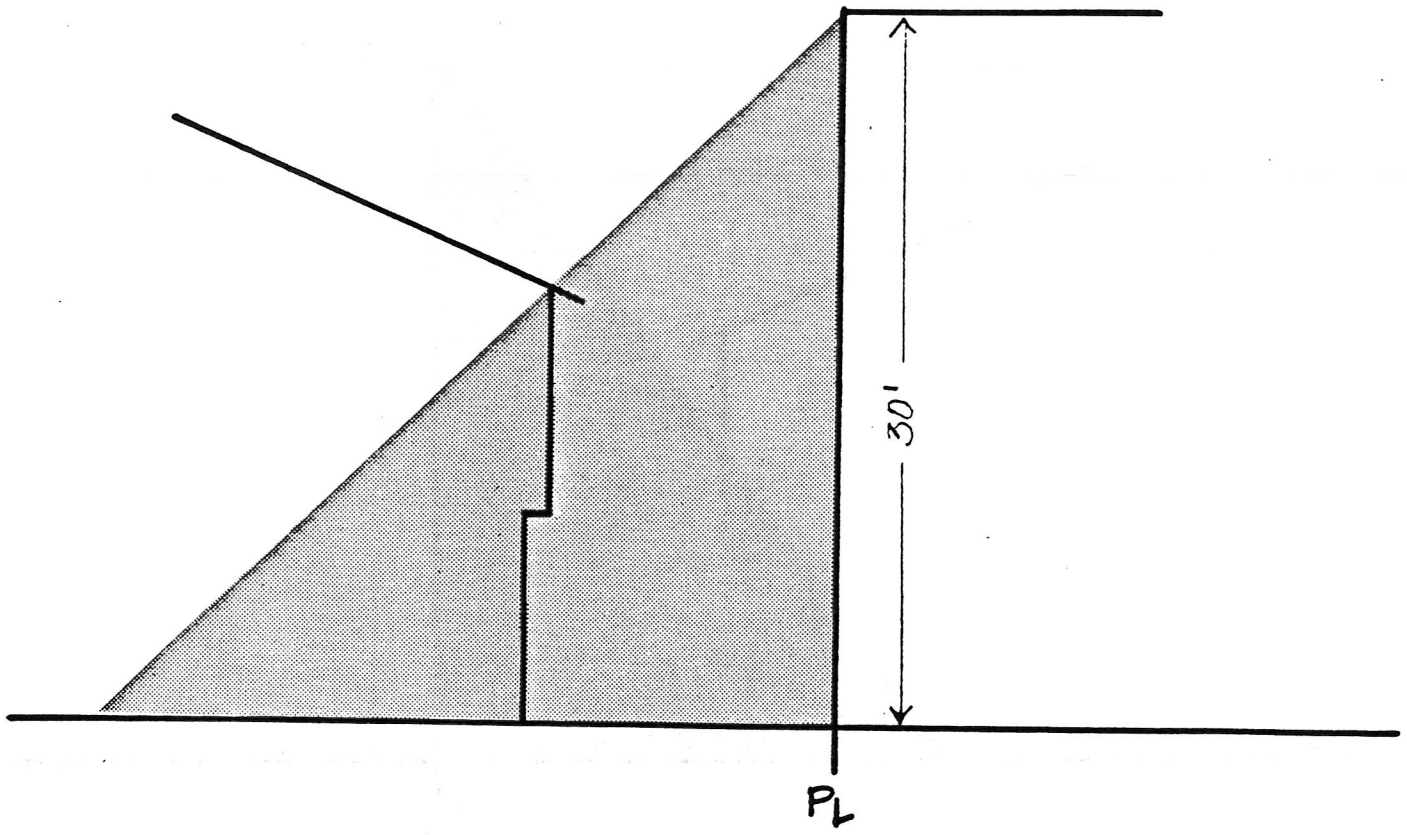
SHADOW ANALYSIS
ASSUMING A 30' BLDG.
ON WEST PROPERTY LINE
OF 217 AVOCADO



Shadow Analysis

Assuming a 30' BLDG
on West Property Line
of 217 Avocado

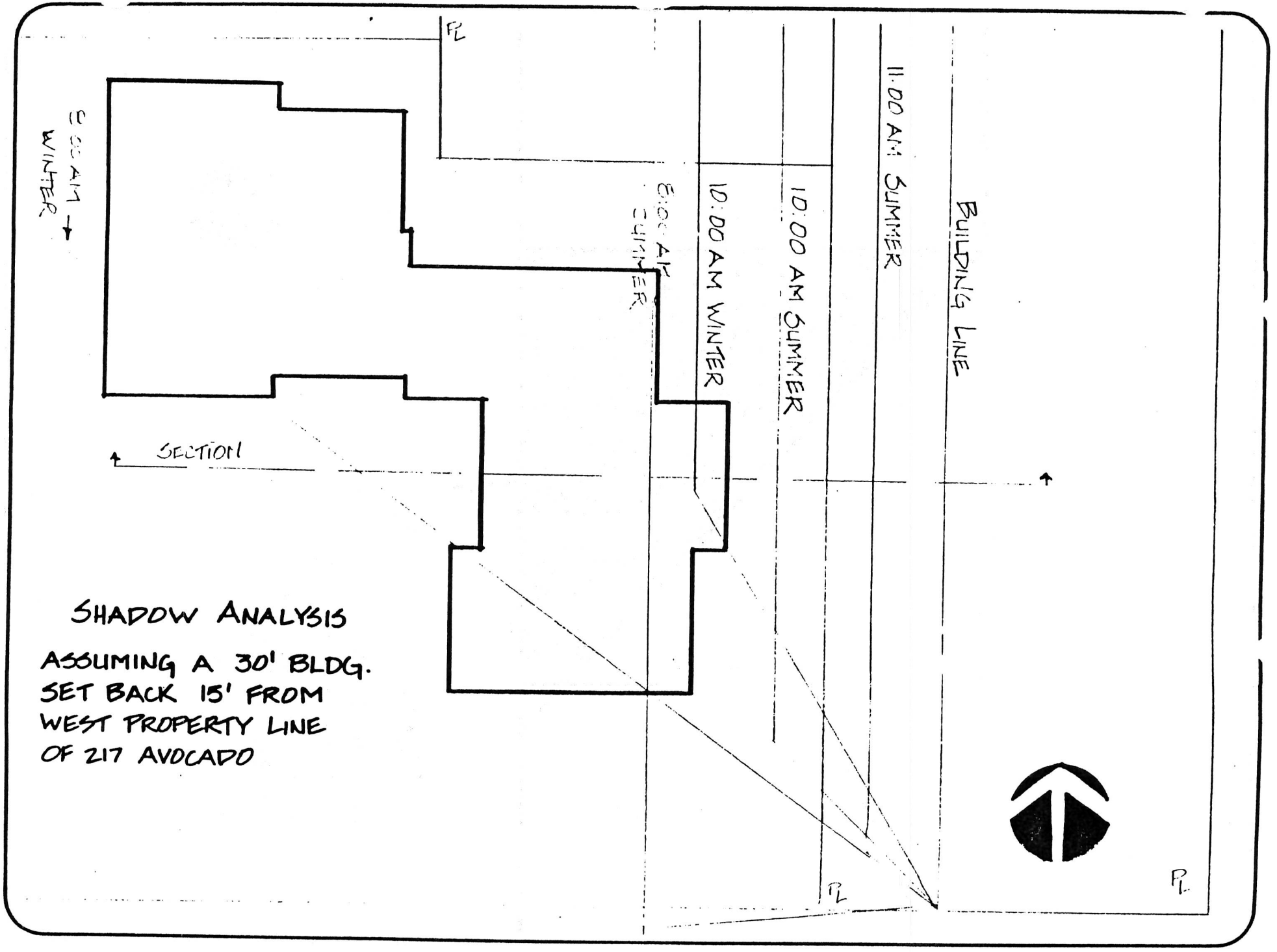
10:00 A.M. Summer



SHADOW ANALYSIS

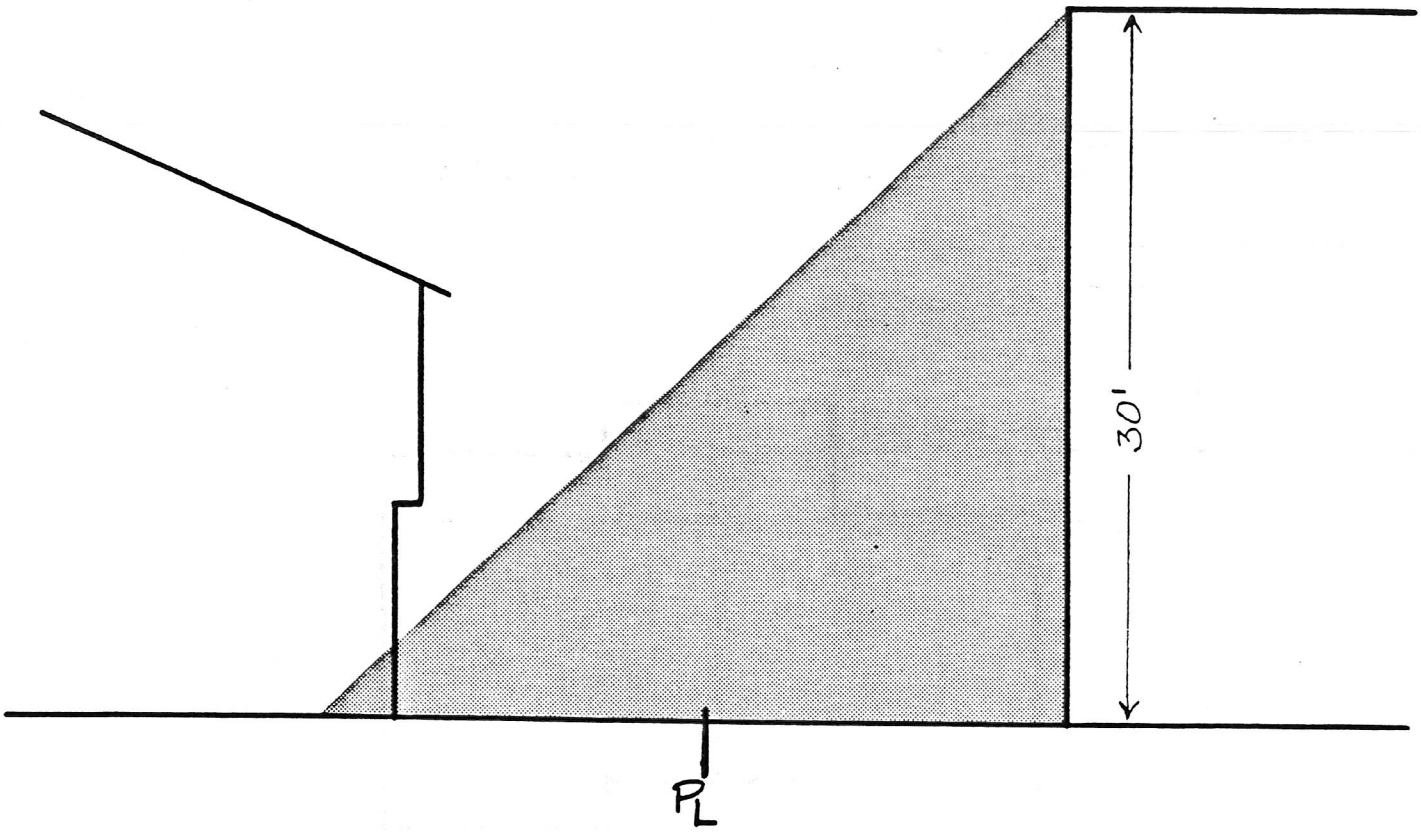
ASSUMING A 30' BLDG.
ON WEST PROPERTY LINE
OF 217 AVOCADO

10:00 AM WINTER



SHADOW ANALYSIS

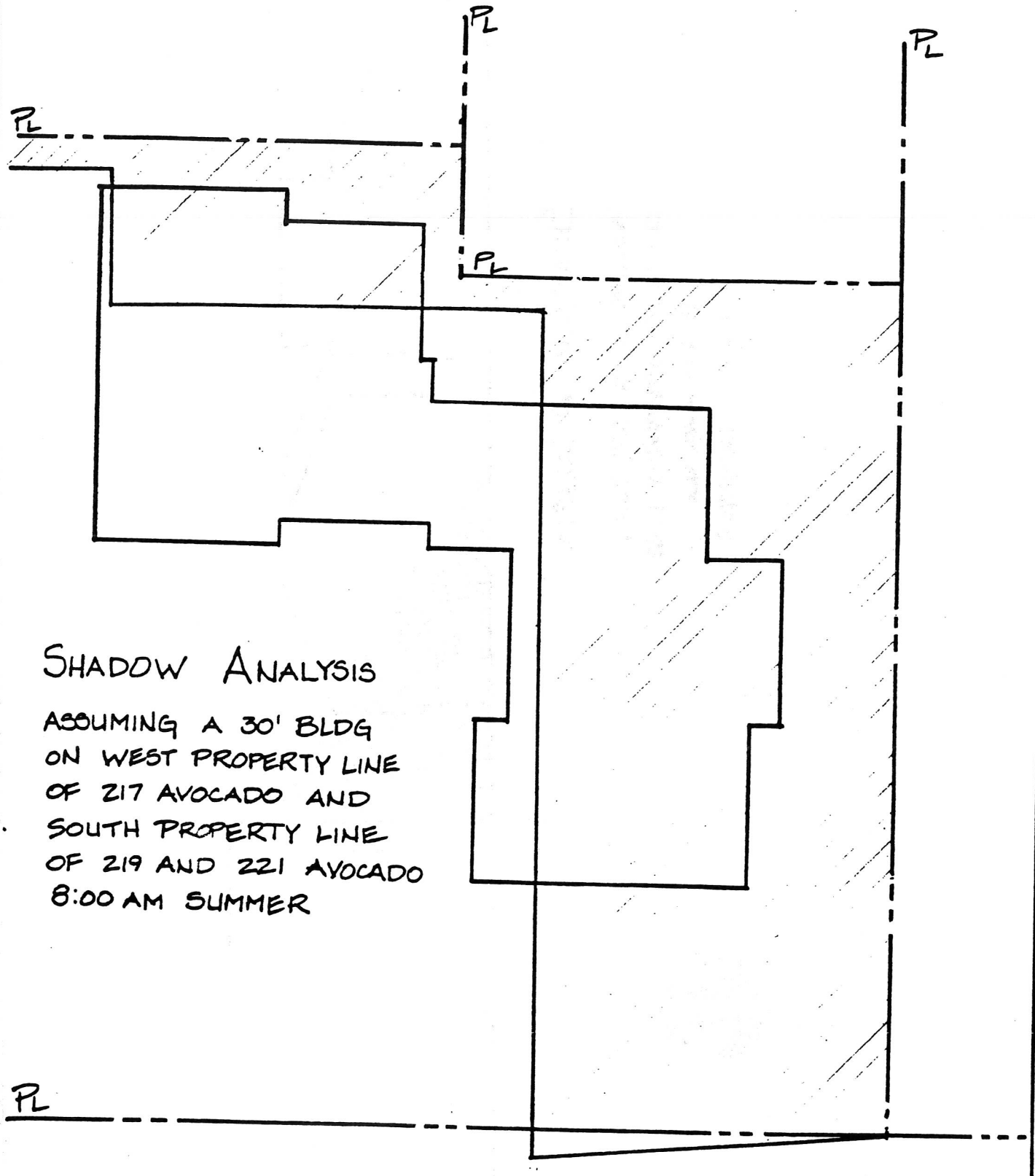
ASSUMING A 30' BLDG.
SET BACK 15' FROM
WEST PROPERTY LINE
OF 217 AVOCADO



SHADOW ANALYSIS

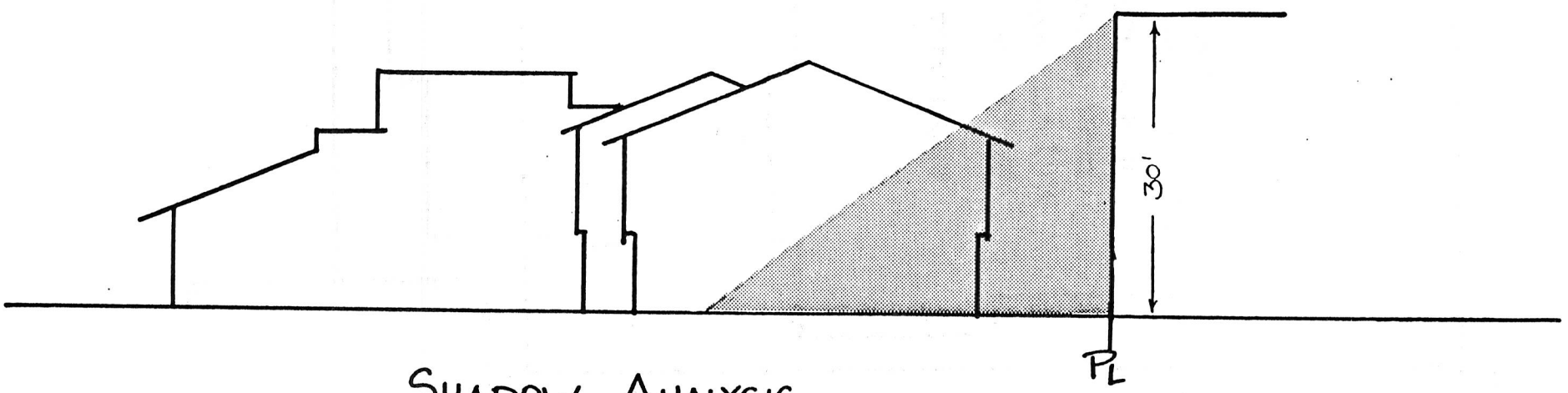
ASSUMING A 30' BLDG.
SET BACK 15' FROM
WEST PROPERTY LINE
OF 217 AVOCADO

10:00 AM WINTER



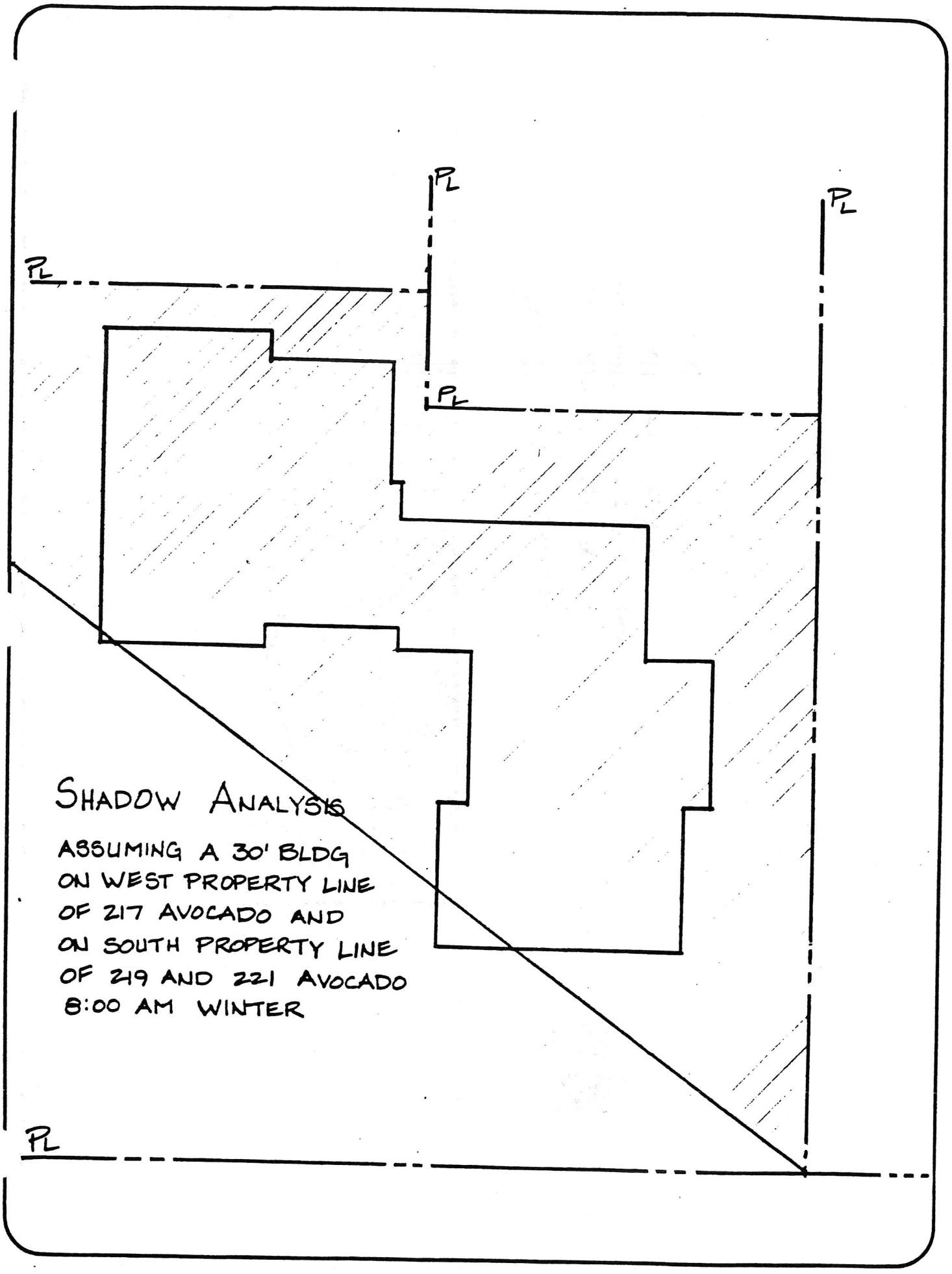
SHADOW ANALYSIS

ASSUMING A 30' BLDG
ON WEST PROPERTY LINE
OF 217 AVOCADO AND
SOUTH PROPERTY LINE
OF 219 AND 221 AVOCADO
8:00 AM SUMMER



SHADOW ANALYSIS

ASSUMING A 30' BLDG.
ON WEST PROPERTY LINE
OF 217 AVOCADO
8:00 AM SUMMER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SHADOW ANALYSIS
ASSUMING A 30' BLDG
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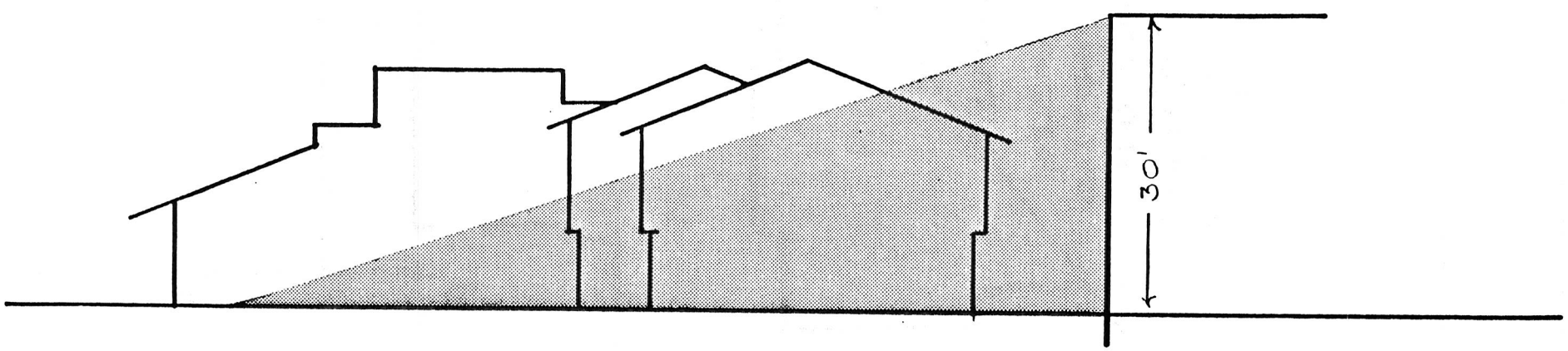
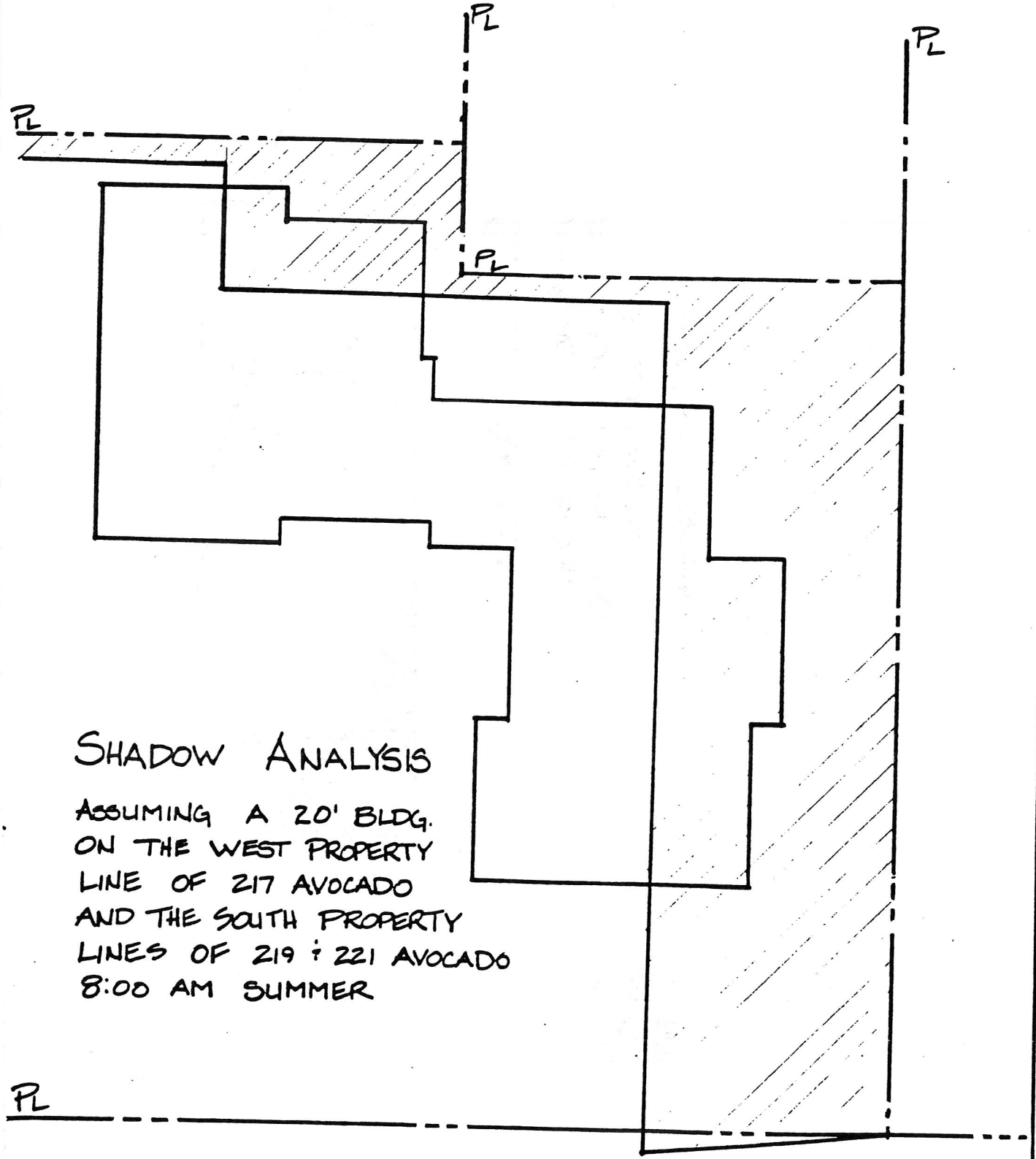
OF 217 AVOCADO AND
ON SOUTH PROPERTY LINE
OF 219 AND 221 AVOCADO
8:00 AM WINTER



SHADOW ANALYSIS

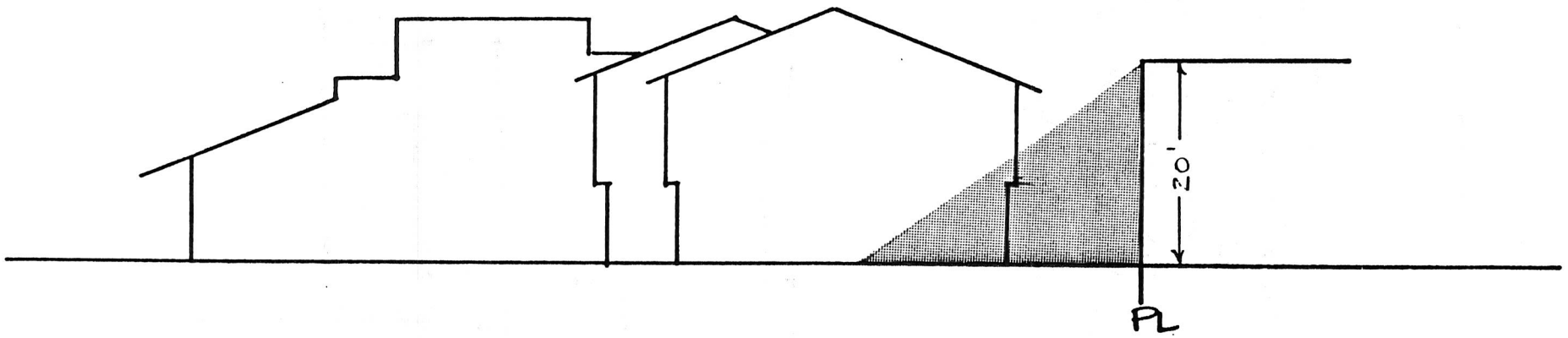
ASSUMING A 30' BLDG.
ON WEST PROPERTY LINE
OF 217 AVOCADO

8:00 AM WINTER



SHADOW ANALYSIS

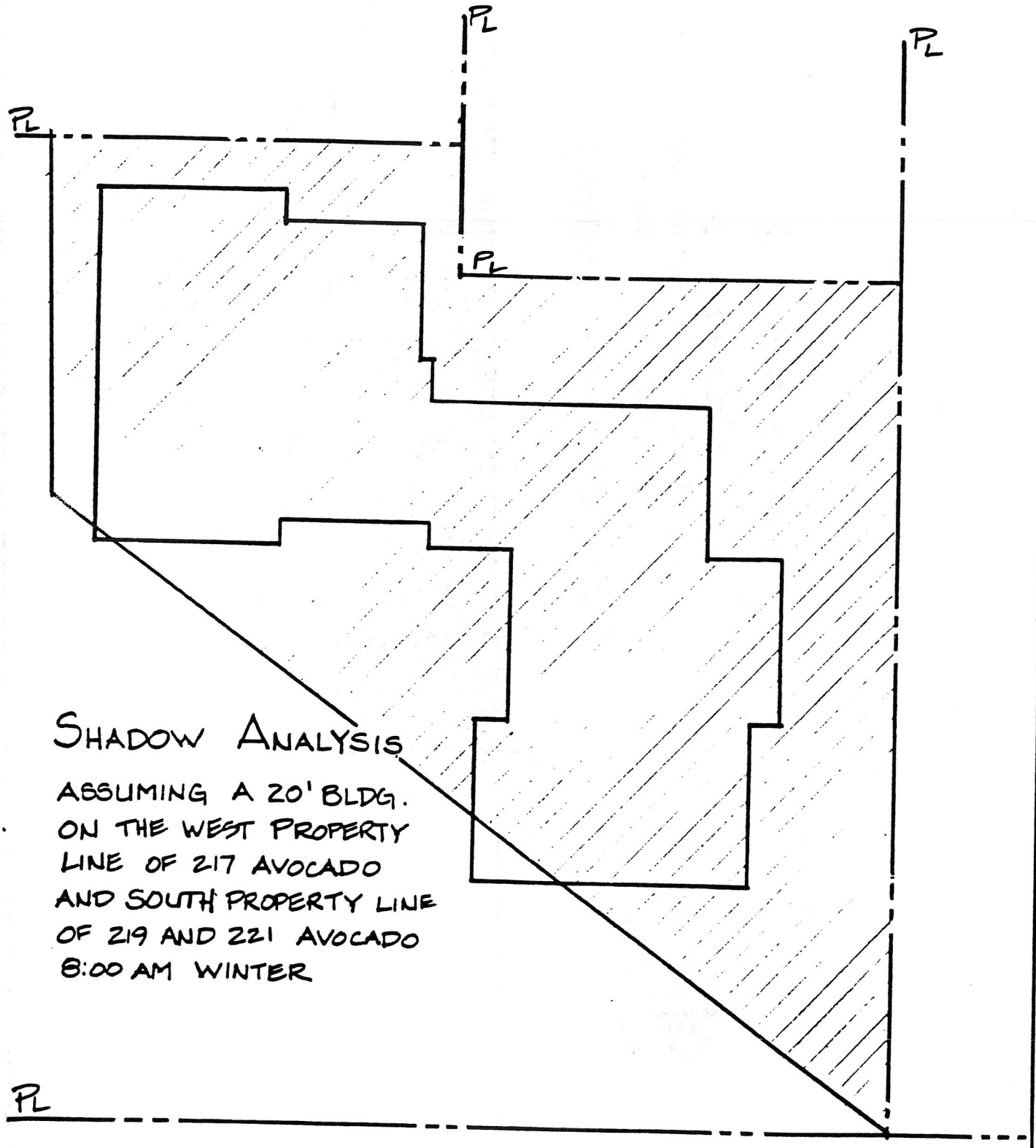
ASSUMING A 20' BLDG. ON THE WEST PROPERTY LINE OF 217 AVOCADO AND THE SOUTH PROPERTY LINES OF 219 & 221 AVOCADO
8:00 AM SUMMER



SHADOW ANALYSIS

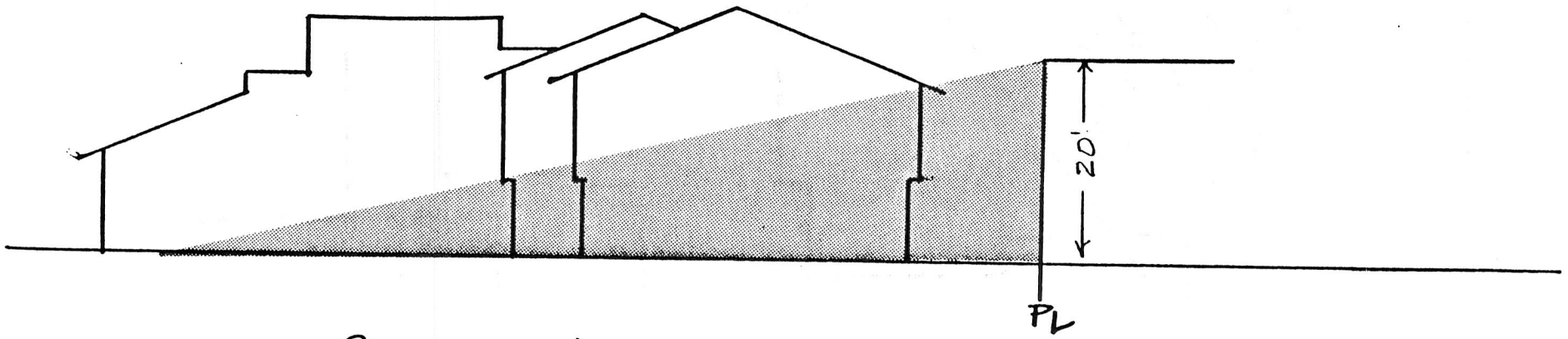
ASSUMING A 20' BLDG.
ON WEST PROPERTY LINE
OF 217 AVOCADO

8:00 AM SUMMER



SHADOW ANALYSIS

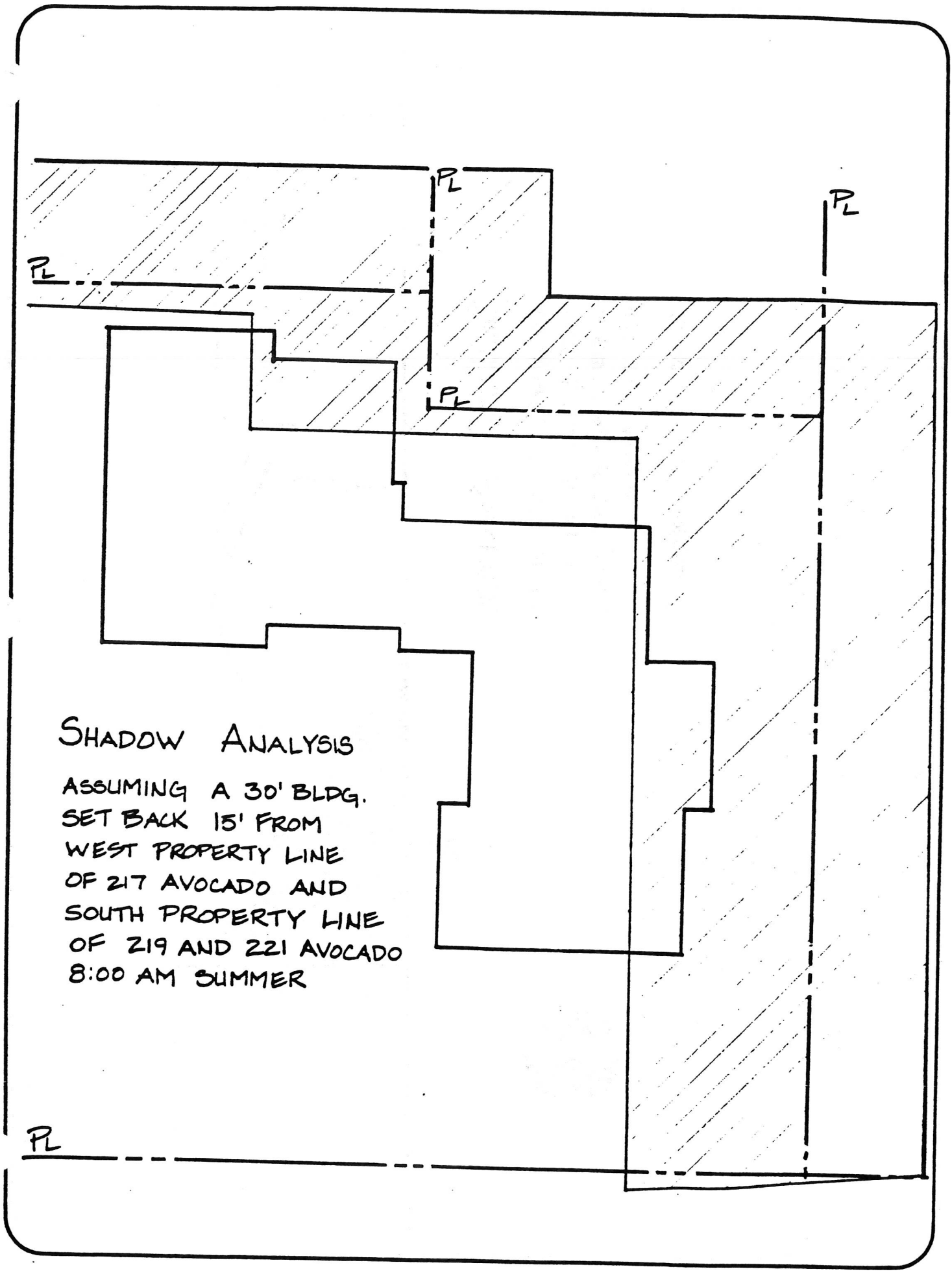
ASSUMING A 20' BLDG. ON THE WEST PROPERTY LINE OF 217 AVOCADO AND SOUTH PROPERTY LINE OF 219 AND 221 AVOCADO
8:00 AM WINTER



SHADOW ANALYSIS

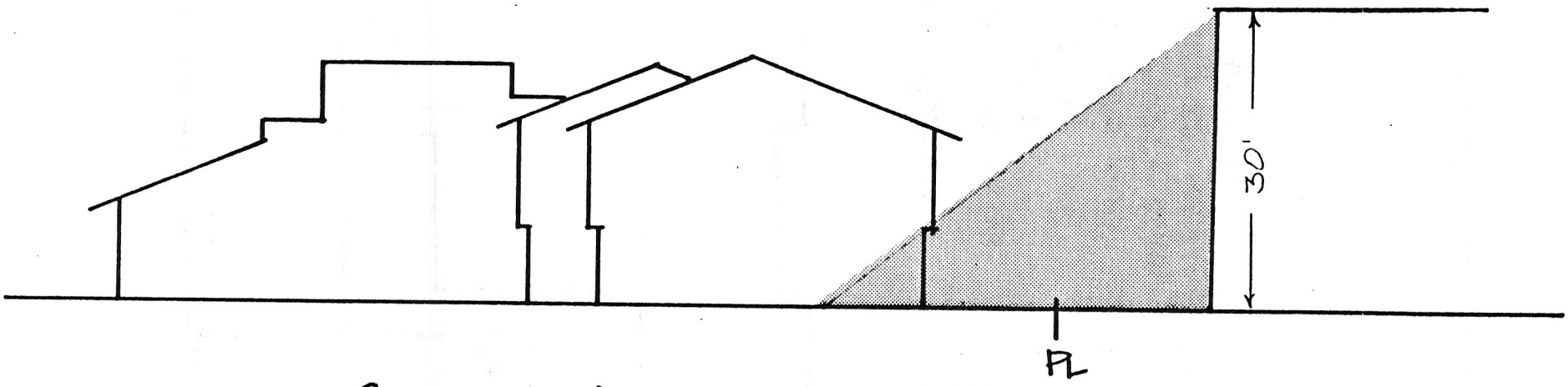
ASSUMING A 20' BLDG.
ON WEST PROPERTY LINE
OF 217 AVOCADO

8:00 AM WINTER



SHADOW ANALYSIS

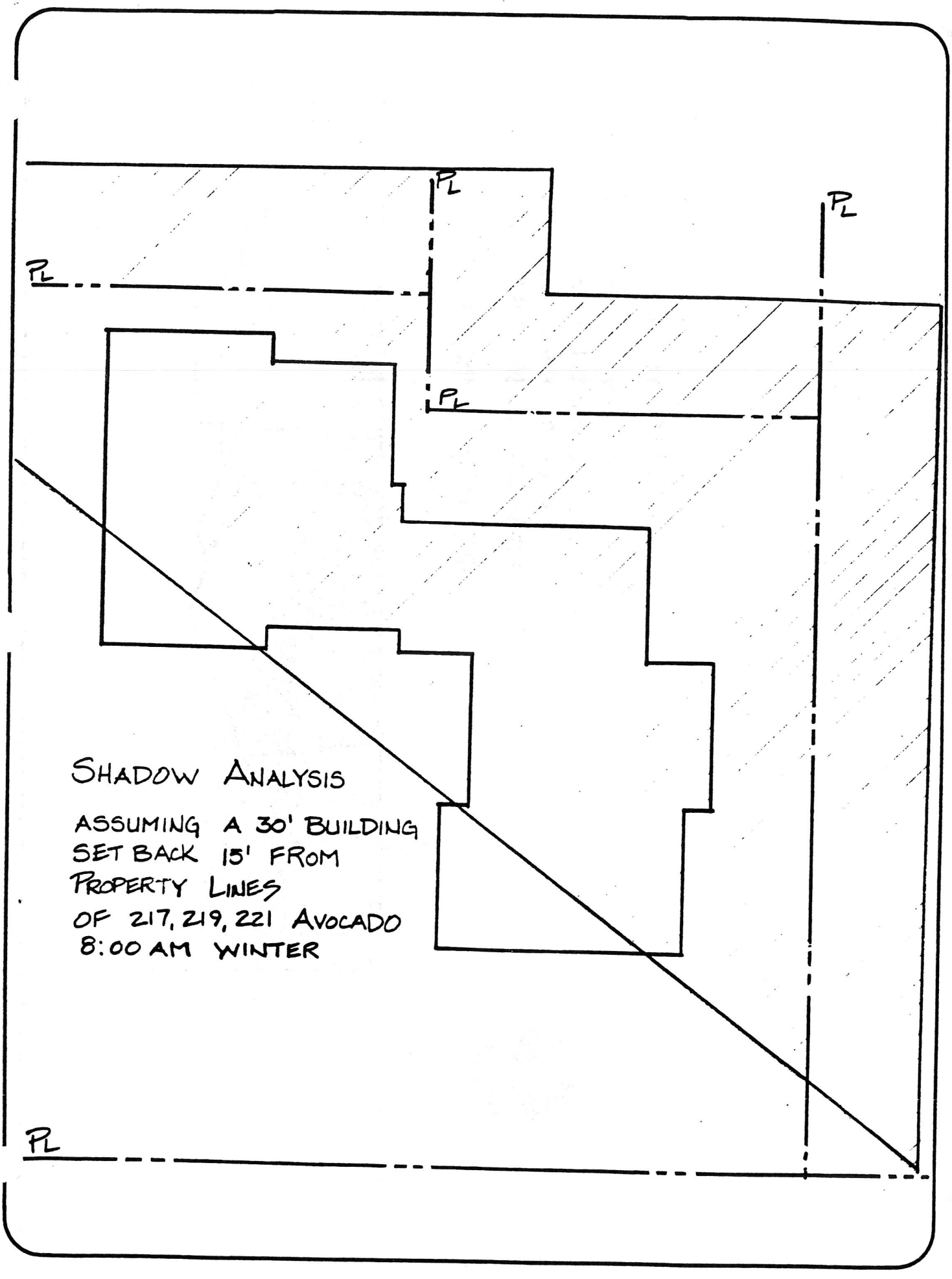
ASSUMING A 30' BLDG.
SET BACK 15' FROM
WEST PROPERTY LINE
OF 217 AVOCADO AND
SOUTH PROPERTY LINE
OF 219 AND 221 AVOCADO
8:00 AM SUMMER



SHADOW ANALYSIS

ASSUMING A 30' BLDG
SET BACK 15' FROM
WEST PROPERTY LINE
OF 217 AVOCADO

8:00 AM SUMMER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ASSUMING A 30' BUILDING
SET BACK 15' FROM
PROPERTY LINES
OF 217, 219, 221 AVOCADO
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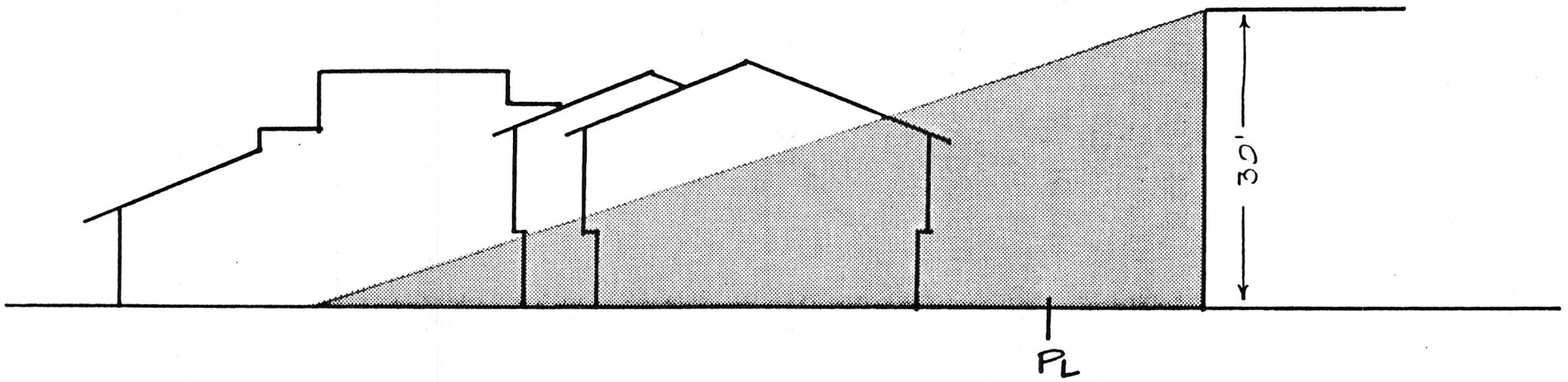

SHADOW ANALYSIS

ASSUMING A 30' BLDG
SET BACK 15' FROM
WEST PROPERTY LINE
OF 217 AVOCADO

8:00 AM WINTER

for the commercial properties while providing optimum protection for the residential development in term of noise, privacy and shade impacts, it appears that a distinction should be made between office uses and other commercial development. Based on the considerations outlined above and the shadow analysis illustrated on the attached drawings, Staff recommends the following.

IV. RECOMMENDATION

Staff recommends that:

1. Office development. Projects specifically designed for use as offices may be constructed to 30' in height provided that they are setback at least 15' from the residential property line. Alternatively, buildings designed specifically for office use may be constructed on the residential property line provided that they are not more than 20' in height.

2. Other commercial development. Developments not specifically designed for office use must be constructed on the residential property line and may not exceed 20' in height.

V. ENVIRONMENTAL DETERMINATION

Negative Declaration

VI. PLANNING COMMISSION RECOMMENDATION - MARCH 24, 1986

1. Recommend adoption of Negative Declaration
2. Recommend adoption of Specific Plan SP-86-01

VII. ADDITIONAL ANALYSIS

The setback recommendation contained in Section IV.2. above was intended to reduce transmission of noise from non-office commercial buildings (such as auto repair) to adjacent residential properties. Placement of structures on the property line would prevent openings (doors and windows) on the residential side and would allow the building itself to act as a noise buffer.

Concern was raised over the aesthetic impact of a 20 foot high wall with no room for landscape buffering. Requiring even a minimal (five foot) setback would allow for planting of trees or vines to reduce this impact. On the other hand, landscaping in such a small area not visible from the commercial site would be likely to be neglected and could, in itself, became an aesthetic liability.

An alternative approach which could be used to reduce the visual impact is reduction in allowable building height. Residential standards permit accessory structures (not containing dwelling units) to be built on the property line, but such structures are limited to 15 feet in height. Placing a similar standard in the Specific Plan would afford equal pretection for the residential properties, while easing restriction on development of the commercial sites.

Planning Staff recommends that the maximum height for commercial buildings constructed on the residential property line, as provided in both Section IV.1. and IV.2., be reduced from 20 feet to 15 feet.

ATTACHMENT 1

2015-2035

Draft General Plan

March 4, 2016

City of Costa Mesa
2ND FL, Development Services Department
77 Fair Drive, Costa Mesa, CA 92626
714 754 5245

UPDATED MAY 6, 2016

City of Costa Mesa
2015-2035 General Plan

Lead Agency

City of Costa Mesa
Attn: Development Services Department/Planning Division
77 Fair Drive
Costa Mesa, California 92628-1200
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Mayor Pro Tem Jim Righeimer
Council Member Katrina Foley
Council Member Sandra Genis
Council Member Gary Monahan

Planning Commission

Chair Robert Dickson
Vice Chair Jeff Mathews
Commissioner Colin McCarthy
Commissioner Tim Sesler
Commissioner Stephan Andranian

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Looking west along 19th Street with Newport Boulevard in the foreground.

Chapter 1:
Introduction

Costa Mesa: Moving Forward

This Costa Mesa General Plan establishes the long-range planning and policy direction that guides change and preserves the qualities that define our community. The 2035 General Plan sets forth the Vision for Costa Mesa for the next two decades. This Vision recognizes that Costa Mesa's focus remains on protecting and enhancing our diverse residential neighborhoods, accommodating an array of businesses that both serve local needs and attract regional and international spending, and continuing to provide cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives, and policies contained in this Plan.

The City adopted its first General Plan in 1957, four years after incorporation and before State law required such plans. This forthrightness illustrated the community's resolve to plan a City structure that creates success, rather than simply react to development proposals. The second General Plan was prepared in 1970 to set the course of anticipated development of the quickly disappearing agricultural lands. The Plan was comprehensively amended in 1981, 1992, and 2002. This General Plan 2035 largely incorporates the goals, policies, and objectives set forth in the 2002 General Plan, with focused changes made to create a more multimodal circulation network and encourage reinvestment in districts and neighborhoods where it is most needed.

Purpose

The State of California requires every city and county to prepare and adopt a comprehensive general plan that is "an integrated, internally consistent, and compatible statement of policies" to address all issues that affect the physical development of the community, as well as land outside its boundaries that potentially affect long-term planning (Government Code Section 65300 et seq.). The role of a general plan is to act as a "constitution" for development, the foundation upon which all land use and related decisions are based.

All general plans must meet minimum requirements stipulated in the Government Code. Most specifically, the general plan is required to address the following topics, or "elements:" Land Use, Housing, Circulation, Open Space, Conservation, Noise, and Safety. Each jurisdiction has the authority to include additional elements for issues important to the long-term development of the community, such as, for example, historic preservation, air quality, or arts and culture. Under the law, any optional elements have the same weight as the mandatory elements regarding adopted policy. Also, every jurisdiction has flexibility in determining how to organize its general plan, provided all required components specified in the Government Code area addressed.

The Costa Mesa General Plan consists of 10 elements, identified in Table I-1.

Table I-1: General Plan Structure

Costa Mesa General Plan Elements	Required by State Law	Optional Elements
Land Use Element	◘	
Circulation Element	◘	
Housing Element	◘	
Conservation Element	◘	
Noise Element	◘	
Safety Element	◘	
Open Space and Recreation Element	◘	
Growth Management Element		◘
Community Design Element		◘
Historical and Cultural Resources Element		◘

Community Engagement: The Great Reach

During 2012-2015, the City conducted an in-depth community engagement process— "The Great Reach" —that involved a broad and diverse constituency to refine the community vision and to identify where targeted change was warranted and desired. Great Reach events included 10 community workshops held early in the General Plan development process and widely attended by residents, property owners, the development community, and social service interests. The topics discussed varied by workshop, with intensive sessions focused on topics of the greatest and immediate public concerns: parks and open spaces, traffic, bicycling, and community safety. From these workshops, the exchange of ideas helped identify strongly held community values and aspirations.

Planning Commission and City Council Involvement

The Great Reach extended to the City Council and Planning Commission in a series of workshops and study sessions held in 2014 and 2015: three joint City

Council/Planning Commission workshops, three study sessions with City Council, and one study session with Planning Commission. From the workshops and study sessions, the community decided upon a refined Vision statement which emphasized the widely held desire to resolve targeted land use and mobility issues as the anchoring point for the 2035 General Plan.

***The Great Reach** General Plan public workshops included 10 meetings held at various locations and times to maximize participation by residents and stakeholders*

Bikeway and Walkability Committee

One of the outcomes of the workshops in 2015 was the formation of the Bikeway and Walkability Committee, composed of 13 members appointed by the City Council. The Committee was tasked with crafting the goals, objectives, policies, and programs for the City's first Bicycle and Pedestrian Master Plan. Community members and decision makers involved in the process expressed that Costa Mesa should have transportation and recreational infrastructure that easily accommodates bicyclists and pedestrians.

General Plan Vision

Through the Great Reach process, the community participants helped craft this refined Vision for Costa Mesa.

Costa Mesa: A Vision for Land Use and Mobility

Costa Mesa is a vibrant community where residents and visitors can enjoy all that our City has to offer. From the youthful and eclectic to the established and historical, our community features opportunities that are unparalleled in Southern California. Our neighborhoods are diverse, distinctive, and safe. Our commercial districts offer world-class shopping and are home to thriving businesses – from the creative class to technology and automotive ventures. Every day, hundreds of children and adults enjoy our abundant parks and open spaces. The City offers exciting and unique cultural opportunities that draw visitors from all over Southern California and enrich the lives of our residents. The founding principles that established our community as a great place to live and own a business are still in place. We anticipate, adapt, and plan ahead. As a result, we are able to respond to regional influences in ways that will continue to move Costa Mesa in positive directions. The City ensures that new development is economically and environmentally sustainable, and is compatible in scale and character with our neighborhoods.

Housing Our Residents

We pride ourselves in being inclusive, multi-generational, and economically and culturally diverse. Our neighborhoods reflect this diversity, both in terms of the range of available housing types and household composition. From single-family homes to apartments to live/work units, residents have many choices of creative living spaces. As our community grows and develops, we aim to increase homeownership opportunities.

Sustaining Our Economy

A healthy economy leads to a thriving community. We foster conditions that support a modern and diverse economy—one that retains and attracts new businesses and industries and cultivates innovation. Costa Mesa's reputation as a well-known shopping destination represents just one part of our economic base. Local businesses, industrial districts, and urban-scale office complexes thrive in our business-friendly culture. This robust economy attracts investment and provides employment for all skills and educational

levels. A healthy tax base sustains the ability of the City to provide high-quality services.

Providing Great Open Spaces

Parks and open spaces contribute to the health of our residents, ecosystems, and the environment. We plan for sensible growth while preserving natural open spaces. These natural open spaces are protected to continue to provide valuable functions as habitat, resource conservation/protection, and places of education. The City's commitment to well-maintained parks will ensure that the residents can continue to enjoy them. At the same time, we are committed to providing spaces for residents in all life stages within these parks for flexible new gathering spaces adaptable to evolving needs.

Celebrating Cultural Life

Costa Mesa is a City of the Arts; we are "the place" to experience and enjoy visual and performing arts and cultural events. We treasure learning and education and express this through enhancement of traditional and non-traditional learning environments, including our libraries, parks, and open spaces. The City supports intellectual and artistic creativity and celebrates Costa Mesa's historical assets. Through these, we continue to cultivate cultural enrichment and lifelong learning.

Moving in and around the City

As a city served by freeways and regional travel corridors, Costa Mesa recognizes that vehicles moving through Costa Mesa can be headed to other destinations. We create improvements that channel this traffic so that our businesses have easy access, our neighborhoods are protected, and bicycles and pedestrians can move freely. To achieve this, we place transit, bicycle, and pedestrian connectivity on par with traditional roadway improvements. We plan accordingly so that our residents can get around easily without a car, and recreational cyclists have many opportunities to enjoy the outdoors. We manage land use intensity so that vehicle demand never exceeds planned capacity.

Community Profile

Location and Setting

Costa Mesa is located in central Orange County, adjacent to the Santa Ana River and just one mile from the Pacific Ocean. Figure I-1 identifies the City's regional location in Orange County. The City connects easily to the region via several freeways: the San Diego Freeway (I-405), which bisects the northerly portion of the City; the Costa Mesa Freeway (SR-55), which travels north to south and terminates at 19th Street; and the Corona del Mar Freeway (SR-73), which starts at I-405 and extends southeast to south Orange County. The neighboring cities of Santa Ana, Irvine, Newport Beach, Huntington Beach, and Fountain Valley share the regional arterial roadway network that services Costa Mesa. Orange County John Wayne Airport, located along the eastern edge of Costa Mesa, provides easy connections beyond the region.

The corporate City limits encompass 15.8 square miles. The General Plan Planning Area consists of the incorporated City limits and unincorporated areas—the so-called sphere of influence—which are under Orange County's authority but have a bearing on Costa Mesa due to immediate proximity. The Planning Area total is approximately 16.2 square miles (nearly 10,368 acres). Figure I-2 identifies the Planning Area.

Overlooking the South Coast Metro skyline

Photo source: Amoeba Blog (http://www.amoeba.com/)

Figure I-1: Regional Location

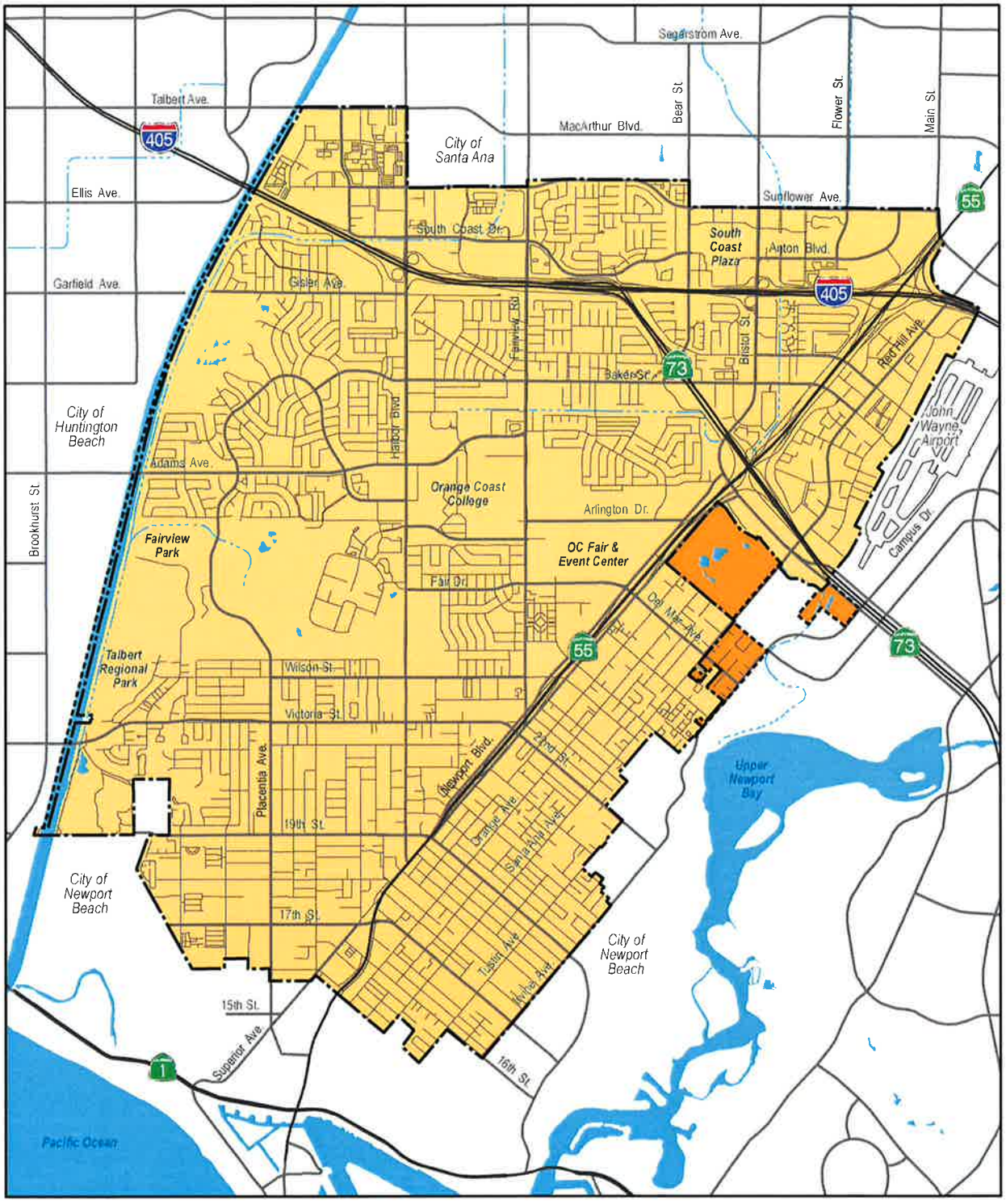


Figure I-2: Planning Areas

Historical Perspective

Located on the "coastal tableland" above Newport Bay, Costa Mesa was once grazing grounds for cattle belonging to the Mission San Juan Capistrano. At the beginning of the 19th century, missionaries built the adobe "Estancia," a waystation for the cattle drivers who tended the herds. This structure still stands and was restored and transformed by the City into a museum at 1900 Adams Avenue.

In 1810, this same area was a part of the Spanish land grant of Santiago Del Santa Ana made to Jose Antonio Yorba. By 1880, settlers had begun buying portions of the rancho from Yorba's heirs and in the same decade, established the town of Fairview. A schoolhouse and church were built near the present intersection of Harbor Boulevard and Adams Avenue, and a 25-room hotel accommodated visitors to the nearby hot sulfur springs. In early 1889, a storm washed out the railroad and brought financial disaster to the community, which soon reverted back to farming.

By this time, the little town of Harper, named after a nearby rancher, had emerged on a siding of the Santa Ana and Newport Railroad. Its first business, Ozmen's General Store, stood on the corner of Newport Boulevard and 18th Street and contained the City's first post office, established in 1909. On May 11, 1920, Harper officially changed its name to Costa Mesa, which means "coastal tableland" in Spanish, and continued as an agricultural community, growing sweet potatoes, corn, tomatoes, strawberries, and apples.

Building and oil drilling industries were just beginning to bring new growth to the City when the depression hit Southern California. Industries collapsed and the local bank closed. More disaster followed when the 1933 Long Beach earthquake shook the town, damaging businesses and the Main School.

World War II brought many thousands of people to the area for training at the Santa Ana Army Air Base, located on what are now the Orange County Fairgrounds, Orange Coast College, and the Civic Center. When the war ended, many returned with their families to begin the population boom.

On June 29, 1953, the City incorporated with a City Council-Manager form of government. The new City had an area of 3.5 square miles and a population of

16,840. By 2015, the population had risen to 113,455[1] and the area to 15.8 square miles.

Costa Mesa Today

Costa Mesa is a major commercial and cultural hub in Orange County. The City is home of South Coast Plaza, a luxury shopping institution known across the country and internationally. The robust retail, professional office, and industrial businesses in Costa Mesa provide more than 87,000 jobs. The Orange County Fair & Event Center hosts the Orange County Fair every summer, among other events. The Pacific Amphitheater and Centennial Farm host events and community programs year-round.

In the South Coast Metro Center area north of I-405, the Segerstrom Centers for the Arts—which consists of the Renee and Henry Segerstrom Concert Hall, Samueli Theater, Segerstrom Hall, Judy Morr Theater, and the Arts Plaza—is a 14-acre cultural and arts complex that bustles with public art, cultural performances, and open spaces.

A wide array of community facilities contribute to the community's quality of life, including over 29 parks, 25 public schools, Orange Coast College, Vanguard University, several private colleges, three recreational community centers, two public libraries, two community gardens, a municipal golf course, and a senior center.

Foremost, residential neighborhoods define the community. Neighborhoods cover more than 50 percent of the land area and extend into all areas of City, with the exception of the business park between SR-55 and John Wayne Airport. Residents live in single-family neighborhoods like Mesa Verde and the Eastside, as well as townhomes, apartments, and live/work units that provide places for people to live near commercial activity centers, to which they can easily walk and bike.

[1] As reported by the California State University, Fullerton Center for Demographic Research, September 2015.

Organization of the General Plan

The Elements

Land Use Element

The Land Use Element serves as the long-range planning guide for development in the City by indicating the location and extent of development allowed. More than the other elements, the Land Use Element has a major impact on the form and character of Costa Mesa. Land use policies and land use designations aim to maintain both an exceptional quality of life for residents and a thriving local economy for commerce.

Circulation Element

The Circulation Element establishes a mobility network designed to accommodate all modes of travel and the mobility needs consistent with the Land Use Element. The Circulation Element calls for implementing a "Complete Streets" approach to moving people within and through Costa Mesa, with streets designed and managed to meet the needs of pedestrians, cyclists, and transit users equal to the needs of motorists. The element includes Costa Mesa's first comprehensive Bicycle and Pedestrian Master Plan, influenced by the work of a dedicated committee of residents.

Integral to circulation planning is the City's use of a traffic model created to forecast long-range traffic volumes compatible with the Orange County Transportation Analysis Model (OCTAM). City staff uses this model to establish and manage trip budgets for defined geographic areas, thus regulating the volumes of new vehicle trips produced and added to already strained road segments.

Growth Management Element

In 1991, Orange County voters approved Measure M to fund regional transportation improvements. The initiative included a requirement for cities to adopt Growth Management Elements to illustrate how they would regulate growth consistent with Measure M plans for mobility improvements. With the sunset of Measure M in 2011, Measure M2 took its place, authorizing

continuance of the program through 2041. While Measure M2 no longer requires cities to maintain Growth Management Elements, the Costa Mesa General Plan maintains its strong commitment to balance physical growth with the ability of the local road network to support it. The element is designed to minimize duplication between Measure M2 and regional Congestion Management Program requirements.

Housing Element

The Housing Element provides programs and policies that assist the State and region in meeting comprehensive goals to provide suitable housing for all socioeconomic segments of the population. This element identifies specific actions the City will take to accommodate its regional fair-share housing allocation for all income groups, addresses the needs of at-risk and special needs populations, and responds to emerging housing trends. The Housing Element set forth policies and programs that promote preservation, improvement, and development of diverse types of housing throughout Costa Mesa.

Conservation Element

The Conservation Element identifies and establishes policies relative to the identification, establishment, preservation, and management of natural resources. This element discusses air quality, biological resources, coastal resources, energy and water resources, wastewater, water quality, and waste management. Critically, the element identifies:

- Areas in Costa Mesa with substantial natural resources that require management to prevent waste, destruction, or neglect
- Policies related to permissible uses and development standards within conservation areas, as well as programs to ensure the conservation of resources
- Desired courses of action/strategies to implement the City's conservation policies

Open Space and Recreation Element

The Open Space and Recreation Element outlines a strategy to preserve open space areas and to meet residents' evolving recreation needs. Open spaces include neighborhood and community parks, community centers, open space easements, and golf courses. Additional resources include County-owned

regional facilities within and adjacent to the City and acres of institutional land.

Safety Element

The Safety Element guides the City Council, all City departments, and individuals in understanding the natural and human-caused hazards confronting Costa Mesa. The Safety Element establishes policies aimed at reducing death, injuries, property damage, and economic and social dislocation resulting from these hazards: geologic and seismic conditions, flooding, urban and wildland fire, crime, and hazardous materials.

Noise Element

The Noise Element identifies projected noise levels associated with many noise sources in the community and includes strategies to limit exposure of the community to excessive noise levels. The baseline and projected noise levels adjacent to freeways, arterial roadways, and areas impacted by John Wayne Airport operations are depicted, and projected noise levels are used to guide future land use decisions.

Community Design Element

The Community Design Element promotes quality design for buildings, districts, landmarks, natural features, and significant landscaping. While this element does not outline specific design guidelines, it does establish a framework of sufficient design review processes focused on ensuring projects meeting the community's expectations for design and development quality.

Historical and Cultural Resources Element

The Historical and Cultural Resources Element provides the regulatory framework for identifying, maintaining, and restoring the City's historical and cultural resources. The element promotes the identification and protection of resources and defines adequate measures for use and improvements of such buildings, structures, sites and natural features with significant historical, archaeological, cultural, architectural, and community value.

Administering the General Plan

The City Council will implement this General Plan by establishing annual planning and budgeting goals based on the Plan, and by adopting implementing ordinances and regulations. City departments will use General

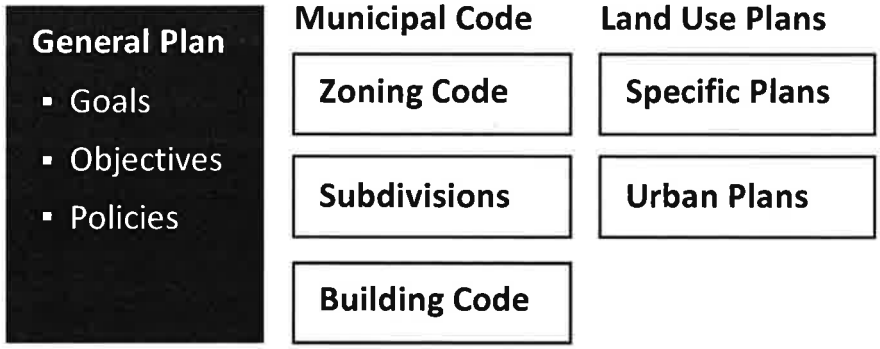
Plan policies to guide their programming and planning and importantly, to review development applications for consistency with the City's Vision.

Once adopted, the General Plan will not remain static, and the Vision will continue to inform considerations to amend the Land Use Plan or any goals, objectives, or policies. Over time, the City may determine that it is necessary to revise portions of the text or add policies or programs to reflect changing circumstances or philosophy.

State law provides direction on how cities can maintain the general plan as a contemporary policy guide. The State requires each planning department to report annually to its City Council on "the status of the plan and progress in its implementation" (§65400[b]). Moreover, it is the policy of the City Council to review the General Plan periodically to maintain the currency of its goals and policies, as well as its background and technical information. This General Plan has been adopted pursuant to this policy.

The City regulates the use of property within its jurisdiction through the General Plan in conjunction with the zoning, subdivision, and building codes; specific plans; and urban plans (see Figure I-3: Regulating Use of Property.) The General Plan is the basis of all of these land use regulations. Following adoption of the General Plan, any regulations in zoning, subdivision, building, and other ordinances that are not consistent with the General Plan will be amended to ensure consistency.

Figure I-3: Regulating Use of Property



Looking southeast over Costa Mesa's Westside District

Chapter 2
Land Use Element

Introduction

The Land Use Element is the keystone element of the Costa Mesa General Plan. This Element unifies the other elements by providing an overall policy context for future physical change. Goals and policies define the community's desired balance among social, environmental, and economic considerations, while maintaining those characteristics of the community that reinforce quality neighborhoods and viable business districts.

As Costa Mesa implements this General Plan, the City aspires to keep Costa Mesa an eclectic community with welcoming public spaces; attractive, walkable residential neighborhoods; exceptional parks and community services; and a diverse economy that meets the needs of local residents while also attracting investment and spending from regional and international markets.

Purpose

The Land Use Element shapes new physical development in the City and its sphere of influence and provides strategies to preserve, protect, and enhance established neighborhoods and districts consistent with the community's vision. Through implementation of the Land Use Element, the City seeks to accomplish the following:

- Target new development opportunities at key locations while ensuring compatibility with established neighborhoods
- Increase homeownership opportunities in the City
- Establish and maintain an orderly pattern of development in the City
- Establish a land use classification system that implements land use policies
- Identify acceptable land uses and their general location
- Promote consistency with standards for residential density and non-residential building intensity for existing and future development
- Accommodate a diversity of businesses to provide a solid tax base and ample employment opportunities, to attract visitor/tourist spending, and to hedge against periodic downturns in business sectors
- Provide open space, park areas, and public spaces where residents can enjoy passive and active recreational pursuits
- Ensure that new development is economically and environmentally sustainable

The Land Use Element serves as the long-range planning guide for development in the City by indicating the location and extent of development to be allowed. More than any other element, the Land Use Element will have a major impact on the form and character of Costa Mesa over the next 20 years. The Land Use Element applies to all properties within the corporate City limits, as well as properties within Costa Mesa's sphere of influence, as established by the Orange County Local Agency Formation Commission (LAFCO). Together, these areas comprise the "planning area." Figure LU-1 illustrates the planning area boundaries in Chapter 1, Introduction.

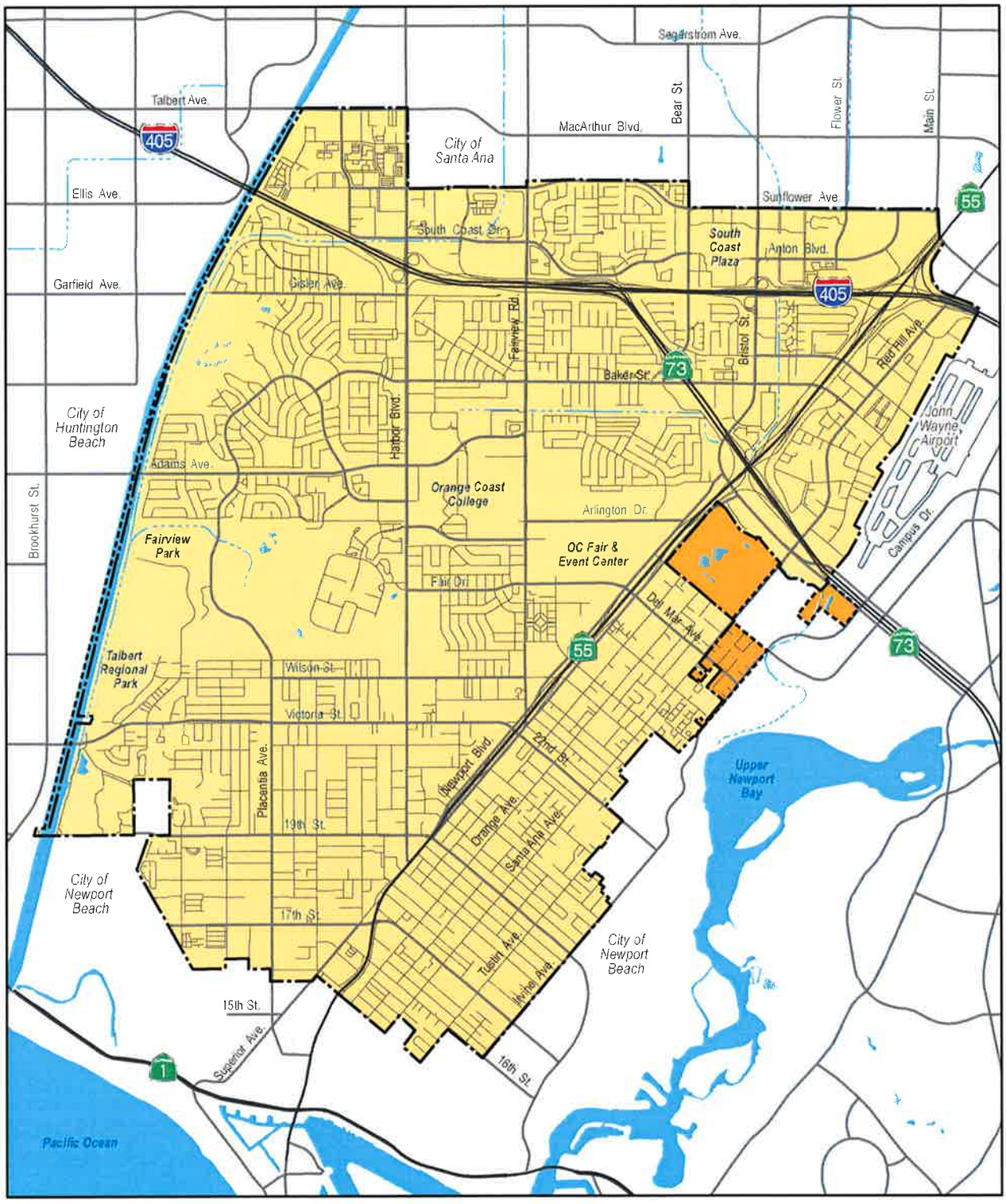


Figure LU-1: Planning Area

Land Use Context (2015)

The City has implemented strategic efforts over the years to provide a sustainable balance of residential, commercial, industrial, and public and institutional uses. Land use planning ensures that compatible and complementary uses are arranged in patterns that achieve efficiencies for projected growth, mobility, and commerce. This Land Use section describes the general location, type, and intensity of development throughout Costa Mesa in baseline year 2015.

Planning Context

Development History

Costa Mesa's incorporated city limits encompass approximately 8,080 acres, or approximately 15.8 square miles. The City lies on an elevated mesa landform just one mile from the Pacific Ocean. The Spanish name *Costa Mesa* means coastal tableland. Like throughout much of Southern California, the earliest settlers were Native Americans who fished and farmed. Spanish land grants in the 1800s brought Europeans into the area, with additional growth facilitated by extension of the railroad and, later, discovery of oil. Until the 1950s, agriculture remained the most important economic component of Orange County, and Costa Mesa was home to thousands of acres of sweet potato, corn, tomato, and strawberry crops. Remnants of this agricultural heritage remained through 2015 on properties north of Interstate 405, amid the urban development of South Coast Plaza and the Segerstrom Center for the Arts~~Performing Arts Center~~.

During World War II, the U.S. military established a number of bases in Orange County, including the Santa Ana Army Air Base in Costa Mesa (now the Orange County Fairgrounds). In the years following World War II, the surge in population and demand for affordable homes soared as returning veterans with new families looked to buy homes. The accelerated demand for suburban homes resulted in the conversion of thousands of agricultural acres to large single-family housing tracts. Today, this use remains predominant in Costa Mesa.

~~During~~ From the 1970s through 1990s, Costa Mesa experienced significant growth in retail and office development, with development of regional shopping malls and high-rise office buildings north of I-405. Investment in the industrial district south of West 19th Street included a substantial presence of surfing and similar action sports businesses, several of which have grown to be multi-million dollar international brands.

Established Land Uses (2015)

Costa Mesa is 99 percent built out, with the largest vacant parcels located in the North Costa Mesa area. The two largest available properties—both in agriculture production as of 2015—lie north of I-405: the 31-acre Segerstrom Home Ranch and the 33-acre Sakioka Lot 2 sites. The *North Costa Mesa Specific Plan* regulates land uses on these properties.

Residential

As of 2015, approximately 47 percent of land in the planning area consisted of residential neighborhoods. Single-family neighborhoods cover approximately 30 percent of the land in the City. There are a greater number of multi-family units (24,000 units) than single-family homes (18,500 homes). Costa Mesa contains a number of distinct residential neighborhoods, including: 1) Eastside, 2) Westside, 3) Mesa Verde, 4) College Park, 5) North Costa Mesa/Mesa Del Mar/Halecrest Hall of Fame, 6) Bristol/Paularino, and 7) South Coast/Wimbledon Village.

***Mesa Verde** residential neighborhood with a mixture of single-family and multi-family units, as well as parks and schools*

Opportunity for new large-scale, single-family development is limited due to the built-out nature of the City's residential areas and limited acreage of

vacant land. The accelerated demand for suburban homes experienced in the mid-1950s and 1960s resulted in the conversion of thousands of agricultural acres to large single-family housing tracts. Single-family residential construction primarily consists of infill development, particularly in Eastside and Westside Costa Mesa. From 2012 to 2016, new small lot subdivisions have been approved in multi-family zones in Eastside Costa Mesa. Medium- and High-Density Residential land uses account for 18 percent of the net acreage. Medium-Density Residential areas are distributed throughout the City. High-Density neighborhoods are clustered around Orange Coast College, along Mesa Verde Drive East, along Adams Avenue, around Vanguard University, in the northeast portion of the South Coast Metro area, in Downtown, and in the southeast portion of the City.

Because many residential units were constructed prior to City incorporation, particularly on the Eastside, ~~E~~existing residential densities in the Medium- and High-Density land use designations may exceed the current allowed number of dwelling units per acre.

Commercial Uses

Costa Mesa contains six distinct commercial districts: 1) South Coast Metro District, 2) Harbor Boulevard Corridor, 3) Downtown/The Triangle~~ Square~~, 4) East 17th Street Corridor, 5) Newport Boulevard Corridor, and 6) Bristol Street Corridor. Commercial land use designations encompass 14 percent of the land area, or 1,210 acres.

Costa Mesa Downtown and The Triangle ~~Square~~ consists of a mixture of neighborhood and community-serving commercial uses.

South Coast Plaza contains the largest single concentration of retail uses in the City and accounts for 30 percent of the commercial square footage; the adjacent Town Center area accounts for nearly 20 percent of the area planned for office space throughout the City.

The Harbor Boulevard commercial district accounts for almost one-third of commercial land. Businesses along the boulevard account for 40 percent of the City's total retail sales, indicating that Harbor Boulevard's trade area is of a regional scale. The major factor for this is the concentration of auto dealerships on Harbor Boulevard.

The 92-acre East 17th Street commercial district contains a variety of commercial uses, including retail, service, and office. The area generally serves local residences and businesses. Major retail centers other than South Coast Plaza include the CAMP, the LAB Anti-Mall, South Coast Collection (SOCO), Metro Pointe, and The TriangleRIANGLE. Each offers its own unique mix of shopping and dining experiences and as well as entertainment for the citizens of Costa Mesa and Orange County at large.

Industrial Uses

Industrial land use designations encompass approximately 10 percent of land and are primarily concentrated in three major districts: the Westside District, the John Wayne Airport Industrial District, and the North Costa Mesa Industrial District.

The Westside District is the City's oldest industrial area; it covers approximately 312 acres and represents 88 percent of land area designated for Light Industrial. The remaining 12 percent of Light Industrial uses are located in areas along Baker Street. Light Industrial uses consist of small manufacturing and service industries, as well as larger industrial operations.

The Westside District contains several large manufacturing firms and a high percentage of smaller industrial operations, frequently in multi-tenant structures. The Southwest District is one of Costa Mesa's major employment centers, providing about one-fourth of all local manufacturing-related jobs.

The 390-acre Airport Industrial Area is a component of the much larger Irvine Business and Industrial Complex, which extends into the cities of Irvine and Tustin. This area is characterized by large parcels and wide landscaped

building setbacks. Several firms have located their main or regional headquarters in the area and are often the single tenants in large structures.

The Airport Industrial/ Business Park District *includes a concentration of industrial, office, and commercial uses.*

Industrial space directly adjacent to John Wayne Airport provides opportunities to airport-related industries. Some of these properties include hangars with access to the ~~tarmac and~~ runway.

The third industrial area is the 323-acre North Industrial/Business Park located within the north part of Costa Mesa, northeast of I-405 and the Santa Ana River. This district is a part of a larger industrial area extending northward into the city of Santa Ana. The primary users of this industrial area (Harbor Gateway) are large single-tenant manufacturing firms and corporate offices. Included within this district is a 14.5-acre portion of the Home Ranch area property and the unique "lifestyle" South Coast Collection (SOCO) shopping center. SOCO includes over 300,000 square feet of design showrooms, creative studios, specialty retail and food stores, a weekly farmers' market, and outdoor gathering spaces. The OC Mix, located in SOCO, is a marketplace for gourmet foods, coffee, wine, and over 30 owner-operated retail and specialty shops under one roof.

Public/Institutional, Golf Course, and Fairground Uses

The Public/Institutional designation applies to publicly and privately owned properties that provide recreation, open space, health, and educational opportunities, as well as uses that provide a service to the public.

A major land acquisition by the State in 1950 was responsible for the public ownership of the Costa Mesa Golf Course and Country Club and Fairview Park.

~~In 1950, 750 acres were acquired for a State institution. Today, the Fairview Developmental Center occupies 114 acres of the original 750-acre site.~~ Acquisitions by the City and County have expanded this area to include the County's Talbert Regional Park ~~site~~ adjacent to the Santa Ana River and the City's adjoining ~~City~~ Canyon Park. See Table LU-1: *Public and Institutional Land Acquisitions*, for various public and institution uses government land acquisitions.

As of 2015, a total of ~~1,210~~491 acres are designated Public/Institutional. When combined with the Costa Mesa Golf Course and Orange County Fair & Event Center, these uses constitute ~~25~~ 19.5 percent of the planning area. This high percentage of land area designated for public and institutional use primarily reflects past and current use by various governmental agencies: the Santa Ana Army Air Base during World War II, the original 750-acre land acquisition by the State of California, and land acquisitions by the City and Orange County.

***Orange Coast College**, founded in 1947, includes over 80 academic program areas and over 50 career and technical programs.*

Table LU-1: Public and Institutional Lands

Government Land Acquisition	Public and Institutional Uses
Santa Ana Army Air Base	Orange Coast College, Costa Mesa High School, Davis Middle School, Presidio Elementary School, TeWinkle Park, the National Guard Armory, Orange County Fairgrounds, Costa Mesa Farm Soccer Complex, Civic Center Park, City Hall, and Vanguard University

Government Land Acquisition	Public and Institutional Uses
750-acre land (1950)	Costa Mesa Golf Course and Country Club and Fairview Park, Fairview Developmental Center[1] (see Multi-Use Center designation)
City and County expansion	Talbert Regional Park and ~~City~~ Canyon Park

Source: City of Costa Mesa, 2015.

Note: 1. As of 2015, the Fairview Development Center is in operation, but the State of California has initiated the process for the closure of the facility. This Land Use Element designates the site as Multi-Use Center that allows for institutional, open space, and residential uses. Refer to the Multi-Use Center discussion for the Fairview Developmental Center site.

The golf course designation includes the Mesa Verde and Santa Ana Country Clubs (both private) and the City-owned Costa Mesa Golf Course and Country Club. The Fairgrounds property includes the 150-acre Orange County Fair & Event Center, which is owned by the 32nd District Agricultural Association, a state special-purpose district in the Division of Fairs and Expositions of the California Department of Food and Agriculture formed in 1949. Its board is appointed by the Governor of California.

Table LU-2: *Established Land Uses (2015),* summarizes the existing land uses in Costa Mesa that were surveyed in 2015, including number of acres, residential units, building square feet, hotel and motel rooms, and estimated employees.

Orange Coast College Vision 2020 Facilities Master Plan

Costa Mesa is home to Orange Coast College, which is one of three colleges in the Coast Community College District. Orange Coast College is located at 2701 Fairview Road in the central portion of Costa Mesa. The District has been involved in preparing the Orange Coast College Vision 2020 Facilities Master Plan, which involves construction of new academic, administrative, residential, and parking facilities on the campus. In November 2015, the Coast Community College District Board of Trustees approved the Final Orange Coast College Vision 2020 Facilities Master Plan Program EIR.

The proposed Master Plan involves following improvements:

- Renovation of two existing buildings, totaling approximately 54,000 assignable square feet (ASF) and demolition of approximately 200,900 ASF

Table LU-2: Established Land Uses (2015)

Land Use	Net Acres[1]	% of Acres	Residential Units	Population	Building Square Feet	Lodging Rooms	Employees
Single-Family	2,314	28.8	14,210	45,287	--	--	--
Multi-Family	1,402	17.4	28,413	64,469	--	--	100
Office	332	4.1	--		7,224,000	--	24,000
Commercial	770	9.6	--		11,403,000	--	23,400
Lodging: Motel/Hotel	60	0.8	--		--	Motel: 2,272 Hotel: 1,877	1,400
Industrial	841	10.5	--		13,087,000	--	27,300
Public Facilities/ Institutional	491	6.1	--		--	--	6,200[5]
Schools/Colleges	525	6.5	--		--	--	4,300
Golf	553	6.9	--		--	--	100
Parks/Recreation	592	7.4	--		--	--	--[2]
Agriculture	72	0.9	--		--	--	200
Other[4]	70	0.9	--		555,000	--	300
Vacant Lands	20	0.3	--		--	--	--
Total	**8,044**	**100.0%**	**42,623**	**110,524**	**32,269,000**	**4,149**	**87,300[3]**

Sources: *City of Costa Mesa, Stantec, and MIG, 2015.*

Note:
1. *Net acres includes all private property land areas for the entire Planning Area, excluding all public right-of-way.*
2. *Park employment is counted under Public Facilities*
3. *Employees is calculated using building square footage and employment generation rates by land use category. Center for Demographic Research, California State University, Fullerton identifies 87,097 jobs for 2015 based on 2014 projections.*
4. *Other land uses refers to religious institutions, utilities, railroad properties, and other classifications that are not classified under the existing land use categories.*
5. *Refer to the Multi-Use Center discussion for the Fairview Developmental Center site.*

Table LU-3: Land Use Designations (2015)

Land Use Designations	Residential Density	Floor-Area Ratio	Acres Developed	Acres Undeveloped	Total Acres	% of Acres
Residential						
Low-Density Residential	≤8 du/ac	0.15/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic 0.75/Very Low Traffic	2,087.4	0.8	2,088.2	25.7%
Medium-Density Residential	≤12 du/ac		858.1	1.1	859.1	10.6%
High-Density Residential[1,2]	≤20 du/ac		842.9	2.9	845.8	10.4%
Non-Residential						
Commercial-Residential	≤17.4 du/ac	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic	47.9	0.0	47.9	0.6%
Neighborhood Commercial	≤20 du/ac	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	40.3	0.2	40.5	0.5%
General Commercial	≤20 du/ac	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic 0.75/Very Low Traffic	607.8	8.5	616.3	7.6%
Commercial Center[3]	≤20 du/ac	0.25/High Traffic 0.35/Moderate Traffic 0.45/Low Traffic 0.75/Very Low Traffic	54.1	0.3	54.4	0.7%
Urban Center Commercial[3]	20 to 80 du/ac	0.50/High Traffic 0.60/Moderate Traffic	101.1	66.6	167.7	2.1%
Cultural Arts Center[4]	Varies[4]	1.77[4]	57.3	0.0	57.3	0.7%
Regional Commercial	≤20 du/ac	0.652/0.89[4]	147.9	0.0	147.9	1.8%
Industrial Park	≤20 du/ac	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic 0.75/Very Low Traffic	669.1	2.4	671.5	8.3%
Light Industrial[6]	≤20 du/ac	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	374.2	4.0	378.1	4.7%
Public and Institutional	--	0.25	1,263.2	0.3	1,263.4	15.7
Golf Course	--	≤0.01	553.7	0.0	553.7	6.9%
Fairgrounds	--	≤0.10	150.0	0.0	150.0	1.9%
Multi-Use Center[4]	15 to 25 du/ac; Varies	≤~~N/A~~0.25 FAR	102.6	0.0	102.6	1.3%
Totals			**7,957.5**	**87.0**	**8,044.5**	**100%**

Notes: 1. Within the Medium and High Density Residential designation, existing residential units legally built in excess of the dwelling units per acre standard may be rebuilt at the same higher density subject to other zoning code standards. The allowable density or number of units to be redeveloped would be limited to the 1990 General Plan density with a 25% incentive bonus for Medium-Density or a 50% incentive bonus for High Density or the existing number of units, whichever is less.

2. See High Density Residential text regarding areas in North Costa Mesa where the density allowance exceeds 20 units per acre.

3. See Commercial Center, Regional Commercial, and Urban Center Commercial text for site specific density and FAR.

4. See text for ~~Mixed~~Multi-Use Development and Cultural Arts Center provisions for additional discussion.

- A new Planetarium and an 818-bed student housing project would be added to the campus; the proposed project would also involve improvements to the pedestrian circulation network in and around campus, and the enhancement of open-space areas through landscape and pedestrian plaza improvements
- Reconfiguration of existing parking lots and vehicular entryways, and the addition of a parking structure in the Adams Avenue parking lot on campus

Jobs/Housing Relationship

The variety and distribution of land uses in Costa Mesa enable people to live near their jobs, to shop within a reasonable distance from their homes or work, to use the City's parks and recreational facilities, and to carry out other daily activities conveniently. Information from the 2010 Census indicates that 32 percent of residents work in the City. Fifty-one percent work within 20 minutes of their homes. The City recognizes the importance of providing both job and housing opportunities to reduce vehicle trips and overall, create a higher quality of life.

Table LU-4: *Housing, Population, and Employment*, presents historical data for Costa Mesa's population, number of housing units, and employment opportunities, and includes projections to the year 2040. The table is based upon OCP-2015 Projections and data from the U.S Census.

Table LU-4: Housing, Population, and Employment

Year	2000[1]	2010[2]	2015[3]	2020[3]	2040[3]
Housing	40,406	42,120	42,496	43,484	44,359
Population	108,724	109,929	111,276	112,001	113,332
Employment	88,294	N/A	87,097	89,590	93,222

Sources: 1. 2000 U.S. Census; 2. 2010 U.S. Census; 3. Center for Demographic Research, California State University, Fullerton, 2014.

Key Land Use Issues

Residential Neighborhood Compatibility

Early subdivisions in Costa Mesa established patterns that markedly affect the design of current developments. Prior to the City's incorporation, residential development—particularly in the Eastside and Westside neighborhoods—consisted of subdivisions with long, narrow lots. As residential develop**ment**~~ed~~ occurred, construction on these narrow, deep lots often took the form of small-lot subdivisions usually consisting of a row of detached or attached residential units on one side of the parcel and the driveway access for the residential units on the opposite side.

In 2013 the Small Lot Ordinance was adopted to promote affordable ownership housing by providing more flexible development standards and maintenance mechanisms for underutilized multi-family residential lots within the densities allowed by the General Plan. The Small Lot Ordinance allowed new homeownership opportunities in the form of detached single-family residential development on small lots with a maximum of 15 dwelling units.

Promotion of Home Ownership

According to the 2010 Census data, Costa Mesa's renter-occupied units consisted of 58 percent of the total occupied units, whereas owner-occupied units consisted of 42 percent of the total occupied units, a difference of nearly 16 percent. Most owner-occupied units consist of single-family homes and condominiums, and the majority of renter-occupied residences consist of apartments. The City strives to improve the balance of owner-occupied and renter-occupied units to create more stability in terms of property maintenance and residents' social investment in their neighborhoods and the community.

Revitalization of Commercial Districts

Although most of the issues experienced with small parcels and narrow, deep parcels are related to residential development, several commercial districts face similar constraints. While large retail developments like the Triangle have resulted from lot consolidation, smaller commercial lots along Newport Boulevard and 19th Street, for example, pose challenges for new businesses due to substandard parking facilities. Along the east side of Newport Boulevard, many small parcels retain the original residential structures that

have been converted to commercial use. Additionally, along Newport Boulevard, north of 19th Street, commercial uses have more limited exposure and visibility due to the one-way traffic flow and wide separation from land uses to the west. Newport Boulevard's one-way traffic flow, diversity of ownership patterns, and eclectic mix of uses contribute to its lack of unity and identity, which in turn makes it difficult to attract new development proposals and/or compatible businesses. The City will need to continue to monitor activity on Newport Boulevard, Harbor Boulevard, and other commercial districts with similar challenging circumstances to determine if additional adjustments to land use policy and zoning regulations are needed to incentivize reinvestment.

Live/Work Development in Industrial areas

The Westside has long supported an intertwined mix of industrial, commercial, and residential uses. Industrial uses have predominated at the southwest corner of the City, including many that once supported the marine industry.

In 2005, the City adopted a mixed-use overlay zones within the Westside and SoBECA Urban Plans. The Urban Plans do not promote any major intensification of land uses. The emphasis is on improving the Urban Plan area by providing visual enhancement and encouraging the development of live/work units or residential lots with the plan area, thereby revitalizing marginal properties and creating opportunities for home ownership.

The objectives of the Urban Plans include:

- Encourage the construction of Live/Work Units that combine residential and nonresidential uses in the same unit without exceeding the development capacity of the General Plan transportation system.
- Attract more residents and merchants by allowing mixed-use development in the form of a live/work loft, which offers first floor retail/office uses and upper story living spaces in the same unit.
- Encourage adaptive reuse of existing industrial or commercial structures, which would result in rehabilitated buildings with unique architecture and a wider array of complementary uses.
- Stimulate improvement in the Urban Plan area through well-designed and integrated urban residential development that is nontraditional in

form and design with flexible open floor plans and which complements the surrounding existing development.

- Meet demand for a new housing type to satisfy a diverse residential population comprised of artists, designers, craftspeople, professionals and small-business entrepreneurs.
- Promote new type of urban housing that would be target-marketed to people seeking alternative housing choices in an industrial area. An urban loft would be an alternative to a traditional single-family residence, tract home, or small-lot subdivision.

Costa Mesa values the opportunities the Westside provides to support enterprising industry and entrepreneurs. Land use regulations need to be crafted in way that furthers economic development and business support while allowing residential development in the right locations in the Westside.

Mixed-Use Districts

The Westside and South Bristol Entertainment and Cultural Arts (SoBECA) areas contain eclectic uses that have emerged organically. In other areas of Costa Mesa, including Planned Development Commercial areas and the Harbor Mixed-Use Overlay District, the City encourages mixed-use urban environments that include purposeful combinations of entertainment, retail, office, hospitality, and residential uses. Mixed-use development creates a productive use of space that adds vitality to urban areas and conserves land resources by allowing for shared parking and public spaces.

Airport Considerations

Both the Federal Aviation Administration (FAA) and the Airport Land Use Commission for Orange County have concern for the safety of air navigation around John Wayne Airport. Under Part 77 of the Federal Aviation Regulations (FAR), the FAA requires notice of proposed construction in excess of certain heights, which may affect the safety of aircraft operations. The authority of the FAA in these matters extends only as far as issuing a notice of hazard to air navigation; the FAA does not have jurisdiction to prohibit construction. The issuance of a hazard notice, however, may adversely affect the ability of a developer to obtain financing and insurance.

The FAA standard that is of most of concern in Costa Mesa is the horizontal surface for John Wayne Airport. This surface is 203.68 feet above mean sea level and extends nearly two miles from the airport.

The South Coast Plaza Town Center Master Plan (the area east of Bristol Street and north of the I-405) was approved subject to the condition that building height be limited to that specified by FAR Part 77 unless evidence is presented that the structure will not pose a hazard to air navigation nor interfere with instrument guidance systems. Evidence may be in the form of an FAA determination of no hazard. A number of Town Center structures and proposed mid-rise and high-rise residential buildings have received City approval although they encroach beyond the established horizontal surface elevation. In all cases obstruction lighting was required, and in some cases minor adjustments to seldom-used flight patterns were necessitated, but the safety of aircraft operations in the airport vicinity has not been compromised.

The horizontal surface established by the FAA places restrictions on future development proposals similar in scale to the Town Center buildings. These developments will also be required to provide mitigation for potential hazards to air safety.

The California Public Utilities Code provides for creation of countywide commissions to work towards achieving compatible land uses in the vicinity of airports. Commissions are required to formulate comprehensive land use plans, which may include acceptable uses, height restrictions, and other building standards, such as noise insulation. The Airport Land Use Commission for Orange County (ALUC) has established a planning area surrounding John

Wayne Airport which sets forth standards for acceptable land uses and provides for review of development plans for properties within its planning area. The Airport Environs Land Use Plan (AELUP), adopted by the Airport Land Use Commission, specifies acceptable uses proximate to the airport. These are defined as uses that will not subject people to adverse noise impacts, will not concentrate people in areas with high potential for aircraft accidents, and will not adversely affect navigable airspace or aircraft operations.

The AELUP for Heliports establishes regulations and restrictions for the siting of heliports and helipads/helistops. The purpose of the AELUP for Heliports is to protect the public from the adverse effects of aircraft noise by ensuring that heliports/helipads are sited in areas of compatible land use.

A heliport is a small airport suitable only for use by helicopters, typically containing one or more helipads. A helipad or helistop is a designated area, including any buildings or facilities, intended to be used for the landing and takeoff of helicopters. Helipads/helistops may or may not be located within heliports. Refueling and overnight maintenance of helicopters are permitted on heliports but prohibited on helipads/helistops.

The City will ensure that each applicant, seeking a conditional use permit or similar approval for the construction or operation of a heliport or helistop, complies fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by the Federal Aviation Administration (FAA), by the Airport Land Use Commission for Orange County (ALUC) and by Caltrans/Division of Aeronautics. This requirement shall be in addition to all other City development requirements.

The City will also ensure that development proposals including the construction or alteration of a structure more than 200 feet above ground level, reference North American Vertical Datum 1988 (NAVD88), must fully comply with procedures provided by Federal and State law, including with the referral requirements of the ALUC, and filing a Notice of Landing Area Proposal (Form7480-I). This requirement shall be in addition to all other City development requirements.

Land Availability

As of 2015, of the 8,032 net acres in the City of Costa Mesa, only 88 acres—or 1.1 percent—were either vacant or support agricultural production. The agricultural uses are temporary, as the lands are entitled for development by the *North Costa Mesa Specific Plan*. Thus, new development will take the form of infill development, particularly on underutilized sites. The primary challenge for land use planning will be to determine the best use and development approach for remaining infill properties. A second challenge will be to guide re-use of aging commercial properties for long-term community and property owner benefit.

Sustainable Development Practices

Costa Mesa residents recognize the relationship between the use of resources to fuel a vibrant community (energy, water, air, land) and nonsustainable energy consumption can have long-term environmental consequences. Both the Federal and State governments have established a myriad of laws aimed

at environmental protection and enhancement, and many of these regulations are being implemented through development practices that are far more sustainable than practices of a generation ago. The Orange County region historically has had an imbalance of land uses (availability of high paying jobs, but shortfall of affordable housing[1]) and roadway infrastructure primarily dedicated to the automobile. These historical development patterns and practices has adversely affected Costa Mesa in terms of traffic congestion, high housing costs, increased air pollution, and disproportional impacts on the young, elderly, and disabled.

While many laws require the City to adopt new ways of planning and conducting day-to-day operations—such as the Global Warming Solutions Act of 2006 (AB 32) and Executive Order S-3-05[2]—the City has broad latitude to establish local procedures and practices for addressing sustainability.

[1] *The New Economy and Jobs/Housing Balance in Southern California. Southern California Association of Governments, April 2001.*

1[2] The Global Warming Solutions Act of 2006 (AB 32) and Executive Order S-3-05 set a target to reduce California's greenhouse gas emissions to 1990 levels by year 2020 and by 80 percent below the 1990 levels by year 2050.

Land Use Plan

The Land Use Plan Map (Figure LU-2) presents a pictorial representation of the land use and development policies set forth in this element. The colored land use designations indicate the type and nature of development allowed on all properties within the City of Costa Mesa and its sphere of influence. The map shows 14 land use designations and six overlays that largely reflect long-established land use patterns and development intensities, with the overlays indicating where targeted efforts are planned to encourage reuse and revitalization. The City will use the land use designation descriptions and the trip budget limitations described below—together with the Land Use Element Goals, Objectives, and Policies—to evaluate proposed development and land use projects. General Plan users are advised to refer to all components when evaluating proposed development and improvement projects.

Density/Intensity and Trip Budgets

Density and intensity are quantitative measures used to describe how much development may occur on a property. The City will use both density/intensity and the trip budget metric to determine the carrying capacity of each individual property or group of properties.

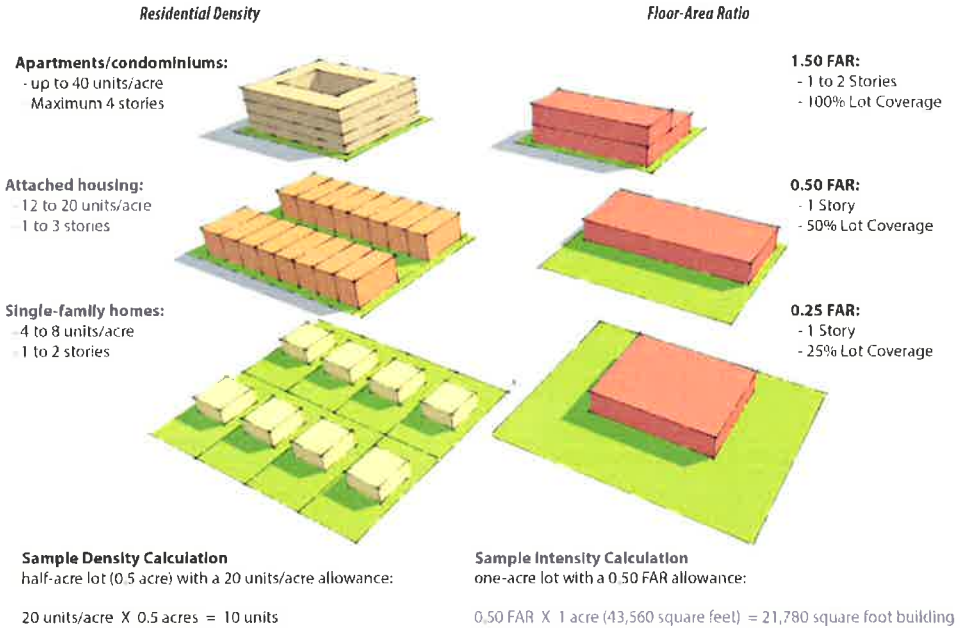
Density

The term *density* is used for residential uses and refers to the development and population capacity of residential land. Density is described in terms of dwelling units per acre of land (du/ac).

Floor-Area Ratio

For non-residential land use categories, the term *intensity* is used. Development intensity refers to the amount of development on a parcel of land or lot based on building characteristics such as building height, bulk, floor-area ratio, and/or percent of lot coverage. The development intensity standard used for most non-residential development is ~~floor-area~~floor area ratio (FAR), which is the ratio of the total gross floor area of all buildings on a lot to the total area of the lot. For example, a 21,780-square-foot building on a 43,560-square-foot lot (one acre) yields an FAR of 0.50. A 0.50 FAR allows a single-story building, which covers half the lot, or a two-story building with reduced lot coverage. Figure LU-2 illustrates an example of density and FAR.

Figure LU-2: Density and Floor-Area Ratio



The determination of development density or intensity at which a proposed project can occur is a function of: 1) General Plan policies intended to maximize public safety, achieve high-quality site planning and design, retain significant natural resources, and ensure compatibility between uses; and 2) development standards contained in the Zoning Code, public works standards, and other regulations.

Trip Budgets

Building intensity can also be measured by the traffic impacts generated by a particular development. Because of the potential for significant traffic generation from major site developments, trip budgets are established to regulate development in terms of both building intensities and trip generation. Proposed development intensity with traffic generation allows the allocation of development based on current and planned roadway improvements and capacity.

The trip budget is expressed in terms of morning (A.M.) and afternoon (P.M.) peak-hour traffic volumes. The trip budget for each of the major land use

designations is based upon the commercial trip rates and FAR standard used in the Costa Mesa Traffic Model.

The allowable FAR and trip budget are applied on a project-planning rather than parcel-specific basis. This approach allows for consideration of multi-phased or multi-lot projects as a whole development rather than individual pieces of the whole. Graduated FAR standards divide non-residential uses into four broad categories based upon traffic generation characteristics, as shown in Table LU-5: *Non-Residential Maximum Floor-Area Ratios*.

Table LU-5: Non-Residential Maximum Floor-Area Ratios

Land Use	Traffic Uses			
	Very Low[4]	Low[3]	Moderate[2]	High[1]
Commercial Residential	0.20	0.30	0.40	--
Neighborhood Commercial	0.75	0.35	0.25	0.15
General Commercial	0.75	0.40	0.30	0.20
Commercial Center	0.75	0.45	0.35	0.30
Regional Commercial[5]	--	--	0.652/0.89	--
Urban Center Commercial[5]	--	0.60	0.50	--
Multi-Use Center[8]	0.25 for public/institutional uses and minimum 25 percent parkland/open space			
Light Industry	0.75	0.35	0.25	0.15
Industrial Park	0.75	0.40	0.30	0.20
Public/Semi-Public	0.25 and 0.01 for golf courses			
Fairgrounds	0.10			

Notes:

1. *For commercial designations, high traffic uses generate more than 75 daily trip ends per 1,000 square feet of gross floor area. For industrial designations, high traffic uses generate more than 15 daily trip ends per 1,000 square feet of gross floor area.*
2. *For commercial designations, moderate traffic uses generate between 20 and 75 daily trip ends per 1,000 square feet of gross floor area. For industrial designations, moderate traffic uses generate between 8 and 15 daily trip ends per 1,000 square feet of gross floor area.*
3. *For commercial designations, low traffic uses generate between three and 20 daily trip ends per 1,000 square feet of gross floor area. For industrial designations, low traffic uses generate between three and eight daily trip ends per 1,000 square feet of gross floor area.*
4. *For commercial and industrial designations, very low traffic uses generate less than three daily trip ends per 1,000 square feet of gross floor area.*
5. *Maximum FAR standards in the Regional Commercial and Urban Center Commercial designations shall be further limited by the maximum A.M. peak hour and P.M. peak hour*

trip budget as established in the General Plan and North Costa Mesa Specific Plan, as applicable.

~~5.~~6. *Site-specific FAR standards are separately established for the Home Ranch and LA Times sites.*

7. *This Table does not specify FAR standards as allowed in mixed-use overlay zones.*

~~6.~~8. *See Multi-Use Center designation for a description of residential uses.*

Trip Budget Transfers

The trip budgets established at the Traffic Analysis Zone (TAZ)[3] level in the Costa Mesa Traffic Model can be combined or transferred between TAZs in a specified area of the City and under certain conditions to account for large planned developments which contain multiple TAZs. Likewise, trips can be combined or transferred between individual parcels within single TAZs. Combinations and/or transfers shall only be allowed for projects which meet the following conditions:

- The combination and/or transfer of trips shall only be allowed in the area of the City that is north of the I-405 and east of Harbor Boulevard, and shall be limited to parcels within a one-mile radius of each other.
- Trip budget transfers shall be evaluated in the review and approval of a planned development or master plan projects. Sufficient conditions of approval shall be applied to the master plan or development plan to ensure long-range control over subsequent phases of development.
- The combination and/or transfer of trips shall not result in any greater impacts on the surrounding circulation system than would occur if each Traffic Analysis Zone was developed independently.
- For the combination and/or transfer of trips between TAZs, such combination and/or transfer of trips shall not exceed the total trip budget of all parcels involved if each were developed independently according to the floor-area ratio and trip generation rates provided herein.

1[3] Traffic analysis zones (TAZs) are the basic geographic unit for inventorying demographic data and land use within a study area.

- The combination and/or transfer of trips shall not allow development intensities, which result in abrupt changes in scale or intensity within the project or between the project and surrounding land uses.
- Approval of the master plan or development plan shall be conditioned to ensure compliance with the above criteria and to preclude future over-development on portions of the project or properties from which trips were transferred.
- Trip budget transfers shall be recorded against the properties.

Land Use Designations

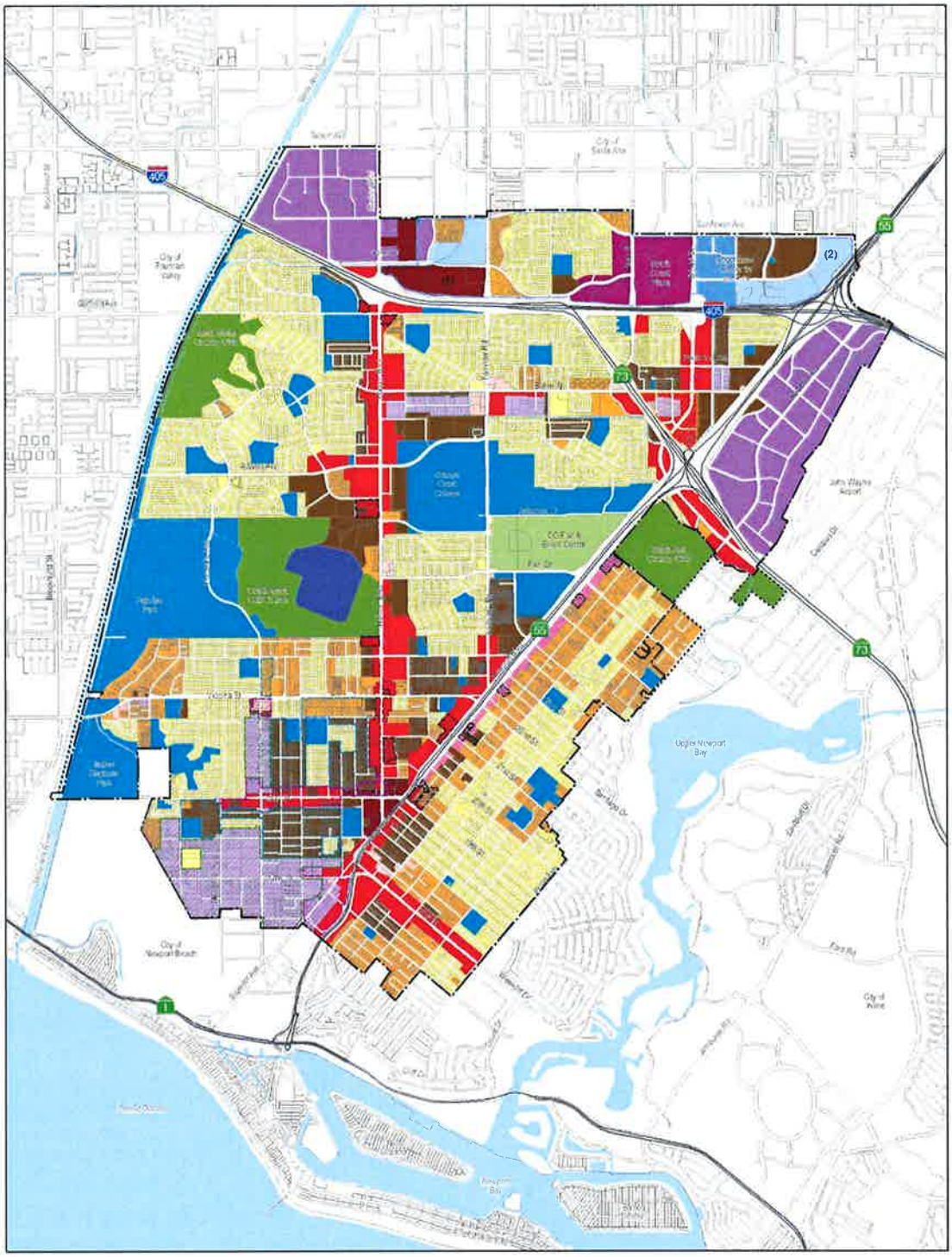
The Land Use Policy Map (Figure LU-3) graphically represents General Plan goals and policies. The following land use designations correspond to the categories shown on the Land Use Policy Map. See Table 6: *Land Use Density and Intensity Summary*, for a summary of the land use residential densities and commercial intensities. The Land Use Element contains 16 land use designations and five overlays as follows.

Residential Designations

Costa Mesa's residential designations are divided into Low-, Medium-, and High-Density Residential designations.

Low-Density Residential

Low-Density Residential areas generally are intended to accommodate detached single-family residences. Other housing types include attached housing that provide a greater portion of recreation or open space than typically found in multi-family developments and clustered housing which affords the retention of significant open space. Low-Density Residential areas are intended to accommodate outdoor living activities (front yards and backyards) in open space adjacent to dwellings. To avoid land use conflicts, these areas should be located away from or protected from the more intense nonresidential areas and major travel corridors.



General Plan Land Uses

- Low Density Residential (8 du/ac)
- Medium Density Residential (12 du/ac)
- High Density Residential (20 du/ac)
- Commercial-Residential (17.4 du/ac)
- Neighborhood Commercial
- General Commercial
- Commercial Center
- Regional Commercial
- Multi-Use Center (15 to 25 du/ac)
- Urban Center Commercial
- Cultural Arts Center
- Light Industrial
- Industrial park
- Golf Course
- Fairgrounds
- Public/Institutional

Land Use Overlays

- Residential Incentive Overlay (40 du/ac)
- Harbor Mixed-Use Overlay (20 du/ac; 1.25 FAR)
- SoBECA Mixed-Use Overlay (40 du/ac)*

* Not to exceed 450 units

Urban Plans and Specific Plan

- 19 West Urban Plan
- Mesa West Bluffs Urban Plan
- Mesa West Residential
- North Costa Mesa Specific Plan

(1) Segerstrom Home Ranch
(2) Sakioka Site (Lot 2)

Boundaries

- City Boundary
- Sphere of Influence

0 1,000 2,000 4,000 6,000 8,000 Feet

Source: City of Costa Mesa, 2016.
Date: March 2016

Figure LU-3: Land Use Policy Map

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Table LU-6: Land Use Density and Intensity Summary

Land Use Designations	Maximum Density			Maximum Intensity	
	Maximum Units	Dwelling Units per Acre (du/ac)	Persons per Acre (p/ac)	Floor-Area Ratio (FAR)	Employees per Acre (e/ac)
Residential					
Low-Density Residential	--	8 du/ac	26 p/ac	--	--
Medium-Density Residential	--	12 du/ac	38 p/ac	--	--
High-Density Residential	--	20 du/ac	50 p/ac	--	--
Non-Residential or Multi-Use					
Commercial-Residential	--	12 to 17.4 du/ac	40 p/ac	0.20 to 0.40 FAR	27 e/ac
Neighborhood Commercial	--	20 du/ac	50 p/ac	0.15 to 0.75 FAR	27 e/ac
General Commercial	--	20 du/ac	50 p/ac	0.20 to 0.75 FAR	27 e/ac
Commercial Center[4]	--	20 du/ac	50 p/ac	0.25 to 0.75 FAR	27 e/ac
Urban Center Commercial[2]	660	20 to 80 du/ac	50 to 210 p/ac	0.50 to 0.79 FAR	27 e/ac
Cultural Arts Center[2]	535	20 du/ac	25 p/ac	1.77 FAR	275 e/ac
Regional Commercial		20 du/ac	50 p/ac	0.652 to 0.89 FAR	53 p/ac
Industrial Park	--	20 du/ac	50 p/ac	0.20 to 0.75 FAR	58 e/ac
Light Industrial	--	20 du/ac	50 p/ac	0.15 to 0.75 FAR	58 e/ac
Public and Institutional	--	--	--	0.25 FAR	44 e/ac
Golf Course	--	--	--	0.01 FAR	--
Fairgrounds	--	--	--	0.10 FAR	14 e/ac
Multi-Use Center[5]	500	15 to 25 du/ac	58 p/ac	0.25FAR	4 to 15 e/ac
Overlays and Urban Plans					
Residential Incentive Overlay[1]	--	40 du/ac	110 p/ac	0.20 to 0.75 FAR	27 e/ac
SoBECA Mixed-Use ~~Overlay~~ Urban Plan [1]	450	40 du/ac	110 p/ac	1.00/1.25 FAR	27 to 44 e/ac
Harbor Mixed-Use Overlay[1]		20 du/ac	55 p/ac	1.00/1.25 FAR	27 to 44 e/ac
Westside Urban Plans[1]	--	20 du/ac	55 p/ac	1.00/1.25 FAR	27 to 44 e/ac

Notes:

1. *Increase in FAR from 1.00 to 1.25 may be allowed for mixed-use plans exhibiting design excellence.*
2. *Please refer to the North Costa Mesa Specific Plan for detailed density/intensity and trip budgets for specific sites.*
3. *The Home Ranch site has a site-specific FAR of 0.64 for office development; ~~Residential~~ residential development is not permitted due to the site-specific FAR.*
4. *For the LA Times site, 0.54 FAR applies to commercial development and 0.64 applies to office development; residential development is not permitted due to the site-specific FAR.~~.~~*
5. *Residential development is not permitted due to the site-specific FARs.*
6. *South Coast Plaza, west of Bear Street applies a 0.89 FAR and east of Bear Street applies a 0.652 FAR.*
7. *Of the 500 units, 300 would be designated at 25 du/ac and 200 designated for 15 du/ac.*

Costa Mesa contains seven distinct residential neighborhoods: 1) Eastside, 2) Westside, 3) Mesa Verde, 4) College Park, 5) North Costa Mesa/Mesa Del Mar/Halecrest Hall of Fame, 6) Bristol/Paularino, and 7) South Coast/Wimbledon Village. These existing, stable single-family neighborhoods should be preserved and maintained. The establishment of attached or clustered housing through the planned development concept can be allowed in appropriate Low-Density Residential areas as a means to encourage the consolidation of parcels or to make more efficient use of larger parcels.

The establishment of attached or clustered housing through the planned development concept can be allowed in appropriate Low-Density Residential areas as a means to encourage the consolidation of parcels or to make more efficient use of larger parcels.

Nonresidential uses that complement and serve the surrounding residential neighborhood are also appropriate within this designation. These uses typically include schools, parks, churches, libraries, and other public facilities.

Medium-Density Residential

The Medium-Density Residential designation is intended to support single-and multi-family developments with a density of up to 12 units to the acre. The 12 units to the acre standard can be exceeded for legal, non-conforming Medium-Density Residential lots of a certain size that existed as of March 16, 1992. These lots must be between 6,000 sq.ft. and 7,260 sq.ft. in size. ~~less than 7,260 square feet in size, but not less than 6,000 square feet~~. ~~On lots that have a density calculation fraction equal to or greater than 1.65 units per acre, two units may be constructed.~~

The 12 dwelling units per acre standard is exceeded by approximately 53 percent of the existing Medium-Density development. Existing nonconforming units that are voluntarily demolished may be rebuilt to the same density, subject to other standards of the zoning code and the following: ~~the~~ The allowable density or number of units to be redeveloped is limited to the General Plan density plus a 25 percent density incentive bonus or the existing number of units, whichever is less. Because of the location and intensity of development, Medium-Density Residential areas are also appropriate for quasi-residential uses such as convalescent hospitals and group residential homes. Schools, churches, parks, libraries, and related public facilities are also appropriate.

Complementary commercial uses within this designation may be allowed in planned development projects, provided the commercial uses will have FARs that are the same as the Neighborhood Commercial land use designation.

High-Density Residential

Areas designated as High-Density Residential are intended for residential development with a density of up to 20 units to the acre with some exceptions as described in this section. Density bonuses shall be granted by the City when a project is designed to provide housing for individuals and families with specialized requirements (e.g., senior citizens, handicapped, very-low, low-income, and moderate income households with needs not sufficiently accommodated by conventional housing) or provide other facilities or land as required by State law. The City may also grant additional incentives or concessions pursuant to State law.

Sakioka Lot 1, a 41-acre ~~vacant~~ parcel, located in the Town Center area of the City adjacent to Anton Boulevard (Area ~~8~~7 of the North Costa Mesa Specific Plan), has a ~~higher density limit of 80 units per acre with a maximum residential cap of 660 units.~~density limit of 22 du/acre with a total number of 890 units.

The two-acre property at 580 Anton Boulevard in the Lakes Area (Area 5 of the North Costa Mesa Specific Plan) has a site-specific density of 125 units/acre. This equates to a maximum of 250 units on the site ~~with an approximate building height of 26 stories~~. Additionally, a resident-serving commercial/retail use component is permitted provided that minimal traffic-generation characteristics of this retail component can be demonstrated in review and approval of a master plan. Additional development standards for this planned development are contained in the North Costa Mesa Specific Plan.

A three-acre property at 3350 Avenue of the Arts is located north of Anton Boulevard along the east side of Avenue of the Arts in The Lakes area (Area 5 of the North Costa Mesa Specific Plan). The following standards have been established: (1) a site-specific density of a maximum 44 units/acre for a mixed-use development comprised of a boutique hotel and high-rise residential building and (2) a maximum nonresidential FAR of 2.12 FAR which includes the hotel use and ancillary commercial uses. However, subject to comparable traffic generation characteristics, t~~T~~he North Costa Mesa Specific

Plan contains provisions allowing development flexibility related to the maximum overall development of dwelling units, hotel rooms, and resident-serving retail/commercial uses. For example, the expansion of the existing hotel may be allowed provided that the traffic generation characteristics are comparable to this development option. Additional development standards for this planned development, including maximum allowable building height and mix of dwelling units and hotel rooms, are contained in the North Costa Mesa Specific Plan.

In 2014, a site-specific density of 58 units/acre and site-specific building height of five and six stories were established for a 4.17-acre site at 125 East Baker Street. The project featured a five-story, 240-unit apartment building and six-story parking structure.

In 2015, a 224-unit apartment building on a 4.15-acre property at 2277 Harbor Boulevard was approved. The project involved: (1) change of the land use designation from General Commercial to High Density Residential; (2) site-specific base density of 40 du/acre with a development incentive for an additional 58 dwelling units, for an overall site-specific density of 54 du/acre; (3) site specific building height for a 5-level parking structure. The density incentive program involved a proposed base density of 166 units (40 du/acre) with a density incentive for an additional 58 dwelling units. The density incentive was justified by (a) ~~Provision~~ provision of 20 affordable units for moderate-income households and (b) ~~Complete~~ complete demolition of the Costa Mesa Motor Inn and revitalization of the marginal property. Rezone R-14-04 from C1 (Local Business District) to PDR-HD (Planned Development Residential – High Density) was also approved.

In order to encourage the development of additional residential ownership opportunities in the Westside, City Council designated an overlay area by adoption of the Mesa West Residential Ownership urban plan. For existing developments that exceed 20 dwelling units per acre, the Mesa West Residential Ownership urban plan may allow redevelopment of residential projects to existing densities provided that certain development standards are met for encouraging ownership housing.

In the High-Density Residential designation, existing non-conforming developments, that are voluntarily destroyed, may be rebuilt to the original density subject to other standards of the zoning code and the following: the

allowable density or number of units to be redeveloped would be limited to the General Plan density plus a 50 percent density incentive bonus or the existing number of units, whichever is less.

High-density areas should be located in proximity to transportation routes, especially those served by public transit, and also within convenient distances to shopping and employment centers. Although proximity to the above uses and transportation routes often results in a residential development being subject to adverse impacts, High-Density Residential development can be less susceptible to impacts than lower densities if visual and acoustical shielding techniques are incorporated into the project.

In addition to the above locational preferences, viable ~~High-Density~~ high density development is also dependent upon site characteristics. A site should be of appropriate size and dimension before the higher densities within this designation are allowed.

Because of their location and intensity of development, High-Density Residential areas are also appropriate for quasi-residential uses (e.g., convalescent hospitals, and group residential homes). Schools, churches, parks, libraries, and related public facilities are also appropriate.

Complementary commercial uses within this designation may be allowed in planned development projects provided that the commercial uses will have Floor Area Ratios that are the same as the Neighborhood Commercial land use designation.

Mixed-use development projects are intended to provide additional housing opportunities in the City by combining residential and nonresidential uses in an integrated development. Additionally, this type of development is intended to revitalize areas of the city (such as the Westside) without exceeding the capacity of the General Plan transportation system. Mixed-use developments shall be implemented through an adopted urban plan (such as the 19 West Urban Plan) and shall be identified on the City's Zoning Map by designating either the R2-HD and R-3 base zoning districts with the mixed-use overlay district. The mix of uses can occur in either a vertical or horizontal design, up to four stories in height. Product types shall be identified in the applicable urban plan and may include live/work units and commercial/residential units where the residential uses are located above or

adjacent to the nonresidential component. Nonresidential uses may include office, retail, business services, personal service, public spaces and uses, and other community amenities. In conjunction with areas that are designated with the mixed-use zoning overlay district, the maximum FAR is 1.0. An increase to 1.25 FAR may be allowed for mixed-use plans exhibiting design excellence. In a mixed-use overlay district area, this FAR includes both residential and non-residential components, and the maximum number of stories is four.

Major ~~High-Density~~ high density neighborhoods are clustered around Orange Coast College; along Mesa Verde Drive East; between Adams and Harbor; around Vanguard University; in the northeast portion of the South Coast Metro area; in the Downtown Redevelopment area; and the southeast portion of the City.

Commercial Designations

Seven commercial land use designations are established. These designations vary in location and intensity to accommodate the full range of commercial activity present and desired in Costa Mesa. Development intensity potential is measured using FAR in relation to the amount of traffic expected (see Table LU-7, *Commercial Floor-Area Ratio*).

Table LU-7: Commercial Floor-Area Ratio

Land Use	Traffic FAR			
	Very Low	Low	Moderate	High
Commercial-Residential	--	0.40	0.30	0.20
Neighborhood Commercial [2]	0.75	0.35	0.25	0.15
General Commercial [2]	0.75	0.40	0.30	0.20
Commercial Center [1,2,3]	0.72	0.45	0.35[a]	0.30
Regional Commercial	0.652/0.890 FAR. Refer to Regional Commercial discussion			
Urban Center Commercial	0.50 FAR for Retail, 0.60 FAR for Office, 0.79 FAR for S.C. Metro Center. Refer to Urban Center Commercial discussion and the North Costa Mesa Specific Plan for additional discussion.			
Cultural Arts Center	1.77 FAR. Refer to Cultural Arts Center discussion and the North Costa Mesa Specific Plan for additional discussion.			

Land Use	Traffic FAR			
	Very Low	Low	Moderate	High
~~Multi-Use Center~~[4]	0.25 FAR for Institutional/Recreational Uses.			

Notes:

1. *Refer to Commercial Center discussion for site-specific FARs on certain properties.*
2. *With application of the mixed-use overlay district, the FAR may range from 1.0 to 1.25. Refer to appropriate land use designation discussion.*
3. *Los Angeles Times Site has a 0.54 (commercial) to 0.64 (office) FAR.*
4. *Refer to Multi-Use Center discussion for description of other uses allowed within this designation.*

Commercial-Residential

The Commercial-Residential designation is intended to be applied to a limited area on the eastside of Newport Boulevard between ~~Walnut Street~~ East 19th Street and Mesa Drive. It is the intent of this land use designation to allow a complementary mix of commercial and residential zoning along Newport Boulevard. It is anticipated that individual parcels will be developed as either a commercial or residential use. A mix of both commercial and residential uses on one parcel should only be allowed as a Planned Development.

Residential development is encouraged provided that certain development standards are met pursuant to the adopted Newport Boulevard Specific Plan. Residential Density ranges from 12 units per acre to 17.4 units per acre. It will be necessary to ensure adequate buffering between the residential development and non-residential uses.

Allowable floor area ratios are 0.20 for high traffic generating uses, 0.30 for moderate traffic generating uses, and 0.40 for low traffic generating uses as shown on Table LU-6. Residential and non-residential uses may be integrated into a single development through the Planned Development process. Residential densities in planned development projects shall not exceed 17.4 units per acre pursuant to the development standards in the *Newport Boulevard Specific Plan*. Noncommercial uses would be subject to the same floor area standards as commercial uses in this designation.

Institutional uses are also appropriate in this designation, provided that land use compatibility and traffic issues have been addressed. Institutional uses would require discretionary approval.

Neighborhood Commercial

The Neighborhood Commercial designation is intended to serve convenience shopping and service needs of local residents. Appropriate uses include markets, drug stores, retail shops, financial institutions, service establishments, and support office uses. Restaurants, hotels, and motels may be appropriate if properly located, designed, and operated to avoid adverse impacts to surrounding uses. Since Neighborhood Commercial uses are intended to serve nearby residential neighborhoods, the uses permitted should be among the least intense of the commercial uses.

General Commercial

The General Commercial designation is intended to permit a wide range of commercial uses that serve both local and regional needs. These areas should have exposure and access to major transportation routes since significant traffic can be generated. General Commercial areas should be insulated from the most sensitive land uses either through buffers of less-sensitive uses or on-site design features. The most intense commercial uses should be encouraged to locate on sites of adequate size to avoid compatibility issues with surrounding uses. Appropriate uses include those found in the Neighborhood Commercial designation plus smaller retail stores, theaters, restaurants, hotels and motels, and automobile sales and service establishments.

In areas designated General Commercial, development typically will result in combinations of one- and two-story commercial buildings. Buildings in excess of two stories may be permitted in select areas via discretionary approval where the additional height would not impact surrounding uses.

As complementary uses, residential and other noncommercial uses may be allowed through the Planned Development process. Residential densities in planned development projects shall not exceed 20 dwelling units per acre. Noncommercial uses would be subject to the same FAR standards as commercial uses.

Institutional uses are also appropriate in the General Commercial designation, provided that land use compatibility and traffic issues have been addressed. Institutional uses would require discretionary approval.

For a 4.4-acre site at 1626/1640 Newport Boulevard, a site-specific FAR of 0.40 and trip budget of 186 AM peak hour trips and 281 PM peak hour trips was established. These two standards allowed the development of medical office uses or similar "moderate-traffic" generating uses provided that the site-specific trip budget is not exceeded.

Commercial Center

The Commercial Center designation is intended for large areas with a concentration of diverse or intense commercial uses serving local and regional needs. Appropriate uses include a wide variety and scale of retail stores, professional offices, restaurants, hotels and theaters. Intense service uses, such as automobile repair and service, should be discouraged. Because of the large service area, direct access to major transportation corridors is essential.

Development within this designation is intended for a variety of intensities ranging from one- to four-story buildings. The allowable floor area ratios are 0.25 for high traffic generating uses, 0.35 for moderate traffic generating uses, 0.45 for low traffic generating uses, and 0.75 for very-low traffic generating uses.

In conjunction with areas that are designated with the mixed-use zoning overlay district, the maximum FAR is 1.0. An increase to 1.25 FAR may be allowed for mixed-use plans exhibiting design excellence. In a mixed-use overlay district area, this FAR includes both residential and non-residential components, and the maximum number of stories is four.

Mixed-use development projects are intended to provide additional housing opportunities in the City (such as the Westside) by combining residential and nonresidential uses in an integrated development. Additionally, this type of development is intended to revitalize areas of the city, without exceeding the capacity of the General Plan transportation system. Mixed-use developments shall be implemented through an adopted urban plan (such as the 19 West Urban Plan) and shall be identified on the City's Zoning Map by designating either the CL, C1 and/or C2 base zoning districts with the mixed-use overlay district. The mix of uses can occur in either a vertical or horizontal design, up to four stories in height. Product types shall be identified in the applicable urban plan and may include live/work units and commercial/residential units where the residential uses are located above or adjacent to the nonresidential

component. Nonresidential uses may include office, retail, business services, personal service, public spaces and uses, and other community amenities.

Institutional uses are also appropriate in this commercial designation provided that land use compatibility and traffic issues have been addressed. Institutional uses require discretionary approval.

As complementary uses, residential and other noncommercial uses may be allowed through the Planned Development process. Residential densities in planned development projects should not exceed 20 dwelling units per acre. The corresponding population density range is up to 50 persons per acre. A site-specific residential density of 40 du/ac was approved for 1901 Newport Boulevard. The corresponding density range for the project is 100 persons per acre.

A site-specific FAR of 0.70 and a site-specific density of 40 units/acre was established for the property located at 1901 Newport Boulevard, a 7.79-acre site located on the northwest corner of W. 19th Street and Newport Boulevard. The General Plan amendment recognized the existing development intensity of the 1901 Newport Plaza commercial building (127,500 sq. ft.) and allowed additional development of 145 multi-family units with a site-specific building height allowed for a five-level parking structure.

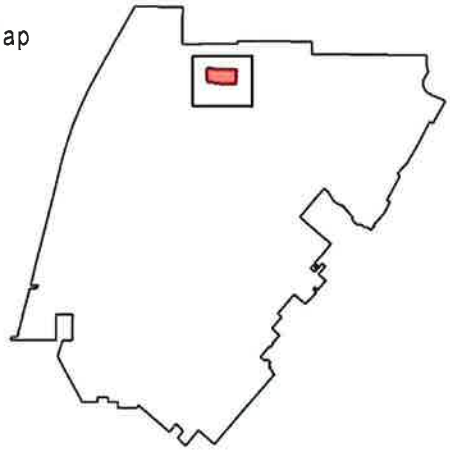
Segerstrom Home Ranch

The Segerstrom Home Ranch is a 93.34-acre located at 3315 Fairview Road, and has a base land use designation of Commercial Center and is a part of the North Costa Mesa Specific Plan. In conjunction with approval of Home Ranch Alternative A, a site-specific FAR of 0.41 was established for the 17.2-acre IKEA site. (IKEA is a large retail/warehouse use.) This property is located at the southeast corner of South Coast Drive and Harbor Boulevard. A maximum allowable FAR of 0.40 for office uses was established for the 14.5-acre Industrial Park parcel located to the north of South Coast Drive.

In 2016, a specific site FAR allowed a maximum of 0.64 FAR on the 44-acre subarea of Segerstrom Home Ranch, located south of South Coast Drive. Maximum building height varies from 2 stories to 5 stories/75 feet within this subarea. Although the Planned Development Commercial zoning may allow mixed-use development (i.e. housing as a complementary use), housing is not permitted on this property due to the site-specific FAR allowance.

Aerial

Key Map



General Plan Designations

- Low Density Residential (8 du/ac)
- Medium Density Residential (12 du/ac)
- High Density Residential (20 du/ac)
- General Commercial
- Commercial Center
- Urban Center Commercial
- Industrial Park
- Public/Institutional

General Plan

Baseline (2015)

Square Feet.....0

Total Area.....43.6 acres

Land Use Plan

Office Square feet.....1,200,000

FAR .....0.64 FAR*

* Building intensity shall not exceed maximum allowable development set forth by the trip budget in the North Costa Mesa Specific Plan.

Figure LU-4: Segerstrom Home Ranch

The established trip budgets for this subarea of Home Ranch is 1,860 AM and 1,788 PM. See Table 8 and Figure 4. The North Costa Mesa Specific Plan provides ~~more~~ additional FAR, building height, and trip budget information for Segerstrom Home Ranch (Area 1).

Table LU-8: Segerstrom Home Ranch

Categories	Baseline (2015)	Segerstrom Home Ranch
Floor-Area Ratio (FAR)	N/A	0.64 Maximum trip budget for this subarea of Segerstrom Home Ranch is 1,860 AM and 1,788 PM. Building intensity shall not exceed maximum allowable development set forth by the trip budget in the North Costa Mesa Specific Plan
Building Square Feet	N/A	1,200,000

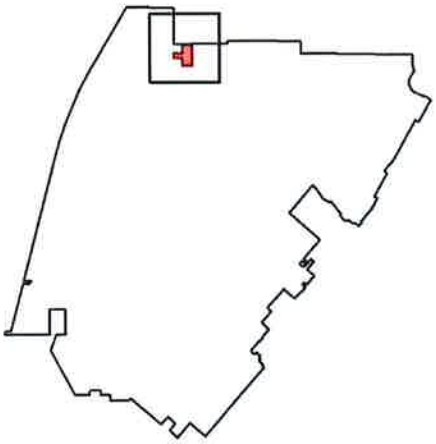
Source: City of Costa Mesa, 2015.

Los Angeles Times Site

The Los Angeles Times Site is a 24-acre site located at 1375 West Sunflower Avenue, near the intersection of Harbor Boulevard and South Coast Drive. The intent is to create opportunities for either office or commercial retail development at a strategic location. Office development project is allowed at a maximum 0.64 FAR (up to 655,000 square feet office). Commercial/retail development is allowed at a maximum 0.54 FAR of 0.54 (up to 553,000 square feet). Maximum allowable building height is 5 stories/75 feet. Although the Planned Development Commercial zoning may allow mixed-use development (i.e. housing as a complementary use), housing is not permitted on this property due to the site-specific FAR allowance. The maximum trip budget established for the LA Times site is 1,015 AM and 976 PM peak hour trips. See Table LU- 9 and Figure LU-5.

Aerial

Key Map



General Plan Designations

- Industrial Park
- General Commercial
- Commercial Center

General Plan

Baseline (2015)

Land Use .....Manufacturing, Private Open Space
Square Feet.....374,000 sq. ft.
Total Area.....23.5 acres

Land Use Recommendation

Land Use.....Office or Retail
FAR.....0.64 FAR for Office
FAR.....0.54 FAR for Retail
Square Feet.....553,000 to 655,000

Figure LU-5: Los Angeles Times Site

Table LU-9: Los Angeles Times Site

Categories	Baseline (2015)	Los Angeles Times Site
Floor-Area Ratio (FAR)	N/A	0.64 FAR for office development 0.54 FAR for commercial/retail Maximum trip budget is 1,015 AM and 976 PM. Building intensity shall not exceed maximum allowable development set forth by the trip budget.
Building Square Feet	374,000	655,000 sq.ft. for office development 553,000 sq.ft. for commercial/retail

Source: City of Costa Mesa, 2015.

Regional Commercial

The Regional Commercial designation is intended to apply to large concentrated shopping centers of regional scale and importance. The intended uses within this designation include major department stores, specialty retail outlets, restaurants, offices, hotel and other complementary uses.

Application of the Regional Commercial designation is limited to the existing South Coast Plaza sites. This includes the original 97-acre site between Bristol and Bear Street and the additional 18-acre site located west of Bear Street. This designation and locational criteria recognizes the evolution of South Coast Plaza as a regionally significant retail trade center served by major regional transportation facilities and services.

The Costa Mesa General Plan assigns a trip budget for the original South Coast Plaza site of 1,166 AM peak hour trips and 5,036 PM peak hour trips. The trip budget for the site west of Bear Street is 293 AM peak hour trips and 1,264 PM peak hour trips.

Complementary residential uses within this designation are allowed through the Planned Development process. The maximum allowable residential density shall be 20 dwelling units per acre. The trip budget for South Coast Plaza is identified in Table LU-10: *Trip Budget for South Coast Plaza*, and in the *North Costa Mesa Specific Plan*.

Table LU-10: Trip Budget for South Coast Plaza

South Coast Plaza Location	Maximum Square Footage	Floor Area Ratio	A.M. Peak Hour Trip Budget	P.M. Peak Hour Trip Budget
West of Bear Street	690,350	0.890	293	1,264
East of Bear Street	2,750,000	0.652	1,166	5,036

Urban Center Commercial

The Urban Center Commercial designation is intended to allow high-intensity mixed-use commercial development within a limited area. Developments within this designation can range from one- and two-story office and retail buildings to mid- and high-rise buildings of four to approximately 25 stories, provided the maximum building height set forth in the *North Costa Mesa Specific Plan* is not exceeded. Appropriate uses include offices, retail shops, restaurants, residential, and hotels.

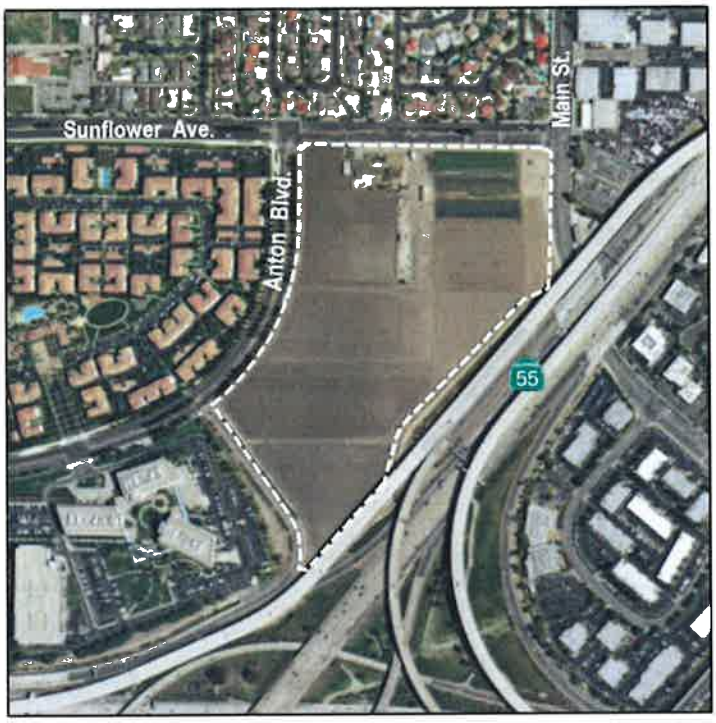
For mixed-use projects that include separate or distinct components, the nonresidential FAR standard and the residential density standard shall apply to each of the respective components, not the entire project site. For mixed-use projects that do not include distinct elements or include mixed-use buildings, the overall level of intensity shall be governed by the allowable nonresidential FAR and the maximum number of residential units identified in this designation for a specific project site. Developments shall also comply with the established trip budget standards and comply with the most restrictive standard.

Complementary residential uses within this designation may be allowed through the Planned Development zone process. The maximum allowable residential density within this designation shall be 20 dwelling units per acre, unless otherwise specified in the *North Costa Mesa Specific Plan*.

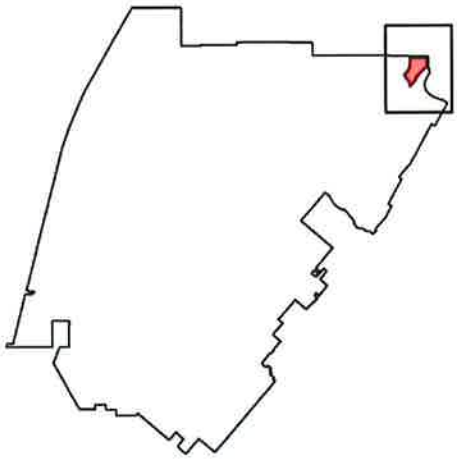
The Urban Center Commercial designation includes the following major developments:

- Automobile Club of Southern California
- Metro Pointe
- South Coast Metro Center/Experian
- Sakioka Lot 2 (As of 2015, unbuilt)

Aerial



Key Map



General Plan Designations

High Density Residential (20 du/ac)

Urban Center Commercial

General Plan

Baseline (2015)

Square Feet.....0.0

Total Area.....33 acres

Land Use Plan

Residential Units.....660

Density.....80 DU/AC

FAR.....1.00 FAR*

Maximum Building Height.....12 stories

* Building intensity shall not exceed maximum allowable development set forth by the trip budget in the North Costa Mesa Specific Plan.

Figure LU-6: Sakioka Lot 2

All of these four properties had development agreements with the City of Costa Mesa that vested maximum development square footages, floor area ratios, trip budgets, and allowed uses. Provided in Table LU-11: *Urban Center Major Developments,* is a summary of the various land use standards that apply to these major developments. Please refer to the *North Costa Mesa Specific Plan* for additional information related to these properties. See Figure LU-6 for Sakioka Lot 2 land use plan.

Table LU-11: Urban Center Major Developments

Area	Acres	Maximum		Peak Hour Vehicle Trip Budget		North Costa Mesa Specific Plan Applies
		Development Agreement Non-Residential Building Sq.Ft./FAR	Allowable Residential Units	A.M.	P.M.	
Automobile Club of Southern California[1]	43	967,000 sq. ft. 0.56 FAR	0	1,190[2]	1,576[2]	No
Metro Pointe[1]	34	592,287 sq. ft. 0.48 FAR	0	729[2]	965[2]	Yes
South Coast Metro Center/ Experian[1]	45	Residential Option: 1,335,386 sq. ft. 0.69 FAR Non-Residential Option: 1,546,180 sq. ft. 0.79 FAR	Residential Option: 484 units	Residential Option: 1,931[2] Non-Residential Option: 1,886[2]	Residential Option: 1,976[2] Non-Residential Option: 1,994[2]	Yes
Sakioka Lot 2[1]	33	Non-Residential: 863,000 sq. ft. 0.50 retail FAR 0.60 office FAR	Residential Option: 660 units 80 du/acre	1,062[2]	1,407[2]	Yes

Notes:

1. *An established development agreement specifies the maximum building square footage and floor area ratio, which is consistent with the North Costa Mesa Specific Plan and General Plan.*
2. *Vehicle trips per hour*
3. *This maximum peak hour trip budget may be increased to no more than 5,180 a.m. peak hour trips in direct relation to the decrease in the maximum number of high-rise residential units.*

Automobile Club of Southern California Processing Center

This 39.2-acre site is comprised of two parcels and is located on the southwest corner of Sunflower Avenue and Fairview Road. The primary site contains 29.5 acres and is located west of Fairview Road, between South Coast Drive and Sunflower Avenue. The second parcel contains approximately 9.7 acres and is located across the adjacent flood control channel to the west, just north of South Coast Drive. As of 2000, the site was developed with 717,000 sq. ft. of office and support service uses. An additional 250,000 sq. ft. of development is allowed pursuant to a development agreement for a total of 967,000 square feet; the resultant maximum FAR is 0.56. Future construction will be developed in phases during the 30-year term of the agreement.

Metro Pointe

Metro Pointe includes two office building sites located north of South Coast Drive at its intersection with Greenbrook Drive and approximately 28.5 acres of land located south of South Coast Drive along the San Diego Freeway. A development agreement approved in 1994 addresses the site south of South Coast Drive. The development agreement vests the property owner with the ability to construct 592,281 square feet of office and commercial uses with a resultant floor area ratio of 0.48. This property is also located in the North Costa Mesa Specific Plan area.

South Coast Metro Center/Experian

The 44.72-acre South Coast Metro Center/Experian sites are located south of Anton Boulevard and east of Avenue of the Arts. Upon completion, the site will include nearly 1,546,180 square feet of office and commercial development. A site-specific FAR of 0.79 was established for the combined South Coast Metro Center and Experian sites.

In 2006, a site-specific residential density increase for a 4.86-acre site portion of this development was approved as an optional development scenario for this property. The maximum density allowed is 100 units/acre with integrated ancillary retail uses. This equates to a maximum density of 484 high-rise units at 100 units/acre. The residential development option results in a corresponding decrease in the maximum allowable floor area ratio and building square footages for non-residential buildings in order to be similar to the a.m. and p.m. trip budgets established for the South Coast Metro

Center/Experian sites ~~for~~ with strictly ~~a~~ non-residential development. The North Costa Mesa Specific Plan provides further detail for these properties.

Sakioka Lot 2

The 33-acre Sakioka Lot 2 is located south and east of Anton Boulevard. This site is undeveloped except for farmhouses and farm operation facilities. Pursuant to a development agreement, the maximum allowable building square footage is of 863,000 square feet with a corresponding maximum floor area ratio of 0.50 retail/0.60 office.

The maximum residential density shall be 28 dwelling units per acre for the residential component of a mixed-use development (See "Mixed-Use" discussion of the Specific Plan) or a maximum of 80 dwelling units per acre if the entire site is developed as an independent residential community including affordable housing (See "Affordable Housing / Density Bonus discussion of the Specific Plan).

Future development on Sakioka Lot 2 is subject to the trip budget limitation, applicable development standards of the PDC zone, and consistency with the both the North Costa Mesa Specific Plan and the General Plan. A maximum 1.0 FAR shall be applied for nonresidential development.

Cultural Arts Center

The Cultural Arts Center designation is applied to the 54 acres that comprise South Coast Plaza Town Center. This area is generally bounded by Sunflower Avenue to the north, Bristol Street to the west, Avenue of the Arts to the east, and the San Diego (I-405) Freeway to the south. This designation is limited to this geographical area, and it is not intended to be applied to other locations in the City.

The Cultural Arts Center designation allows intensely developed mixed commercial and cultural uses within a limited area. The intended uses within this designation include mid- to high-rise offices, hotels, restaurants, retail and cultural uses (theater, art museum or academy, etc.), as well as mid- to high-rise residential units in limited areas that are defined in the North Costa Mesa Specific Plan. It serves as the cultural center of the community and provides a focus to the arts-related uses, with the complement of nearby employment and shopping opportunities.

The overall allowable FAR standard for this designation is 1.77. Included in this FAR calculation is the land dedicated or reserved in 2000 for the Avenue of the Arts off-ramp and associated flood control channel improvements. The 1.77 FAR may be exceeded on individual parcels within South Coast Plaza Town Center provided that over the entire 54-acre site the 1.77 FAR is not exceeded. Further delineation of the allocation within South Coast Plaza Town Center of the floor area ratio and trip budget is provided in the North Costa Mesa Specific Plan.

In 2006, a high-rise residential development option for each of the three sub-areas in South Coast Plaza Town Center was approved. The maximum number of residential units allowed in the entire South Coast Plaza Town Center is 535 units. The high-rise residential development option is further detailed in the North Costa Mesa Specific Plan. As shown in the following table (Table LU-12 *Town Center Intensity*), this scenario results in a corresponding decrease in the maximum allowable floor area ratio and building square footages for non-residential buildings in order to maintain the a.m. and p.m. trip budgets established for the South Coast Plaza Town Center.

Table LU-12: Town Center Intensity

Residential	Maximum Allowable			Peak Hour Trip Budget	
	NonResidential		High-Rise Residential Units	A.M.	P.M.
	FAR	Building Square Footage			
Residential Option	1.70[1]	3,991,008 sq. ft.	535	5,123	6,632
Non-Residential Option	1.77[4]	4,161,813 sq. ft.	80	5,180	6,632

Notes:

1. *This maximum FAR may be increased to no more than 1.77 in direct relation to the decrease in the maximum number of high-rise residential units.*
2. *This maximum peak hour trip budget may be increased to no more than 5,180 a.m. peak hour trips in direct relation to the decrease in the maximum number of high-rise residential units.*
3. *This alternative includes the 80 high-rise residential units associated with the museum site in Segerstrom Center for the Arts; see North Costa Mesa Specific Plan.*
4. *This maximum FAR may not be increased if the 80-unit residential component is not constructed; see North Costa Mesa Specific Plan.*

Industrial Designations

Two industrial land use designations apply to over 1,000 acres. These designations accommodate a variety of industrial and compatible office uses, as well as limited and supportive commercial uses. Development intensity potential is measured using FAR in relation to the amount of traffic expected, as shown in Table LU-13: *Industrial Floor-Area Ratio*.

Table LU-13: Industrial Floor-Area Ratio

Industrial Use[1]	Traffic FAR			
	Very Low	Low	Moderate	High
Light Industry	0.75	0.35	0.25	0.15
Industrial Park	0.75	0.40	0.30	0.20

Note: 1. With an application of the mixed-use overlay district, the FAR may range from 1.0 to 1.25. Refer to Mixed Use discussion and Table LU-11, Mixed-Use Residential Density.

Light Industry

The Light Industry designation applies to areas intended for a variety of light and general industrial uses. Uses are limited to small manufacturing and service industries, as well as larger industrial operations that can demonstrate design features or restricted operations that limit disruptions to surrounding uses. Although the uses within Light Industry areas are intended to be less intense than those allowed in Industrial Parks, the frequent lack of a physical separation between Light Industry areas and residential development necessitates design features that limit disturbances between uses. Access to industrial areas should be provided in a manner that directs industrial traffic away from more sensitive uses.

Development within this designation would be characterized by a combination of one- and two-story buildings. Because of the location of Light Industry areas and their proximity to residential uses, higher buildings should be restricted to areas that will not disrupt the surrounding residential uses.

Certain commercial uses may be allowed, provided that the commercial use is determined to be complementary to the industrial area. Commercial recreational uses may also be appropriate under the same condition.

Institutional uses may also be appropriate, provided that land use compatibility and traffic issues have been addressed. Institutional uses would require discretionary review.

Combinations of residential, institutional, and commercial uses may be allowed through the Planned Development process. FARs and population densities for commercial projects would be similar to the Neighborhood Commercial land use designation. Residential densities in Planned Development projects are not to exceed 20 dwelling units per acre.

Mixed-use development projects in overlay zones are intended to provide additional housing opportunities in the City (such as the Westside) by combining residential and nonresidential uses in an integrated development. Additionally, this type of development is intended to revitalize areas of the city, without exceeding the capacity of the General Plan transportation system. Mixed-use developments shall be implemented through an adopted urban plan (such as the 19 West and Mesa West Bluff Urban Plan) and shall be identified on the City's Zoning Map by designating the MG base zoning district with the mixed-use overlay district. The mix of uses can occur in either a vertical or horizontal design, up to four stories in height. Product types shall be identified in the applicable urban plans and may include live/work units and commercial/residential units where the residential uses are located above or adjacent to the nonresidential component. Nonresidential uses may include office, retail, business services, personal service, public spaces and uses, and other community amenities. Residential development may be allowed in conjunction with the mixed-use overlay district for Mesa West Bluff Urban Plan area at density that does not exceed 13 units per acre. The required Mesa West Bluff ~~urban~~ Urban ~~plan~~ Plan shall include development standards to ensure compatibility with surrounding land uses.

Industrial Park

The Industrial Park designation is intended to apply to large districts that contain a variety of industrial and compatible office and support commercial uses. Industrial parks are characterized by large parcels and landscaped setbacks which create a campus-like environment. Industrial parks must have proximity to freeways and other major transportation routes to provide the accessibility they require. An internal circulation system consisting of lesser highways is also necessary to accommodate the vehicle demands created.

Industrial parks have major physical separations from areas designated for other uses to maintain their distinctiveness and avoid potential land use incompatibilities.

Development within this designation would consist of one- and two-story buildings. Additional height may be permitted when compatible with adjacent development and provided uses are consistent with other constraints, such as height limits and use restrictions within John Wayne Airport influence area, as identified in the Safety Element. The Industrial Park portion of the Home Ranch site may include buildings up to five stories in height near the center of the development. The *North Costa Mesa Specific Plan* provides specific building height information for the Segerstrom Home Ranch (Area 1).

Commercial uses may be allowed, provided that the use is determined to be complementary to the industrial area. Commercial recreational uses may also be appropriate under the same condition. Institutional uses may also be appropriate, provided that land use compatibility and traffic issues have been addressed. Institutional uses shall require discretionary approval.

Proposed Industrial development must be analyzed for potential significant impacts to air quality, aesthetics, land use, and other environmental issues.

Combinations of residential, institutional, and commercial uses may be allowed through the Planned Development process. FARs and population densities for commercial projects would be similar to the Neighborhood Commercial land use designation. Residential densities in planned development projects shall not exceed 20 dwelling units per acre.

Institutional and Open Space

Costa Mesa has thousands of acres of land set aside for public, semi-public, and open space type uses, all identified by one of three land use designations: Public/Institutional, Golf Course, and Fairgrounds, and Fairview Developmental Center. See "Multi-Use Center" discussion for the Fairview Developmental Center site.

Public/Institutional

The Public/Institutional designation applies to both publicly and privately owned land that provides recreation, open space, health, and educational opportunities, as well as uses that provide a service to the public. Since this

designation includes many different types of land uses, the Land Use Plan is labeled to identify the individual uses.

Areas included in this designation are park sites, health care facilities, educational institutions, religious facilities, fairgrounds, and public facilities. Since many of the uses are recreational and open space in nature, levels of building intensity are minimal.

Golf Course

Three golf courses are located within the City's planning area. Two of these, the Costa Mesa Golf Course and Mesa Verde Country Club, lie~~s~~ within ~~the~~ City limits. Santa Ana Country Club is in the unincorporated area east of Newport Boulevard. Because of the large area devoted to open space, the building intensity for this designation is 0.01 FAR.

Fairgrounds

The Fairgrounds land use designation is applicable to only one property known as the Orange County Fair & Event Center (OCFEC) in the City of Costa Mesa. The Fairgrounds is a 150-acre site located at 88 Fair Drive. This designation is intended to:

- Ensure continued development of the property as an integrated complex that is composed of recreational, agriculture-related educational institutions, open space, farmland, equestrian, and commercial uses~~,~~; and
- Promote the continued and sustained use of the property for the annual Orange County Fair in recognition of its value as a regionally significant resource in the City of Costa Mesa.

Home to the annual Orange County Fair since 1949, the site is bounded by Arlington Drive (north boundary), Fair Drive (south), Fairview Road (west), and Newport Boulevard (east). Regional access is primarily provided to the site by State Route 55 (SR-55) at the interchanges of Fair Drive/Del Mar Avenue and 22nd Street/Victoria Street. Access from Interstate 405 (I-405), which is approximately one-mile north of the Fairgrounds, is provided via interchanges at Bristol Street, Fairview Road, and Harbor Boulevard. See Figure LU-7.

The site was formerly a portion of the Santa Ana Army Air Base, and in 1949 the California 32nd District Agricultural Association (DAA) acquired the

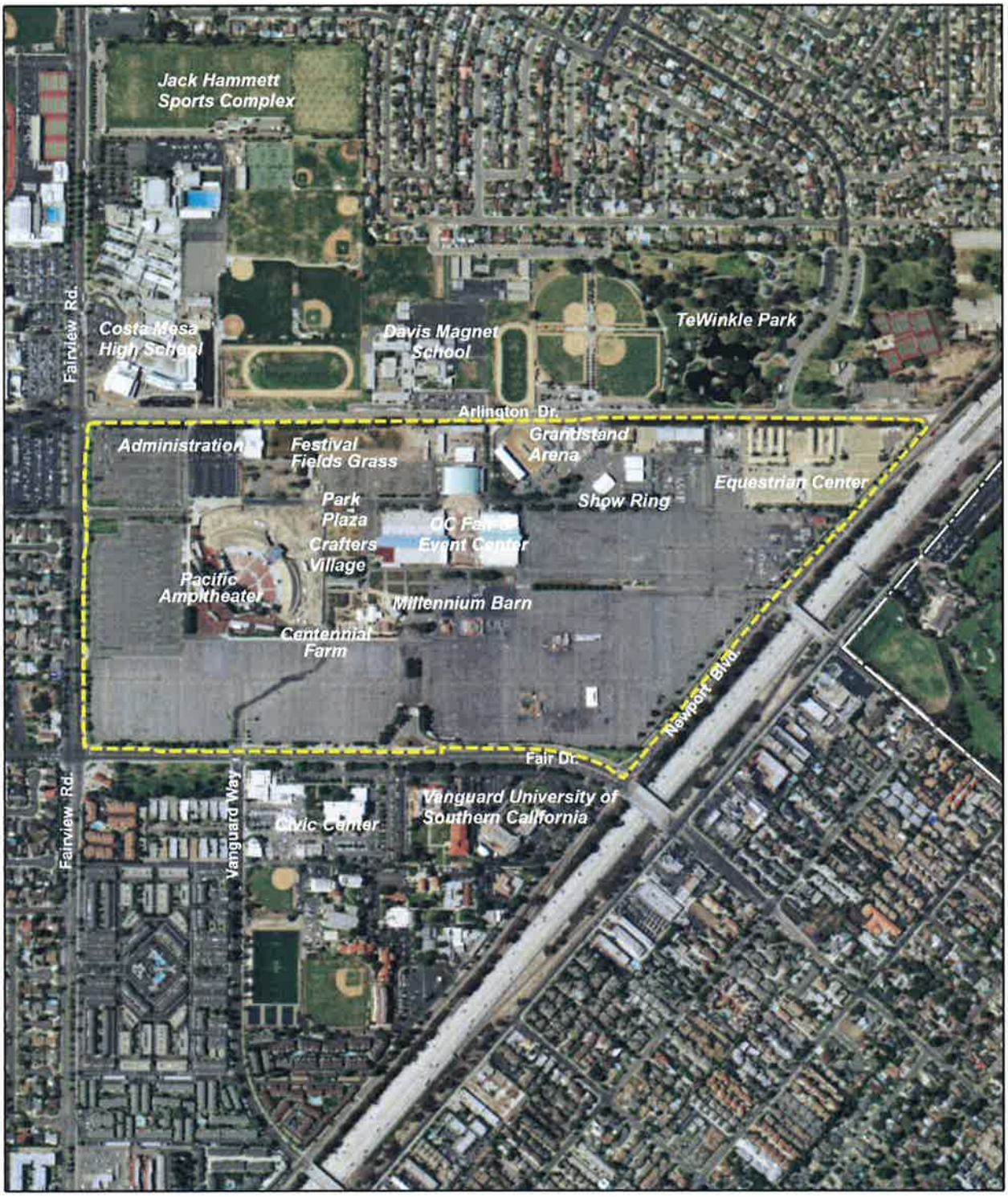


Figure LU-7: Fairgrounds

property from the Federal Government. Since that time, the annual Orange County Fair has occurred at this location. Through the years the 32nd DAA has expanded the use of the property into a year-round exhibition, conference, equestrian, activity, and event center; these uses compose collectively the OCFEC.

The 32nd DAA Fair Board adopted the current OCFEC Master Plan in 2003. Given that the 32nd DAA is a state entity for administration of the Orange County Fair, Costa Mesa has limited land use and permitting authority over the property while it is controlled by the State.

If in the future, if the State no longer controls the property, any proposed new development or change of use shall be subject to review for consistency with the City's General Plan and zoning regulations. The new property owner/operator may continue to operate the Fairgrounds as it existed at the time of sale as a legal nonconforming use and development. The property's legal nonconforming status will remain in effect until such time as the property owner submits and receives approval of a master plan by Costa Mesa.

The Fairgrounds site contains approximately 400,000 square feet of buildings, including:

- Pacific Amphitheater
- Arlington Theater
- Grandstand Arena
- Equestrian ~~Center~~center
- Exhibit and ~~Administration~~ administration buildings ~~Buildings~~
- Concession and ~~Restaurant~~ restaurant ~~Buildings~~buildings
- Memorial Gardens
- Centennial Farms
- Livestock ~~Barns~~barns

The Fairgrounds designation recognizes the existing fairground and event center uses associated with this site. The General Plan traffic model does not take into account the trip generation from the annual OC Fair or weeknight/weekend special event uses (i.e. Orange County Marketplace) because peak vehicle trips to the site occur outside normal business timeframes. However, further development of the Fairgrounds will need to

be balanced with the development capacity of the City's transportation system and with the protection of surrounding neighborhoods.

Permitted uses include ancillary office uses, exposition/conference uses, equestrian uses, agricultural/livestock activities, restaurants, temporary specialty retail sales (including vehicle sales), outdoor marketplace, emergency operational uses, and concerts/live entertainment uses. Complementary uses to the fairground and event center uses may include botanical gardens, animal exhibits, museum, art/historical artifacts gallery, and performance art theaters that are supportive of the fairground uses.

Uses that are not supportive of fairground and event center uses are expressly prohibited. Prohibited uses include, but are not limited to, casinos/gambling venues, shopping centers, hotel/motels, residential uses, self-storage facilities, hospitals, and medical uses. In addition, exclusive use or dedicated athletic sports facilities and educational uses that are unrelated to the OCFEC are prohibited.

As a State-owned property, the Fairgrounds is not normally subject to the City's Noise Ordinance. However, pursuant to a 1990 Court Order (Case Nos. 42 07 28 and 55 65 08), exterior noise standards comparable to the City's noise regulations have been applied to the property. Noise sensitive uses include neighboring residences, Davis Intermediate School, and Costa Mesa High School. The court-ordered noise restrictions apply to the operation of the Pacific Amphitheater. Development within the Fairgrounds designation is intended for buildings ranging from one- to four-story structures. The maximum allowable floor area ratio for this designation shall be 0.10.

Multi-Use Center

Fairview Developmental Center

On January 5, 1959, the Fairview Developmental Center opened as a State hospital originally occupying 752 acres. Fairview Developmental Center had an initial bed capacity of 2,622 and was intended to house some 4,125 residents. The population at the facilities peaked in 1967 and have been declining since. The current population is 275 persons, and the downward trend is expected to continue due to the restructuring of the State of California's approach to providing institutionalized care for the developmentally disabled. In the past decade, the State has been focusing on residential care options (as opposed to institutional care) for these disabled individuals.

A large portion of the original land was transferred in 1979 to the City of Costa Mesa and now encompasses Fairview Park and the golf course. In 1985, the City granted a General Plan amendment and rezone of 54 acres of surplus land immediately to the north of the hospital facilities for high density residential uses. In 2004 and 2006, other parcels were converted to residential uses. These areas are planned developments with one-story, single-family residences, a two-story, small-lot residential subdivisions, and two-story apartment buildings (Harbor Village Apartments).

In February 2016, the State of California Department of Development Services initiated the process for the closure of the Fairview Developmental Center.

Multi-use refers to the integration of a variety of land uses and intensities. This land use category includes uses which are low to moderate intensity and urban in character. The Multi-Use Center designation is applicable only to the Fairview Developmental Center property at 2501 Harbor Boulevard. The compatible zoning district is Institutional & Recreational - Multi-use Use District (I&R-MLT). The allowable land uses are as follows:

- 0.25 FAR Institutional & Recreational Uses
- 25 percent minimum requirement for parkland and open space purposes (approximately 25.6 acres).
- Maximum cap of 500 dwelling units for the entire site at 15 dwelling units per acre. Exception: 300 dwelling units at 25 dwelling units per acre allowed for the Shannon's Mountain site (12-acre development area at Shannon's Mountain)

In anticipation of the future closure of the Fairview Development Center, this property is assigned a unique General Plan land use plan designation. The Multi-Use Center designation is comprised of a variety of residential, open space, and institutional uses.

These multi-uses are to be complementary to the Costa Mesa Golf Course and surrounding residential neighborhoods. The maximum residential density for the Fairview Developmental Center property would be a maximum density of 15 dwelling units per acre, with a maximum number of 500 residential units for the entire site. However, a maximum of 300 dwelling units at a maximum density of 25 dwelling units per acre may be allowed at the Shannon Mountain's site within the Fairview Developmental Center. Under these density limitations, the overall cap in total housing buildout shall not exceed 500 units for the entire Fairview Developmental Center site. Additional housing units may be built, as long as they meet the density bonus provisions

pursuant to State law (Government Code Section 65915- 65918). At least 25 percent of the site shall be dedicated to open space. A maximum 0.25 FAR for institutional/recreational uses would be allowed for undeveloped area not assigned to housing or permanent open space. See Table LU-14: *Multi-Use Center ~~Fairview Land Use~~ Designation.* Permitted uses include:

- Institutional uses, such as public and private recreational facilities, dedicated athletic fields, athletic complex, sports parks, community centers, and public facilities.
- Hospital, medical, dental, physical therapy, in-patient care, psychiatric facilities, administrative offices and facilities for the developmentally disabled.
- Residential uses, such single-family detached housing, apartments, condominiums, and townhouses.
- Open space uses, such as active play fields, recreational areas, parkland, and botanical gardens.

Uses that are industrial or commercial in nature are expressly prohibited. Prohibited uses include, but are not limited to, corporate office parks, casinos/gambling venues, shopping centers, concerts/entertainment venues, hotel/motels, ~~Exposition~~ exposition/conference uses, shopping center, and swap meet.

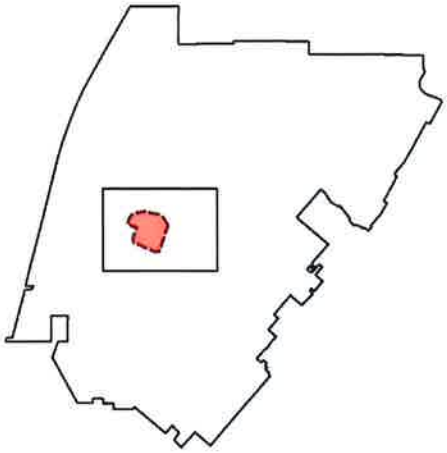
The maximum 0.25 FAR for institutional development within the Multi-Use Center designation is intended for buildings ranging from one- to four-story structures. Residential uses shall also be limited to a maximum height of four stories.

The Multi-Use Center General Plan land use designation (and corresponding Zoning District) will require a Master Plan for any future development project, whether or not the State retains the property or sells to a private entity. A Master Plan is required to be approved by the City Council if the property is owned by a non-State entity or if the State elects to participate in the City's planning process for Master Plan adoption.

The City will require the dedicated parkland component in order to activate a master plan for new development. The 25 percent open space requirement would apply~~,~~ and, therefore, future development would need to include a specific acreage of active park uses for sports fields or the master plan cannot be considered in conformance with ~~the~~ this unique General Plan land use designation.

Aerial

Key Map



General Plan Designations

- Low Density Residential (8 du/ac)
- Medium Density Residential (12 du/ac)
- High Density Residential (20 du/ac)
- General Commercial
- Neighborhood Commercial
- Multi-Use Center
- Golf Course

General Plan: Land Use Designation

Baseline (2015)

Beds.....300

Total Area.....102.6 Acres

Land Use Plan

Land Use Designation.....Multi-Use Center

Total Residential Units.....500

- Units at 25 du/ac.....300 (12.0 acres)
- Units at 15 du/ac.....200 (13.3 acres)

Open Space Acres.....25.6 acres (25%)

Public/Institutional Acres.....51.6 acres (50%)

Figure LU-8: Multi-Use Center

The maximum 0.25 FAR for institutional development within the Multi-Use Center designation is intended for buildings ranging from one- to four-story structures. Residential uses shall also be limited to a maximum height of four stories.

Table LU-14: Multi-Use Center Designation

Categories	Baseline (2015)	Multi-Use Center Designation
Density (DU/AC)	N/A	300 residential units at 25 DU/AC 200 residential units at 15 DU/AC
Total Units	N/A	500
Floor-Area Ratio (FAR)	N/A	0.25 Public Facilities/Institutional/ Recreational
Building Square Feet	N/A	N/A
Dedicated Open Space	N/A	25.6 acres of Open Space

Source: City of Costa Mesa, 2015.

Land Use Overlays and Urban Plans

The City has adopted land use overlays that are intended to encourage reuse and revitalization of underutilized properties. The incentives provided expand land uses, provide development flexibility, stimulate economic growth, and create integrated areas complementary to the surrounding environs. Refer to Figure LU-9 for the location of the Overlay and Urban Plan boundaries.

Mixed-Use Overlay Zone/Urban Plan Areas

Mixed-use development projects are intended to provide additional housing opportunities in the City by combining residential and nonresidential uses in an integrated development. Additionally, this type of development is intended to revitalize areas of the City without exceeding the capacity of the General Plan transportation system. Mixed-use developments shall be implemented through an adopted urban plan and shall be identified on the Zoning Map with the mixed-use overlay district. The mix of uses can occur in either a vertical or horizontal design.

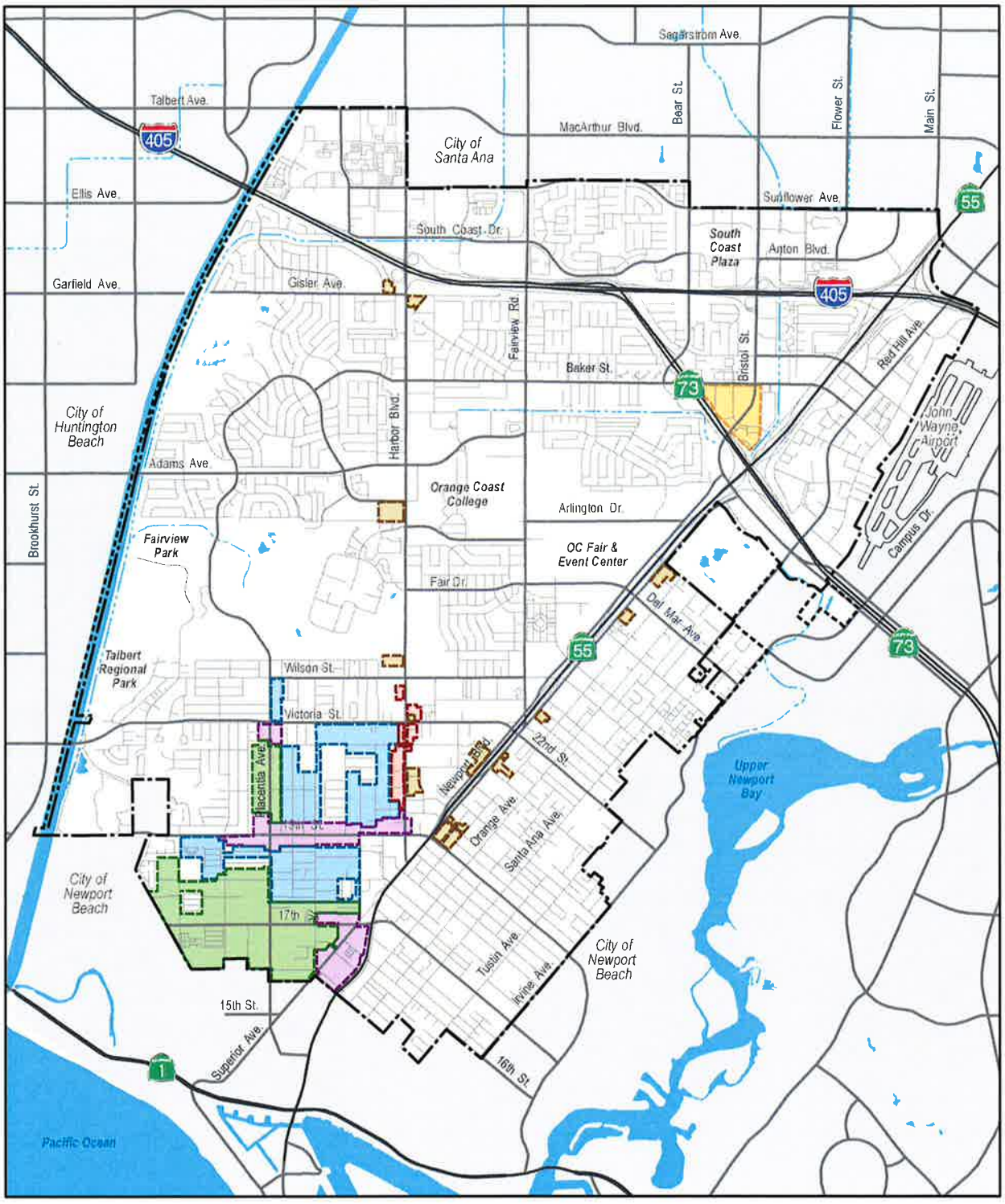


Figure LU-9: Overlays and Urban Plans

Product types shall be identified in the applicable urban plan and may include live/work units and commercial/residential units, where the residential uses are located above or adjacent to the nonresidential component. Nonresidential uses may include office, retail, business services, personal service, public spaces and uses, and other community amenities.

In conjunction with areas that are designated with the mixed-use zoning overlay district, the maximum FAR is 1.0. An increase to 1.25 FAR may be allowed for mixed-use plans exhibiting design excellence. In a mixed-use overlay district area, the FAR includes both residential and non-residential components. Table LU-15: *Overlay and Urban Plan Residential Density*, lists the appropriate land uses and the necessary base zoning district where mixed-use development is permitted.

Table LU-15: Overlay and Urban Plan Residential Density

Base Land Use Designations That Allows Mixed Use[4]	Residential Dwelling Units Per Acre (D/A) and Floor-Area Ratio (FAR)			
	Overlays			Urban Plans
	Residential Incentive	Harbor Mixed-Use	SoBECA Mixed-Use[1]	Westside Urban Plans[2]
Commercial-Residential	40 D/A	--	--	--
Neighborhood Commercial	--	--	--	1.00/[2] 1.25 FAR
General Commercial	40 D/A	20 DU/A	40 D/A[1]	
Light Industry	--		40 D/A[1]	
Commercial Center	--	--	--	

Notes:

1. *The SoBECA Overlay has a maximum capacity of 450 residential units over the entire district, with individual projects having a maximum density of 40 dwelling units per acre.*
2. *Under the Westside Urban Plans, a maximum FAR of 1.0 is allowed for mixed-used projects that include a residential component. An increase to 1.25 FAR may be allowed for mixed-use plans exhibiting design excellence. FAR calculations are based on the total site area (subarea) of the commercial component and do not include the residential site area.*
3. *The 80 dwelling units per acre only applies to the Sakioka Site 2, with a residential unit cap of 660. Please refer to the North Costa Mesa Specific Plan for additional information.*
4. *See Multi-Use Center discussion for density and FAR standards for the Fairview Park Developmental Center site.*

Residential Incentive Overlay

The Residential Incentive Overlay creates opportunities for residential development at strategic locations along Harbor Boulevard and Newport Boulevard. This designation allows for new higher-density residential uses in areas where limited residential with lower densities are allowed. Small-lot single-family subdivisions would be appropriate as well. The Residential Incentive Overlay also expands development opportunities on commercial properties not developed to their full potential or supporting outdated buildings and underperforming uses.

Maximum building height is four stories, provided privacy concerns of adjacent established residential neighborhoods are adequately addressed through the setback of upper stories or other design approaches. Housing within the Residential Incentive Overlay is limited to a maximum density of 40 units per acre. *See Table LU-16: Residential Incentive Overlay* and Figure 10 and 11.

Table LU-16: Residential Incentive Overlay

Categories		Baseline (2015)	Residential Incentive Overlay
Density (DU/AC)		N/A	40
Units	Harbor Boulevard	84	1,063
	Newport Boulevard	237	1,210
	Total Units	**321**	**2,273**
Floor-Area Ratio (FAR)			
Building Square Feet	Harbor Boulevard	356,800	178,400
	Newport Boulevard	582,000	291,100
	Total Building Square Feet	**938,800**	**469,500**

Source: City of Costa Mesa, 2015.

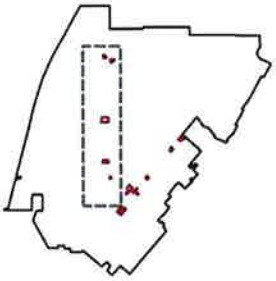
South Bristol Entertainment & Cultural Arts (SoBECA) ~~Overlay and~~ Urban Plan

The Mixed-Use ~~SoBECA~~ Overlay District applies to properties within the *SoBECA Urban Plan*. Allowed uses include a mix of housing and retail/service commercial businesses, light industrial uses, creative studios, retail campuses, and

Aerial

General Plan: Overlay

Key Map



General Plan Designations

- Low Density Residential (8 du/ac)
- Medium Density Residential (12 du/ac)
- High Density Residential (20 du/ac)
- General Commercial
- Neighborhood Commercial
- Light Industrial
- Public/Institutional
- Golf Course

Baseline (2015)

Harbor Total Area.....27.4 acres
Residential Units.....84
Commercial Square Feet.....356,800

Land Use Plan

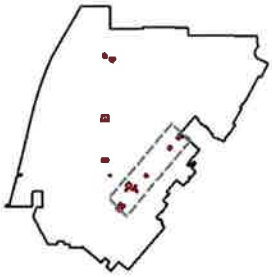
Density.....40 DU/AC
Residential Units.....1,063
Commercial Square Feet.....178,400

Figure LU-10: Residential Incentive Overlay: Harbor Boulevard

Aerial

General Plan: Overlay

Key Map



Land Use Designations

- Low Density Residential (8 du/ac)
- Medium Density Residential (12 du/ac)
- High Density Residential (20 du/ac)
- Commercial Residential (17.4 du/ac)
- General Commercial
- Neighborhood Commercial
- Light Industrial
- Public/Institutional
- Golf Course

Baseline (2015)

Newport Total Area.....30.3 acres
Residential Units.....237
Commercial Square Feet.....582,200

Land Use Plan

Density.....40 DU/AC
Residential Units.....1,210
Commercial Square Feet.....291,100

Figure LU-11: Residential Incentive Overlay: Newport Boulevard

entertainment and restaurant uses that attract local residents and visitors. Permitted development approaches are mixed-use development that combines residential and commercial uses, as well as stand-alone commercial and residential uses. This designation emphasizes commercial uses and aims to expand the established innovative, eclectic, and unique uses that support homegrown and incubator-type businesses that are important to the local economy. The integration of innovative public spaces and "hangout" areas for special events are highly encouraged.

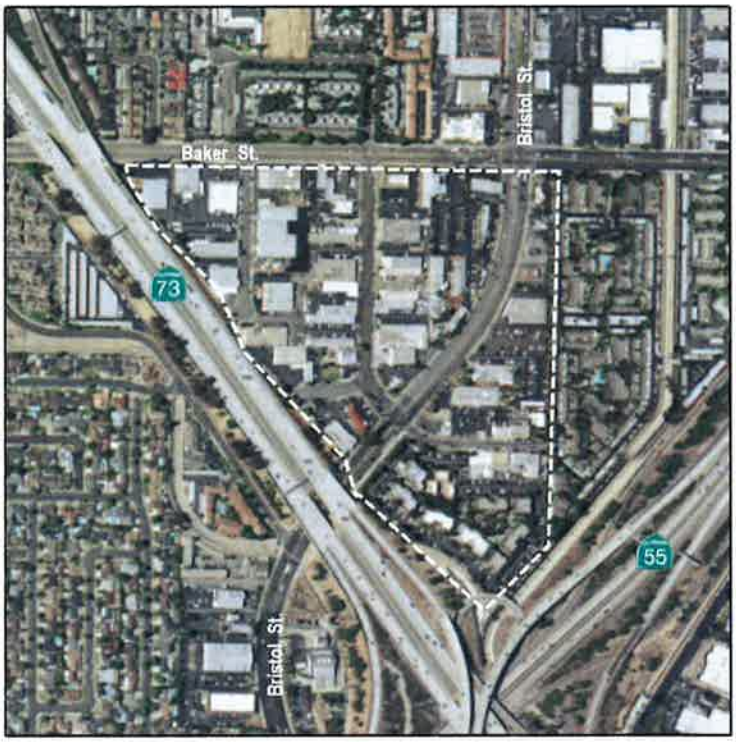
The maximum residential density within the SoBECA overlay is 40 units per acre. A maximum 1.25 FAR applies to mixed-use buildings that integrate residential and commercial uses. Stand-alone commercial or industrial buildings have a maximum 1.0 FAR. The maximum building height for all projects is four stories. The maximum number of residential units allowed within the entire SoBECA Urban Plan area is 450 units, see Table LU-17: *SoBECA Overlay and Urban Plan*. See also Figure LU-12: *SoBECA Mixed-Use Overlay*.

Table LU-17: SoBECA Mixed-Use Overlay

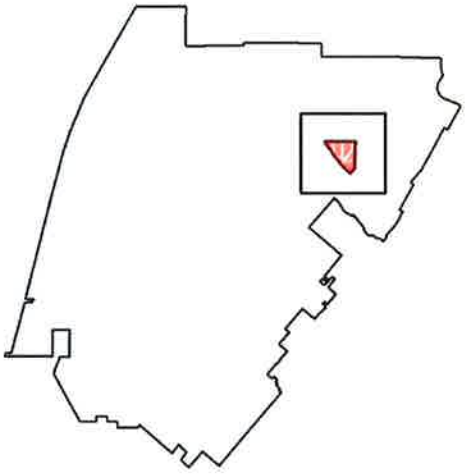
Categories	Baseline (2015)	SoBECA Mixed-Use Overlay
Density (DU/AC)	N/A	40 DU/AC Not to exceed 450 units for Overlay
Units	0	450
Floor-Area Ratio (FAR)	N/A	1.00 to 1.25
Building Square Feet	491,000	420,360

Source: City of Costa Mesa, 2015.

Aerial



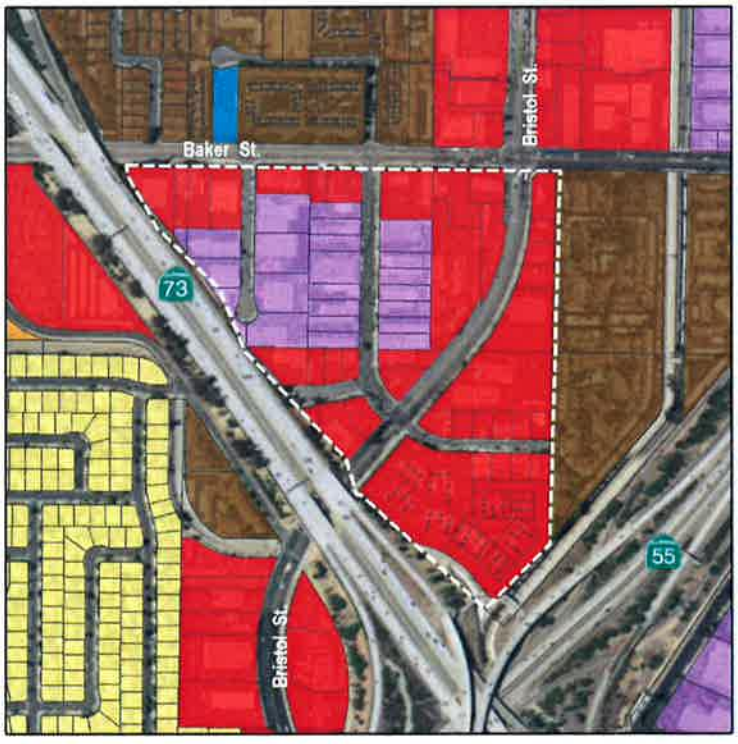
Key Map



General Plan Designations

- Low Density Residential (8 du/ac)
- Medium Density Residential (12 du/ac)
- High Density Residential (20 du/ac)
- General Commercial
- Light Industrial
- Public/Institutional

General Plan: Overlay



SoBECA Overlay
General Plan land use overlay that allows a maximum of 450 units. Individual residential projects cannot exceed 40 dwelling units per acre.

Baseline (2015)
Units.....0
Square Feet.....491,000
Acres.....39.2 Acres

Land Use Plan
Units.....450 Maximum
Square Feet..... 420,359
FAR.....1.00 to 1.25 FAR
Density.....40 DU/AC*

* Not to exceed 450 units for area

Figure LU-12: SoBECA Overlay

Harbor Mixed-Use Overlay

The Harbor Mixed-Use Overlay applies to select areas along Harbor Boulevard, between Wilson Street and 19th Street. The intent is to introduce a diverse mix of uses, with the objective of creating a much more integrated, walkable, and complementary balance of creative industrial and office spaces, neighborhood-serving retail and commercial services, and residential uses along the southern portion of Harbor Boulevard that intersects with 19th Street. The designation allows residential development at up to 20 dwelling units per acre. A maximum 1.25 FAR applies to projects that consist of both residential and commercial mixed uses; ~~a 1.00 FAR applies to stand-alone commercial projects.~~ Maximum building height is four stories. See Table LU-17: *Harbor Mixed-Use Overlay* and Figure LU-13.

Table LU-18~~7~~: Harbor Mixed-Use Overlay

Categories	Baseline (2015)	Harbor Mixed-Use Overlay
Density (DU/AC)	N/A	20 DU/AC
Units	13	491
Floor-Area Ratio (FAR)	N/A	1.00 to 1.25
Building Square Feet	337,300	321,000 of Commercial

Source: City of Costa Mesa, 2015.

Westside Urban Plans

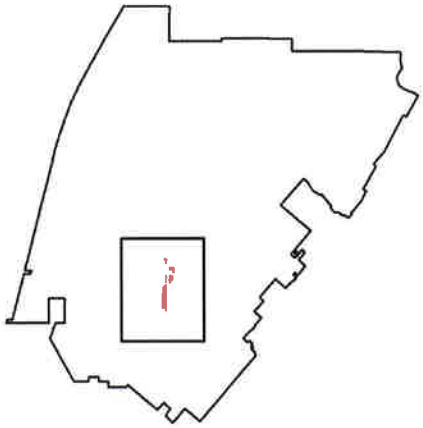
In April 2006, the City adopted three Westside urban plans that created overlay zones in designated areas of the Westside: the *19 West Urban Plan*, the *Mesa West Bluffs Urban Plan*, and the *Mesa West Residential Ownership Urban Plan*. Development proposed within the Westside Urban Plans requires approval of a Master Plan pursuant to the City of Costa Mesa Municipal Code.

19 West Urban Plan

The *19 West Urban Plan* provides commercial and residential mixed-use opportunities primarily along 19th Street and Harbor Boulevard, at a cluster of properties between Newport Boulevard and Superior Avenue, and at the south corner of Victoria Street and Placentia Avenue. This mixed-use overlay zone (over the Commercial and Industrial base districts) is intended to promote commercial/residential mixed-use development, encourage adaptive reuse, stimulate private investments and improvements, promote new

Aerial

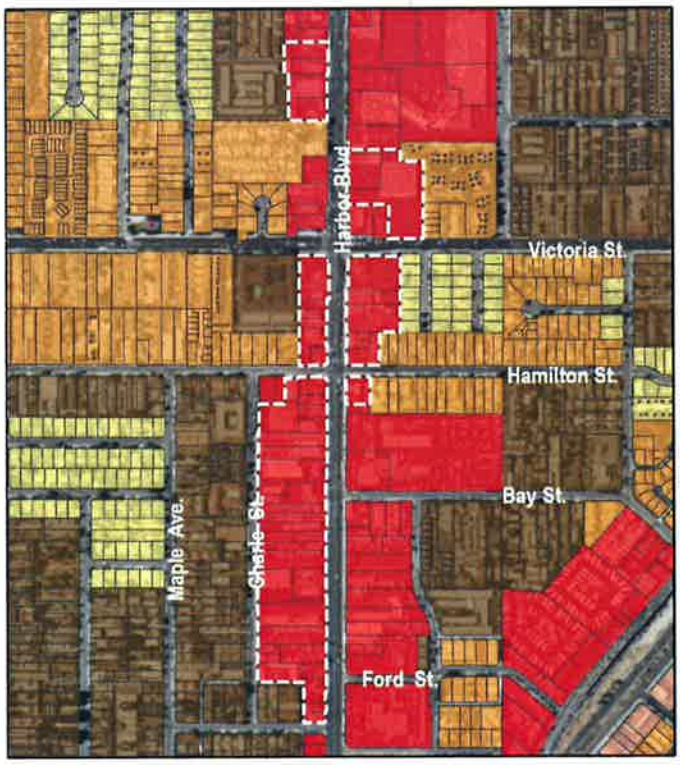
Key Map



General Plan Designations

- Low Density Residential (8 du/ac)
- Medium Density Residential (12 du/ac)
- High Density Residential (20 du/ac)
- General Commercial

General Plan: Overlay



Harbor Mixed-Use Overlay

General Plan land use overlay that allows a maximum residential density of 20 dwelling units per acre. Mixed-use projects that do not include residential components can be developed at a 1.00 FAR. Mixed-use projects with both residential and commerical components can be developed at 1.25 FAR.

Baseline (2015)

Residential Units	13
Commercial Square Feet	337,300
Total Area	24.6 acres

Land Use Plan

Residential Units	491
Commercial Square Feet	321,000
Density	20 DU/AC
FAR	1.00 to 1.25 FAR

Figure LU-13: Harbor Mixed-Use Overlay

housing types, and meet housing demand. Development is subject to the trip budget established in the zoning code.

Mesa West Bluffs Urban Plan

The *Mesa West Bluffs Urban Plan* encompasses approximately 277 acres and was adopted to provide an overlay zone encouraging the development of live/work units or residential development, with the goal of revitalizing and attracting new high-quality residences. The *Mesa West Bluffs Urban Plan* applies to industrial properties predominantly south of 18th Street, north of 16th Street, and along Placentia Avenue. The Urban Plan intends to stimulate live/work and residential development without exceeding the development capacity of the General Plan transportation system. With regard to industrial uses, established industrial uses may continue and expand. New residential development must recognize long-established industrial uses and be designed to minimize conflicts. Within a live/work or mixed-use development in the Urban Plan area, n~~N~~ew creative industrial workspace is permitted, provided that activities limit or confine noise, dust, and vibration impacts.

Mesa West Residential Ownership Urban Plan

The *Mesa West Residential Ownership Urban Plan* encompasses approximately 238 acres located between Victoria Street and 17th Street, ~~east~~ west of SR-55. The objective of the *Mesa West Residential Ownership Urban Plan* is to promote economic viability in existing medium-density and high-density residential areas, encourage the conversion of existing rental apartments to residential common-interest development (i.e., condominiums, planned unit development, and cooperatives), and encourage new residential common-interest development to improve the balance between rental and ownership opportunities.

The *Mesa West Residential Ownership Urban Plan* provides flexible development regulations to create additional incentives for new development.

See LU-14: *Westside Urban Plans*, for the location and boundaries for each Westside Urban Plan.

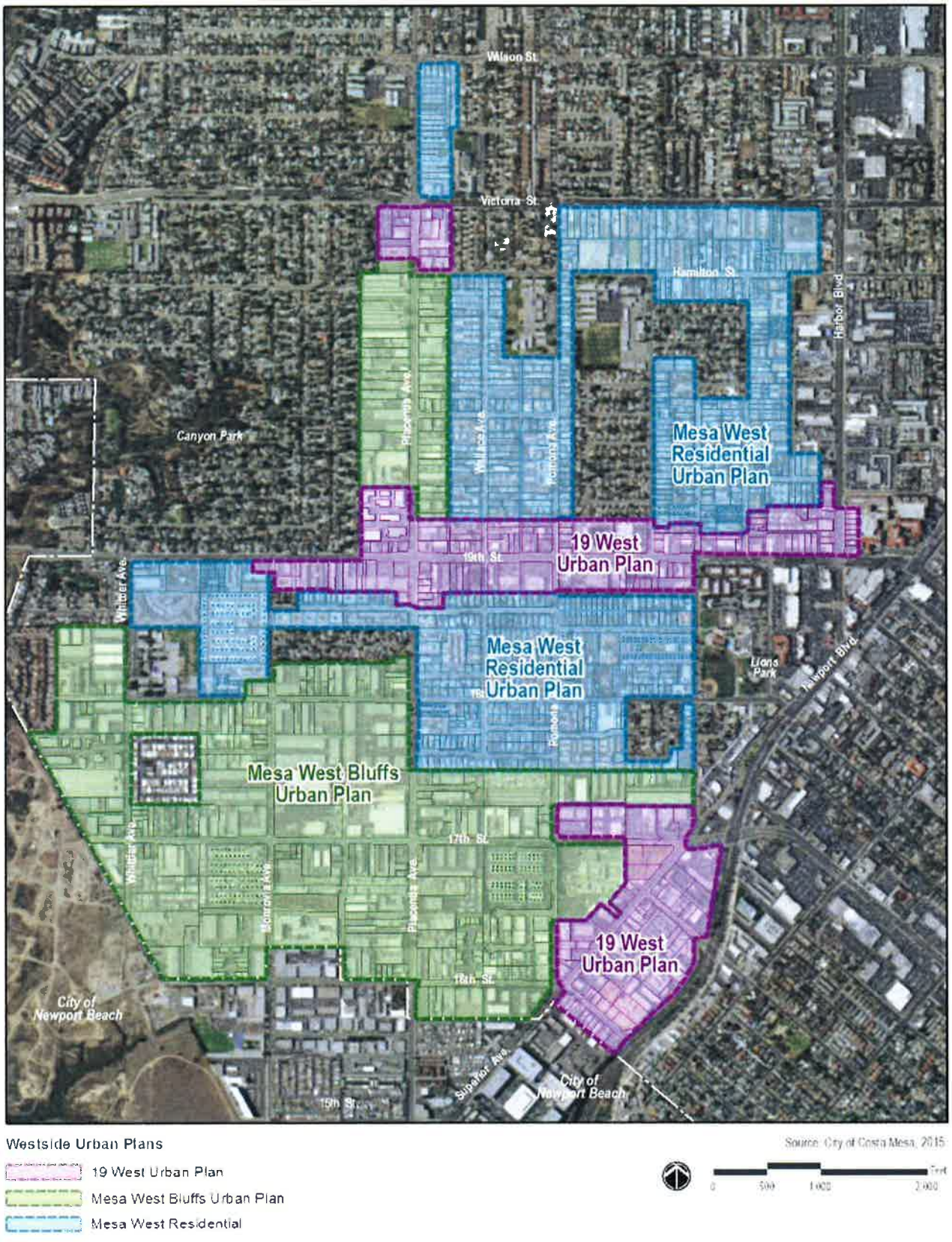


Figure LU-14: Westside Urban Plans

General Plan and Zoning Ordinance Consistency

The relationship between the General Plan land use designations and zoning districts is shown in Table LU-19: *General Plan and Zoning Consistency*. This table indicates how properties will be zoned to be consistent with the General Plan Land Use Plan. The Zoning Ordinance has the following Zoning Districts:

- Single-Family Residential (R1)
- Multiple-Family Residential, Medium Density (R2-MD)
- Multiple-Family Residential, High Density (R2-HD)
- Multiple-Family Residential (R3)
- Administrative and Professional (AP)
- Commercial Limited (CL)
- Local Business (C1)
- General Business (C2)
- Shopping Center (C1-S)
- Town Center (TC)
- Off-Street Parking (P)
- Institutional and Recreational (I & R)
- Institutional and Recreational - School (I & R-S)
- Institutional and Recreational - Multi-Use (I &R-MLT)
- General Industrial (MG)
- Industrial Park (MP)
- Planned Development Residential (PDR)
- Planned Development Commercial (PDC)
- Planned Development Industrial (PDI)
- Mixed-Use Overlay District (MU)
- Residential Incentive Overlay District (RIO)

Table LU-19: General Plan and Zoning Consistency

Land Use Plan Designations	Consistent Zoning Classification
Low Density	R1, PDR-LD, I&R, I&R-S
Medium Density	R1, R2-MD, PDR-MD, I&R, I&R-S, MU, RIO
High Density	R2-MD, R2-HD, R3, PDRHD, PDR-NCM, I&R, I&R-S, MU, RIO
Commercial-Residential	AP, CL, C1, P, PDC, R2-MD, R2-HD, PDR-MD, PDR-HD, RIO
Neighborhood Commercial	CL, C1, AP, P
General Commercial	CL, C1, C2, C1-S, PDC, AP, P, RIO, MU
Commercial Center	C1, C2, C1-S, PDC, AP, PDC, P
Regional Commercial	PDC
Urban Center Commercial	PDC
Cultural Arts Center	TC
Multi-Use Center	I&R-MLT
Industrial Park	MG, PDI, CL
Light Industrial	MP, PDI, CL
Public and Institutional	I&R, I&R-S, P
Golf Course	I&R
Fairgrounds	I&R
Fairview	R2-MD, R2-HD, R3, I&R

Source: City of Costa Mesa, 2015.

Housing and Employment Projections

Providing a land use arrangement that encourages a correlation of employment and housing opportunities is a local and regional responsibility. Providing sufficient commercial land to support residential development is primarily a local responsibility, although commercial uses serving regional needs are provided as well. Sufficient land must also be established to meet the recreational needs of the local community, although regional needs are often accommodated by land within individual cities. Table LU-20: *General Plan Land Use 2035*, identifies the projected future growth and implications of the Land Use Plan.

Table LU-20: General Plan Land Use 2035

Land Use Designations	Net Acres	Residential Dwelling Units		Non-Residential Square Feet	
		2015 Existing	2035 Future	2015 Existing	2035 Future
Residential					
Single-Family	2,088.2	14,210	14,791	--	--
Multi-Family	1,705.0	28,413	37,103	--	--
Non-Residential					
Commercial-Residential	47.9	--	--	543,000	455,200
Neighborhood Commercial	40.5	--	--	338,000	472,100
General Commercial	616.3	--	--	7,065,300	8,556,100
Commercial Center	54.4	--	--	733,000	522,800
Urban Center Commercial	167.7	--	--	4,550,700	6,134,200
Cultural Arts Center	57.3	--	--	2,673,300	4,869,800
Regional Commercial	147.9	--	--	2,723,700	3,260,800
Industrial Park	671.5	--	--	8,684,500	10,240,000
Light Industrial	378.1	--	--	4,402,500	2,838,000
Public and Institutional	1,263.4	--	--	1,989,000	3,970,700
Golf Course	553.7	--	--	84,200	243,900
Fairgrounds	150.0	--	--	128,800	427,400
Multi-Use Center	102.6	--	--500	--	562,000
Totals	**8,044.5**	**42,623**	**51,894**	**33,916,000**	**42,553,000**

Notes:

1. *Includes Low-Density Residential General Plan land use designation.*
2. *Includes Medium-Density, High-Density, and Commercial-Residential, Overlays General Plan land use designations.*

Goals, Objectives, and Policies

Maintaining and enhancing the great quality of life in Costa Mesa is the foundation of this General Plan. The City will look towards focusing future change within targeted growth areas. Some of these areas already have a mix of commercial, office, hotel, and residential uses, and are located along roadways that will be enhanced with "Complete Streets" features (see Circulation Element), improved landscaping, and expanded public spaces (such as parks and plazas). In turn, the City will also protect and enhance neighborhoods throughout Costa Mesa to ensure these largely residential areas continue to provide value to residents and the community as whole.

Foremost, attention will be given to protecting the character and quality of residential neighborhoods, including those features that distinguish an area, such as building scale, historical structures, well-maintained rental housing, mature vegetation, and attractive streetscapes.

The goals, objectives, and policies that address land use are as follows.

Goal LU-1: A Balanced Community with a Mix of Land Uses to Meet Resident and Business Needs

Objective LU-1A. ***Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.***

Policy LU-1.1 Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community.

Policy LU-1.2 Balance economic gains from new development while preserving the character and densities of residential neighborhoods.

Policy LU-1.3 Strongly encourage the development of residential uses and owner-occupied housing (single-family detached residences, condominiums, townhouses) where feasible to improve the balance between rental and ownership housing opportunities.

Policy LU-1.4 Promote housing and employment opportunities within planned development areas to the extent feasible.

Policy LU-1.5 Maintain a land use structure that strives to balance jobs and housing with available infrastructure and public and human services.

Goal LU-2: Preserve and Protect Residential Neighborhoods

Objective LU-2. ***Promote land use patterns and development that contribute to community and neighborhood identity.***

Policy LU-2.1 In the event of damage or destruction, allow any legal conforming use in existence at the time of adoption of the General Plan that is located in a nonconforming development to be rebuilt to its original building intensity, as long as any such rebuilding would not increase the development's nonconformity, and the damage or destruction was in no way brought about by intentional acts of any owner of such use or property.

Policy LU-2.2 Pursue maximum use of utility company funds and resources in undergrounding existing overhead lines, and encourage undergrounding of utilities in the public right-of-way for residential development consisting of five units or more, to the extent feasible and practical.

Policy LU-2.3 Develop standards, policies, and other methods to encourage the grouping of individual parcels to eliminate obsolete subdivision patterns and to provide improved living environments while being consistent with the neighborhood character of the surrounding community.

Policy LU-2.4 Do not allow "rounding up" when calculating the number of permitted residential units, except for lots existing as of March 16, 1992, zoned R2-MD that have less than 7,260

square feet in area, and no less than 6,000 square feet, where density calculation fractions of 1.65 or greater may be rounded up to two units.

Policy LU-2.5 Allow creation of parcels without street frontage if sufficient easements are provided for planned developments or common-interest developments consistent with the neighborhood character. This policy does not apply to small lot subdivisions.

Policy LU-2.6 Encourage increased private market investment in declining or deteriorating neighborhoods.

Policy LU-2.7 Permit the construction of buildings over two stories or 30 feet only when it can be shown that the construction of such structures will not adversely impact surrounding developments and deprive existing land uses of adequate light, air, privacy, and solar access.

Policy LU-2.8 Limit building height to four stories above grade south of the I-405 Freeway, except for special purpose housing, such as elderly, affordable, or student housing, unless otherwise approved by a General Plan amendment. (A four-story/five-level parking structure with roof deck parking on the fifth level is considered a four-story structure.)

Policy LU-2.9 Require appropriate building setbacks, structure orientation, and the placement of windows to consider the privacy of adjacent residential structures within the same project and on adjacent properties.

Policy LU-2.10 Promote lot consolidation of residential properties to the extent feasible and practical, including the creation of larger single-family residential lots that exceed the minimum 6,000 square foot requirement in neighborhoods where the prevailing residential subdivision pattern features larger-sized residential lots.

Policy LU-2.11 Ensure adequate noise attenuation in urban design, such as walls for sound attenuation, development of landscaped greenbelts, provision of landscape berms, etc.

Goal LU-3: Development that Maintains Neighborhood Integrity and Character

Objective LU-3. ***Establish policies, standards, and procedures to minimize blighting influences, and maintain the integrity of stable neighborhoods.***

Policy LU-3.1 Protect existing stabilized residential neighborhoods, including mobile home parks (and manufactured housing parks), from the encroachment of incompatible or potentially disruptive land uses and/or activities.

Policy LU-3.2 Actively enforce existing regulations regarding derelict or abandoned vehicles, outdoor storage, and substandard or illegal buildings, and establish regulations to abate weed-filled yards when any of the above are deemed to constitute a health, safety, or fire hazard.

Policy LU-3.3 Continue code enforcement as a high priority with regard to the regulation of property maintenance standards citywide and group homes and sober living homes in the single-family and multi-family residential areas.

Policy LU-3.4 Ensure that residential densities can be supported by the infrastructure and are compatible with existing residential neighborhoods in the surrounding area.

Policy LU-3.5 Provide opportunities for the development of well-planned and designed projects which, through vertical or horizontal integration, provide for the development of compatible residential, commercial, industrial, institutional, or public uses within a single project or neighborhood.

Policy LU-3.6 Facilitate revitalization of aging commercial centers by working with property owners, developers, local businesses, and other community organizations to coordinate efforts.

Policy LU-3.7 Promote development/design flexibility that encourages older or poorly maintained high-density residential uses to be rehabilitated.

Policy LU-3.8 Ensure that new development reflects existing design standards, qualities, and features that are in context with

nearby development and surrounding residential neighborhoods.

Policy LU-3.9 Locate high-intensity developments or high traffic generating uses away from low-density residential in order to buffer the more sensitive land uses from the potentially adverse impacts of the more intense development or uses.

Policy LU-3.10 Minimize effects of new development on the privacy and character of surrounding neighborhoods.

Policy LU-3.11 Promote small lot residential development on long, narrow, single parcels or combined residential lots.

Policy LU-3.12 Ensure that new development reflects existing design standards, qualities, and features that are in context with nearby development.

Policy LU-3.13 Prohibit construction of buildings which would present a hazard to air navigation, as determined by the Federal Aviation Administration (FAA).

Goal LU-4: New Development that Is Sensitive to Costa Mesa's Environmental Resources

Objective LU-4. ***Encourage new development and redevelopment that protects and improves the quality of Costa Mesa's natural environment and resources.***

Policy LU-4.1 Ensure that appropriate watershed protection activities are applied to all new development and significant redevelopment projects that are subject to the NPDES Stormwater Permit during the planning, project review, and permitting processes.

Policy LU-4.2 Avoid conversion of areas particularly susceptible to erosion and sediment loss (e.g., steep slopes) and/or establish development guidelines that identifies these areas and protects them from erosion and sediment loss.

Policy LU-4.3 Preserve or restore areas that provide water quality benefits and/or are necessary to maintain riparian and aquatic biota.

Policy LU-4.4 Promote site development that limits impact on and protects the natural integrity of topography, drainage systems, and water bodies, and protect the integrity of the bluff crest.

Policy LU-4.5 Promote integration of stormwater quality protection into construction and post-construction activities, as required by the NPDES Stormwater Permit and the City's Local Implementation Plan.

Policy LU-4.6 Incorporate the principles of sustainability into land use planning, infrastructure, and development processes to reduce greenhouse gas emissions consistent with State goals.

Goal LU-5: Adequate Community Services, Transportation System, and Infrastructure to Meet Growth

Objective LU-5. ***Ensure availability of adequate community facilities and provision of the highest level of public services possible, taking into consideration budgetary constraints and effects on the surrounding area.***

Policy LU-5.1 Pursue annexation of certain areas within the City's Sphere of Influence to provide land use regulation and city services within its jurisdiction.

Policy LU-5.2 Strongly encourage protection and preservation of existing, but underutilized, school sites for future recreational, social, or educational uses.

Policy LU-5.3 As appropriate and timely, consider the establishment of development impact fee program(s) to fund additional fire and police personnel, library facilities, and related equipment to meet the demands of additional growth in the City.

Policy LU-5.4 Require appropriate site and environmental analysis for future fire and police station site locations or for the relocation or closure of existing fire and police facilities.

Policy LU-5.5 Ensure that new development pays its fair share for parkland impacts and traffic impacts. This includes fees related to community services (police protection services and fire emergency response services) or library facilities, once adopted and applicable.

Policy LU-5.6 Promote development of revenue-generating land uses that help defray the costs of high quality public services.

Policy LU-5.7 Encourage new development that is organized around compact, walkable, mixed-use neighborhoods and districts to conserve open space resources, minimize infrastructure costs, and reduce reliance on the automobile.

Policy LU-5.8 Include an evaluation of impacts on utility systems and infrastructure in EIRs for all major general plan amendment, rezone, and development applications.

Policy LU-5.9 Phase or restrict future development in the City to that which can be accommodated by infrastructure at the time of completion of each phase of a multi-phased project.

Policy LU-5.10 Building densities/intensities for proposed new development projects shall not exceed the trip budget for applicable land use classifications, as identified in the Land Use Element. Building intensities for proposed new development projects shall not exceed the applicable floor area standards, except for the following conditions:

(a) Limited deviations from the graduated floor area ratio standards for the commercial and industrial land use designations may be approved through a discretionary review process. No deviation shall exceed a 0.05 increase in the FAR in the moderate traffic category, and no deviation shall be allowed in the very-low, low, and high traffic categories. Deviations from the FAR standards shall not cause the daily trip generation for the property to be exceeded when compared to the existing daily trip generation for the site without the proposed project or maximum allowable traffic generation for

the Moderate Traffic FAR category, whichever is greater.

(b) Additions to existing nonconforming non-residential developments may be allowed if the additions do not affect the overall traffic generation characteristics of the development, and, if the additions do not substantially affect the existing height and bulk of the development. Additions to non-residential developments shall be limited to those land uses with traffic generation rates based on variables other than building area square footage. Examples of such additions include, but are not limited to: 1) Hotels/Motels: increases in the size of hotel rooms or lobbies where no increase in the total number of rooms is proposed; 2) Theaters: increases to "back-stage" support areas or lobbies where no increase in the total number of seats is proposed.

(c) In the above conditions, the new development shall be compatible with surrounding land uses. Additional criteria for approving deviations from the FAR standards may be established by policy of the City Council.

Policy LU-5.11 Development Plans shall be required for all phased development and approvals and shall be approved by the Planning and Transportation Services Divisions prior to the issuance of building permits.

Policy LU-5.12 Development Plans shall include an overall buildout plan, which can demonstrate the ability of the circulation system to support the proposed level of development.

Policy LU-5.13 The City shall continue its annual preparation of the Development Phasing and Performance Monitoring Program. The annual review will specifically address major intersection operations in any mixed-use overlay area.

Goal LU-6: Economically Viable and Productive Land Uses that Increase the City's Tax Base

Objective LU-6:	***Ensure the long term productivity and viability of the community's economic base.***
Policy LU-6.1	Encourage a mixed of land uses that maintain and improve the City's long-term fiscal health.
Policy LU-6.2	Continue to promote and support the vitality of commercial uses to meet the needs of local residents and that support regional-serving commercial centers.
Policy LU-6.3	Continue to prioritize commercial and industrial park use of properties north of I-405 and within the Airport Industrial District.
Policy LU-6.4	Support the continued presence of incubator businesses in the action sports industry and jobs-producing businesses in the Westside.
Policy LU-6.5	Encourage revitalization of existing, older commercial and industrial areas in the Westside with new mixed-use development consisting of ownership housing stock and live/work units.
Policy LU-6.6	Continue to encourage and retain land uses that generate sustainable sales and property tax revenues, including regional commercial destinations and automobile dealerships.
Policy LU-6.7	Encourage new and retain existing businesses that provide local shopping and services.
Policy LU-6.8	Provide efficient and timely review of development proposals while maintaining quality customer service standards for the business, development, and residential community.
Policy LU-6.9	Support the retention and growth of Class A office tenants, including corporate headquarters for the action sports industry, pharmaceuticals, and high technology companies within the City.

Objective LU-6B:	***Encourage and facilitate activities that expand the City's revenue base.***
Policy LU-6.10	Encourage a broad range of business uses that provide employment at all income levels and that make a positive contribution to the City's tax base.
Policy LU-6.11	Provide opportunities for mixed-use, office, manufacturing, and retail development that respond to market and community needs in terms of size, location, and cost.
Policy LU-6.12	Track retail trends and tailor regulations to respond to market changes, maximize revenue, and maintain the appropriate the business mix.
Policy LU-6.13	Encourage new development along major corridors that are pedestrian oriented and includes a mixture of retail/service, residential, and office uses.
Policy LU-6.14	Improve ease and accessibility to information to capture opportunities for businesses to establish in Costa Mesa and bring high-skill and professional jobs and new revenue sources into the community.
Policy LU-6.15	Promote unique and specialized commercial and industrial districts within the City which allow for incubation of new or growing businesses and industries.
Policy LU-6.16	Examine options for the development of new infrastructure for new technologies and businesses that use those technologies.
Objective LU-6C:	***Retain and expand the City's diverse employment base, including office, retail/service, restaurants, high-tech, action sports, boutique or prototype manufacturing, and industrial businesses.***
Policy LU-6.17	Engage in activities that promote Costa Mesa as a ~~good~~ great place to live, work, and develop a business.
Policy LU-6.18	Continue to work with surrounding cities to strengthen regional economic development.
Policy LU-6.19	Provide flexibility and support for development or residential, office, small retail centers, and similar uses that would serve local residents and would also benefit from the high visibility along major corridors outside of significant commercial or industrial nodes.

Goal LU-7: A Sound Local Sustainable Economy that Attracts Investment, Creates Educational Opportunities, and Generates Employment Opportunities

Policy LU-7.1 Endeavor to create mixture of employment opportunities for all economic levels of residents and businesses.

Policy LU-7.2 Support linkages between local educational institutions and local industries and businesses. Foster training, collaboration with employers, and new innovative programs that increase job opportunities for residents and students attending school locally.

Policy LU-7.3 Foster and provide useful and efficient partnerships to implement economic opportunities with private, non-profit, or other public agencies.

Policy LU-7.4 Cultivate an entrepreneurial and academic environment that fosters innovation through non-traditional housing developments, flexible office spaces, experiential development, and ensuring the diversity of retail/service throughout the urban districts.

Policy LU-7.5 Support and provide flexibility for development projects and businesses which produce, care, and maintain material goods or fixed assets meant to support the production of market goods, especially for niche industries within the City of Costa Mesa.

Policy LU-7.6 Seek out opportunities to attract primary businesses within stable industries or industries that already exist within the City.

Policy LU-7.7 Explore economic and employment opportunities to retain and strengthen the unique industry niches along Bristol and Paularino, in the Westside, on 17th Street, and throughout North Costa Mesa.

Policy LU-7.8 Support the development of pedestrian plazas and gathering places, and institutional spaces as well as the more efficient use of existing spaces to support economic growth and branding of existing industries within the City.

Goal LU-8: Promote a range of multiple uses at the Fairview Developmental Center site

Policy LU-8.1 In anticipation of the potential closure or repurposing of the Fairview Development Center site, the City will work with appropriate State agencies or private entity (if the property is sold) to plan for a complementary mix of low-scale residential, institutional, public facilities, open spaces, and recreational uses within a campus setting.

Goal LU-9: Ensure that Fairgrounds uses are consistent with the General Plan designation

Policy LU-9.1 ~~Discourage changes in the~~ Promote allowable uses as specified in the Fairgrounds General Plan land use designation for the Orange County Fair & Event Center property. Ensure that amendments to the Fairgrounds ~~is~~ General Plan designation are approved by the electorate.

Bicyclists traveling along 17th Street

Chapter 3:
Circulation Element

Introduction

Costa Mesa's transportation system consists of a comprehensive network of sidewalks, bicycle routes, trails, bus transit facilities, local streets, major roadways, and freeways. This integrated system supports connectivity among the major activity areas and residential neighborhoods, and brings people to and through the City. Although the established street system moves many people every day to local and regional destinations, the system—not unlike most road systems in Southern California established long ago—has been designed primarily for automobiles. This Circulation Element changes the paradigm for transportation planning by giving equal attention to planning and building systems that accommodate all mobility means, including on foot, by bicycle, and via transit.

This element includes goals, objectives, and policies that the City will use to make decisions regarding transportation improvements that significantly

expand bicycle and pedestrian travel capabilities, manage the established roadway system efficiently and effectively, enhance transit facilities, and implement "complete street" strategies that ensure all users and mobility options are addressed in future street improvements.

Purpose

Costa Mesa will pursue strategies and programs that not only address relieving vehicular congestion but also create local conditions that emphasize active transportation. With its mild climate and flat terrain, Costa Mesa should be a place where people can easily bike and walk. The transportation system described in this element is a balanced multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel. Those users include children, cyclists of all ages, pedestrians, persons with disabilities, motorists, movers of commercial goods, transit riders, and seniors. The City's aim is to balance the ability of this varied circulation network to accommodate planned growth in a manner that minimizes delay, creates efficiencies, and supports the community's environmental and economic goals.

The Circulation Element establishes policies governing the system of roadways, intersections, bike paths, pedestrian ways, and other components of the circulations system, which collectively provide for the movement of persons and goods throughout Costa Mesa. Most significantly, the element:

- Applies "Complete Streets" strategies for street improvements
- Defines active transportation improvements that will create improved conditions for walking and cycling
- Coordinates land use planning and transportation improvements to effectively manage and improve the established roadway system
- Identifies linkages and connectivity among all transportation modes

Baseline Conditions - 2015

Established Roadways

Regional Transportation

Costa Mesa is centrally located in Orange County near the Pacific Coast and is well served by the regional freeway system consisting of:

- San Diego Freeway (I-405), which traverses east-west across the northern portion of the City
- Corona del Mar Freeway (SR-73), which begins at I-405 between Fairview Road and Bear Street and extends southeast, where it becomes the San Joaquin Hills Transportation Corridor
- Costa Mesa Freeway (SR-55), which enters at the northeast corner of the City and extends southwest, transitioning into Newport Boulevard south of 19th Street

These freeways provide regional access throughout Orange County and points beyond, which is convenient but also can be ire-provoking during weekday and weekend peak-hour periods, when travelers frequently experience severe congestion.

Street System

North/south arterial roadways serving the City include Harbor Boulevard, Fairview Road, Bear Street, and Bristol Street, all of which are six-lane facilities; and Placentia Avenue and Red Hill Avenue, both of which are four-lane facilities. East-west arterial roadways serving the City include Anton Boulevard and Adams Avenue, which are six-lane facilities; Sunflower Avenue, which is a six-lane facility east of Bear Street and a four-lane facility west of Bear Street; and South Coast Drive, Baker Street, Fair Drive, Wilson Street, Victoria Street, West 19th Street and 17th Street, all four-lane facilities.

Looking north on Bristol Street from the pedestrian bridge connecting South Coast Plaza and the Segerstrom Center for the Arts

East-west access to Costa Mesa is constrained by the Santa Ana River on the west and on the east by John Wayne Airport and Upper Newport Bay. The Santa Ana River runs along the entire western City boundary, with crossings only at Adams Avenue and Victoria Street. Besides I-405, these two roadways represent the only locations where Costa Mesa residents can travel to Huntington Beach and Fountain Valley. Although a crossing had one time been planned via 19th Street, the Orange County Transportation Authority (OCTA) amended its Master Plan of Arterial Highways[1] in 2014 to remove this connection. To the east, the airport and Upper Newport Bay entirely constrain surface street connections extending east, except via Pacific Coast Highway to the south, Bristol Street parallel to SR-73, and MacArthur Boulevard north of I-405.

The circulation system layout is notable for its two grid patterns. Streets east of and including Newport Boulevard were constructed at approximately 45 degree angles from the traditional north/south streets in north Orange County. This results in odd-angled intersections along Newport Boulevard. West of Newport Boulevard, the streets are generally in a more traditional grid pattern.

[1] Cities throughout Orange County must ensure that their own circulation master plans are consistent with OCTA's Master Plan of Arterial Highways to remain eligible for M2 funds, as described later in this element.

Long-Term Regional Transportation Projects

I-405 Improvement Project

In 2015, I-405 through Orange County carried as many as 370,000 vehicles per day, making it one of the busiest roadways in the nation. OCTA, in cooperation with the California Department of Transportation (Caltrans), plans to widen the 16-mile length of I-405 between I-605 and SR-73 to handle forecasted vehicle volumes and to address ongoing congestion challenges. Project improvements include widening the freeway to include a general purpose lane and an express lane, improved overcrossings at Fairview Road and Santa Ana River, and a new bridge that will connect I-405 and SR-73. Several freeway ramps will be reconstructed; adjacent roads will be configured to accommodate the widening, and new sound walls will be built where necessary.

The San Diego Freeway (I-405) in Orange County

State Route 55 (SR-55) Freeway Extension Alternatives

One of the keystone projects for alleviating congestion are the planned improvements for SR-55/Newport Boulevard. At the terminus of the Costa Mesa Freeway at 19th Street, in 2015 close to 100,000 vehicles passed through this area every day. OCTA has examined several alternatives of a freeway extension of SR-55 to address congestion resulting from the terminus of SR-55 at 19th Street in Costa Mesa. Alternatives include transportation systems management and traffic synchronization, construction of a single lane elevated structure at 17th Street, and a cut-and-cover tunnel that would run below SR-55/Newport Boulevard from 19th Street to Industrial Way. The cut-and-cover strategy offers the most benefits to Costa Mesa; in addition to

completely removing freeway traffic from the local road network, it would allow the City to repurpose Newport Boulevard, including possibly using excess right-of-way for enhancing the downtown experience by adding landscaping and facilities that support other modes of transportation.

This General Plan assumes that the cut-and-cover approach, which the City supports, will not occur within the year 2035 planning horizon due to the significant costs and planning required.

Key Issues

Freeway Congestion

Interstate 405, between I-605 and SR-73, is one of the most congested freeways in Southern California during commute hours. In addition to particularly heavy traffic volumes, I-405 suffers from a lack of alternative routes plus closely spaced on- and off-ramps that interfere with smoothly flowing vehicle movements. The congestion impacts Costa Mesa by pushing non-local trips onto City streets and hindering easy access to commercial districts.

Traffic congestion at the terminus of SR-55 is caused by local and regional commuters. Through trips to Newport Beach and other coastal areas use capacity that would better serve local residents and businesses; these trips also clog intersections that affects east-west travel within the City.

Local Traffic Conditions

Residents cite congestion on local streets as a key concern. Due to the City's geographic location, accessibility from freeways, proximity to Orange County beaches, and popular attractions and destinations, many local streets experience frequent heavy traffic loads.

Need for a Comprehensive Bicycle System

While Costa Mesa has long had several Class I bicycle paths such as the Santa Ana River Trail, Banning Channel Trail, Victoria Street path, and the Joann Street Bike Trail, connectivity has been limited. Gaps in the bicycle network create challenges for cross-town travel and easy access to major activity areas and residential neighborhoods. While Costa Mesa's weather and terrain make for great biking, the lack of efficient and safe bike routes and supporting

bike infrastructure have made it difficult for bicycling to be a good alternative travel mode.

Accommodating Pedestrians

Many residential neighborhoods in Costa Mesa are near shopping districts, schools, and parks. Pedestrian access improvements including attractive streetscape and landscape features, lighting, decorative crosswalks, enhanced traffic signal timing, and other amenities will attract higher use of pedestrian facilities.

Neighborhood Cut-Through Traffic

Three major freeways and several regional arterials provide access to the City and adjacent jurisdictions. As a result, some neighborhood streets are affected by cut-through traffic, resulting in higher than normal traffic volumes at higher speeds. Additionally, due to limited vehicle access routes over the Santa Ana River, a significant number of vehicles converge along Adams Avenue and Victoria Street to get to Huntington Beach. Many neighborhood streets in proximity to these streets are affected by cut-through traffic, especially by vehicles attempting quicker routes via Costa Mesa streets. Mobile technologies such as smart phone apps that alert motorist of congested streets and suggest alternative routes through residential neighborhoods compound the issue.

Circulation Plan

Efficient movement within and through Costa Mesa and the region will be facilitated by developing and maintaining a well-designed and integrated multimodal transportation network for all users. Easy and convenient access to transit, pedestrian, and bicycle options within the City are essential to an efficient network.

Streets are the backbone of Costa Mesa's circulation system. They lend identity to our neighborhoods and have always served as a determining force in the shape, form, and function of the City. Streets should be considered as places with many functions beyond moving people and goods, such as connecting neighborhoods, providing social spaces, and serving as statements of civic pride.

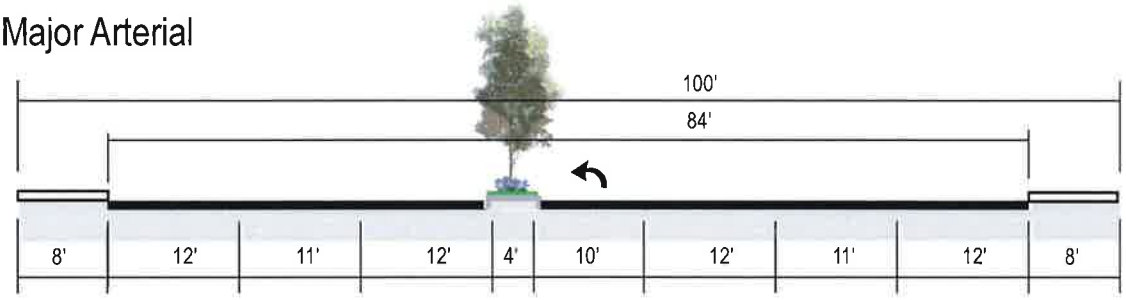
Master Plan of Streets and Highways (MPSH)

The City of Costa Mesa MPSH defines the existing and future roadway system in the City. One of the objectives of the MPSH is to maintain consistency with the Orange County Master Plan of Arterial Highways (MPAH). OCTA administers the MPAH, including the review and approval of amendments requested by local agencies. In order for Costa Mesa to receive funding from Orange County M2 funds for planned local road network improvements, the City's MPSH must be consistent with the County's MPAH.

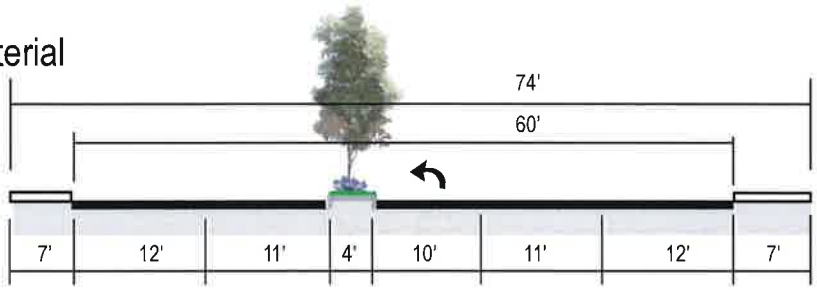
Roadway Classifications

Roadway classifications are designated on the MPSH as a general guideline for arterial highway right-of-way requirements. Additional right-of-way beyond the typical sections may be required for any classification when an arterial highway coincides with an adopted route for an additional public facility (e.g., special transit facilities, bikeways, wider landscaped parkways, wider sidewalks, or riding and hiking trails), or a scenic highway. Figure C-1 *Roadway Typical Cross Sections,* shows typical cross-sections for the arterial roadway designations on the MPSH, and Table C-1 *Master Plan of Streets and Highways,* lists the daily number of vehicles that can be accommodated by each type of arterial roadway.

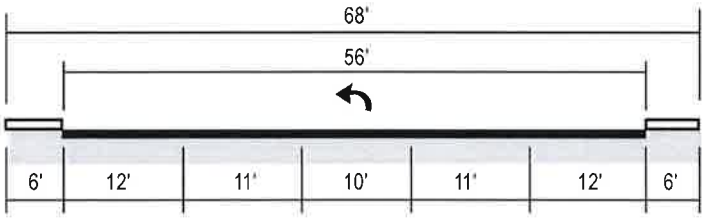
Major Arterial



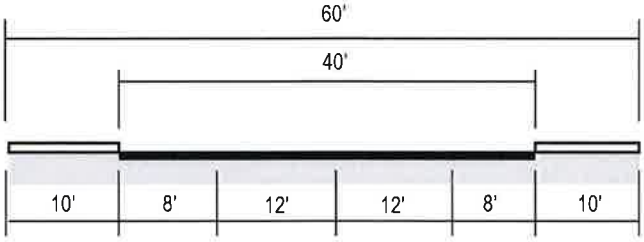
Primary Arterial



Secondary Arterial



Collector



Notes: 1. *Additional right-of-way may be required at intersections for accommodating turn lanes.*

2. *Additional right-of-way may be required along streets that are planned to included future bicycle facilities, consistent with the ~~Conceptual~~ Bicycle Master Plan (Figure C-3)*

Figure C-1: Roadway Typical Cross Sections

Table C-1: Master Plan of Streets and Highways

Arterials	Lanes	Typical Right-of-Way	Daily Vehicle Trips Accommodated
Major	Six-lane divided (median)	100 Feet	56,000-68,000
Primary	Four-lane divided (median)	74 Feet	38,000-45,000
Secondary	Four-lane undivided (no median)	68 Feet	25,000-30,000
Divided Collector	Two-lane divided (continuous two-way left-turn lane)	68 Feet	22,000
Collector	Two-lane undivided (no median)	60 Feet	12,500

Source: City of Costa Mesa, 2015.

Major Arterial

A Major Arterial highway is a six-lane divided (raised or painted median) roadway. A Major Arterial may be designed with emphasis for automobile, goods movement, and/or transit. Major Arterials carry a large volume of regional through traffic not handled by the freeway system.

Primary Arterial

A Primary Arterial highway is a four-lane divided (raised or painted median) roadway. A Primary Arterial may be designed with emphasis for automobile, goods movement, transit, and/or bicycle. A Primary Arterial's function is similar to that of a Major Arterial. The principal difference between the two classifications is capacity.

Secondary Arterial

A Secondary Arterial highway is a four-lane undivided (no median) roadway. A Secondary Arterial may be designed with emphasis for automobile and/or bicycle. A Secondary Arterial serves as a connector, distributing traffic between local streets and Major and Primary Arterials. Although some Secondary Arterials serve as through routes, most provide direct access to surrounding land uses.

Divided Collector Arterial

A Divided Collector Arterial is a modified Secondary Arterial with a reallocation of pavement width to emphasize bicycle and pedestrian use. It provides one bicycle lane per direction on bicycle corridors and one through

vehicle lane per direction. The two directions of travel are divided by a continuous two-way left-turn lane.

Collector Arterial

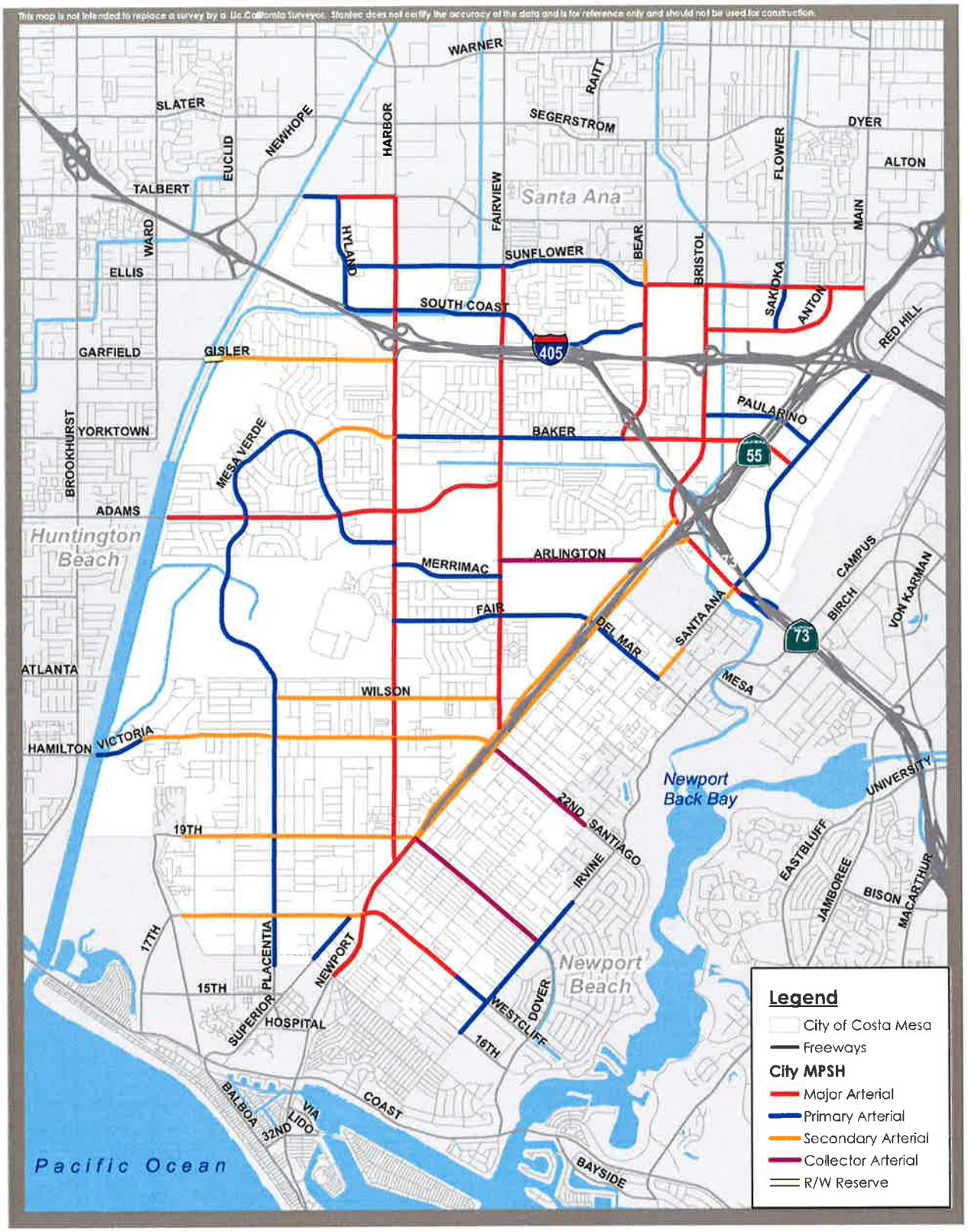
A Collector Arterial is a two-lane undivided (no median), unrestricted access roadway. Collector Arterials differ from local collector streets in their ability to handle through traffic movements between two arterials.

Roadway Plan

The Costa Mesa MPSH is shown in Figure C-2 *Master Plan of Streets and Highways*. Prior traffic studies and the General Plan analysis ~~A traffic study was conducted in 2015-16 to~~ evaluated a number of potential modifications that are now either included in the MPSH or could be considered based on coordination with OCTA. Those modifications are discussed below.

Santa Ana River Crossings

A cooperative study was carried out by the cities of Costa Mesa, Newport Beach, Fountain Valley, and Huntington Beach and OCTA to support OCTA's amendment to the Orange County MPAH to downgrade the Gisler Avenue/Garfield Avenue crossing of the Santa Ana River to a "Right-of-Way Reserve" status and to delete the West 19th Street crossing of the Santa Ana River from the MPAH. To maintain consistency with the amended MPAH, the cities of Costa Mesa, Fountain Valley, and Huntington Beach have subsequently changed the designation of the Gisler Avenue/Garfield Avenue crossing to "Right-of-Way Reserve" status in their respective General Plan Circulation Element roadway systems, including the Costa Mesa MPSH presented here. The City of Huntington Beach has subsequently deleted the West 19th Street crossing from its General Plan circulation system. With this deletion, there is no possible connection for a vehicular bridge from Costa Mesa towards Huntington Beach. The Costa Mesa General Plan traffic study concluded that the future traffic demand in Costa Mesa can be adequately served without the West 19th Street crossing. Therefore, the West 19th Street crossing over the Santa Ana River has been deleted from the Costa Mesa MPSH.



Map prepared by Stantec, Inc.

Figure C-2: Master Plan of Streets and Highways

West 19th Street Downgrade

West 19th Street west of Placentia Avenue ~~has been~~ could be downgraded from a Primary Arterial to a Divided Collector Arterial on the MPSH, a downgrade that is supported by the results of the General Plan traffic study. This roadway is designated as a Primary Arterial on the Orange County MPAH. To maintain consistency with the MPAH, the City of Costa Mesa will initiate an MPAH amendment process with OCTA to downgrade this roadway to a Divided Collector Arterial.

West 17th Street Downgrade

West 17th Street west of Placentia Avenue ~~has been~~ could be downgraded from a Secondary Arterial to a Divided Collector Arterial on the MPSH, a downgrade that is supported by the results of the General Plan traffic study. This roadway is designated as a Secondary Arterial on the Orange County MPAH. To maintain consistency with the MPAH, the City of Costa Mesa will initiate an MPAH amendment process with OCTA to downgrade this roadway to a Divided Collector Arterial on the MPAH.

East 22nd Street Downgrade

East 22nd Street between northbound Newport Boulevard and Orange Avenue has been downgraded from a Secondary Arterial to a Collector Arterial on the MPSH. This downgrade is supported by earlier studies as well as ~~the results of~~ the General Plan traffic study, and the Orange County MPAH has been amended by OCTA to incorporate this downgrade.

Baker Street Downgrade

Baker Street between Mesa Verde Drive and Royal Palm Drive ~~has been~~ could be downgraded from a Secondary Arterial to a Collector Arterial on the MPSH, a downgrade that is supported by the results of the General Plan traffic study. This roadway is designated as a Secondary Arterial on the Orange County MPAH. To maintain consistency with the MPAH, Costa Mesa will initiate an MPAH amendment process with OCTA to downgrade this roadway to a Collector Arterial on the MPAH.

Bluff Road Deletion

The previous Costa Mesa MPSH included Bluff Road between Victoria Street and West 19th Street as a Major Arterial. The General Plan traffic study concluded that the future traffic demand in Costa Mesa can be adequately

served without this roadway. Therefore, Bluff Road between Victoria Street and West 19th Street could be deleted from the MPSH. To maintain consistency with the MPAH, Costa Mesa will initiate an MPAH amendment process with OCTA to delete this roadway from the MPAH.

Balanced Approach to Complete Streets

The California Complete Streets Act (2008) places the planning, designing, and building of "Complete Streets" into the larger planning framework of the General Plan by requiring jurisdictions to plan for multimodal transportation networks. Complete Streets are designed and operated to enable safe access for all users, including pedestrians, bicyclists, the disabled, motorists, seniors, users of public transportation, and movers of commercial goods. These networks allow people to effectively travel to key destinations within their community and the larger region. In addition, all transportation projects should be evaluated as to their ability to improve safety, access, and mobility for all travelers and to recognize pedestrian, bicycle, and transit modes as integral elements of their transportation system.

Costa Mesa has already begun the work of reviewing the existing street network and looking for opportunities to improve alternative modes of transportation through the construction of bike lanes paths, such as the Joann Street Bicycle Trail. The goals, objectives, and policies in this element continue the work of making enhancements to the transportation network to accommodate all modes of mobility.

Active Transportation

"Active transportation" refers to non-motorized travel modes such as walking, biking, or skateboarding. Because everyone uses a mode of active transportation at some point in a trip, such as walking to a bus stop or from a parking lot to work or school, active transportation is a critical component of a Complete Streets network. The Active Transportation Plan—divided in this element into a bicycle component and pedestrian component—responds to direct comments from residents for more active transportation facilities and increased connectivity throughout Costa Mesa and regional destinations.

Bicycle Master Plan

A transportation system that incorporates a well-designed bicycle network results in fewer motorized vehicle trips and miles of vehicle travel (and related pollutant emissions) while providing an option for healthful physical activity. Costa Mesa is committed to improving the bicycle experience with implementation of the comprehensive Bicycle Master Plan. The Conceptual Bicycle Master Plan is shown in Figure C-3. Following a detailed analysis and public review of the proposed facilities, a final Bicycle Master Plan will be incorporated into the Circulation Element. New bicycle facilities and amenities will be added to complement the established bicycle network.

Costa Mesa follows Caltrans' standards and recognizes four classes of bicycle facilities: Class I – Bike Paths or Bike Trails, Class II - Bike Lanes, Class III - Bike Routes (On-Street), and Class IV - Protected Bike Lanes. Figures C-4 and C-5 illustrate typical cross sections for each bicycle classification.

Class I: Off-Street Paved Bike Paths

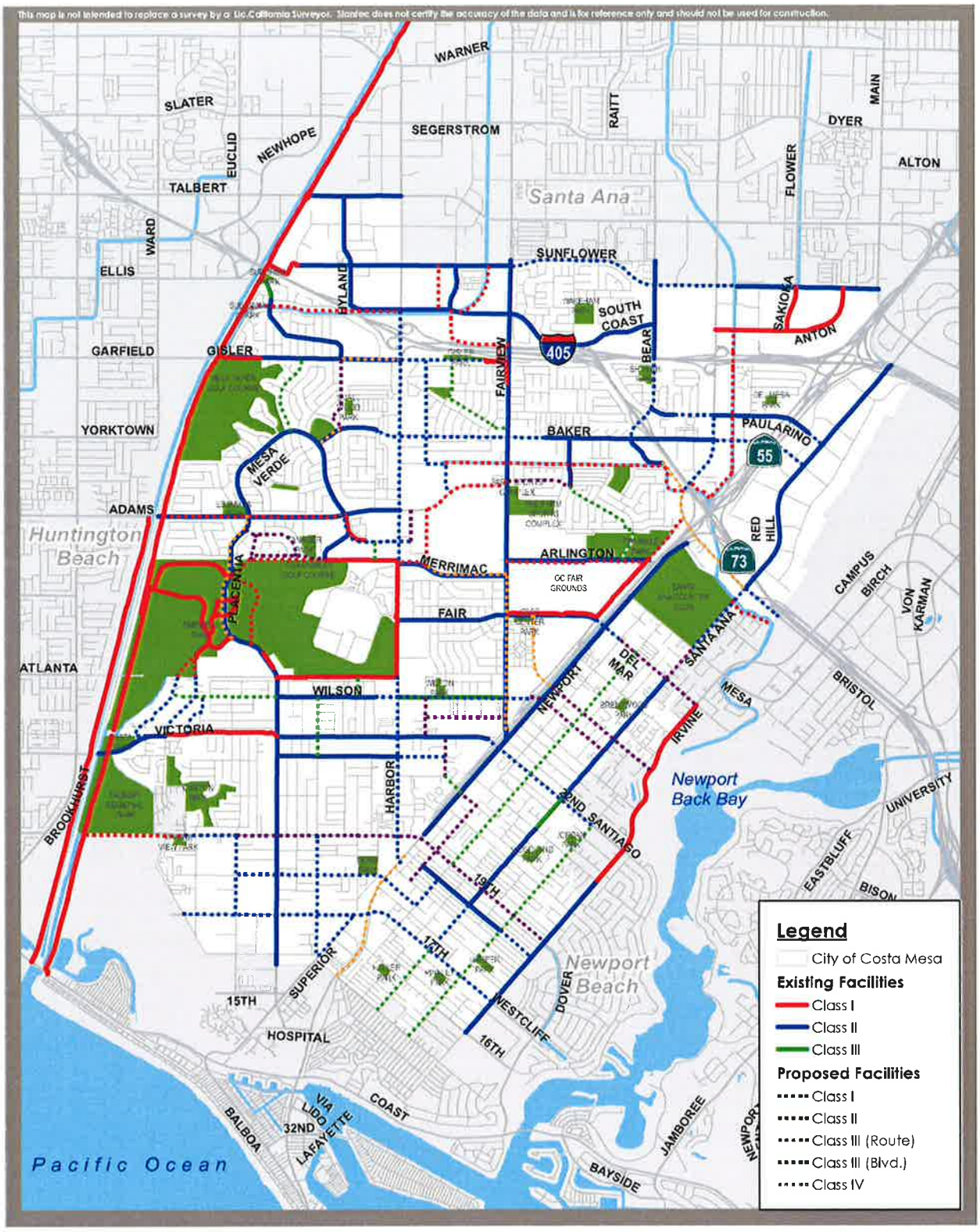
This class provides a pathway exclusive to bicycles and other active transportation modes, with no motor vehicle use of the roadway. Costa Mesa has extensive Class I bike routes within and adjacent to the City boundaries. Examples of Class I trails include, Joann Street Bicycle Trail, Harbor Boulevard Bicycle Trail, Victoria Street Bicycle Trail, Fairview Channel Trail, Santa Ana River Trail, Greenville-Banning Channel Bikeway, and Back Bay Trail.

Class II: On-Street Striped and Signed Bicycle Lanes

Most of the functional bicycle trips in Costa Mesa are on Class II bicycle lanes on many of the arterial and collector streets in the City. The lanes are striped and signed for exclusive use of bicycles and are located adjacent to curb. The lanes use existing rights-of-way and share roadways with motor vehicles. Class II can be found along Placentia Avenue, Newport Boulevard, Santa Ana Avenue, Fairview Road, and South Coast Drive.

Class III: On-Street Shared-Lane Signed Bicycle Routes

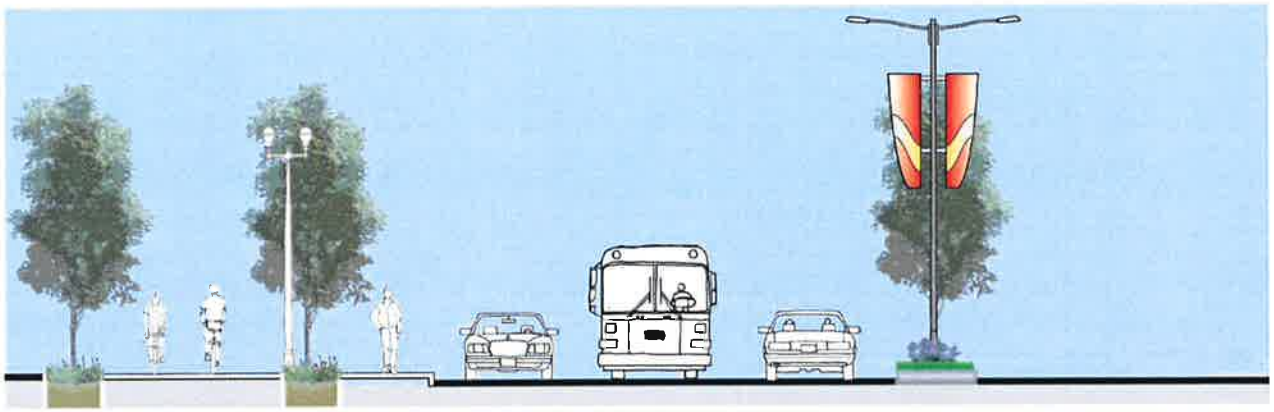
Similar to Class II bicycle lanes, Class III routes are multimodal but generally are located on low-traffic residential streets; they are identified as bikeways through signage only. On these routes, several short-distance "Bicycle Boulevards" are planned to connect the eastside and westside Class II bike lanes.



Map prepared by Stantec, Inc.

Figure C-3: Conceptual Bicycle Master Plan

Class I: Off-Street Paved Bike Paths



Class II: On-Street Striped and Signed Bicycle Lanes

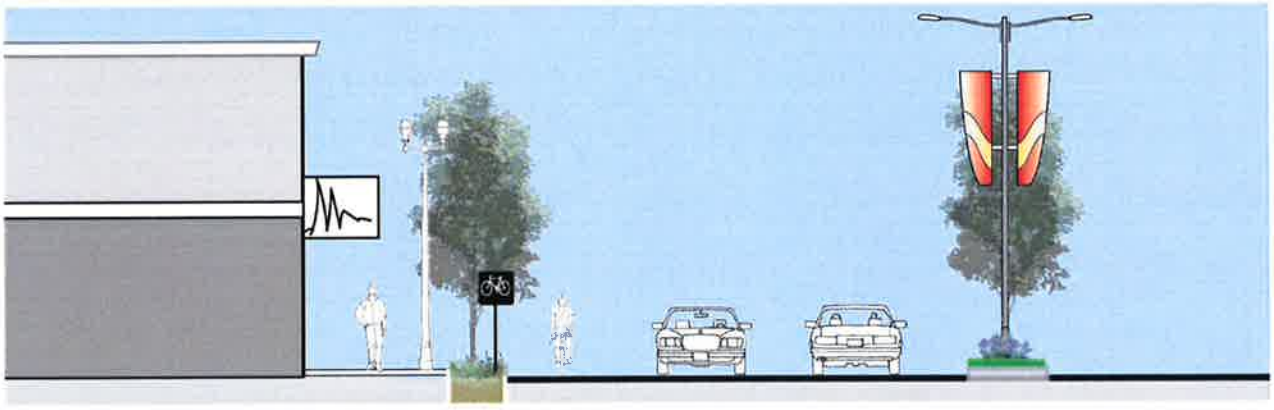
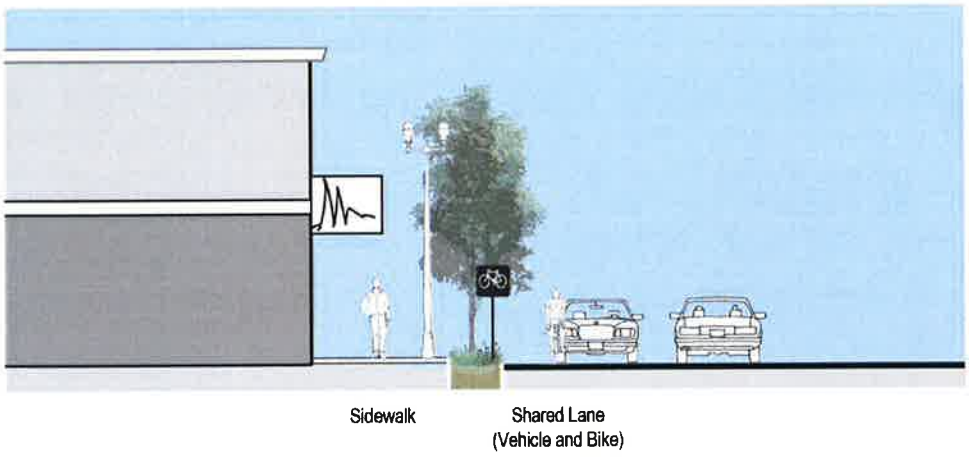


Figure C-4: Bike Cross Sections
Class I and Class II

Class III: On-Street Shared-Lane Signed Bicycle Routes



Class IV: Protected Bike Lanes (Cycle Tracks), an On-Street and Separated Bike Lane

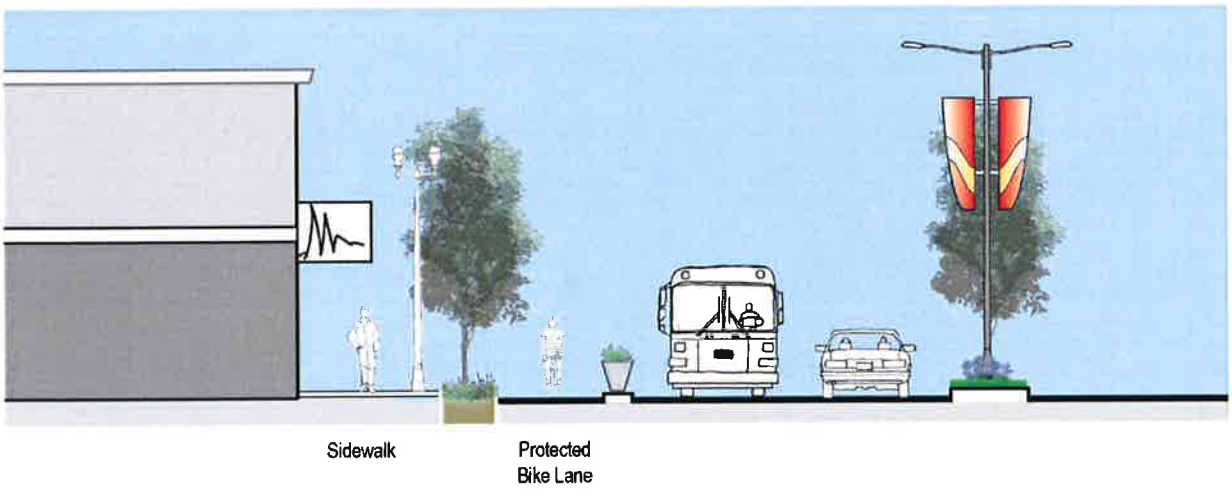


Figure C-5: Bike Cross Sections
Class III and Class IV

Bicycle Boulevards are achieved mostly through signage, pavement markings, landscaping, and other vehicular traffic-calming measure to optimize bicycle travel. They never require widening of streets or removal of curb parking. Santa Ana Avenue between 22nd Street and 21st Street is a Class III bicycle facility.

Class IV: Protected Bike Lanes (Cycle Tracks) - On-Street and Separated Bike Lane

A cycle track is marked out by a separate bike lane, or multidirectional bike lane, that protects it from other traffic—vehicular, transit, and pedestrian—by a physical barrier such as a curb, planters, or parked cars. Cycle tracks can be configured either for one-way travel (with a lane on each side of the street) or for two-way travel (with each lane on one side of the street). The lane is for exclusive use by bicycles.

Physical separation can also be vertical, with the bike lane raised aboveground (i.e., bicycle freeway). When cycle tracks are built, they tend to attract even more bicycle riders, as they are perceived to be safer. In this manner, cycle tracks can increase cycling as a share of the overall mode of travel and address roadway safety by minimizing collisions between vehicles and cyclists. No Class IV facilities are currently located in Costa Mesa.

Framework Bicycle Facilities

Long-established bicycle assets in Costa Mesa that the Conceptual Bicycle Master Plan builds upon include the Santa Ana River Bicycle Trail, Greenville-Banning Channel Bikeway, Joann Street Bicycle Trail, and Victoria Street Bicycle Trail.

Santa Ana River Bicycle Trail and Banning Channel Bikeway

The Santa Ana River Trail is a dedicated bike path along the banks of the Santa Ana River. As a segment of the OC Loop, the Santa Ana River Trail provides bicycle access to Orange County beaches, as well as to Fairview Park, Talbert Nature Preserve, and Talbert Regional Park. A bridge over the Santa Ana River near Fairview Park and Talbert Nature Preserve provides pedestrian and bicycle access to both sides of the Santa Ana River Trail and the Banning Channel Bikeway.

The Greenville-Banning Channel Bikeway is located on the eastern bank of the Santa Ana River and merges into the Santa Ana River Trail just south of Adams Avenue.

Joann Street Bike Trail

The Joann Street Bike Trail is a Class I bike path located along the southern edge of the Costa Mesa Golf Course and the western side of Harbor Boulevard. The trail connects Placentia Avenue and Tanager Drive.

Victoria Street Bike Trail

The Victoria Street Bike Trail is a Class I bike path located along the northern side of Victoria Street, between Canyon Drive and Placentia Avenue.

Bicycle Infrastructure to Increase Bicycling

This Circulation Element recognizes that a complete bicycle network must include infrastructure improvements and amenities for bicyclists that add comfort and convenience for commuters and recreational bicyclists.

Recommendations to implement Safe Routes ~~Streets~~ to School programs, provide bike lockers, require new developments to provide adequate bicycle parking, and implement a bicycle sharing system will all contribute to the complementary infrastructure necessary for completing Costa Mesa's planned comprehensive bicycle network.

The Joann Street Bicycle Trail along the southern boundary of the Costa Mesa Golf Course.

Bike racks: from the simple to the artistic to the whimsical. They all serve the same intended purpose.

Bicycle Parking Facilities

Safe and convenient bike parking is an essential component of a comprehensive bicycle network. Bike racks are required to be provided in most new development projects. However, larger bicycle parking facilities should be located at schools and colleges, major activity centers and venues, parks and community centers, office complexes, and major shopping centers. Examples of bicycle parking facilities can include:

- **Bike racks, lockers, and shelters.** A bicycle rack is a device to which bicycles can be securely attached for parking purposes. A bike rack may be attached to the ground or some stationary object such as a building. A bicycle locker is a box in which a single bicycle can be placed and locked in. They are usually provided at places where numerous cyclists need bike parking for extended times, yet where the bikes might otherwise get damaged or stolen. Bicycle shelters typically include bike racks that are covered by a permanent structure to protect against the elements.
- **Secure bicycle parking areas.** Secure bicycle parking areas are enclosures for storing bicycles. They are commonly located in larger residential complexes or at colleges. They typically include 24-hour controlled access to limit bicycle theft and vandalism.
- **Attended bicycle stations.** Bike stations provide indoor bike parking served by an attendant. Stations can include various services, including valet parking, day-use lockers, self-repair stations, bike rentals, professional bike repair, classes, and events.

Bicycle Boulevards

Bicycle boulevards are low-traffic streets that have been optimized for use by cyclists. A variety of traffic-calming elements and signage are used to reduce car volumes and speeds, thus fostering a safe bicycling environment. Bicycle boulevards often include features that allow cyclists to travel farther without stop controls or intersection treatments that allow cyclists to continue through intersections, while cars are forced to turn. Bike boulevards often make use of "sharrows"— shared-lane markings—that communicate the presence of bicyclists to drivers.

Colored Bicycle Lanes and Boxes

Bike boxes, painted at intersections, allow cyclists to move in front of the travel lane in order to be more visible to cars and avoid turning conflicts. Bicycle lanes are another technique to provide dedicated space in the street for cyclists and to increase driver awareness to the presence of cyclists. Increasingly, cities are using colored pavement treatments to designate bike lanes, either by coloring the beginning of the lane or the entire lane.

An example of a painted bicycle box at an intersection

Bicycle Programs

Developing a healthy bicycling environment and culture is an important part of supporting good bicycle access. Building a strong and lasting bicycling constituency requires a multifaceted approach that provides required infrastructure and makes cyclists feel they are part of a broad and growing community.

Safety Campaigns

Bicycle safety campaigns and programs are critical to creating a bicycle-friendly culture. Safe travels by bicyclists can be actively integrated into traffic safety programs such as training law enforcements officers on bicyclists' rights and responsibilities, promoting efficient reporting mechanisms for behaviors that endanger bicyclists, employing traffic safety officers to educate, and correcting bicyclists' traffic violations.

Celebrating Bicycling

Programs and activities can stimulate community spirit toward cycling, such as events that celebrate those who ride or allow families to ride safely together. Common events include organized and supported rides, where local streets

are closed to cars and cyclists are free to ride; bike commute month (or week), where local companies can compete for the highest cycling rates; or events that showcase numerous types of cycling. All these events can help to build a cycling culture.

An example of a cyclovía in Southern California

Accommodating Pedestrians

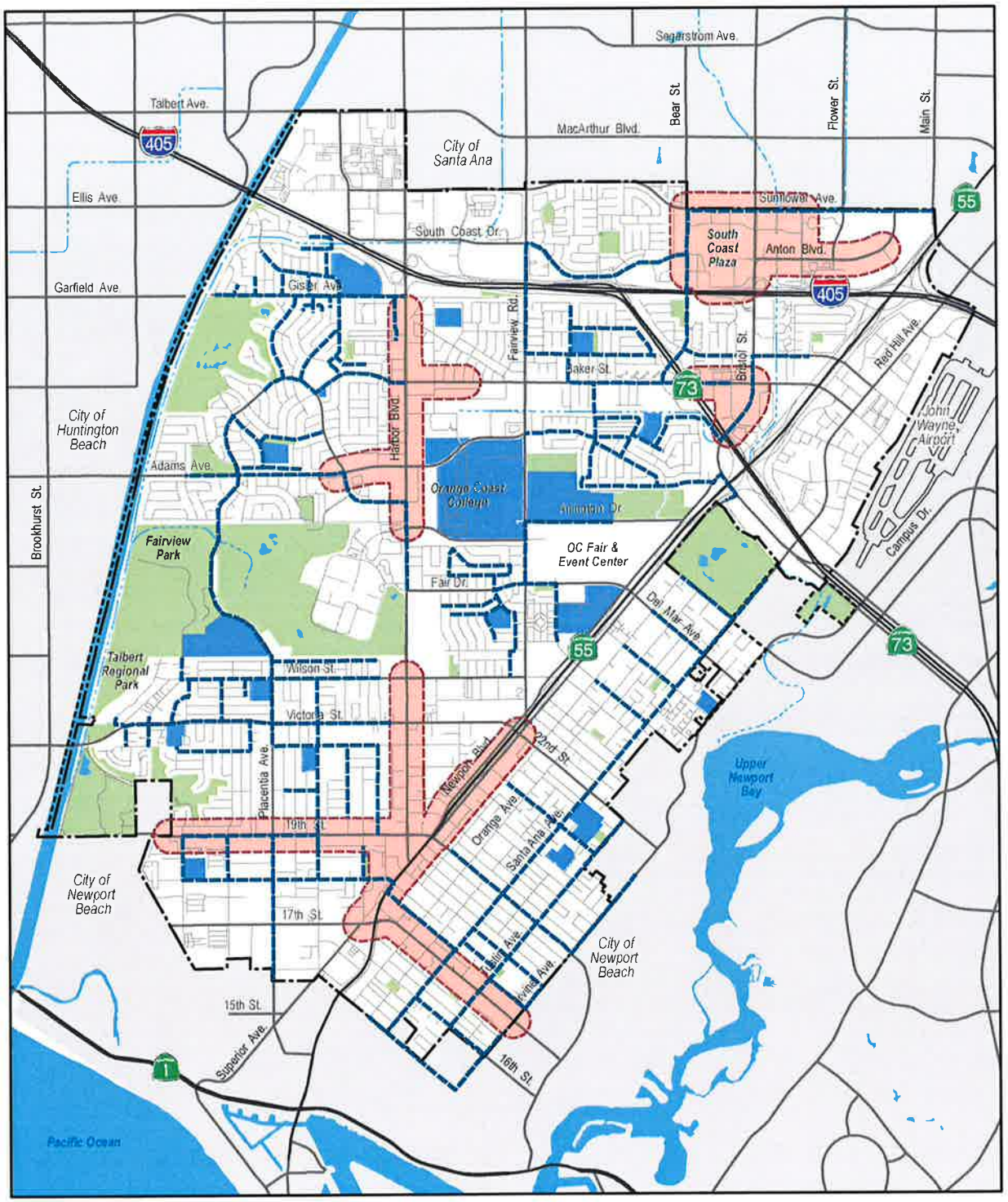
Walkability, access, and connections are essential components of a circulation system that accommodates pedestrians. Walkability includes design features such as wide sidewalks, safe street crossings, treatments that encourage cautious driving, and comfortable and safe walking environments. Comfortable sidewalks, well-designed pedestrian crossings, pathways, and pedestrian shortcuts allow people to get from one destination point to another with ease.

The City supports the integration of pedestrian-oriented improvements and amenities within the circulation system to improve walkability. Figure C-6 Pedestrian Opportunity Zones, identifies the primary pedestrian districts in Costa Mesa that will receive focused attention.

An example of pedestrian-friendly streets with wide sidewalks, street furniture, and lighting that illuminates the sidewalk

Sidewalks and Sidewalk Zones

Sidewalks are not merely places for pedestrians to move about. As public spaces, sidewalks serve as the front steps to the City, activating streets socially and economically. Safe, accessible, and well-maintained sidewalks can enhance general public health and create vibrant social settings. In districts with heavy pedestrian activity—such in the Westside, SoBECA and South Coast Plaza/Orange County Performing Arts districts—sidewalks should have several zones that accommodate pedestrians. The zones should include a frontage zone, pedestrian-through zone, street furniture zone, and enhancement/buffer zone. Figure C-7: *Sidewalk Zones*, provides an example.



Pedestrian Priority Areas

- Pedestrian Priority Areas
- Suggested Route to School

Parks and Schools

- Parks and Open Spaces
- Schools and Colleges

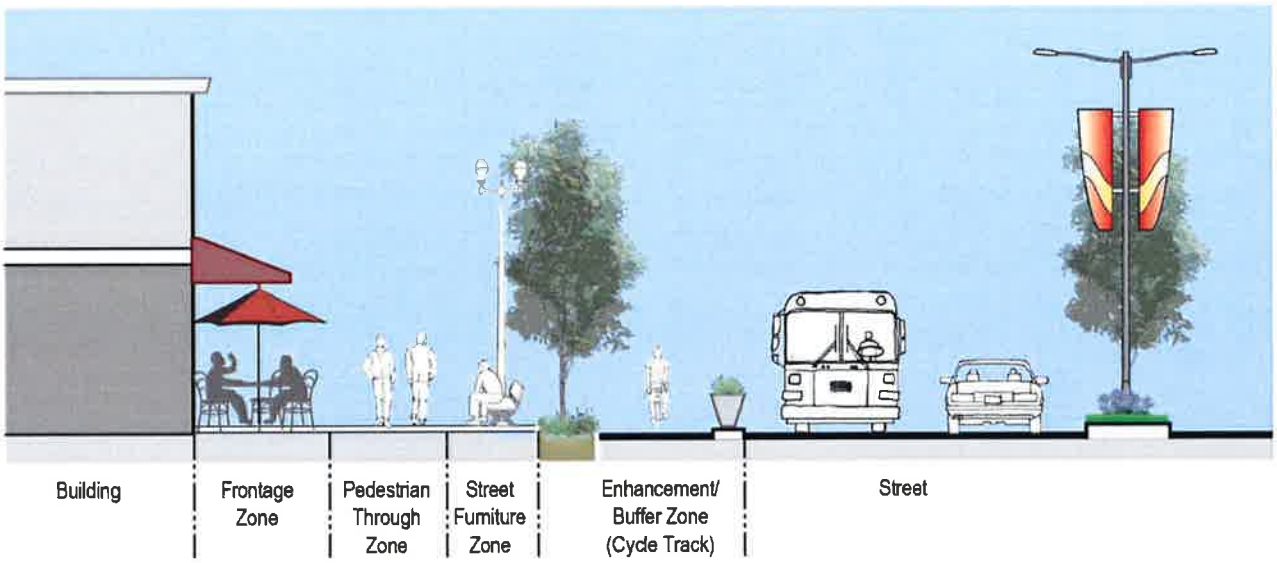
City Boundaries

- City Boundary
- Sphere of Influence

Source: City of Costa Mesa, 2015.

0 1,000 2,000 4,000 6,000 8,000 Feet

Figure C-6: Pedestrian Opportunity Zones



Frontage Zone

The frontage zone is that section of the sidewalk that functions as an extension of the building, whether through entryways and doors or sidewalk cafes and sandwich boards. The frontage zone consists of both the structure and the façade of the building fronting the street, as well as the space immediately adjacent to the building.

Pedestrian through Zone

The pedestrian through zone is the primary, accessible pathway that runs parallel to the street. The through zone ensures that pedestrians have a safe and adequate place to walk and should be five to seven feet wide in residential settings and eight to 12 feet wide in downtown or commercial areas.

Street Furniture Zone

The street furniture zone is defined as the section of the sidewalk between the curb and the pedestrian through zone in which street furniture and amenities, such as lighting, benches, newspaper kiosks, utility poles, tree pits, and bicycle parking are provided.

Enhancement/Buffer Zone

The enhancement/buffer zone is the space immediately next to the sidewalk that may consist of a variety of different elements. These include curb extensions, parklets, stormwater management features (e.g, bioswales), parking, bike racks, bike share stations, and curbside bike lanes or cycle tracks.

Figure C-7: Sidewalk Zones

Crosswalks and Markings

Properly designed, marked, and signed crossings contribute to higher levels of motorist courtesy toward pedestrians. The City supports the provision of marked crosswalks at protected (signalized or stop-controlled) intersections, if their presence minimizes pedestrian-auto conflicts. The City has prioritized improving intersections near schools to create enhanced pedestrian-friendly environments under the suggested Safe Routes to School program. Figure C-6: *Pedestrian Opportunity Zones*, identifies areas where the City will pursue enhancements to streets and crossings to create pedestrian-friendly environments. Table C-2: *Street and Intersection Improvements for Pedestrian Safety*, outlines the types of design improvements that create safer streets and intersections for pedestrians.

Table C-2: Street and Intersection Improvements for Pedestrian Safety

Design Improvements	Supplemental Design Improvements
▪ Traffic Signal	▪ Advance Stop and Yield Lines
▪ Stop Sign	▪ Flashing Lights and Beacons
▪ High-Visibility Crosswalks	▪ Special Intersection Paving
▪ Mid-Block Crosswalks	▪ Raised Crosswalk and Intersections
▪ Pedestrian Refuge Islands	▪ RRFP and HAWKs

Note: HAWK – High Intensity Activated Crosswalk is a pedestrian hybrid beacon that is used at busy crosswalks. The beacon is activated to solid red followed by flashing red when pedestrian button is pushed.

RRFB – Rectangular Rapid Flash Beacons are used at mid-block pedestrian crossings to increase driver awareness of potential pedestrian conflicts. They use irregular flash pattern when activated by pedestrian to get driver attention.

Costa Mesa has approved several projects under its Capital Improvement Programs that invest in all neighborhoods with proven methods to enhance pedestrian safety, including:

- Implementation of traffic-calming devices
- Illuminated crosswalks
- New landscaped parkways and medians to both address pedestrian-orientation and provide effective visual cue to slow traffic

- Completion of sidewalks and curbs
- Extensive traffic signal synchronization

Transit Services

Transit services—which includes buses, trains, commuter shuttles, paratransit, and emerging forms of multi-passenger transport—offer a mobility alternative for residents, employees, students, and visitors who either do not have access to, or prefer not to use, a car. OCTA provides local bus and paratransit services within Orange County, with several routes in Costa Mesa.

One of the primary goals of this element is the increased use of transit as a more viable option for both work and non-work trips. Accomplishing this goal will require an improved transit system capable of providing faster and more frequent trips while maintaining safe, clean, and dependable service. As OCTA and the City continue to enhance public transit, the City will also prioritize these activities, particularly when it comes to improvements and investments made in street design and land uses that take into account transit transportation. Figure C-8 *Transit Corridors,* identifies Transit Corridors in Costa Mesa that will receive focused transit improvement attention. Transit Corridors feature improvements such as enhanced signal coordination, transit amenities, bicycle accommodations, and improved pedestrian experience.

Limited-Stop Bus Service: Bravo!

A limited-stop bus service route is a service that stops less frequently than local service. OCTA operates Bravo!, a limited-stop bus route (Route 543) along Harbor Boulevard, with buses making stops every 10 to 15 minutes. Bravo! extends from the Fullerton Transportation Center through Anaheim, Garden Grove and Santa Ana, ending at MacArthur Boulevard at the Costa Mesa city limit.

Map prepared by Stantec, Inc.

Figure C-8: Transit Corridors

Paratransit

Through OCTA's Senior Mobility Program and ACCESS, the City supports discounted bus fares to seniors and flexible paratransit shuttles. ACCESS is OCTA's shared-ride service for people who are unable to use the regular fixed-route bus service because of functional limitations caused by a disability. OCTA's Senior Mobility Program is designed to fill the gap between local fixed-route buses and ADA paratransit by providing local transportation services to seniors.

Improving Vehicular Travel

Traffic congestion impacts many of Costa Mesa's roadways. This results in driver frustration, added pollution from idling vehicles, and residents constrained as they try to get to work, school, and other local destinations. Costa Mesa is committed to improving local traffic conditions both to address the harmful effects of congestion and to support of the Orange County Congestion Management Plan (CMP) goals of:

1. Achieving regional mobility and air quality objectives
2. Providing a mechanism for coordinating land use and development decisions that support the regional economy
3. Determining gas tax fund eligibility

In 2013, Governor Jerry Brown signed SB 743, a law that introduced Vehicle Miles Traveled (VMT) as the replacement to Level of Service (LOS) as the

primary metric of transportation system performance. The law specifically requires that the new metric be used when analyzing the impacts of a project under the California Environmental Quality Act (CEQA) and will go into effect in 2017 when new CEQA guidelines are adopted.

While the law specifies that VMT will be the baseline metric for future CEQA analysis, it allows the local agencies to continue using LOS for purposes of long-term transportation planning. Consistent with current State law, Costa Mesa continues to use LOS as the performance metric for land use and circulation planning, although the City supports policies that would reduce VMTs primarily through the implementation of a transportation demand management and the active transportation and transit strategies. Overall, the City's goal is to prevent the deterioration of LOS at key intersections within the City. The City will pursue a broad array of projects that will help maintain and improve of LOS for vehicular travel.

Concurrent with the project-specific transportation system LOS improvements, the City will:

- Complete and annually maintain a needs assessment for traffic service levels and traffic safety
- Develop and annually update a priority list of improvement projects
- Regularly assess peak-hour traffic volumes at critical intersections
- Minimize circulation improvements that will necessitate the taking of developed private property
- Pursue programs that reduce vehicle speeds and cut-through traffic on local streets
- Develop a program to regularly evaluate traffic collision data

Transportation Demand Management

Transportation Demand Management, or TDM, is a general term for strategies that promote the efficient use of transportation systems without adding physical capacity (additional lanes or widening) on the roadway system. TDM strategies can help address a variety of traffic problems and provide secondary economic, social, and environmental benefits. When all are considered, TDM strategies are often the most cost-effective way to improve transportation. Examples of TDM include:

- Telecommuting

- Bike/Transit Integration
- Carpool/Vanpool
- Pedestrian Facility Improvements
- Transit Improvements/Transit Pass Subsidy
- Encouraging Walking and Cycling
- Parking Management and Pricing
- Bicycle Parking/Facilities
- Alternative Work Schedules
- Flexible Work Hours

To implement these strategies and support regional air quality objectives, the City has adopted a Transportation Demand Management Ordinance. The City will continue to work with major employers to implement TDM strategies.

Neighborhood Traffic Management

Managing traffic in neighborhoods that are most affected by congestion and cars traveling at unsafe speeds requires the multiple-prong approach that Costa Mesa has practiced for many years, such as installing traffic-calming infrastructure, reclassifying minor streets, and deploying Intelligent Transportation Systems (ITS). The added strategy of implementing Complete Streets plans will augment past and ongoing efforts to protect residential neighborhoods from the ill effects of cut-through traffic.

Goals, Objectives, and Policies

The following goals, objectives, and policies work in concert with those in the Land Use Element. Under Goals 7 through 12, proposals developed by the Bikeway & Walkability Committee are stated as recommendations rather than policies.

Goal C-1: Implement "Complete Streets" Policies on Roadways in Costa Mesa

Plan, develop, and implement a comprehensive transportation system that serves all users and modes of travel.

Objective C-1.A: ***Create a transportation network that meets the mobility needs of all Costa Mesa residents, businesses, and visitors.***

Policy C-1.A.1: Update the City's engineering standards for public and private streets to provide for safe, comfortable, and attractive access and travel for pedestrians, bicyclists, motorists, and transit users of all ages, abilities, and travel mode preferences.

Policy C-1.A.2: Allow for flexible use of public rights-of-way to accommodate all users of the street system while maintaining safety standards.

Policy C-1.A.3: Complete and annually maintain a needs assessment for traffic service levels and traffic safety. Develop and annually update a priority list of improvement projects, with priorities based on: 1) correcting identified hazards; 2) accommodating multimodal trips; 3) improving and/or maintaining peak-hour traffic volumes at critical intersections; 4) improving efficiency of existing infrastructure utilization; and 5) intergovernmental coordination.

Policy C-1.A.4: Pursue downgrade of arterials that no longer have the demand requiring their buildout to planned capacity.

Policy C-1.A.5: Implement road diets on street segments with excess capacity to enhance bicycle and pedestrian facilities.

Policy C-1.A.6: Encourage the conversion of excess on-street parking spaces for expanded sidewalk gathering places or landscaping.

Policy C-1.A.7: Encourage community participation in City processes and programs focused on improving mobility and transportation facilities.

Objective C-1.B: ***Preserve the character of our residential neighborhoods***

Policy C-1.B.1: Implement traffic calming measures that discourage speeding and cut-through traffic on residential streets.

Policy C-1.B.2: Encourage non-motorized transportation in residential areas by providing sidewalks and implementing bicycle friendly design of local streets.

Policy C-1.B.3: Reduce or eliminate intrusion of traffic related to non-residential development on local streets in residential neighborhoods.

Policy C-1.B.4: Prioritize intersection improvements which improve through traffic flow on Major, Primary, and Secondary Arterials, and reduce impacts on local neighborhood streets with emphasis on pedestrian safety.

Policy C-1.B.5: Promote engineering improvements such as physical measures constructed to lower speeds, improve safety, and otherwise reduce the impacts of motor vehicles.

Policy C-1.B.6: Design and Implement transportation projects to meet local and regional system capacity needs in accordance with the Master Plan of Streets and Highways.

Policy C-1.B.7: Implement neighborhood approved traffic-calming measures in residential neighborhoods and appropriate commercial areas, such as street narrowing, curb extensions, roundabouts, landscaped medians, and radar speed feedback signs.

Policy C-1.B.8: Establish priority-ranking system to evaluate traffic-calming requests for implementation throughout the City.

Policy C-1.B.9: Pursue programs that reduce vehicle speeds and cut-through traffic on local streets.

Goal C-2: Effectively Manage and Improve the Roadway System

Develop and maintain a robust and efficient vehicular circulation network.

Objective C-2.A: ***Implement policies that encourage and accommodate all users while maintaining the efficiency of the circulation system.***

Policy C-2.A.1: Establish a citywide crosswalk policy to address installation, maintenance, removal, and enhancements of crosswalks at intersections and mid-block locations. Crosswalk locations and treatment will be based on criteria including, but not limited to safety, traffic volume, and concentration of pedestrian activity. Potential enhancements may include leading pedestrian intervals at signalized intersections, bulb-outs, and median refuges to reduce crossing distances.

Policy C-2.A.2: Avoid creation of frequent driveways for new development access in active pedestrian areas that create conflict points between pedestrians and vehicles.

Policy C-2.A.3: Encourage property owners to use shared driveway access and interconnected roads within blocks, where feasible. Require driveway access closures or consolidations, or both when a site is remodeled or redeveloped.

Policy C-2.A.4: Collaborate with law enforcement and public safety organizations to coordinate policies and programs that would reduce injuries and deaths on the roadways.

Policy C-2.A.5: Designate routes for truck traffic to minimize potential conflicts between trucks and cars, pedestrians, bicycles, transit, and vehicle access and circulation. Establish by ordinance a truck map that depicts allowable truck routes within the City.

Policy C-2.A.6: Periodically review and update traffic signal timing at all signalized intersections to maintain traffic signal coordination and to accommodate bicycle and pedestrian needs.

Policy C-2.A.7: Develop new traffic level of services criteria in accordance with SB 743 to meet the California Environmental Quality Act (CEQA).

Policy C-2.A.8: Continue the use of the Intersection Capacity Utilization (ICU) methodology to address local traffic level of service and impacts, with Level of Service "D" as the threshold for meeting the City's significance criteria.

Objective C-2.B: ***Construct street improvements and apply congestion management tools to obtain efficient performance of the transportation system.***

Policy C-2.B.1: Incorporate the street system improvements identified in the General Plan Environmental Impact Report (EIR) into the Capital Improvement Program.

Policy C-2.B.2: Continue to deploy intelligent transportation systems (ITS) strategies—such as adaptive signal controls, fiber optic communication equipment, closed circuit television cameras, real-time transit information, and real- time parking availability information—to reduce traffic delays, lower greenhouse gas emissions, improve travel times, and enhance safety for drivers, pedestrians, and cyclists.

Policy C-2.B.3: Investigate all operational measures, including the use of one-way streets, to improve traffic circulation and to minimize congestion for all travel modes.

Policy C-2.B.4: Investigate and utilize state-of-the-art transportation system management technology and industry practices to address recurring and non-recurring traffic events (i.e., special events, incident/emergency management).

Policy C-2.B.5: Continue to evaluate and pursue design and operational improvements (medians, driveway closures, signal synchronization or phasing, parking or turn restrictions, etc.) to improve the efficiency of intersections.

Goal C-3: Enhance Regional Mobility and Coordination

Encourage development of a regional transportation network that addresses regional mobility needs for all modes of travel.

Objective C-3.A: ***Promote development of transportation projects along regional corridors.***

Policy C-3.A.1: Maintain compliance with Orange County Congestion Management Plan (CMP) requirements, including consistency with CMP level of service standards, adoption of a seven-year capital improvement program, analysis of impacts of land use decisions on the CMP highway system, and adoption and implementation of deficiency plans when intersections do not meet adopted performance standards.

Policy C-3.A.2: Support the goals and objectives of the Orange County Long Range Transportation Plan, including expansion of transportation system choices, improvement of transportation system performance, and sustainability of transportation infrastructure.

Policy C-3.A.3: Support the goals and objectives of the SCAG Regional *Transportation Plan/Sustainable Communities Strategy* (RTP/SCS), including expansion of transportation system choices, improvement of transportation system performance, and sustainability of transportation infrastructure.

Policy C-3.A.4: Coordinate signal timing on all major arterials with a local signal synchronization program consistent with the Orange County Traffic Signal Synchronization Master Plan (TSSMP).

Policy C-3.A.5: Ensure Costa Mesa's input, participation, and discretionary review of applicable region-wide transportation system policies, programs, and construction.

Policy C-3.A.6: Develop short-term and long-term improvements to the SR-55 corridor in coordination with Caltrans and OCTA to address regional mobility needs.

Policy C-3.A.7: Promote the City's preferred alternative of undergrounding the SR-55 freeway south of 19th Street within the City limits.

Objective C-3.B: ***Coordinate and partner with local and regional agencies to promote projects and polices that improve regional mobility.***

Policy C-3.B.1: Coordinate with adjacent jurisdictions to maintain or improve mobility within the City to achieve a standard Level of Service no worse than "D" at all intersections under State or joint control. Intersection Level of Service analyses for General Plan conditions for locations under State or joint control will be updated periodically and presented to the City Council.

Policy C-3.B.2: Consult with Caltrans and OCTA regarding the I-405 widening project to minimize adverse impacts to Costa Mesa's neighborhoods, businesses, and streets.

Policy C-3.B.3: Coordinate with OCTA and other jurisdictions to remove Gisler Avenue Bridge over the Santa Ana River from the City's Master Plan of Streets and Highways and County's Master Plan of Arterial Highways.

Policy C-3.B.4: Collaborate with Caltrans and neighboring jurisdiction to improve signal timing and coordination along major arterials across jurisdictional boundaries.

Policy C-3.B.5: Work closely with the State of California and other government agencies to control traffic–related impacts of uses on State- or other agency-owned land (i.e., Orange County Fairgrounds, Orange Coast College, etc.).

Policy C-3.B.6: Coordinate with other responsible agencies the planning, funding, prioritization, and implementation of bicycle, pedestrian, and transit programs and supporting infrastructure.

Goal C-4: Promote Transportation Demand Management, Transit, and Efficiency

Utilize Transportation Demand Management strategies to manage demand and maximize available capacity.

Objective C-4.A: ***Encourage greater utilization of Transportation Demand Management (TDM) strategies to reduce dependence on single-occupancy vehicles.***

Policy C-4.A.1: Support South Coast Air Quality Management District (SCAQMD) trip reduction programs, including park and ride lots, transit subsidies, carpool and vanpool programs, flexible working hours, bicycle facilities, and other traffic reduction strategies.

Policy C-4.A.2: Support local and multi-jurisdictional car-sharing and bike-sharing programs.

Policy C-4.A.3: Consider implementing park-once approaches for multiuse districts and regional destinations areas.

Policy C-4.A.4: Embrace innovative parking solutions that reduce the required spaced needed for parking, such as automated parking lifts and elevators.

Policy C-4.A.5: Encourage and provide incentives for commercial, office, and industrial development to provide preferred parking for carpools, vanpools, electric vehicles, and flex cars.

Policy C-4.A.6: Encourage and support programs that increase vehicle occupancy, including the provision of traveler information, shuttles, preferential parking for carpools/vanpools, transit pass subsidies, and other methods.

Policy C-4.A.7: Promote the combination of TDM measures as much more effective than any single measure.

Policy C-4.A.8: Require discussion of transportation system management (TSM) and TDM measures in all EIRs prepared for major projects.

Policy C-4.A.9: Encourage the integration of compatible land uses and housing into major development projects to reduce vehicle use.

Policy C-4.A.10: Allow the application of transportation management rideshare programs, integration of complementary land uses, and other methods to reduce project related average daily and peak hour vehicle trips to achieve consistency with allocated trip budgets.

Objective C-4.B: ***Promote regional and local transit services as an alternative to automobile travel.***

Policy C-4.B.1: Ensure that roadways designated as transit routes can accommodate transit vehicle circulation and convenient pedestrian access to and from transit stops.

Policy C-4.B.2: Review all capital improvement projects to ensure improvements located on existing and planned transit routes include modification of street, curb, and sidewalk configurations to allow for easier and more efficient transit operations and improved passenger access.

Policy C-4.B.3: Provide transit stop amenities that facilitate access to and from transit stops and transfer locations. These may include pedestrian pathways approaching stops, high-quality benches and shelters, traveler information systems (real-time transit arrival information), and bike storage and bicycle connections. Bus stops should accommodate timed transfers between buses and other transit services where necessary.

Policy C-4.B.4: Encourage new development along major transit corridors to provide efficient and safe access to transit stops and public sidewalks.

Policy C-4.B.5: Support and participate with OCTA ACCESS Service in providing transportation assistance to senior citizens and the handicapped.

Policy C-4.B.6: Consult with OCTA for transit services, such as changes to bus routes, bus stops, and hours of operation. Additionally, coordinate with OCTA for changes to transit services provided for seniors, the disabled, and transit dependent populations.

Policy C-4.B.7: Consult with the Newport-Mesa Unified School District to maintain school bus services provided for local schoolchildren.

Policy C-4.B.8: Coordinate with OCTA to improve transit services in the City, including strategies such as bus rapid transit, express services, community circulators, and other strategies.

Policy C-4.B.9: Encourage new local transit programs in coordination with OCTA, consisting of shuttle services to local and regional destinations.

Policy C-4.B.10: Coordinate with OCTA to construct bus turnouts at appropriate locations, with attractive shelters designed for safe and comfortable use.

Policy C-4.B.11: Require discussion of transit service needs and site design amenities for transit ridership in EIR for major projects.

Goal C-5: Ensure Coordination between the Land Use and Circulation Systems

Facilitate close coordination between development of land use and circulation system.

Objective C-5.A: ***Coordinate land use policies and development activities that support a sustainable transportation system.***

Policy C-5.A.1: Ensure that new development projects are consistent with the vehicular trip budgets, where adopted.

Policy C-5.A.2: Require that large developments and redevelopments provide short-term and long-term vehicular traffic impact studies.

Policy C-5.A.3: Encourage permitted General Plan land uses which generate high traffic volumes to be located near major transit and transportation corridors to minimize vehicle use, congestion, and delay.

Policy C-5.A.4: Maintain balance between land use and circulation systems by phasing new developments to levels that can be accommodated by roadways existing or planned to exist at the time of completion of each phase of the project.

Policy C-5.A.5: Promote development of mixed-use projects to reduce number of vehicle trips.

Policy C-5.A.6: Coordinate the design and improvement of pedestrian and bicycle ways in major residential, shopping and employment centers, parks, schools, other public facilities, public transportation facilities, and bicycle networks with adjacent cities.

Policy C-5.A.7: Require dedication of right-of-way, in an equitable manner, for development that increases the intensity of land use.

Policy C-5.A.8: Minimize circulation improvements that will necessitate the taking of private property on existing developed properties.

Policy C-5.A.9: Require that circulation necessary to provide or attain the minimum traffic level of service standard at an intersection to which a development project contributes measureable traffic be completed within three years of issuance of the first building permit for such development project, unless additional right-of-way or coordination with other government agencies is required to complete the improvement. Improvements may be required sooner if, because of extraordinary traffic generation characteristics of the project or extraordinary impacts to the surrounding circulation system, such improvements are necessary to prevent significant adverse impacts.

Policy C-5.A.10: Allow for construction of circulation improvements for a phased development project to be constructed commensurate with the project construction, based upon the findings of a traffic study approved by the City of Costa Mesa.

Policy C-5.A.11: Maintain balance between land use and circulation systems by phasing new development to levels that can be accommodated by roadways existing or planned to exist at the time of completion of each phase of the project.

Policy C-5.A.12: Support consistency with the Orange County *Sustainable Communities Strategy* (OC SCS) and SCAG RTP/SCS by providing an integrated land use and transportation plan to meet mandated emissions reduction targets consistent with SB 375.

Objective C-5.B: ***Establish strategies and processes that allow large developments to analyze and mitigate traffic impacts and infrastructure needs.***

Policy C-5.B.1: Require that new development projects improve access to and accommodations for multimodal transportation.

Policy C-5.B.2: Require developers of new building and redevelopment/reuse projects as part of the project development review process that are located along bus routes to pay a designated fair share of the cost of providing improved bus stop facilities and related street furniture or, where appropriate, dedicate land for improved bus stop facilities.

Policy C-5.B.3: Consider the needs of the transportation and infrastructure system early for large developments and coordinate with developers to design projects that minimize traffic impacts and infrastructure demands, and implement complete streets wherever feasible. Alternatively, address transportation and infrastructure system impacts through the implementation of development agreements.

Goal C-6: Fund and Evaluate the City's Transportation Network

Explore opportunities to secure funding for enhancing the circulation system.

Objective C-6.A: ***Pursue funding sources to maintain and enhance the transportation and infrastructure system.***

Policy C-6.A.1: Evaluate traffic collision data regularly, and identify top collision locations for automobiles, bicycles, pedestrians, transit in Costa Mesa. Develop appropriate countermeasures and pursue funding from all available sources to implement them.

Policy C-6.A.2: Continue to develop and maintain long-range capital improvement programs consistent with the General Plan and M2 eligibility requirements.

Policy C-6.A.3: Coordinate with OCTA to fund, develop, and maintain a Master Plan of Streets and Highways consistent with the Master Plan of Arterial Highways (MPAH).

Policy C-6.A.4: Require a locally collected and administered traffic mitigation fee program to guarantee that new development pays for its fair share toward improvements resulting in reductions in air pollutant and GHG emissions and traffic impacts generated by the development.

Policy C-6.A.5: Actively pursue local, State, and federal funding to implement, maintain, and evaluate the transportation and infrastructure system.

Policy C-6.A.6: Balance funding from annual fees or assessments on existing and new development with grants and other nonlocal sources.

Policy C-6.A.7: Develop strategies to implement an infrastructure and transportation system to be consistent with State policies on resiliency and sustainability.

Policy C-6.A.8: Amend the General Plan, if necessary, to be responsive to evolving funding requirements and to comply with State and federal regulations affecting the goals and policies of the Circulation Element.

Policy C-6.A.9: Coordinate with OCTA and Caltrans to seek funding and implementation solutions to improve Newport Boulevard at the terminus of the State Route 55 freeway to relieve congestion from regional traffic.

Policy C-6.A.10: Review the City's transportation impact fee program on a regular basis, and adjust fees as needed to ensure that funding is available for planned transportation improvements that will benefit all travel modes.

Policy C-6.A.11: Prioritize funding and timing for implementing transportation improvements. Consider prioritizing multimodal projects that provide the most benefit to all users.

Policy C-6.A.12: Require that every new development project pay its share of costs associated with the mitigation of project generated impacts.

Policy C-6.A.13: Measure M2 sales tax revenues shall not be used to replace private developer funding which has been committed for any project.

Policy C-6.A.14: The City's seven-year capital improvement program shall be adopted and maintained in conformance with the provisions of Measure M2 for the purpose of maintaining the established level of service standard.

Policy C-6.A.15: Maintain a traffic impact fee for circulation system improvements to the Master Plan of Streets and Highways; review and update fees on a regular basis.

Objective C-6.B: ***Evaluate the transportation system to ensure that it meets the City's circulation goals.***

Policy C-6.B.1: Provide an annual Capital Improvement Program General Plan consistency report.

Policy C-6.B.2: Provide annual public review of implementation status reports of goals, policies, and objectives stated in the Circulation Element.

Policy C-6.B.3: Adopt and seek out methods and processes that provide appropriate and accurate data for evaluating the

performance of the transportation and infrastructure system.

Goal C-7: Promote a Friendly Active Transportation System in Costa Mesa

Create a bicycle and pedestrian friendly environment throughout Costa Mesa for all types of users and all trip purposes in accordance with the five "Es:" Education, Encouragement, Enforcement, Engineering, and Evaluation.

Objective C-7.A: ***Expand, enhance, and protect the existing bicycle and pedestrian network to provide a comprehensive, system of Class I, Class II, Class III, and Class IV facilities to increase connectivity between homes, jobs, schools transit, and recreational resources in Costa Mesa.***

Bikeways and Pedestrian Paths

Recommendation C-7.A.1: Develop an extensive bicycle and pedestrian backbone network through the use of standard and appropriate innovative treatments.

Recommendation C-7.A.2: Plan and install new bicycle lanes on Major Arterials, where feasible and appropriate.

Recommendation C-7.A.3: Plan and install shared lane markings ("sharrows") and signage on appropriate existing and planned bicycle routes where bicycle lane implementation is demonstrated to be not feasible.

Recommendation C-7.A.4: Where feasible, Class I shared-use paths should be a priority for future developments.

Recommendation C-7.A.5: Plan and install new shared-use paths in utility corridors and/or along flood control channels, and extend existing bicycle and shared-use paths.

The following recommendations are aimed at providing the maximum flexibility in meeting the goals and policies in this Circulation Element.

Recommendation C-7.A.6: Plan and complete north/south multi-purpose and bicycle routes through the City to augment the east/west route.

Recommendation C-7.A.7: Consider the identification and feasibility of potential Class IV cycle tracks.

Recommendation C-7.A.8: When feasible, implement the completion through regional coordination of the Costa Mesa roadway and trail segments of regional bikeway plans.

Recommendation C-7.A.9: Encourage reallocation of roadway rights-of-way where appropriate to accommodate shared-use path and bicycle facilities, while preserving and respecting the character of each adjacent neighborhood.

Recommendation C-7.A.9: Support bicycle improvement projects that close gaps in the regional bicycle network either by implementing specific projects recommended in the Plan or through other treatments.

Recommendation C-7.A.10: Encourage bicycle projects that connect local facilities and neighborhoods to major bicycle corridors.

Recommendation C-7.A.11: Work cooperatively with adjoining jurisdictions and local/regional agencies to coordinate bicycle planning, and implementation activities. Where required, develop consistent active transportation plans and policies with regional and adjacent agencies.

Recommendation C-7.A.12: Prioritize safe access to major regional trails such as the OC Loop/Santa Ana River Trail and the Newport Back Bay Trail System. Where feasible, plan and provide a continuous low-stress Class I and/or Class IV facility from east to west across the city between these facilities.

Recommendation C-7.A.13: Explore favorable opportunities to remove parking to accommodate bicycle lanes.

Recommendation C-7.A.14: Identify favorable opportunities to retain parallel parking adjacent to sidewalks to maintain pedestrian safety.

Recommendation C-7.A.15: Consider every street in Costa Mesa as a street that cyclists could use.

Recommendation C-7.A.16: Link on-road and off-road bicycle and pedestrian facilities within Costa Mesa to existing and planned facilities in adjacent and regional jurisdictions.

Recommendation C-7.A.17: Low-stress design techniques should be considered where necessary to attract a wide variety of users.

Recommendation C-7.A.18: Establish designated safe routes to schools for biking and walking.

Recommendation C-7.A.19: Designate walkable districts in the City.

Bike and Pedestrian Facilities

Objective C-7.B: ***Provide end-of-trip facilities that support the bicycle network.***

Recommendation C-7.B.1: Provide bike parking and bike-related amenities at public facilities and along public rights-of-way.

Recommendation C-7.B.2: Pursue public-private partnerships to furnish local businesses with secure bike parking and other related amenities.

Recommendation C-7.B.3: Develop and adopt bicycle parking equipment standards for bicycle parking to be installed within the public right-of-way and post on the City website.

Recommendation C-7.B.4: Work with local schools and colleges to provide ample and secure bike parking and other related amenities for students and employees.

Recommendation C-7.B.5: Work with OCTA to maximize bicycle amenities, such as bus stop solar lighting and bicycle lockers, at high-volume transit stops.

Recommendation C-7.B.6: Prioritize the installation of bicycle-scale and/or pedestrian-scale lighting.

Recommendation C-7.B.7: Encourage and incentivize providing attended bicycle parking services, such as a bicycle valet, at major City events, OC Fair, Farmers' Markets, holiday festivals, and other community events.

Recommendation C-7.B.8: Prioritize schools with the highest auto traffic volume during peak hours and insufficient parking for staff and parents. Plan and install bicycle facilities adjacent those schools.

Recommendation C-7.B.9: Provide bike parking and bike-related amenities at public facilities and along public right-of-way.

"First and Last Mile" Programs

Objective C-7.C: ***Encourage sustainable modes of transportation to fill gaps between the first and last miles of trips (walking, biking, ride sharing, transit, taxi and car-sharing).***

Recommendation C-7.C.10: Identify citywide infrastructure needed to create the interconnected multi-trail system.

Recommendation C-7.C.11: Improve the quality, aesthetics, and safety of high-use pedestrian corridors.

Recommendation C-7.C.12: Development and implement a bicycle sharing system.

Recommendation C-7.C.13: Proposed new mode split goals:

- 50 percent motor vehicles
- 10 percent transit
- 10 percent bicycles
- 20 percent walking
- 10 percent carpools, taxi, transportation network company services, and car sharing

Recommendation C-7.C.14: Establish a goal for all trips of less than three miles to be 30 percent by bicycle, and establish a goal of less than 1 mile to be 30 percent by walking.

Recommendation C-7.C.15: Consider implementing a small-scale transportation system to encourage mode shift to popular destinations as defined by users.

Goal C-8: Create a Safer Place to Walk and Ride a Bicycle

Provide a safe, convenient, and attractive bicycling and pedestrian environment. Apply design standards, enforcement of traffic laws, maintenance practices, and safety awareness campaigns to encourage and increate the use of bicycle and pedestrian facilities.

Design and Way-finding

Objective C-8.A:	***Develop bicycle and pedestrian facilities with approved uniform design standards, and implementation of way-finding signage providing information on various destinations.***
Recommendation C-8.A.1:	Require that all facilities be designed in accordance with the latest federal, state, and local standards.
Recommendation C-8.A.2:	Provide and maintain bicycle and pedestrian signal detectors, informational signage, and lighting, along City bikeways.
Recommendation C-8.A.3:	Develop, install and maintain a bicycle and pedestrian way-finding signage program to indicate route turns, the presence of intersecting bikeways, streets and distances to nearby local and major destinations.
Recommendation C-8.A.4:	Develop a list of acceptable plant materials for shared use paths that will not damage, create security problems or hazards for bicyclists. Incorporate canopy trees and native, drought-tolerant landscaping as a standard Class I facility (shared use path) feature. Encourage the use of sustainable drainage designs, such as bio-swales.
Recommendation C-8.A.5:	Utilize Complete Streets elements as demonstrated in most recent versions of National Association of City Transportation Officials (NACTO) Urban Street Design Guide and Bikeway Design Guide.

Recommendation C-8.A.6: Crosswalks will include high visibility crossing treatments.

Recommendation C-8.A.7: Paint direction arrows on all bike lanes and bike paths to reduce the risk of collisions.

Safety Enforcement and Reporting

Objective C-8.B: ***Continue and expand enforcement activities that enhance safety of bicyclists on bike paths and roadways.***

Recommendation C-8.B.1: Enforce laws that reduce bicycle/pedestrian/motor vehicle incidents and conflicts.

Recommendation C-8.B.2: Train police officers on bicyclists' rights and responsibilities and bicycle/pedestrian/vehicle collision evaluation.

Recommendation C-8.B.3: Utilize the City's bicycle-mounted patrol officer program to educate and enforce pedestrian and bicycle user violations not necessarily to punish, but to correct.

Recommendation C-8.B.4: Promote efficient reporting mechanisms for behaviors that endanger cyclists and pedestrians.

Recommendation C-8.B.5: Develop a partnership with the school community to establish and update suggested routes to schools for biking and walking.

Safe Roadway Conditions

Objective C-8.C: ***Maintain bicycle and pedestrian facilities that are clear of debris and provide safe conditions for all users.***

Recommendation C-8.C.1: Establish routine maintenance schedule/standards for bicycle and pedestrian facilities for sweeping, litter removal, landscaping, repainting of striping, signage, and signal actuation devices.

Recommendation C-8.C.2: Encourage and empower citizens to report maintenance issues that impact bicyclist and pedestrian safety including, but not limited to,

potholes, sidewalk lifting, and overgrown vegetation.

Recommendation C-8.C.3: Establish procedures for responding to citizen reports in a timely manner.

Recommendation C-8.C.4: Where feasible reduce or eliminate conflict points such as driveways that cross the sidewalk.

Safety Education

Objective C-8.D: ***Increase education of bicycle and pedestrian safety through programs and training of school children and public.***

Recommendation C-8.D.1: Create, fund, and implement bicycle-safety curricula and provide to the public, tourists, various ethnic groups, diverse ages and disadvantaged communities.

Recommendation C-8.D.2: Provide multilingual bicycle-safety maps and brochures (print and electronic versions) in languages that are widely used in Costa Mesa.

Recommendation C-8.D.3: Encourage schools to develop and provide bicycle-safety curricula for use in elementary, middle, and high schools, such as the Bicycle Rodeo events.

Recommendation C-8.D.4: Support marketing and public awareness campaigns aimed at improving bicycle and pedestrian safety.

Recommendation C-8.D.5: Provide a user education program developed and promoted to encourage proper trail use and etiquette.

Recommendation C-8.D.6: Work with local bicycle advocacy organizations to develop, promote and support a series of bicycle education classes. Include information on bicycle safety, maintenance, and security.

Recommendation C-8.D.7: Develop and distribute education material regarding bicycle and pedestrian responsibilities and laws.

Safety Data

Objective C-8.E:	***Monitor and analyze bicycle and pedestrian safety.***
Recommendation C-8.E.1:	Request bicycle and pedestrian collision reports from local law enforcement periodically and consider improvements to address problem areas.
Recommendation C-8.E.2:	Establish an expedited process to report maintenance and safety concerns, e.g. pavement markings (sharrows, missing bike lane lines), ramps, curb cut-outs, broken walk/bike signal buttons, signage, minor maintenance of bike lanes/paths (street/path sweeping, minor surface patching, inoperable traffic signal bicycle detection).
Recommendation C-8.E.3:	Conduct Roadside Safety Audits (RSAs) on a regular basis to provide periodic snapshots of roadway safety, including bicycle, pedestrian, equestrian, skateboard, and other non-motorized modes of travel.

Goal C-9: Integrate Active Transportation Elements into Circulation System and Land Use Planning

Provide bikeway and walkway facilities that are integrated with other transportation systems and land use planning decisions.

Land Use Planning Decisions and Active Transportation

Objective C-9.A:	***Consider bicycle and pedestrian facilities during land use planning process.***
Recommendation C-9.A.1:	Incorporate the Costa Mesa Bicycle and Pedestrian Master Plan into the City's General Plan.
Recommendation C-9.A.2:	Ensure that all current and proposed land use planning is consistent with the Costa Mesa Bicycle and Pedestrian Master Plan.

Recommendation C-9.A.3: Require new developments provide adequate bicycle parking and pedestrian access.

Recommendation C-9.A.4: Collaborate with property owners to increase bicycle parking over time.

Recommendation C-9.A.5: Encourage the integration of compatible land uses and housing into major development projects to reduce vehicle use.

Recommendation C-9.A.6: Provide a fully integrated network of modern active transportation facilities to and from major activity centers and residential centers.

Recommendation C-9.A.7: Identify areas where an increase in the need for active transportation can reasonably be anticipated due to housing/business growth.

Recommendation C-9.A.8: Make commercial and recreational areas more enjoyable for pedestrians by implementing measures such as providing shade, planting trees, eliminating visible parking lots and vacant land, and minimizing long stretches of building façade.

Recommendation C-9.A.9: Develop creative, artistic, and functional bicycle parking solutions, and install them throughout the City as a standard.

Active Transportation in Developments

Objective C-9.B: ***Integrate bicycle and pedestrian facility improvements during planning, design and implementation of transportation projects.***

Recommendation C-9.B.1: Promote the preservation of bicycle access within all roadway rights-of-way, as well as the development of innovative, safety-enhanced on-street facilities, such as bicycle boulevards and cycle tracks.

Recommendation C-9.B.2: Establish bike boulevards on streets with low traffic volumes and slow speeds to encourage bicycling.

Recommendation C-9.B.3: Proactively seek new opportunities for acquisition of abandoned rights-of-way and other lands for the development of new multi-

use pathways that integrate with the planned network.

Recommendation C-9.B.4: Improve the safety of all road users through the implementation of neighborhood traffic-calming treatments.

Recommendation C-9.B.1 Detours through or around construction zones should be designed for safety, and convenience, and with adequate signage for cyclists and pedestrians.

Recommendation C-9.B.5: Provide opportunity for public input prior to the removal of an existing bicycle or pedestrian facility or the approval of any development or street improvement that would preclude these planned facilities.

Goal C-10: Promote an Active Transportation Culture

Develop educational and promotional programs to increase bicycle and pedestrian usage that respects and accommodates all users to foster a more balanced transportation system.

An Active Transportation Culture

Objective C-10.A: ***Encourage more people to walk and bicycle by supporting programs that foster community support for bicycling and walking, and raise public awareness about active transportation.***

Recommendation C-10.A.1: Support marketing and public awareness campaigns through a variety of media aimed at promoting bicycling and walking as a safe, healthy, cost-effective, environmentally friendly transportation choice.

Recommendation C-10.A.2: Support programs aimed at increasing bicycle and walk trips by providing incentives, recognition, or services that make bicycling and walking a more convenient transportation mode.

Recommendation C-10.A.3: Promote bicycling and walking at City-sponsored and public events, such as Earth Day,

Bike to Work Day/Month, farmers' markets, public health fairs, art walks, craft fairs, and civic events.

Recommendation C-10.A.4: Encourage and promote bicycle related businesses within Costa Mesa including, but not limited to, involvement of civic clubs and organizations.

Recommendation C-10.A.5: Promote active transportation events in Costa Mesa to raise awareness and encourage bicycling, including, but not limited to, those that may involve temporary road closures, bike to work/school, senior walks, historic walks, and ciclovias.

Recommendation C-10.A.6: Encourage major employment centers and employers to promote commuting by bicycle including the use of flex-time work schedules to support non-rush bicycle commuting. Build a coalition with City, businesses, schools, and residents to promote active transportation.

Recommendation C-10.A.7: Encourage participation in bicycle and pedestrian promotion activities by education facilities, arts programs, active transportation clubs, and entertainment providers.

Recommendation C-10.A.8: Achieve "Silver Level Bicycle Friendly Community" by League of American Bicyclists by 2025.

Recommendation C-10.A.9: Achieve "Walk Friendly Community" status from WalkFriendly.org by 2025.

Recommendation C-10.A.10: Achieve "HEAL City" designation by 2017.

Goal C-11: Promote the Positive Air Quality, Health, and Economic Benefits of Active Transportation

Encourage active transportation by promoting air quality, health, and economic benefits, and by pursuing multiple sources of funding for active transportation programs and facilities.

Improving the Environment with Active Transportation

Objective C-11.A:	***Improve air quality and public health and reduce ambient noise by promoting Active Transportation programs.***
Recommendation C-11.A.1:	Determine baseline emissions levels, then track and communicate changes in emissions as modes of transportation trips shift to encourage more walking and biking.
Recommendation C-11.A.2:	Improve the quality of life in Costa Mesa by reducing neighborhood traffic and noise.
Recommendation C-11.A.3:	Increase pedestrian and bicycle trips, thereby reducing vehicle trips and vehicle miles Traveled.
Recommendation C-11.A.4:	Coordinate with appropriate federal, state, and county health agencies on active transportation programs to achieve health benefits.

Economic and Other Incentives

Objective C-11.B:	***Provide economic incentives for expanding and enhancing bicycle and pedestrian facilities.***
Recommendation C-11.B.1:	Incentivize the business community to support pedestrians and bicycle users in tangible ways.
Recommendation C-11.B.2:	Partner with the business and school communities to create a marketing strategy to encourage individual businesses to market Costa Mesa as a bicycle-friendly City.
Recommendation C-11.B.3:	Encourage developers to include features, amenities and programs that are proven to increase walking and/or bicycling.
Recommendation C-11.B.4:	Offer incentives for businesses whose employees walk or bike to work.
Recommendation C-11.B.5:	Encourage the Chamber of Commerce and the business community to promote active transportation in commercial areas to stimulate economic vitality.

Goal C-12: Monitor, Evaluate, and Pursue Funding for Implementation of the Bicycle and Pedestrian Master Plan

Objective 12.A: ***Continuously monitor and evaluate Costa Mesa's implementation progress on the Bicycle and Pedestrian Master Plan policies, programs, and projects.***

Recommendation C-12.A.1: Establish a monitoring program to measure the effectiveness and benefits of the Costa Mesa Bicycle and Pedestrian Master Plan.

Recommendation C-12.A.2: Track citywide trends in active transportation through the use of Census data, bicycle and pedestrian counts, travel surveys, and online surveys as part of annual reviews of the General Plan.

Recommendation C-12.A.3: Ensure that Bicycle and Pedestrian Master Plan programs and projects are implemented in an equitable manner, geographically, socioeconomically, and serving disadvantaged communities.

Fund the Plans

Objective C-12.B: ***Pursue grants and other sources of funding for bicycle and pedestrian projects.***

Recommendation C-12.B.1: Strategize use of resources on developing effective and efficient grant application and program administration.

Recommendation C-12.B.2: Pursue multiple sources of funding and support efforts to maintain or increase federal, state and local funding for the implementation of the Bicycle and Pedestrian Master Plan.

Recommendation C-12.B.3: Consider designating a portion of development traffic impact fees to fund bicycle and pedestrian facilities.

Looking east along Victoria Street with Victoria Vista Park on the left.

Chapter 4:

Growth Managment Element

Introduction

In 1990, Orange County voters approved Measure M to fund regional transportation improvements. The initiative included a requirement for cities to adopt Growth Management Elements to illustrate how they would regulate growth consistent with Measure M plans for mobility improvements. With the sunset of Measure M in 2011, Measure M2 took its place, authorizing continuance of the program through 2041. While Measure M2 no longer requires cities to maintain Growth Management Elements, Costa Mesa provides this element to exhibit its commitment to balance physical growth with the ability of the local road network to support it, as well as goals on how to account for continual growth, both physical and economic, with minimum impact on existing infrastructure.

Also, the City's goal is to participate in on-going county-wide efforts addressing regional traffic issues and sensible growth.

Relationship to Other Elements

The Circulation and Land Use Elements provide most of the **foundation** for the Growth Management Element. The Circulation Element establishes the City's goals, objectives, and policies regarding the transportation network, foremost by using a "Complete Streets" approach to mobility planning and including regional coordination. The Land Use Element establishes the City's goals, objectives, and policies regarding the use of property, foremost by ensuring that compatible if not synergistic relationships exist between properties that have significant physical, visual, or proximity relationships.

The major goal of the Growth Management Element is to ensure that the planning, management, and implementation of traffic improvements and infrastructure meet the current and projected needs of the City. While this goal is a high priority, it must be achieved while maintaining internal consistency among the other elements of the General Plan, as required by State law. Therefore, the Growth Management Element does not replace or supersede any of the other General Plan elements; instead, the Growth Management Element addresses, amplifies, and supports traffic level of service and public facility standards included in the other General Plan elements and establishes new standards, where necessary.

Related Plans and Programs

Various federal, State, regional, and Orange County plans and laws affect growth management:

- Orange County Growth Management Element
- Southern California Association of Governments (SCAG) Growth Management Plan
- SCAG Sustainable Communities Strategy and Regional Transportation Plan (SCS/RTP)
- South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP)
- State Assembly Bill 471 (Proposition 111- Congestion Management)
- Measure M2 (Orange County)
- Global Warming Solutions Act of 2006 (AB 32)
- Sustainable Communities and Climate Protection Act of 2008 (SB 375)
- Complete Streets Act of 2008

Orange County Growth Management Element

The stated purpose of the Orange County Growth Management Element is to ensure that planning, management, and implementation of traffic improvements and public facilities are adequate to meet the current and projected needs of Orange County. The plan sets forth goals, objectives, policies, and implementation programs for growth management. The goals of the plan are summarized as follows:

"... to reduce traffic congestion, ensure that adequate transportation facilities, public facilities, equipment and services are provided for existing and future residents and to protect the natural environment of Orange County."

Of the seven major policies in the Plan, the following five apply to Costa Mesa:

- ***Development Phasing***: Development will be phased according to Comprehensive Phasing Plans adopted by the County. Phasing will be linked to roadway and public facility capacities.
- ***Balanced Community Development***: Development will be balanced to encourage employment of local residents in employment and employee housing, in the County generally.
- ***Traffic Level of Service***: This policy requires developers to make improvements to intersections significantly impacted by development. A Level of Service "D" must be attained at affected intersections. A "significant impact" is generally defined in terms of increases in intersection capacity utilization and levels of service. The policy also establishes a "deficient intersections list" and establishes a developer fee program to pay for improving affected intersections on pro-rata basis.
- ***Traffic Improvement Programs***: The Plan provides for the establishment of a comprehensive traffic improvement program to ensure that all new development provides necessary transportation facilities and intersection improvements as a condition of development approval.
- ***Public Facility Plans***: The Plan requires comprehensive public facility plans for fire, sheriff/police, and library services. New development is required to participate on a pro-rata basis.

The Orange County Growth Management Plan further provides that additional implementation programs may be developed as deemed necessary by the County.

Southern California Association of Government (SCAG) Growth Management Plan

The SCAG Growth Management Plan recommends ways to redirect the region's growth to minimize congestion and protect the environment. While SCAG has no authority to mandate implementation of its Growth Management Plan, some of the Plan's principal goals (such as improved jobs/housing balance) are implemented through the Air Quality Management Plan (AQMP) under the authority of the South Coast Air Quality Management District.

Regional Transportation Plan and Sustainable Community Strategy

The 2016-2040 *Regional Transportation Plan and Sustainable Community Strategy/(RTP/SCS)* blends the primary goal of enhancing mobility for the region's residents and visitors with a commitment to reduce emissions from transportation sources to comply with SB 375, improve public health, and meet the National Ambient Air Quality Standards established by the federal Clean Air Act. This document recognizes the crucial linkages and interrelationships between the economy, the regional transportation system, and land use. The 2016 RTP/SCS has the following major themes: Integrating strategies for land use and transportation, increasing capacity through improved system management, giving people more transportation choices, leveraging technology, responding to demographic and housing market changes, supporting commerce and economic growth, striving for sustainability, and protecting and preserving transportation infrastructure.

South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP)

The AQMP mandates a variety of measures to reduce traffic congestion and improve air quality. Each iteration of the plan is an update of the previous plan and has a 20-year horizon. The 1997 Air Quality Management Plan was adopted by the Governing Board on November 15, 1996, and represents the current policy for achieving clean air objectives. A 2003 Draft Air Quality

Management Plan is currently under review. The City is subject to all AQMD requirements for local jurisdictions.

State Assembly Bill 471

Assembly Bill (AB) 471, as subsequently modified by Assembly Bill 1791, requires every urbanized city and county with a population of 50,000 or more to adopt a Congestion Management Plan (CMP) to reduce traffic congestion. A city or county that does not comply with the CMP requirement will lose gasoline sales tax revenues to which it would otherwise be entitled.

The CMP requirements include traffic level of service (LOS) standards, a trip reduction program, and a seven-year capital improvement program for traffic and transit. Many of the AB 471 requirements are the same as or similar to the requirements of Measure M2 (discussed below). The County has attempted to reconcile overlapping requirements through the Measure M2 implementation guidelines in the *County-wide Growth Management Program Revised Traffic Improvement and Growth Management Ordinance Implementation Manual*.

Measure M2 (Orange County)

Measure M2 is a renewal of Measure M, Orange County's half-cent sales tax for transportation improvements. Initially approved in 1990 for a 20-year period, the renewal was approved by the voters in 2006 for another 30 years. The Orange County Transportation Authority (OCTA) administers Measure M2, adopting the M2020 plan in 2011 to delineate how to meet goals such as freeway improvements, expansion of roadway capacity, protection of pavement conditions, traffic signal synchronization, expanding and improving rail facilities, funding fixed-guideway connections to Metrolink, expanding mobility choices for seniors and the disabled, stabilizing bus fares, encouraging local community transit services, and improving streets and road conditions.

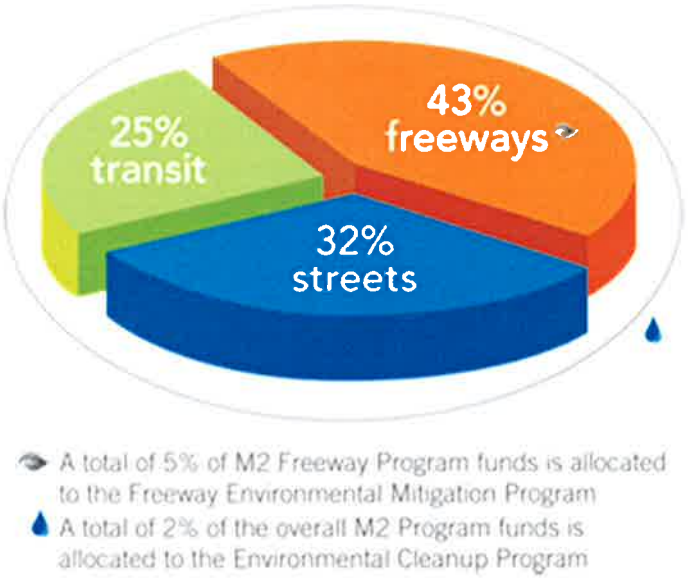


***Chart** of planned uses of Measure M2 funds by the Orange County Transportation Authority ($15.5 billion through 2041)*

Global Warming Solutions Act of 2006 (AB 32)

AB 32, California's Global Warming Solutions Act of 2006, In response to these concerns, California enacted AB 32, the California Global Warming Solutions Act of 2006. The law seeks to reverse climate change through a comprehensive program reducing GHG emissions for virtually all sources statewide. The California Air Resources Board (CARB) is responsible for implementation of AB32. Nine discrete early action measures; 35 additional measures were adopted in October 2007 and are now enforceable. The discrete early actions include a low carbon fuel standard, landfill methane capture regulations, reductions in HFCs from mobile air conditioning systems, fluorinated gas emissions from semiconductor manufacturing, sulfur hexafluoride from some industrial processes, high GWP gases in consumer products, and emissions from diesel auxiliary engines on ships at California Ports, improved fuel efficiency in heavy-duty diesel vehicles, and new tire pressure regulations. The early action programs form part of California's comprehensive strategy for achieving the GHG reduction targets.

AB 32 requires CARB to develop regulations and market mechanisms to achieve technologically feasible and cost-effective measures that will reduce emissions to 1990 levels by 2020—a 25 percent reduction statewide. In 2008, CARB approved a comprehensive plan "Scoping Plan" which is to be updated every five years. The first update was approved in 2014.

Sustainable Communities and Climate Protection Act of 2008 (SB 375)

Senate Bill (SB) 375, the Sustainable Communities and Climate Protection Act of 2008, provides key support to achieve the goals of AB 32. SB 375 is intended to encourage regional planning that integrates land use and transportation policy in a way that reduces GHG emissions from passenger vehicles. This legislation endeavors to control the emissions by curbing sprawl (the unplanned, uncontrolled spread of urban development). The legislation encourages compact development patterns that reduce the need to drive, thereby reducing air pollution from car exhaust, conserving water, and protecting habitat, among other benefits. To achieve these goals, this law is designed to align regional land use, housing, and transportation plans with greenhouse gas reduction targets for 2020 and 2035.

SB_375 tasks CARB to set greenhouse gas reduction targets for each of California's 18 regional Metropolitan Planning Organizations (MPOs). Each MPO is required to prepare a Sustainable Communities Strategy (SCS) as part of their Regional Transportation Plan (RTP). In August 2010, CARB released the proposed GHG reduction targets for the MPOs to be adopted in September 2010. The proposed reduction targets for the SCAG region were eight percent by year 2020 and 13 percent by year 2035.

Complete Streets Act of 2008

In 2008, the State of California passed a law requiring that, as of January 1, 2011, any substantive revision of the circulation element of the General Plan undertaken by any county or city include a plan for a balanced, multimodal transportation network that meets the needs of and provides safe access for, all users including pedestrians, bicyclists, transit vehicles, truckers, and motorists. Each complete street can look different, according to its context, community preference, the types of road users, and their needs.

Key Issues

With Costa Mesa essentially in a built-out condition, the City's objective is to continue to balance land use changes with infrastructure capacity. A significant portion of transportation problems in Orange County stem from the inability of the freeway system to service peak-period travel demands. Given the City's location amid a network of freeway interchanges—and most significantly, the termination of SR-55 at 19th Street—Costa Mesans feel the effects of regional vehicular traffic on daily basis. While arterial highways such as Harbor and Newport Boulevards are intended to handle the majority of intra-regional traffic and complement the freeway system, residents expect that they should be able to move easily about their city during most times of day. In addition to vehicular traffic, Costa Mesa needs to improve alternative modes of transportation.

With this key concern in mind, priority will be placed on:

- Maintaining and enforcing standards (e.g., level of service, trip budgets) to ensure that the necessary transportation infrastructure is adequately provided
- Appropriately phasing transportation infrastructure enhancements with the timing of new development
- Ensuring that transportation infrastructure is adequately funded
- Monitoring and evaluating the progress of population, employment, and development to ensure that adequate development patterns occur within the timing of the General Plan

Creating Synergy Between Land Use and Circulation

Given that less than two percent of developable land in Costa Mesa is vacant, the predominant issue when dealing with future growth is not quantity but quality and tactical placement of development or uses within the City. Future growth must be directed by the strategic placement of development or uses to minimize the impact of growth on our circulation system. This includes but is not limited to approving development projects and uses that create a synergistic relationship with the neighboring developments and uses so that additional demand on the circulation system is reduced. Development decisions need to look for a balance of uses within the individual neighborhood communities of Costa Mesa to minimize length of trips traveled, or cluster of complementary uses to condense multiple trips into one. Future development and uses must be connected and provide easy access to multiple modes of transportation and/or off-set hours of neighboring uses to maximize the efficiency of land used for parking spaces.

Development Phasing and Performance Monitoring Program

The City has prepared a development phasing and performance monitoring program based on OCTA timetables. This program establishes a system for periodic evaluation of compliance with newly approved development phasing allocations. Under this program, roadway and other transportation facility improvements or funding must actually be provided in order for new development to continue. The program provides a periodic evaluation of the maintenance of transportation service levels. Periodic traffic reports prepared under this program will continue to utilize data collected within three months of preparation of the report. In the event that the program identifies one or more service level deficiencies, measures will be implemented to correct identified deficiencies.

Goals, Objectives, and Policies

The following goals, objectives, and policies work in concert with those in the Land Use and Circulation Elements.

Goal GM-1: Interjurisdictional Coordination

Objective GM-1.A: ***Coordinate land use and transportation planning policies with State, regional, and local growth management efforts.***

Policy GM-1.A.1: Cooperate with the Orange County Transportation Authority (OCTA) and other jurisdictions on development, all future regional transportation plans, and land use planning on a countywide basis.

Policy GM-1.A.2~~B~~: Coordinate population, housing, and employment projections with the State Department of Finance, Southern California Association of Governments, Center for Demographic Research, Newport-Mesa Unified School District, and County of Orange agencies in terms of infrastructure planning.

Policy GM-1.A.3~~C~~: Work with interjurisdictional forums such as the City-County Coordinating Committee to make sure that the City's fees are consistent with minimally acceptable impact fees in the region.

Policy GM-1.A.4~~D~~: Participate in interjurisdictional planning forums to discuss implementation of traffic improvements, cooperative land use planning, and appropriate mitigation measures for developments with multijurisdictional impacts.

Policy GM-1.A.5~~E~~: Continue to require that any new large developments prepare a master plan and environmental impact analysis. This allows the City to anticipate the impacts of large projects prior to development of any portion and permits more time to plan for public services and facilities needed to support the project.

Goal GM-2: Integration of Land Use and Transportation Planning

Objective GM-2.A: ***Maintain the Level of Service standards by integration of land use and transportation planning***

Policy GM-2.A.1: Ensure that land use designations are reflected in the sub-regional county model and SCAG's model through consistent assumptions and methodologies.

Policy GM-2.A.2~~B~~: Coordinate with State, county, and local agencies for planning and construction of public utilities to minimize negative impacts on the circulation system.

Policy GM-2.A.3~~C~~: Use the Development Phasing and Performance Monitoring Program to assess the impact of existing and new development on the circulation system.

Policy GM-2.A.4~~D~~: Support uses and development which create synergistic relationships with neighboring uses and development, especially those whose addition does not create mutually exclusive additional vehicular trips but adds to the value of the destination by any potential visitor.

Policy GM-2.A.5~~E~~: Support creative and flexible solutions that provide for additional economic or physical growth within the City but does not place greater impact on the circulation system. These would include shared parking agreements, offset hours of operation, and clustering of harmonious and supportive uses.

Fairview Park natural habitat and open spaces

Chapter 6:
Conservation Element

Introduction

Costa Mesa residents benefit from the city's favorable location, with cool ocean breezes and coastal bluffs that provide a diversity of natural habitats. Costa Mesa's natural resources include the Santa Ana River, which provides flood control and open space connectivity, and Fairview Park and Talbert Regional Park, which support wildlife diversity.

Purpose

The purpose of the Conservation Element is to preserve, protect, and replenish the limited natural resources in the City, including water, open space, and sensitive habitats. In addition, this element addresses the management of energy resources and opportunities to integrate sustainability considerations into City policies. This element establishes a policy framework that:

- Identifies areas in Costa Mesa with **substantial natural resources** that the City is committed to manage and prevent from waste, destruction, and neglect
- Provides for programs aimed at **resource conservation** for the benefit of future generations

The Conservation Element meets the requirements of State law, which states that Conservation Elements must address the protection and maintenance of California's natural resources. In Costa Mesa, natural resources of concern are:

- Air quality
- Biological resources
- Energy
- Water resources
- Wastewater
- Water quality
- Water management

Baseline Conditions - 2015

The City has actively pursued improving natural conditions through conservation and protection programs since the early 2000s. Substantial progress has been made both to educate the community and achieve measurable results. To provide a baseline to gauge future progress, this section provides a snapshot of environmental conditions in 2015.

Coastal Wildlife Habitat Areas

Santa Ana River Parks and Riparian Areas

The Santa Ana River and riparian areas are important to local wildlife, not only for the habitat they provide but for the open space connectivity they create between isolated areas where animals live and forage, as well as for migration corridors. Riparian areas, such as the Fairview Park wetlands and riparian habitat areas, play an important role in the ecosystem by sorting and filtering sediment, recharging groundwater aquifers, and reducing flood potential. For residents, these systems provide valuable connections to natural areas and create opportunities for recreation, education, and awareness. A portion of the Santa Ana River lowlands is a key such area and has been preserved as a multiuse

regional park, Talbert Regional Park/Nature Preserve, which is owned and maintained by the County of Orange. Public recreation amenities at the park include hiking and running trails and bird-watching areas. In addition, sensitive wetlands and paleontological resources within the park provide opportunities for education.

Fairview Park

The City's Fairview Park lies immediately adjacent to Talbert Regional Park and is linked with the Santa Ana River system of trails and parks. Fairview Park includes open space consisting of bluffs, vernal pools, trails, native plant communities, and wildlife. Within the park, the City has pursued riparian habitat restoration through a system of wetland ponds and streams with riparian and coastal plants, native habitat plantings, and an irrigation system. The creation of wetlands and riparian habitat provides many benefits. Dry weather urban runoff and stormwater are diverted from flood control to the wetlands, where plants and ultraviolet rays naturally remove impurities, thus preventing pollutants from reaching the ocean or having to be otherwise treated. The restored wetlands create a wildlife recreational area in an urban setting, where local residents and visitors can observe wildlife and learn about the broader ecosystem. Fairview Park is part of the larger natural open space/habitat preservation system immediately adjacent to the Orange County Central/Coastal Subregional Natural Communities Conservation Plan and Habitat Conservation Plan (NCCP/HCP) lands.

Fairview Park Wetlands and Riparian Habitat Project *includes nearly 23 acres of native riparian habitat and wetland ponds within the north section of Fairview Park. The project also educates the public on the benefits of wetlands and their contribution to the ecology of the coastal area.*

Within the upper mesa of Fairview Park are several vernal pools, which are seasonal pools of water that provide habitat for distinctive plants and animals. Vernal pools are considered dynamic micro-ecosystems. They are considered to

be a distinctive type of wetland usually devoid of fish, and thus allow the safe development of natal amphibian, such as the San Diego fairy shrimp (*Branchinecta sandiegonensis*) and insect species. Vernal pools are protected by State and federal laws.

Talbert Regional Park/Nature Preserve

Talbert Regional Park encompasses approximately 180 acres on Victoria Street between Pacific Avenue and the Santa Ana River, see Figure CON-1: *Biological Resources*. Within this compact area, the park supports six distinct introduced and native plant zones that respond to changing conditions along the river. The introduced zones are intended to accommodate more active human use and provide a visual screen. Native zones include the "Coastal Strand," which consists of gentle slopes and dunes, a habitat now largely absent due to urbanization. The "Native Grassland" zone is the largest zone in the park and provides wildlife habitat. The "Alluvial Woodland" zone contains a wide variety of plant and animal life and is the most secluded area in the park. Finally, the "Wetland Zone" consists of the southern 14.8 acres of the park and contains elements of riparian woodland and mulefat scrub.

Talbert Regional Park/Nature Preserve has been identified as an area providing important biodiversity habitat and is part of the open space and natural habitat reserve system of the Orange County Central/Coastal NCCP/HCP. The 37,000-acre reserve system permanently protects a broad range of plant and animal populations that are within the Central and Coastal Subregion. The Nature Reserve of Orange County, a nonprofit corporation, manages the Orange County Central/Coastal NCCP/HCP and coordinates land management activities, conducts wildlife and habitat research and monitoring, and restores disturbed habitats within the reserve system.

Orange Coast River Park, Inc.

The Orange Coast River Park, Inc., a nonprofit committee founded by the Friends of Harbors, Beaches & Parks, coordinates and manages projects across multiple boundaries to help coordinate a mosaic of more than 1,000 acres of open space along the Santa Ana River, including the Talbert Nature Preserve and Fairview Park. The organization's mission is to realize a master plan of parks and open space that meets the diverse needs of the urban population and provides seamless passageways to the coast from inland while also allowing for conservation and preservation of valuable habitats.

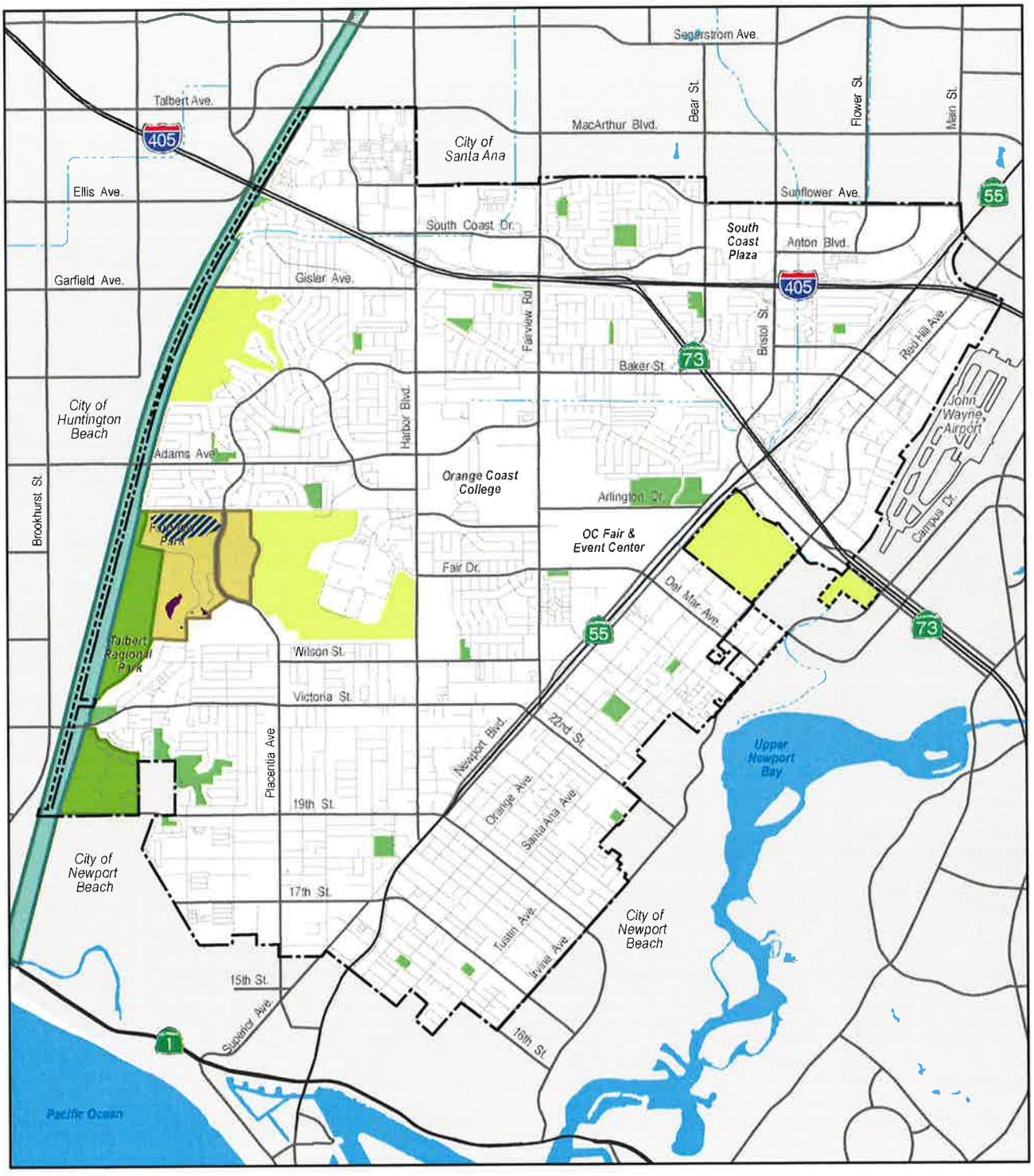


Figure CON-1: Biological Resources

Coastal Plants and Wildlife

Prior to development of Costa Mesa, the natural landscape consisted of native grasses, sage scrub, and riparian plant life. Examples of these habitats are extant in the City, primarily within Talbert and Fairview Parks (Figure CON-1, Biological Resources). The grasslands generally can be found at lower elevations that have a deep layer of clay-bearing soil. Sage scrub communities occur at elevations lower than 3,000 feet on foothills and coastal bluffs and in canyons. Riparian vegetation is found around springs, streams, seeps, and ponds.

The natural habitats remaining support diverse plant species, including several sensitive species listed as threatened or endangered according to federal and State criteria. Whether or not specific species are present in particular habitats is determined through site-focused studies. However, sensitive or protected species of concern within the planning area may include:

- San Diego button-celery (*Eryngium aristulatum var. parishii*)
- Big-leaved crownbeard (*Verbesina dissita)*
- Gambel's water cress (*Nasturtium gambelii*)
- Ventura Marsh milk-vetch (*Astragalus pycnostachyus var. lanosissimus*)
- Salt marsh bird's-beak (*Chloropyron maritimum ssp. Maritimum*)
- California Orcutt grass (*Orcuttia californica*)
- Santa Ana River woollystar (*Eriastrum densifolium ssp. Sanctorum*)[1]

The following tables inventory plant species found in the grassland, sage scrub, and riparian communities in Costa Mesa.

[1] California Natural Diversity Database (CNDDB), Biogeographic Information & Observation System (BIOS) Viewer, Department of Fish & Wildlife, April 2015.

Table CON-1: Plant Communities

Common Name	Scientific Name	Status (A)	Confirmed Observation	Possibly Present
Desert needlegrass	*Achnatherum speciosum*	-	X	
Red-skinned onion	*Allium haematochiton*	-	X	
Southwestern beardgrass	*Andropogon glomeratus*	-	X	
California sagebrush	*Artemesia californica*	-	X	
Coulter's saltbush	*Atriplex coulteri*	CNPS 1B		X
Slender wild oat	*Avena barbata*	-	X	
Wild oat	*Avena fatua*	-	X	
Black mustard	*Brassica nigra*	-	X	
Red brome	*Bromus rubens*	-	X	
Poverty brome	*Bromus sterilis*	-	X	
Prostrate spineflower	*Chorizanthe procumbens*	CNPS 4		
Wild hyacinth	*Dichelostemma pulchellum*	-	X	
Shooting stars	*Dodecatheon clevelandii*	-	X	
California buckwheat	*Eriogonum fasciculatum*	-	X	
White-stemmed filaree	*Erodium moschatum*	-	X	
California poppy	*Eschscholzia californica*	-	X	
California Chocolate lily	*Fritillaria biflora*	-	X	
Southern tarplant	*Hemixonia Parryi ssp. Australis*	CNPS 1B, FSC		X
Vernal barley	*Hordeum intercedens*	CNPS 3		X
Wild barley	*Hordeum murinum*	-	X	
Goldentop grass	*Lamarckia aurea*	-	X	
Coulter's goldfields	*Lasthenia glabrata ssp. Coulteri*	CNPS 1B, FSC		X (Historic)
Hairy peppergrass	*Lepidium nitidum*	-	X	
Small-flowered microseris	*Microseris douglasii var. platycarpha*	CNPS 4		X
Coastal prickly-pear	*Opuntia littoralis*	-	X	
California buttercup	*Ranunculus californicus*	-	X	
Johnson grass	*Sorghum halepense*	-	X	
Johnny jump-ups	*Viola pendunculata*	-	X	

Note: *A) CNPS 1B: California Native Plant Society List for Plants Rare or Endangered in California and Elsewhere; CNPS 3: California Native Plan Society List for Plants About Which We Need More Information – A Review List; CNPS 4: California Native Plan Society List for Plants of Limited Distribution – A Watch List; FSC: Federal Species of Concern.*

Source: *BonTerra Consulting, May 22, 2000.*

Table CON-2: Plants of the Sage Scrub Community

Common Name	Scientific Name	Status (A)	Confirmed Observation	Possibly Present
Red-skinned wild onion	*Allium haematochiton*	-	X	
Aphanisma	*Aphanisma blitoides*	CNPS 1B, FSC		X
California sagebrush	*Artemesia californica*	-	X	
Coulter's saltbush	*Atriplex coulteri*	CNPS 1B		X
South coast saltscale	*Atriplex pacifica*	CNPS 1B, FSC		X
Parish's brittlescale	*Atriplex parishii*	CNPS 1B, FSC		X
Davidson's saltscale	*Atriplex serenana var. davidsonii*	CNPS 1B		X
Slender wild oat	*Avena barbata*	-	X	
Wild oat	*Avena fatua*	-	X	
Goldenstar	*Bloomeria crocea*	-	X	
Wavy-leaved soap plant	*Chlorogalum pomeridianum*	-	X	
Buckwheat	*Eriogonum fasciculatum*	-	X	
Decumbent goldenrush	*Isocoma menziesii var. decumbens*	CNPS 1B		X
Robinson's pepper-grass	*Lepidium virginicum var. Robinsonii*	CNPS 1B		X
Deerweed	*Lotus scoparius*	-	X	
Laurel sumac	*Malosma laurina*	-	X	
Melic grass	*Melica frutescens*	-	X	
Lemonadeberry	*Rhus integrifolia*	-	X	
California wild rose	*Rosa californica*	-	X	
White sage	*Salvia apiana*	-	X	
Purple sage	*Salvia leucophylla*	-	X	
Black sage	*Salvia mellifera*	-	X	
Hedge mustard	*Sisymbrium officinale*	-	X	

Note: A) CNPS 1B: California Native Plant Society List for Plants Rare or Endangered in California and Elsewhere; FSC: Federal Species of Concern

Source: BonTerra Consulting, May 22, 2000.

Table CON-3: Plants of the Riparian Community

Common Name	Scientific Name	Status (A)	Confirmed Observation	Possibly Present
Big-leaf maple	*Acer macrophyllum*	-	X	
White alder	*Alnus rhombifolia*	-	X	
Mule fat	*Baccharis salicifolia*	-	X	
Santa Barbara morning-glory	*Calystegia sepium ssp. binghamiae*	CNPS 1B		X (Historic)
Salt marsh bird's-beak	*Cordylanthus maritimus ssp. maritimus*	FE, SE		X (Historic)
Los Angeles sunflower	*Helianthus nuttallii ssp. parishii*	FSC		X (Historic)
Western sycamore	*Plantanus racemosa*	-	X	
Sword fern	*Polystichum munitum*	-	X	
Fremont cottonwood	*Populus fremontii*	-	X	
Canyon oak	*Quercus chrysolepis*	-	X	
Castor bean	*Ricinus communis*	-	X	
Arroyo willow	*Salix lasiolepis*	-	X	
Mexican elderberry	*Sambucus mexicana*	-	X	
Coastal bulrush	*Scirpus robustus*	-	X	
Poison oak	*Toxicodendron diversilobum*	-	X	
Broad-leaved cattail	*Typha latifolia*	-	X	
California bay laurel	*Umbellularis californica*	-	X	
Desert wild grape	*Vitis giardiana*	-	X	

Note: A) FE: Federally-listed endangered FSC: Federal Species of Concern SE: State-listed endangered; CNPS 1B: California Native Plant Society List for Plants Rare or Endangered in California and Elsewhere;

Source: BonTerra Consulting, May 22, 2000.

In prehistoric times, wildlife roaming Orange County included bison, jaguars, camels, wolves, ground sloths, bears, saber-tooth cats, and shrews. Today, wildlife is much smaller and less threatening, with species consisting of those that have adapted to close human contact, such as squirrels, voles, white-tail kites, red-tail hawks, and coyotes. Some species of special interest that inhabit open spaces within the City include the burrowing owl (Speotyto cuniculara), an indigenous species that uses abandoned rodent burrows for nests; the San Diego fairy shrimp (Branchinecta sandiegonensis) which occupies vernal pools in Fairview Park; the Belding's savannah sparrow (Passerculus sandwichensis beldingi) which resides year-round in coastal salt marshes of Southern California, and the Least Bell's vireo (Vireo bellii pusillus) which inhabits riparian and terrestrial fields, shrubland, chaparral, and woodlands.

Coastal Zone Management

California's coastal zone generally extends 1,000 yards inland from the mean high tide line. In significant coastal estuarine habitat and recreational areas, the zone extends inland to the first major ridgeline or five miles from the mean high tide line, whichever is less. Subsequent to the City's 1979 request to remove 13 acres, the coastal zone in Costa Mesa encompasses the Santa Ana River lowlands and Talbert Regional Park south of Victoria Street, approximately 76 percent of Canyon Park, and 0.23 acres of Tract 12067 (see Figure CON-2: *Coastal Zones*).

Santa Ana River Lowlands

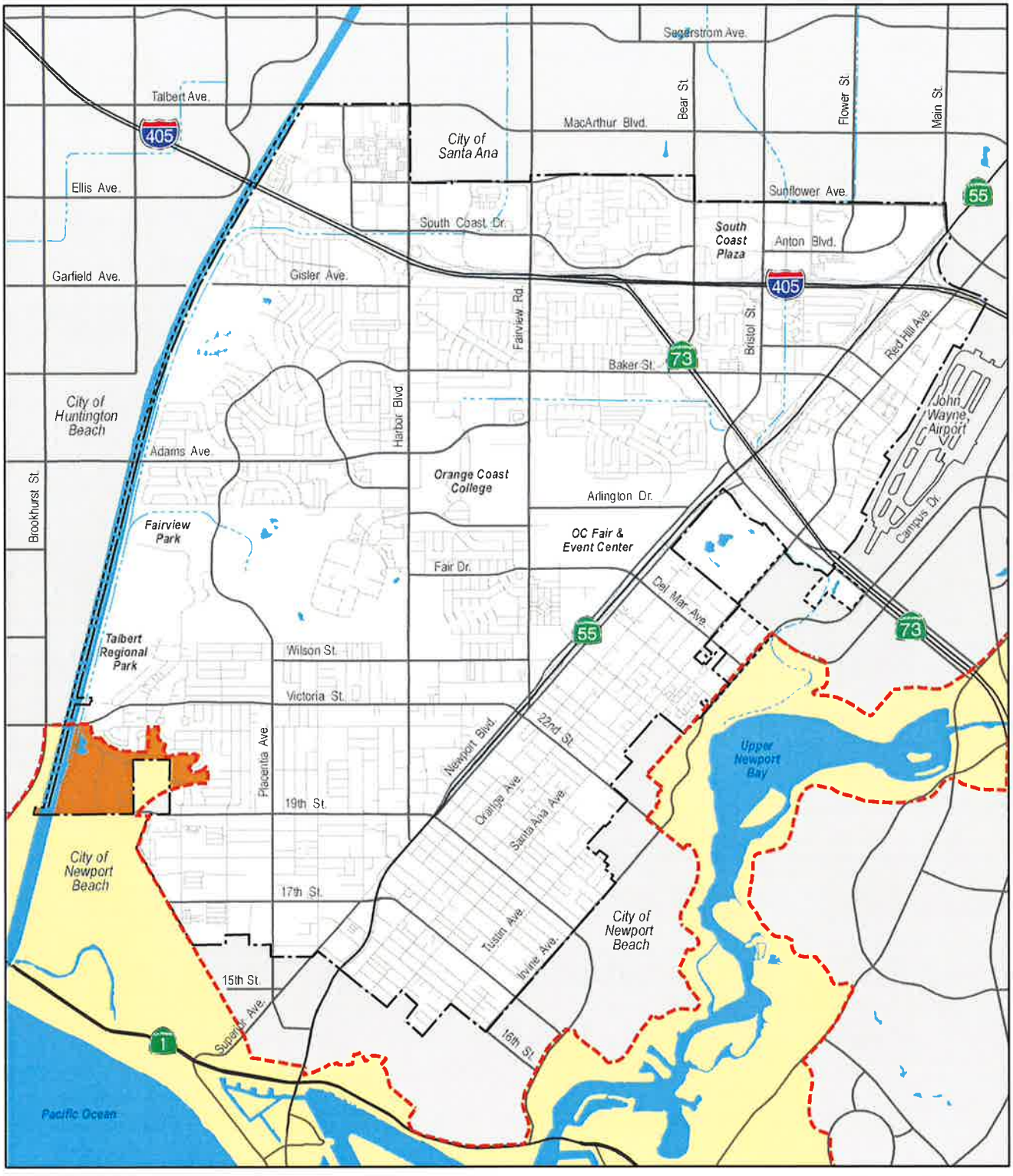
The coastal zone encompasses the central segment of the Santa Ana River lowlands, which extends inland from the coastline to the northern boundary of Fairview Park in Costa Mesa and includes the City of Newport Beach and the County of Orange. Costa Mesa's Local Coastal Plan (LCP) is coordinated with both jurisdictions for the lowland properties to the south and with the City of Huntington Beach due to the close proximity and the interrelationship of coastal issues. All of the river lowlands between Pacific Coast Highway and Fairview Regional Park are included in the Santa Ana River/Santiago Creek Greenbelt Corridor. The Greenbelt Implementation Plan designates this area as a Water-Related Recreation and Conservation Area. Although the implementation plan does not propose a specific use for these properties, it does require recreational use to be compatible with the overall greenbelt and provide access to the river trails network.

Parks and Open Space within the Coastal Zone

As described above, the County of Orange operates Talbert Regional Park; approximately 97 acres lie within the coastal zone. The land use designation for the park is Open Space Reserve (OSR). The OSR designation applies to lands of scenic and natural attraction and areas of ecological, cultural, historical, and recreational significance permanently preserved as and restricted to open space and compatible uses.

Canyon Park is City-owned and designated Public/Institution. This designation applies to publicly and privately owned lands that provide recreation, open space, health and educational opportunities, and uses that provide a service to the public. Approximately 27 acres of the 36-acre Canyon Park are within the coastal zone.

Talbert Regional Park *provides natural habitat and hiking trails adjacent to the Santa Ana River.*



Coastal Zone

- California Coastal Commission Coastal Zone Boundary
- Coastal Zone Affecting Costa Mesa
- Coastal Zone Outside of Costa Mesa

Source: City of Costa Mesa, 2015

0 1,000 2,000 4,000 6,000 8,000 Feet

Figure CON-2: Coastal Zones

Coastal Zone Properties

- California Coastal Commission Coastal Zone Boundary
- Local and Regional Parks
- Santa Ana River (Greenbelt)

Source: California Coastal Commission, 2007

0 250 500 1,000 1,500 2,000 Feet

Figure CON-3: Coastal Zone Properties in Costa Mesa

Tract 12067

The coastal zone also encompasses the northerly 0.23 acres of a 2.3-acre privately owned residential condominium development built in 1986 (known as Tract 12067). The property is zoned PDR-LD and designated Low Density Residential.

Local Coastal Program (LCP)

The California Coastal Act of 1976 is the permanent enacting law approved by the State legislature. The Coastal Act establishes policies, boundary lines, and permitting procedures. Further, it provides for the transfer of permitting authority, with certain limitations reserved for the State, to local governments through adoption and certification of Local Coastal Programs (LCP) by the Coastal Commission. All local governments in the coastal zone must prepare LCPs. Development in the coastal zone must be evaluated through a permit review process for consistency with the LCPs where they are certified, or the Coastal Act where the Commission may retain permitting jurisdiction. This portion of the General Plan fulfills the City's responsibilities to address and protect its coastal resources and integrates the necessary coastal policies and programs. Chapter 3 of the Coastal Act contains policies regarding future development in the coastal zone that must be addressed in the LCP process.

Key Coastal Wildlife Habitat Area Issues

Loss of Coastal Habitat to Support Wildlife

The City commits to preserving and protecting, to the greatest extent possible, open space areas devoted to the preservation of natural resources, sensitive habitat and wildlife species, managed production of resources, outdoor recreation, and open space buffer areas for public health and safety. There are no plans to convert any of the open spaces identified in the General Plan.

Protection of Sensitive Species

Sensitive habitat areas, such as the vernal pools and wetland areas at Fairview Park, are constantly threatened daily by human impact, household pets, storm runoff, pollution and trash, and herbicides and pesticides. The limited natural habitat areas in Costa Mesa are critical, as they are home to sensitive plant and wildlife species.

Environmental Sustainability

Energy Resources

Southern California Edison is the primary supplier of electricity in Costa Mesa, and the Southern California Gas Company supplies natural gas.

Land Use and Transportation Planning

The reduction in automobile usage and vehicle miles traveled will lower energy consumption and greenhouse gas emissions, thus producing further public health benefits. Costa Mesa has adopted land use and transportation policies and practices that recognize the importance of coordinating land use, housing, economic development, and transportation planning. Refer to both Chapters 2 (Land Use Element) and 3 (Circulation Element).

Energy Efficiency

California residents and institutions have many years of experience practicing energy efficiency. While national per capita energy consumption has increased 50 percent over the past 30 years, per capita consumption in California has remained the same over this period. This is due to many factors, including efficiency and conservation campaigns conducted by private citizens, businesses, and utility companies, in addition to regulations adopted by State and local governments. Residents, the business community, and institutions can continue to maintain relatively lower energy consumption rates. Because the City of Costa Mesa does not operate any local energy-related utility, it does not directly influence local energy use practices (other than leading by example). However, the City is a committed partner to energy providers, supports local small energy systems such as solar and wind, and promulgates sustainable practices through local regulations.

Renewable Energy Resources

Renewable energy sources capture energy from natural processes such as sunlight, wind, flowing water, biological processes, and geothermal heat flows. Renewable energy resources may be used directly or used to create other, more convenient forms of energy. Examples of direct use include passive solar design for heating. Examples of indirect use are electricity generation through photovoltaic cells (solar panels) and wind turbines, or the production of fuels such as ethanol from biomass. To encourage the use of renewable energy

sources, the City initiated the "Go Green Program," which waives the permit fees for residential solar installations and electric vehicle charging stations.

Green and Sustainable Building Practices

In 2007, the City of Costa Mesa implemented a voluntary "green building" program that expedited permitting process and waive certain fees for LEED[2] certification, and became the first city in California to require that all new municipal construction be LEED Gold certified. Additionally, conformance to green building standards are encouraged with project applications. A "green building" is a design approach that focuses on minimizing a building's negative impacts on the environment and building occupants. Green buildings provide many tangible benefits, including improved worker productivity, recruitment, and retention; minimized energy and water costs, construction, and operations; waste minimization; and pollution prevention. This integrated, interdisciplinary approach to design and construction promotes investments in resource-efficient materials, technology, and the use of low-emitting and recycled content materials. Green building practices include the following:

- **Healthy buildings and sustainable building design** aim to create buildings that are not harmful to occupants or the environment and help improve employee productivity. An important emphasis is on indoor environmental quality, especially indoor air quality.
- **Low-impact materials** are used, such as non-toxic, sustainably produced, and recycled building and construction materials that require little energy to process.
- **Quality and durability** are valued, leading to longer-lasting and better-functioning products that require less-frequent replacement, thus reducing the impacts of producing replacements.
- Operators of buildings use **a life-cycle assessment approach** when making design and purchasing decisions.
- **Local, regional, or sustainably managed renewable sources** are used and, whenever possible, composted at the end of their useful lives.

[2] LEED (Leadership in Energy and Environmental Design) is a building certification program run under the auspices of the U.S. Green Building Council (USGBC). LEED concentrates its efforts on improving performance across five key areas of environmental and human health: energy efficiency, indoor environmental quality, materials selection, sustainable site development and water savings.

Green Building Strategy

In 1978, California established the Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6 of the California Code of Regulations) in response to a legislative mandate to reduce California's energy consumption. The State updates these standards approximately every three years to allow consideration and possible incorporation of new energy efficiency technologies and methods. For example, the 2013 energy standards were projected to save 25 percent more energy relative to the 2008 Building Energy Efficiency Standards. The standards apply to newly constructed buildings, as well as additions and alterations for existing buildings. All standards in Title 24, Part 6 must be followed as part of the City's building permit process. The City encourages applying green building standards beyond what is required in Title 24 for all new development projects.

Waste Management and Recycling

Residential trash and recycling collection services are designated functions of the Costa Mesa Sanitary District. The Costa Mesa Sanitary District has developed innovative programs and processes to reduce the waste stream heading to landfills. One example is the Organics Recycling Program, which allows residents to deposit yard and kitchen waste into the organics cart, where these materials will be transported to an anaerobic digestion facility and converted into fertilizers and natural gas. Other recycling programs include the Large Item Collection Program; Electronic and Universal Waste; Sharps Disposal Recycling Program; and Residential Fats, Oils, and Grease (FOG) Recycling Program. The Costa Mesa Sanitary District continues to pursue innovative reduce, reuse, and recycling strategies that allow Costa Mesa residents to make responsible choices in disposal of waste products, but to also protect the environment. The Costa Mesa Sanitary District and the City of Costa Mesa also continue to collaborate in providing quality services to its customers and residents.

Key Environmental Sustainability Issues

Energy Consumption

In addition to promoting sustainable practices, reduced energy consumption and associated lower costs benefit local residents and businesses. As energy demand grows over time and nonrenewable energy resources become more limited, more aggressive conservation measures and increased use of innovative new technologies will be of greater necessity.

Encouraging More Green Building Practices

Builders are sometimes reluctant to integrate green building strategies within their project, mostly due to upfront cost associated with the design and technologies. "Green" is often viewed as an add-on to current building practices. However, what builders do not often consider is what can be changed, modified, improved, or eliminated from the typical building practices and replaced with better, proven technologies and practices, typically resulting in lower overall cost of construction, as well savings in long-term operation and maintenance costs.

Recycling and Waste Management

Convenient landfill space will diminish in Southern California, and costs to haul waste greater distances for disposal will drive efforts for increased waste reduction, reuse, recycling, and composting. The City should continue efforts to expand recycling and source reduction programs to minimize the volume of trash entering landfills, conserve resources, and protect the environment from the negative impacts associated with landfills.

Water Resources

Water Supply

Domestic water service to Costa Mesa residents and businesses is provided by two agencies: the Mesa Water District (MWD) and Irvine Ranch Water District (IRWD). MWD service area encompasses approximately 18 square miles, covering most of Costa Mesa, part of Newport Beach, and John Wayne Airport, (see Figure CON-4, Water Districts). IRWD has an approximate 181-square-mile service area and includes a portion of properties in Costa Mesa located southeast of Newport Boulevard (between 23rd Street and Bristol Street), as well as all of the city of Irvine and portions of Tustin, Santa Ana, Orange, Lake Forest, Newport Beach, and unincorporated areas in Orange County.

Natural water supplies in Orange County are limited to groundwater, surface flows in the Santa Ana River (which originate in the San Bernardino Mountains), and local precipitation. Since the demand for water generally exceeds the rate of replenishment of these natural water sources, the majority of communities in Orange County are dependent upon water imported from sources outside Orange County. The two primary sources for imported water are the Colorado River Aqueduct and the State Water Project. The Colorado River Aqueduct transports water from Lake Havasu (in Nevada) to Lake Mathews (in Riverside

County), and then to points in Orange County. The State Water Project carries water from the Upper Feather River in Northern California to Lake Castaic (in Los Angeles County). From Lake Castaic, water is transported and distributed to customers in Orange County.

In Costa Mesa, groundwater collects in underground aquifers that are approximately 2,500 feet beneath the ground surface. MWD owns and operates eight groundwater production wells that pump water from the Orange County Groundwater Basin, which underlies north-central Orange County from Irvine to the Los Angeles County border and from Yorba Linda to the Pacific Ocean (see Figure CON-5, Groundwater Basins). This groundwater basin is managed by the Orange County Water District (OCWD) and is replenished in three ways: 1) by water from the Santa Ana River, 2) from imported water from Metropolitan Water District of Southern California (Metropolitan) through the Municipal Water District of Orange County (MWDOC), and 3) via a groundwater replenishment program that injects purified sewer water into two of OCWD's recharge basins in the city of Anaheim. The eight wells have a total design capacity of approximately 14,000 gallons per minute (as of 2015). However, since Costa Mesa depends upon imported water for a portion of its water supply, the potential impacts of water supply and demand extend beyond the boundaries of the City and its two serving agencies. The availability of imported water is directly related to the water supply conditions in the source watersheds, as well as demand for water throughout the State. Recurring dry years can also significantly affect Southern California's water allotment.

Mesa Water District

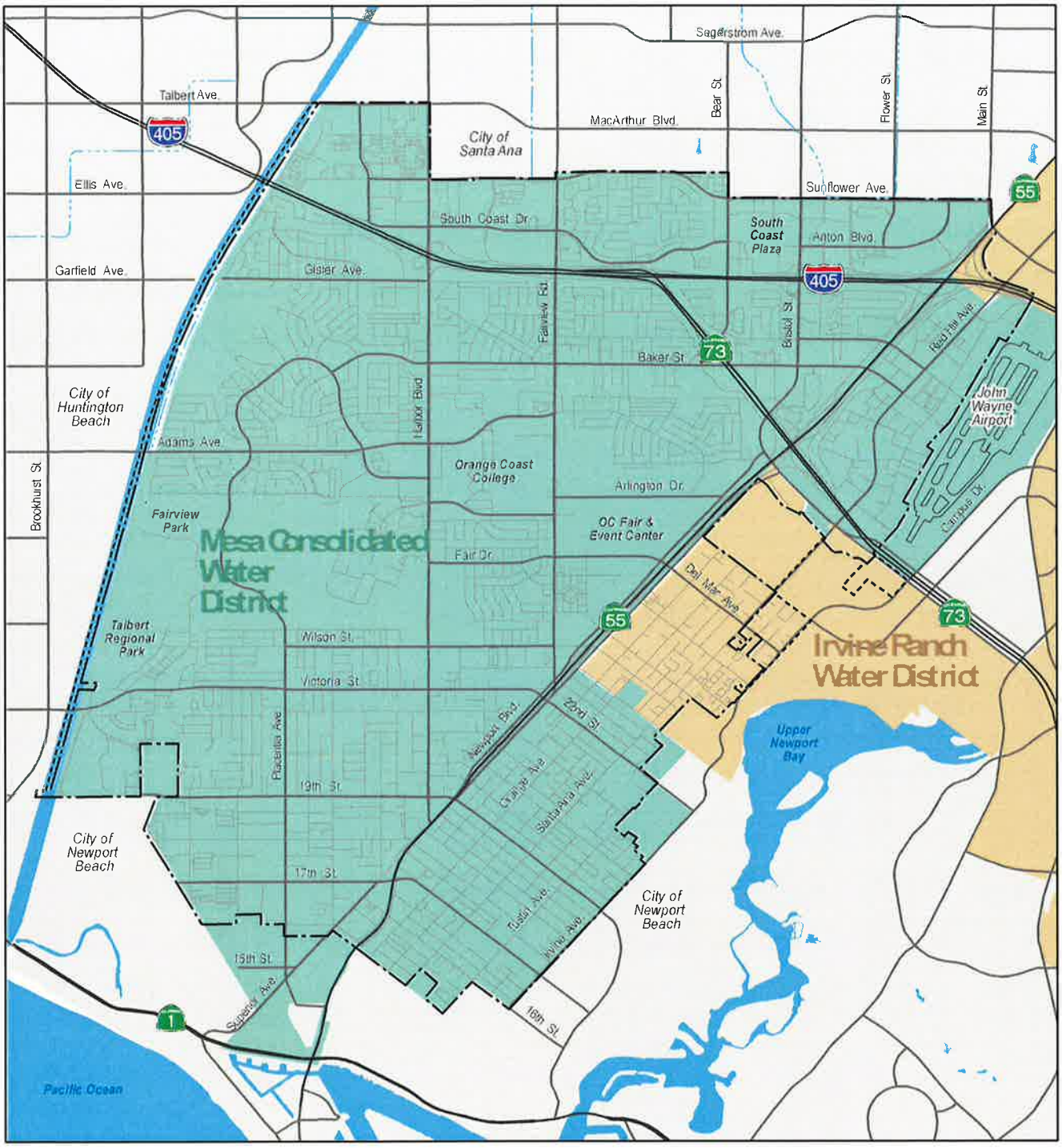
In 1986, MWD introduced a Master Plan designed to meet the long-term growing needs of its customers. The plan defined ways to improve water delivery systems, create additional local storage facilities, drought-proof the service area, and develop new sources of water. One of MWD's primary focuses is to decrease dependence on high cost imported water by upgrading the Mesa Water Reliability water treatment facility's filtration treatment technology and expand the water filtration capacity. Subsequent to completion of the Mesa Water Reliability Facility Improvement Project, MWD's water supply mix is comprised of 94 percent groundwater and 6 percent recycled water, with no imported water needed.

Irvine Ranch Water District

IRWD prepares two planning documents to guide water supply decision-making: the Water Resources Master Plan (WRMP) and the Urban Water Management Plan (UWMP). The WRMP is a comprehensive document that IRWD uses for its planning needs. The UWMP is based on the WRMP; it examines historic and current water use projections and compares water supplies with demands over the next 20 years. These plans identify the imported and local water supplies that will meet future demand—including groundwater recovery and water recycling—as well as IRWD's planned conservation measures to ensure a reliable supply of high-quality water.

For many years, IRWD received almost all of its water from imported sources. To alleviate the dependency on costly imported water, in the late 1970s IRWD began building a network of groundwater wells. Today, approximately 50 percent of IRWD water supply comes from groundwater wells located within the Orange County Groundwater Basin. IRWD meets approximately 23 percent of its total demands with recycled water and the remaining 27 percent potable water imported through MWD.

To further reduce reliance upon imported water and ultimately increase supply reliability and water quality, IRWD has creatively partnered with the Rosedale-Rio Bravo Water Storage District to construct 502 acres of groundwater recharge ponds in Kern County. This arrangement allows available surface water to percolate into distant groundwater basins for later use during dry periods to offset potential reductions in supply from its normal sources. IRWD's partnership with Rosedale provides long-term equity ownership of water banking capacity of up to 50,000 acre-feet of water.



Water Districts

- Mesa Consolidated Water District
- Irvine Ranch Water District

Source: City of Costa Mesa, 2015.

0 1,000 2,000 4,000 6,000 8,000 Feet

Figure CON-4: Water Districts

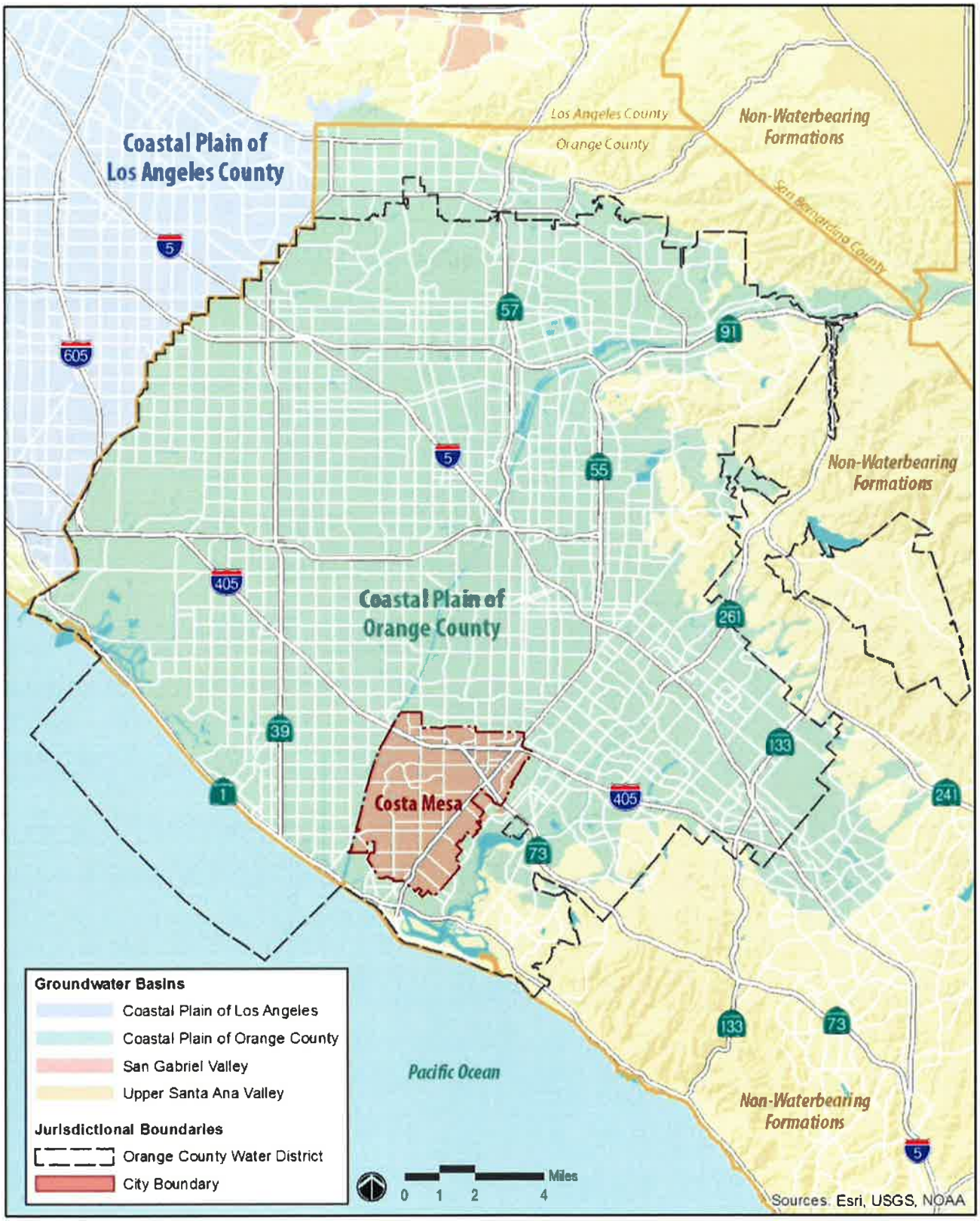


Figure CON-5: Groundwater Basins

Water Resources Master Plan

Per the California Urban Water Management Planning Act of 1983, all urban water suppliers must prepare an updated UWMP every five years for review by the California Department of Water Resources. The purpose of UWMPs is to ensure that urban water suppliers have adequate water supplies for existing and future demands. Plans must identify and discuss various factors affecting current and projected water supplies and demand, and must identify steps to ensure the availability and reliability of future supplies. Furthermore, effective 2010, UWMPs were required to incorporate the Water Conservation Act of 2009 (SBx7-7), which established even stricter reduction targets. With the continued drought years during the 2000s, additional reduction targets were mandated by Executive Order B-29-15 in 2015.

As retail water suppliers, MWD and IRWD have the option of complying with SBx7-7 individually or participating in a Regional Alliance. Both districts have chosen to participate in a Regional Alliance with the Metropolitan Water District of Orange County (MWDOC). In the event that the region does not comply with the regional target, an agency may still be in compliance if it meets its own individual target.

Water Conservation

The importance of water conservation has been highlighted during several periods of extended drought in California. In response, MWD and IRWD have adopted water conservation policies, as has the City of Costa Mesa, which require new development projects to incorporate water conservation measures. The water agencies and the City continually evaluate policies and programs to maximize water savings and modify them to integrate the latest water efficient technologies and practices. The City, in cooperation with MWD and IRWD, educates homeowners and business owners of the importance of installing water-conserving fixtures and appliances, repairing leaking fixtures, planting drought-tolerant landscaping, and avoiding unnecessary water use. In addition, the City enforces its Water Efficient Landscape Ordinance consistent with the State requirements to maximize use of drought tolerant plants, improve irrigation efficiency, and minimize use of turf.

Water Quality and Urban and Stormwater Runoff

The quality of water in our natural and domestic water systems affects the health of wildlife, habitat, and people. Most water pollution comes from untreated

storm flows and urban runoff that runs across streets, yards, and parking lots before draining into creeks, marshes, and the ocean. This untreated water can contain a variety of pollutants harmful to the environment, including heavy metals, excessive sediment, petroleum hydrocarbons, domestic sewage, pesticides, and trash. Urban runoff is the result of human-caused activities, such as the overwatering of lawns or the washing of vehicles in driveways. Stormwater runoff refers to water generated during storm events, particularly with an initial rain event as water pollution entering storm drains in areas with high proportions of impervious surfaces is typically more concentrated of toxic materials compared to the remainder of the storm.

Federal, State, and local regulations set standards to protect water quality. In particular, the State Regional Water Quality Control Board mandates control of urban runoff to reduce the percolation of pollutants from surface runoff into groundwater supplies. At the local level, Costa Mesa implements regulations consistent with f0ederal and State requirements, most notably through the National Pollution Discharge Elimination System (NPDES) program.

Bioswales were *included in the parking lot in the redevelopment of David Magnet School. Stormwater runoff can enter the swale and filter out pollutants and toxins that would have otherwise entered local streams and eventually the Pacific Ocean. Collected water can also infiltrate into the ground below, recharging underground water basins.*

Wastewater/Recycled Water

Recycled water has become an important resource for Costa Mesa and will become increasingly important as other sources of water become less reliable and more costly. Recycled water is wastewater (sewage) that has been treated to remove solids and certain impurities, and is available for non-potable water uses. The use of recycled water extends potable water supplies, reduces the need for

additional potable water facilities, reduces the amount of treated wastewater discharged into the ocean, reduces reliance on costly imported water supplies, and increases Costa Mesa's water supply reliability. The Orange County Sanitation District (OCSD) processes over 200 million gallons of collected wastewater daily at treatment plants in Fountain Valley and Huntington Beach. As described above, millions of gallons of treated effluent are injected into the groundwater basins or used for irrigation, and actually results in improved basin water quality due to the high treatment standards required of the recycled water.

Key Water Resources Issues

Water Supply and Reoccurring Droughts

Water is an essential resource. A stable and reliable water supply must be identified if the community desires growth. With drought conditions ever present in California, even during relatively wet periods, the City recognizes that conservation measures and education put in place today will have long-lasting effects. In 2010, the City adopted the State-mandated Model Water Efficient Landscaping Ordinance. As a response to the ongoing drought, the State revised the Model Water Efficient Landscaping Ordinance with Costa Mesa adopting the revised ordinance in 2016. Working with MWD and IRWD, the City must continually advance programs and measures that promote wise water use and ensure continued recharge of local groundwater basins.

Water Quality and Storm Runoff

Urban runoff from streets, sidewalks, parking lots, and roofs washes urban-based pollutants into the watershed system and into the Santa Ana River, Upper Newport Bay, and ultimately to the Pacific Ocean. Consistent with federal and State law, Costa Mesa must take local actions to protect the quality of the regional water supply.

Atmosphere and Climate

Air Quality

Costa Mesa is located in the South Coast Air Basin, which is an approximately 6,600-square mile area bounded by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east; and the San Diego County line to the south. The Basin includes all of Orange County

and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. Basin air quality is influenced by stationary (point source), area-wide, and mobile sources that generate pollutants which contribute to the formation of smog and other poor air quality conditions. Point sources are emission sources located at a single location, while area-wide sources are many smaller point sources that are widely distributed. Examples of point and area-wide sources include manufacturing plants, lawnmowers, fireplaces, and painting operations. Mobile sources, as their name implies, are not stationary: they are motor vehicles, trains, and aircraft.

The climate within the Basin varies considerably from the coastal zone to the inland valleys, mountain areas, and deserts. Most of the Basin is relatively arid, with very little rainfall and abundant sunshine during the summer months. Factors such as wind, sunlight, and temperature all affect the accumulation and/or dispersion of pollutants throughout the Basin. The extent and severity of the air pollution problem is a function of the area's natural physical characteristics and as well as human-caused influences, e.g., development patterns and lifestyle.

Wind

One of the most important factors affecting climate in the Basin is the direction and intensity of the prevailing winds. The Basin has a limited capability to disperse air contaminants due to light average wind speeds. Winds generally blow from the coast inland, where temperature inversions (and the mountains) trap pollutants. As a result, the movement or stagnation of air during the morning and evening hours determines the pollution level on any given day. Costa Mesa's coastal location provides for relatively good air quality due to wind patterns. However, the highest pollution levels in Costa Mesa are often associated with Santa Ana wind conditions that reverse the dominant wind patterns.

Clear skies over Costa Mesa with the OC Fair & Event Center in the center and the Pacific Ocean in the background

Sunlight

The presence and intensity of sunlight is another important factor that results in the formation of smog in the Basin. Due to ultraviolet radiation from sunlight, primary pollutants (mainly reactive hydrocarbons and oxides of nitrogen) react to form secondary pollutants (e.g., oxidants). Since this process is time dependent, secondary pollutants can be formed many miles downwind from the emission sources. As a result of the prevailing daytime winds and time-delayed nature of smog, oxidant concentrations are highest in the inland areas of Southern California. However, smog can settle in the City on days with early morning easterly winds.

Temperature Inversions

Temperature inversion is a reversal in the decrease of temperature as altitude increases. In most parts of the United States, air near ground level is warmer than the air above it. However, Southern California's daily summertime sunshine and high barometric pressure reverse that pattern, creating warmer air at higher elevations. As a result, temperature inversion traps pollutants by preventing cooler air from rising to the upper atmosphere. Although temperature inversion can occur throughout the year, the summer months of July, August, and September generally account for higher occurrences of this phenomenon.

Ambient Air Quality Standards

Ambient air quality standards are the levels of air pollutant concentration considered "safe" with regard to public health and welfare. The federal Clean Air Act (CAA) establishes the framework for regulating national air quality standards and the means to achieve them. The United States Environmental Protection Agency (U.S. EPA) is responsible for enforcing the Federal CAA and for establishing the National Ambient Air Quality Standards (NAAQS). California has adopted more stringent regulations under the California CAA, which are administered by the California Air Resources Board (CARB).

The CARB, which is part of the California Environmental Protection Agency, is responsible for meeting the State requirements of the federal CAA, administering the California CAA, and establishing the California Ambient Air Quality Standards (CAAQS). Both State and federal ambient air quality standards have been established for the following six pollutants: ozone (O_3), particulate matter (PM_{10} and $PM_{2.5}$), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and lead (Pb). The CAAQS generally are more stringent than the corresponding federal standards and incorporate additional standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility reducing particles.

Ozone (O_3), a key ingredient of smog, is a highly reactive and unstable gas capable of damaging the linings of the respiratory tract. This pollutant forms in the atmosphere through complex reactions between chemicals directly emitted from vehicles, industrial plants, and many other sources.

$PM_{2.5}$ and PM_{10} are particles that easily penetrate into the airways and lungs where they may produce harmful health effects such as the worsening of heart and lung diseases. The risk of these health effects is greatest in the elderly and the very young. Exposure to elevated concentrations of PM is also associated with increased hospital and doctor visits and increased numbers of premature deaths.

Carbon monoxide (CO) is a colorless, odorless gas. It results from the incomplete combustion of carbon-containing fuels such as gasoline or wood, and is emitted by a wide variety of combustion sources.

Nitrogen dioxide (NO_2) is a reactive, oxidizing gas capable of damaging cells lining the respiratory tract. This pollutant is also an essential ingredient in the formation of ground-level ozone pollution. NO_2 is one of the nitrogen oxides

emitted from high-temperature combustion processes, such as those occurring in trucks, cars, and power plants. In the presence of sunlight, complex reactions of nitrogen oxides with ozone and other air pollutants produce the majority of NO_2 in the atmosphere. Indoors, home heaters and gas stoves also produce substantial amounts of NO_2.

Sulfur dioxide (SO_2) is a gaseous compound of sulfur and oxygen. SO_2 is formed when sulfur-containing fuel is burned by mobile sources, such as locomotives, ships, and off-road diesel equipment.

Lead (Pb) is a relatively soft and chemically resistant metal. Lead forms compounds with both organic and inorganic substances. As an air pollutant, lead is present in small particles. Sources of lead emissions in California include a variety of industrial activities. Because it was emitted in large amounts from vehicles when leaded gasoline was used, lead is present in many soils (especially urban soils) and can be reintroduced into the air by grading activities.

Sulfates (SO_{42}) are the fully oxidized ionic form of sulfur. Sulfates occur in combination with metal and/or hydrogen ions. In California, emissions of sulfur compounds occur primarily from the combustion of petroleum-derived fuels (e.g., gasoline and diesel fuel) that contain sulfur. This sulfur is oxidized to sulfur dioxide (SO_2) during the combustion process and subsequently converted to sulfate compounds in the atmosphere. The conversion of SO_2 to sulfates takes place comparatively rapidly and completely in urban areas of California due to regional meteorological features.

Hydrogen sulfide (H_2S) is a colorless gas with the odor of rotten eggs. It is formed during bacterial decomposition of sulfur-containing organic substances. Also, hydrogen sulfide can be present in sewer gas and some natural gas, and can be emitted as the result of geothermal energy exploitation.

Vinyl chloride (chloroethene), a chlorinated hydrocarbon, is a colorless gas with a mild, sweet odor. Vinyl chloride largely is used to make polyvinyl chloride (PVC) plastic and vinyl products. Vinyl chloride has been detected near landfills, sewage plants, and hazardous waste sites due to microbial breakdown of chlorinated solvents.

Visibility-reducing particles consist of suspended particulate matter, which is a complex mixture of tiny particles that consists of dry solid fragments, solid cores

with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size and chemical composition, and can be made up of many different materials such as metals, soot, soil, dust, and salt.

Areas that do not violate ambient air quality standards are considered to have attained the standards. Violations of ambient air quality standards are based on air pollutant monitoring data and are judged for each air pollutant.

The clean air effort still has a long way to go. In 2005, the federal one-hour ozone standard was replaced by a stricter eight-hour standard that was further strengthened in 2008. Even though air quality continues to improve in South Coast Air Basin, pollutant levels in the Basin persistently exceed the federal eight-hour standard for ozone almost one-third of the year. Due to tougher federal air quality standards for particulates and ozone issued in 2006 and 2008, the South Coast Air Quality Management District (SCAQMD) estimates it will take until at least 2020 to meet the 24-hour average particulate standard and until 2030 to meet the eight-hour ozone standard. The status of attainment for the criteria pollutants discussed above for the Basin in year 2014 is presented in Table CON-4.

Table CON-4: Air Basin Attainment Status

Pollutant	Federal	State
O_3 (1-hr)	--	Nonattainment
O_3 (8-hr)	Nonattainment	Nonattainment
PM_{10}	Attainment	Nonattainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Attainment
NO_2	Attainment	Nonattainment
SO_2	Attainment	Attainment
Pb	Nonattainment	Nonattainment
VRP	--	Unclassified
SO_4	--	Attainment
H_2S	--	Unclassified

Source: California Air Resources Board 2014

Regional air quality is regulated by the SCAQMD. SCAQMD tests and regulates stationary sources such as refineries and heavy industry, monitors regional air pollutant levels, develops air quality control strategies, and conducts public awareness programs. SCAQMD continuously monitors air quality at numerous locations throughout the four-county area. Costa Mesa is located within Source Receptor Area 18.

Climate Change

Global climate change is an increasingly acknowledged environmental problem caused as greenhouse gases (GHGs) are released into the atmosphere faster than the Earth's natural systems can re-absorb them. The primary GHGs emitted into the atmosphere are carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF6), and nitrogen trifluoride (NF3). Collectively, these gases trap heat in the atmosphere and intensify the natural greenhouse effect, thus causing the global average surface temperature to rise, which in turn affects global climate patterns. Other compounds—including some aerosols—can also have a strong heat-forcing effect on the atmosphere. This includes black carbon, which consists of microscopic particles emitted from the incomplete combustion of biomass and fossil fuels.

In response to these concerns, California enacted AB 32, the California Global Warming Solutions Act of 2006. The law seeks to reverse climate change through a comprehensive program reducing GHG emissions for virtually all sources statewide. AB 32 requires CARB to develop regulations and market mechanisms to achieve technologically feasible and cost-effective measures that will reduce emissions to 1990 levels by 2020—a 25 percent reduction statewide. In 2008, CARB approved a comprehensive plan "Scoping Plan" which is to be updated every five years. The first update was approved in 2014.

Senate Bill (SB) 375, the Sustainable Communities and Climate Protection Act of 2008, provides key support to achieve the goals of AB 32. SB 375 is intended to encourage regional planning that integrates land use and transportation policy in a way that reduces GHG emissions from passenger vehicles. This legislation endeavors to control the emissions by curbing sprawl (the unplanned, uncontrolled spread of urban development). The legislation encourages compact development patterns that reduce the need to drive, thereby reducing air pollution from car exhaust, conserving water, and protecting habitat, among

other benefits. To achieve these goals, this law is designed to align regional land use, housing, and transportation plans with greenhouse gas reduction targets for 2020 and 2035.

The City recognizes the importance of reducing greenhouse gas emissions, enhancing our environment and economic sustainability, and preserving a high quality of life and safety for generations to come. Many actions undertaken by the City directly or indirectly improve air quality. These include implementing the Build Green Incentive Program, pursuing mixed-use development and live-work housing that will reduce vehicle miles traveled, implementing energy efficiency programs, supporting transit use, developing bicycle routes and trails, minimizing landfill waste, and supporting the use of alternative fuel vehicles in the City's fleet and in the community. Considering air quality issues in the decision-making process will ensure that new development minimizes new emissions.

Key Atmosphere and Climate Condition Issues

Air Pollution

Breathing polluted air can cause eye irritation and nose burn, and long-term effects including chronic respiratory ailments. Air pollution can irritate throats and make breathing difficult. In fact, pollutants like tiny airborne particles and ground level ozone can trigger respiratory problems, especially for people with asthma. Air pollution can also be damaging to the natural environment by impacting trees, plants, water bodies, and wildlife.

Greenhouse Gases

Within Costa Mesa, as in most urban areas, fossil fuels are the number one source of energy consumed by residents, government, industry, and commercial activities, thus leading to increase in greenhouse gases. Vehicles are the single largest consumer of fossil fuels, followed by buildings that use large amounts of energy for heating and cooling. These activities have contributed to the elevated concentration of greenhouse gases in the atmosphere, in turn is causing the Earth's temperature to rise. A warmer Earth may lead to changes in rainfall patterns, smaller polar ice caps, a rise in sea level, and a wide range of impacts on plants, wildlife, and humans.

Goals, Objectives, and Policies

The following goals, objectives, and policies mandate or encourage specific actions the City, residents, the business community, and local institutions will pursue to achieve objectives relative to resource conservation.

Goal CON-1: Preserved and Restored Natural Coastal Habitat and Landforms

It is the goal of the City of Costa Mesa to provide residents with a high-quality environment through the conservation of resources, including land, water, wildlife, and vegetation; and protection of areas of unique natural beauty.

Objective CON-1: ***Evaluate existing biotic resources and preserve them in ecologically viable and natural conditions, where possible; and/or restore and integrate these resources into the urban environment, where feasible.***

Habitat and Biological Resources Protection and Restoration

Policy CON-1.A: Natural habitat is essential to ensuring biodiversity and protecting sensitive biological resources. Protect these areas and consult with the California Department of Fish and Wildlife, Orange County Water District, Orange County Parks, and other regional agencies to identify areas for special protection, and establish appropriate protection measures for these areas.

Policy CON-1.B: Contribute to regional biodiversity and the preservation of rare, unique, and sensitive biological resources by maintaining functional wildlife corridors and habitat linkages.

Policy CON-1.C: Coordinate with the United States Fish and Wildlife service, the California Department of Fish and Wildlife, and other regulatory agencies to mitigate project impacts affecting open and natural spaces.

Policy CON-1.D: Promote and protect native plant species within Fairview Park, and remove and control the spread of invasive species, including plants, animals, and fungi.

Policy CON-2.E: Ensure that all future development is reviewed with regard to protecting natural topography and bluffs to preserve and enhance Costa Mesa's natural beauty.

Policy CON-2.F: Minimize soil depletion and erosion in development projects. Prevent erosion caused by construction activities, and encourage preservation of natural vegetation and topography.

Access to Large-Scale Natural Areas

Policy CON-2.G: Improve access to large-scale natural areas in the City. These areas should be open for controlled access to improve public enjoyment. Access should be limited where natural habitat is extremely sensitive. Work with transit agencies to improve connections and access to open space and recreation facilities from all Costa Mesa neighborhoods.

Policy CON-2.H: Require the provision of adequate visitor-serving on-site parking facilities that do no impact sensitive resources within the Coastal Zone.

Policy CON-2.I: Coordinate the development of plans, policies, and design standards for projects within the Coastal Zone with appropriate local, regional, and federal agencies.

Goal CON-2: Conserved Natural Resources through Environmental Sustainability

Reduce the City's carbon footprints and manage resources wisely to meet the needs of a growing population and economy. Base community planning decisions on sustainable practices that reduce environmental pollutants, conserve resources, and minimize waste. Encourage the design of energy-efficient buildings, use renewable energy, and promote alternative methods of transportation.

Objective CON-2: ***Work to conserve energy resources in existing and new buildings, utilities, and infrastructure.***

Energy Efficiency and Conservation

Policy CON-2.A: Promote efficient use of energy and conservation of available resources in the design, construction, maintenance,

and operation of public and private facilities, infrastructure, and equipment.

Policy CON-2.B: Consult with regional agencies and utility companies to pursue energy efficiency goals. Expand renewable energy strategies to reach zero net energy for both residential and commercial new construction.

Policy CON-2.C: Continue to develop partnerships with participating jurisdictions to promote energy efficiency, energy conservation, and renewable energy resource development by leveraging the abilities of local governments to strengthen and reinforce the capacity of energy efficiency efforts.

Policy CON-2.D: Encourage new development to take advantage of Costa Mesa's optimal climate in the warming and cooling of buildings, including use of heating, ventilation and air conditioning (HVAC) systems.

Green Building Sustainable Development Practices

Policy CON-2.E: Promote environmentally sustainable development principles for buildings, master planned communities, neighborhoods, and infrastructure.

Policy CON-2.F: Encourage construction and building development practices that reduce resource expenditures throughout the lifecycle of a structure.

Policy CON-2.G: Continue to require all City facilities and services to incorporate energy and resource conservation standards and practices and the new municipal facilities be built within the LEED Gold standards or equivalent.

Policy CON-2.H: Continue City green initiatives in purchases, equipment, and agreements that favor sustainable products and practices.

Solid Waste Reduction and Recycling

Policy CON-2.J: Encourage waste management programs that promote waste reduction and recycling to minimize materials sent to landfills. Maintain robust programs encourage residents and businesses to reduce, reuse, recycle, and compost.

Policy CON-2.K: Support waste management practices that provide recycling programs. Promote organic recycling, landfill diversion, zero waste goals, proper hazardous waste collections, composting, and the continuance of recycling centers.

Policy CON-2.L: Continue construction and demolition programs that require recycling and minimize waste in haul trips.

Goal CON-3: Improved Water Supply and Quality

Pursue a multijurisdictional approach to protecting, maintaining, and improving water quality and the overall health of the watershed. A comprehensive, integrated approach will ensure compliance with federal and State standards, and will address a range of interconnected priorities, including water quality and runoff; stormwater capture, storage and flood management techniques that focus on natural drainage; natural filtration and groundwater recharge through green infrastructure and habitat restoration; and water recycling and conservation.

Objective CON-3: ***Work towards the protection and conservation of existing and future water resources by recognizing water as a limited resource that requires conservation.***

Water Supply

Policy CON-3.B: Continue to consult with local water districts and the Orange County Water District to ensure reliable, adequate, and high-quality sources of water supply at a reasonable cost.

Water Conservation

Policy CON-3.C: Encourage residents, public facilities, businesses, and industry to minimize water consumption, especially during drought years.

Policy CON-3.D: Restrict use of turf in new construction and landscape reinstallation that requires high irrigation demands, except for area parks and schools, and encourage the use of drought-tolerant landscaping.

Water Recycling

Policy CON-3.E: Consult with local water districts and the Orange County Water District to advance water recycling program for new and existing developments, including the use of treated wastewater to irrigate parks, golf courses, roadway landscaping, and other intensive irrigation consumers.

Water Quality and Urban Runoff

Policy CON-3.F: Work with public and private property owners to reduce stormwater runoff in urban areas to protect water quality in storm drainage channels, Santa Ana River, and other local water courses that lead to the Pacific Ocean.

Policy CON-3.G: Continue to develop strategies to promote stormwater management techniques and storm drain diversion programs that collectively and naturally filter urban runoff.

Policy CON-3.H: Continue to comply with the National Pollutant Discharge Elimination System Program (NPDES) by participating in the Countywide Drainage Area Management Plan (DAMP), which stipulates water quality requirements for minimizing urban runoff and discharge from new development and requires the provisions of applicable Best Management Practices (BMP).

Policy CON-3.I: Require all applicable development project be reviewed with regards to requirements of on-site Water Quality Management Plan and State requirements for runoff and obtaining a Storm Water Pollution Prevention Plan (SWPPP) permit.

Municipal Sewer System

Policy CON-3.K: Continue to consult with the Costa Mesa Sanitation District and the Orange County Sanitation District to modernize wastewater treatment facilities to avoid overflows of untreated sewage.

Goal CON-4: Improved Air Quality

Take steps to improve and maintain air quality for the benefit of the health and vitality of residents and the local economy. In alignment with State emissions reduction goals and in cooperation with the South Coast Air Quality Management District, pursue regional collaboration to reduce emissions from all sources.

Objective CON-4.A: Pursue the prevention of the significant deterioration of local and regional air quality.

Air Quality

Policy CON-4.A: Support regional policies and efforts that improve air quality to protect human and environmental health, and minimize disproportionate impacts on sensitive population groups.

Policy CON-4.B: Encourage businesses, industries and residents to reduce the impact of direct, indirect, and cumulative impacts of stationary and non-stationary pollution sources.

Policy CON-4.C: Require that sensitive uses such as schools, childcare centers, parks and playgrounds, housing, and community gathering places are protected from adverse impacts of emissions.

Policy CON-4.D: Continue to participate in regional planning efforts with the Southern California Association of Governments, nearby jurisdictions, and the South Coast Air Quality Management District to meet or exceed air quality standards.

Climate Change

Policy CON-4.E: Encourage compact development, infill development, and a mix of uses that are in proximity to transit, pedestrian, and bicycling infrastructures.

Policy CON-4.F: Enhance bicycling and walking infrastructure, and support public bus service, pursuant to the Circulation Element's goals, objectives, and policies.

Policy CON-4.H: Encourage installation of renewable energy devices for businesses and facilities and strive to reduce community-wide energy consumption.

Policy CON-4.I: Develop long-term, communitywide strategies and programs that work at the local level to reduce greenhouse gases and Costa Mesa's "carbon footprint".

17th Street and Superior Avenue

Chapter 7:
Noise Element

Introduction

Costa Mesa residents enjoy the diversity of their neighborhoods. With the pleasant, ocean-influenced climate, they find many reasons to spend ourdoors~~be outside~~. ~~They expect the outdoor environment to free of conditions that might diminish the experience of neighborhood life, including excessive noise.~~ While some level of noise is part of the urban environment—with noise conditions varying depending upon the type and density of development—residents desire to keep Costa Mesa a relatively quiet place. This Noise Element establishes goals focused on creating a local noise environment that contributes to positive community health and minimizes exposure of residents to adverse noise conditions.

Federal and State statutes define noise to be an environmental pollutant that can affect the quality of life and human health by causing annoyance and disrupting everyday activities. Many laws are in place to protect people from excessive noise at their workplaces and in their homes. In Costa Mesa, significant noise sources include I-405, SR-73 and SR-55; major arterials such

as Harbor Boulevard and 17th Street; the Orange County Fairgrounds and Pacific Amphitheater; John Wayne Airport; and the activities of local industrial businesses. While the City does not have jurisdiction to control how most of these noise sources affects the community, it can direct land use policy and work with responsible agencies to minimize noise impacts on residents.

Purpose

The purpose of the Noise Element is to identify noise sources in Costa Mesa and define strategies for reducing the negative impact of noise on the community. The Noise Element identifies maps baseline and projected noise levels so that this information can guide future land use decisions in a manner that limit noises and its effects on the community.

Legal Requirement

State Law (Section 65302[f] of the California Government Code) requires that general plans include a Noise Element that identifies and appraises noise problems in the community. The Noise Element follows the revised State guidelines in Section 46050.1 of the Health and Safety Code that require the Element analyze and quantify—to the extent practical—baseline and projected noise levels for the following sources:

- Highways and freeways
- Primary arterials and major local streets
- Passenger and freight on-line railroad operations and ground rapid transit systems
- Commercial, general aviation, heliport, helistop, military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation
- Local industrial plants, including, but not limited to, railroad classification yards
- Other ground stationary noise sources identified by local agencies as contributing to the community noise environment

State law is fairly specific as to how local noise conditions are presented. The 24-hour noise environment typically is expressed in terms of noise contour maps, which display average noise levels over a 24-hour period. They resemble topographic maps, which illustrate varying ground elevations. The

noise contour maps indicate an aggregation of noise from all sources, and state the noise levels in terms of Community Noise Equivalent Level (CNEL) or Day-Night Average Level (L_{dn}); these terms are described below. The noise contours establish a guide for establishing a pattern of land uses in the Land Use Element to minimize exposure of residents to excessive noise. State law specifies that the Noise Element is to include implementation measures to address existing and foreseeable noise problems and importantly, to serve as a guideline for compliance with the State's noise insulation standards.

Noise Metrics

Noise—in its most simplistic terms—is defined as unwanted sound. While sound can be defined easily using scientific standards, noise has qualities that require more complex treatment. Sound is measured and expressed by decibels (dB), with an adjustment referred to as the A-weighted measure (dBA) to correct for the relative frequency response of the human ear. Decibels are measured on a logarithmic scale, representing points on a sharply rising curve. For example, a sound level of 10 decibels is 10 times more intense than one decibel, 20 decibels represent a noise 100 times more intense, and 30 decibels reflects a condition 1,000 times more intense. A sound as soft as human breathing is about 10 times greater than a zero decibel level.

The decibel system of measuring sound gives a rough connection between the physical intensity of sound and its perceived loudness to the human ear. A 10-decibel increase is perceived by the human ear as only doubling of the loudness. Ambient sounds in the urban environment generally range from 30 dBA (very quiet) to 100 dBA (very loud), as indicated in Table N-1: *Typical Sound Levels*.

Because people generally are more sensitive to noise intrusions during the evening and night hours, State law requires, for planning purposes, use of such metrics as the CNEL or L_{dn}. These metrics add an artificial decibel increment to quiet time noise levels in a 24-hour noise descriptor to account for increased sensitivity during late hours. The CNEL descriptor requires that an artificial increment of five dBA be added to the actual noise level for the hours from 7:00 A.M. to 10:00 P.M., and 10 dBA for the 10:00 P.M.to 7:00 A.M. period. The L_{dn} descriptor uses the same methodology, except that no artificial increment is added to the hours between 7:00 A.M. and 10:00 P.M.

Table N-1: Typical Sound Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Threshold of Pain	140	
Near jet engine	130	
Jet Fly-over at 1,000 feet	110	Rock band
Loud auto horn	100	
Gas lawnmower at 3 feet	90	
Diesel truck at 50 feet at 50 mph	80	Food blender at 3 feet
Noisy urban area during daytime	70	Vacuum cleaner at 10 feet
Heavy traffic at 300 feet	60	Normal speech at 3 feet
Quiet urban area during daytime	50	Large business office
Quiet urban area during nighttime	40	Theater, large conference room (background)
Quiet suburban area during nighttime	30	Library
Quiet rural area during nighttime	20	Bedroom at night, concert hall (background)
	10	Broadcast/recording studio
Lowest threshold of human hearing	0	Lowest threshold of human hearing

Both descriptors yield roughly the same 24-hour level, with the CNEL being only slightly more restrictive (that is, higher).

The discussion of noise requires the use of a number of technical terms. Some of the key noise-related terms used in this element include:

- **Decibel (dB).** A decibel is a unit of measurement which indicates the relative amplitude of a sound. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis. Each 10 decibel increase in sound level is perceived as

approximately a doubling of loudness over a fairly wide range of intensities.

- **A-weighted sound level (dBA).** The A-weighted sound level is the most common method to characterize sound in California. This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. All sound levels in this chapter are A-weighted, unless reported otherwise.
- **Community Noise Equivalent Level (CNEL).** CNEL is the energy average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the A-weighted sound levels occurring between 10:00 P.M. and 7:00 A.M. and five dB added to the A-weighted sound levels occurring between 7:00 P.M. and 10:00 P.M.
- **Energy-equivalent sound/noise level (L_{eq}).** L_{eq} describes the average level that has the same acoustical energy as the summation of all the time-varying events. This descriptor is useful because sound levels can vary markedly over a short period of time. The most common averaging period for L_{eq} is hourly, but it can be of any duration.
- **Day/night average sound level (L_{dn}).** Ldn is a measure over a 24-hour period at a given location, with a 10 dB added to the A-weighted sound levels occurring between 10:00 P.M. and 7:00 A.M.

Noise Standards

While primary responsibility for control of noise rests with State and local governments, the United States Noise Control Act of 1972 and the Quiet Community Act of 1978 recognized the role of the federal government in addressing major commercial noise sources to provide uniform treatment of such sources. The federal government specifically preempts local control of noise emissions from aircraft, railroad, and interstate highways.

The State of California's noise insulation standards are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 2, California Building Code. These noise standards apply to new construction for providing suitable interior noise environments. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise

sources create an exterior noise level of 60 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that structures have been designed to limit interior noise in habitable rooms to acceptable noise levels. For new residential buildings, schools, and hospitals, the acceptable interior noise limit for new construction is 45 dBA CNEL.

Costa Mesa has a comprehensive Noise Ordinance within the Municipal Code (Chapter XIII-Noise Control) that sets standards for noise levels citywide and provides the means to enforce the reduction of offensive noises. The noise standards in Table N-2: *Residential Exterior and Interior Standards*, apply to both indoor and outdoor residential areas. Between the hours of 11:00 P.M. and 7:00 A.M., the noise standards are five dBA more stringent for exterior areas and 10 dBA more stringent for indoor areas. The Noise Ordinance further specifies that residential exterior residential areas such as private balconies, roof decks, and internal courtyards in a Mixed-Use Overlay District for live/work and multi-family residential development that are approved pursuant to a Master Plan, and subject to the land use regulations of an Urban Plan are exempt from the residential exterior noise standards. Similar exemption also applies to high-rise residential development in the North Costa Mesa Specific Plan.

Table N-2: Residential Exterior and Interior Standards

Exterior Noise Standards	Interior Noise Standards
55 dBA: 7:00 A.M. to 11:00 P.M.	55 dBA: 7:00 A.M. to 11:00 P.M.
50 dBA: 11:00 P.M.to 7:00 A.M.	45 dBA: 11:00 P.M. to 7:00 A.M.

Note: *These represent the basic standards applicable for time periods exceeding 15 minutes each hour. Higher levels may be generated for specified shorter time periods.*

Source: *Costa Mesa Zoning Code, Chapter XIII*

Noise Conditions and Compatibility Standards

Two types of noise sources are considered in the community noise inventory: mobile sources and stationary sources. Mobile noise sources refer to cars, trucks, motorcycles, buses, aircraft, and trains. Stationary sources include industrial and construction activities (including truck loading), playgrounds, outdoor sports facilities, landscape maintenance equipment, construction

activities, and the typical sounds heard in a residential neighborhood (power tools, barking dogs, etc.).

Table N-3: *Noise and Land Use Compatibility Matrix* presents the guidelines promulgated by federal and State agencies, modified to meet local conditions and Costa Mesa's needs. This table represents the primary tool the City will use to ensure integrated planning compatibility between land uses and outdoor noise.

Costa Mesa's noise environment is dominated by vehicular traffic and aircraft operations at John Wayne Airport. To provide a description of the baseline 2015 noise environment in Costa Mesa, noise contours were obtained from the Orange County Airport Land Use Commission and quantified for highway and local street traffic.

Vehicular Noise

Traffic noise levels can be reliably predicted using formulas that take into account traffic volume, speed, and the percentage of trucks. Baseline 2015 noise contours were calculated for all the City's primary and major arterials, as well as the three freeways (I-405, SR-55, SR-73) that traverse the City. In addition, a number of secondary and commuter streets were modeled. Noise generation for each roadway segment was calculated, and the distance to the 60, 65, and 70 dBA CNEL contours was determined. (A noise contour is a line behind which the noise level does not exceed a certain value. For instance, the 60 dBA CNEL contour indicates that the CNEL between the street and the contour line is equal to, or greater than 60 dB; the CNEL beyond the contour line—away from the street—is less than 60 dB).

Table N-3: Noise and Land Use Compatibility Matrix

Land Use Category	Community Noise Exposure Ldn or CNEL, dBA			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential: Low-Density	50-60	60-70	70-75	≥75
Residential: Multiple Family	50-65	65-70	70-75	≥75
Mixed use	50-65	65-70	70-75	≥75
Transient Lodging-Motel, Hotels	50-65	65-70	70-80	≥80
Schools, Libraries, Churches, Hospitals, Nursing Homes	50-60	60-65	65-80	≥80
Auditoriums, Concert Halls, Amphitheaters	NA	50-70	NA	≥80
Sports Arenas, Outdoor Spectator Sports	NA	50-75	NA	≥80
Playgrounds, Neighborhood Parks	50-67.5	NA	67.5-75	≥75
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50-70	NA	70-80	≥80
Office Buildings, Business Commercial and Professional	50-67.5	67.5-77.5	77.5-85	≥85 unless appropriately insulated
Industrial, Manufacturing, Utilities, Agriculture	50-70	70-80	80-85	NA

Notes:

Normally Acceptable. *Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.*

Conditionally Acceptable. *New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction but with closed windows and fresh air supply systems or air conditioning will normally suffice.*

Normally Unacceptable. *New Construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.*

Clearly Unacceptable. *New construction or development should generally not be undertaken.*

NA: *Not Applicable*

Source: Modified from U.S. Department of Housing and Urban Development Guidelines and State of California Standards.

Aircraft Noise

The California Department of Transportation (Caltrans) has established guidelines in the California State Noise Standard to control residential area noise levels produced by aircraft operations that use the State's airports. Under these guidelines, residential noise sensitive areas exposed to an average CNEL of greater than the 65 dBA define the noise impact area.

John Wayne Airport

John Wayne Airport, operated by the County of Orange, abuts industrial and commercial properties at the northeast corner of Costa Mesa. A small portion of Costa Mesa lies within the 65 dBA CNEL contour of John Wayne Airport. The northeast corner of Costa Mesa is impacted by noise from the airport. However, the majority of this area is developed with industrial uses. Approximately 107 dwelling units within the City's sphere of influence lie within the 65 dBA CNEL noise impact area south of the runway.

Noise contours resulting from operations at John Wayne Airport, indicated on Figure N-1, *John Wayne Airport Noise Contours*, are those on file with the County of Orange Office of Noise Abatement and the Orange County Airport Land Use Commission (ALUC).

The 2008 *Airport Environs Land Use Plan* (AELUP) adopted by the Airport Land Use Commission specifies acceptable uses proximate to the airport. These are defined as uses that will not subject people to adverse noise impacts. John Wayne Airport, primarily through the General Aviation Noise Ordinance (GANO), has on-going programs of noise reduction that include limits on the number of commercial airline flights, noise abatement arrival and departure procedures, admonishment of noisy operators (including private aircraft), curfew, and take-off weight limitations.

The Orange County Board of Supervisors approved a master plan for the airport in February, 1985. Settlement of lawsuits concerning airport expansion was reached in December 1985 between the County, City of Newport Beach, and two community organizations. In 2003, the settlement agreement was amended which extended the agreement until 2015, allowed an increase in passengers served from 8.4 million annual passengers to 10.8 million annual passengers, allowed an increase in regular Class A flights to 85 average daily departures, and allowed facility improvements.

In 2014, the Board of Supervisors authorized an increase in operational capacity and extended the terms of the settlement agreement through

December 31, 2030, with no change to curfew until December 31, 2035. Additionally, beginning on January 1, 2021, the approval allows a gradual increase in passenger count from 8.4 million average passengers to 11.8 million average passengers and 95 average daily departures. Further, on January 1, 2026, the number passengers would again be able to increase, up to 12.5 million average passengers, depending upon the actual service levels in the preceding five years.

Despite the increase in air traffic from John Wayne Airport, the ultimate CNEL noise contours are considerably less than the noise contour contained in the 2008 AELUP due updated technology creating quieter fleets of commercial aircrafts.

Helicopter Services

The City of Costa Mesa contracts with Huntington Beach for police helicopter services on a case-by-case basis. Depending on altitude and speed, noise levels generated by the craft under normal conditions range from 61 to 65 dBA. As of 2015, four heliports were located in Costa Mesa at the following locations:

- Costa Mesa Police Department, 99 Fair Drive
- Former Los Angeles Times building, 1375 West Sunflower Avenue
- South Coast Metro Center, 555 Anton Boulevard
- Tridair Helicopter, 3000 Airway Avenue

The *AELUP for Heliports* establishes regulations and restrictions for the siting of heliports/helipads. The purpose of the *AELUP for Heliports* is to protect the public from the adverse effects of aircraft noise by ensuring that heliports/helipads are sited in areas of compatible land use. The City regulates the siting of helipads through a conditional use permit. The City requires an analysis to identify potential noise impacts and the City may regulate the hours of operation and arrival, departure/arrival routes, and type of helicopters which may use the heliport in order to minimize impacts to sensitive land uses. Heliports and helistops must comply with the all conditions of approval imposed or recommended by the Federal Aviation Administration, Orange County ALUC, and Caltrans/Division of Aeronautics.

OC Fair & Event Center

The OC Fair & Event Center (OCFEC) has existed at its location across from the Civic Center for over 65 years and has become a year-round exhibition, conference, and event center. The primary function of the OCFEC is to host

the annual summer fair, which includes rides, exhibits, theater, the centennial farm area, equestrian center, and amphitheater for concerts. Over 1.3 million people attend the fair during its summer run.

Several noise sources exist within the fairgrounds property. A majority of the on-site stationary noise is due to the weekly Orange County Market Place, Farmers Market, Centennial Farm, and Food Truck Fare Wednesday, as well as annual events such as OC Home and Garden Show, Orange County Fair, and concerts at the Pacific Amphitheater. Parking lot activity during various fairground events also generates noise.

In 1980, a modified stricter Noise Ordinance for fairground operations was established in an agreement between the 32nd District Agricultural Association and the City of Costa Mesa ("1980 Settlement Agreement"). Table N-4, *Orange County Fairgrounds Modified Noise Ordinance*, applies to the activities within the Orange County Fairgrounds, with the exception of the events at the Pacific Amphitheater.

Table N-4: Orange County Fairgrounds Modified Noise Ordinance[1]

Land Use	Noise Level Not to Be Exceeded	Maximum Allowable Duration of Exceedance
Residential	50 dBA 55 dBA 60 dBA 65 dBA 70 dBA	30 min/hour 15 min/hour 5 min/hour 1 min/hour Not for any period of time
Noise Zone	**Noise Level (CNEL)**	**Time Period**
1 and 2 Family Residential	60 dBA 50 dBA	7:00 a.m. to 11:00 p.m. 11:00 p.m. to 7:00 a.m.
Multiple Dwelling Residential, Public Space, Commercial	60 dBA 55 dBA	7:00 a.m. to 11:00 p.m. 11:00 p.m. to 7:00 a.m.

Note: 1. Does not apply to events at Pacific Amphitheater

Source: City of Costa Mesa Inter Office Memorandum, August 24, 2010.

Orange County Fair

The Orange County Fair operates for four weeks annually during the summer months. Noise sources during the fair events include a public address system, carnival rides, and several sound reinforcement systems used for concerts and carnival rides. Noise levels in the activity areas of a typical fair are in the range of 65 to75 dBA.

Pacific Amphitheater

The 8,200-seat Pacific Amphitheater is owned and managed by the OC Fair & Event Center and provides year-round events. Prior to 1990, noise levels generated by concert events at Pacific Amphitheater exceeded the Costa Mesa Noise Ordinance, impacting surrounding residential neighborhoods. In 1990, a permanent injunction ("1990 Order") was entered against the former operators of the Amphitheater and the order set the current noise level established in Table N-5. The order specifically stated that the City's Noise Ordinance does not apply to the Pacific Amphitheatre. The amphitheater closed in 1997, but reopened in 2003 and remains subject to the noise restrictions of the 1990 Order outlined in Table N-6.

Table N-5: Pacific Amphitheater Court Order Current Noise Restriction (1990 Order)

Maximum Noise Level	Time Period	Days of the Week
55 dBA	7:00 A.M. - 10:30 P.M.	Sunday-Thursday
50 dBA	10:30 P.M.- 7:00 A.M.	Sunday-Thursday
55 dBA	7:00 A.M. - 11:00 P.M.	Friday-Saturday
50 dBA	11:00 P.M.- 7:00 A.M.	Friday-Saturday

Source: City of Costa Mesa Inter Office Memorandum, August 24, 2010.

Stationary Noise Sources

Stationary noise sources in Costa Mesa include restaurants, bars, entertainment establishments, mixed-use structures, mechanical equipment, outdoor industrial and commercial activities, and use of recreational facilities. Delivery trucks, air compressors, generators, outdoor loudspeakers, and gas venting cause the primary noise sources associated with these facilities. Other significant stationary noise sources include construction activity, street sweepers, and gas-powered leaf blowers. Residential land uses and areas identified as noise-sensitive must be protected from excessive noise from stationary sources including commercial and industrial centers. These impacts are best controlled through effective land use planning and the application of the Noise Ordinance.

Ambient Noise

To describe the ambient or background noise level throughout the City, several noise measurement samples were taken in 2015. Noise sensitive land uses include schools, residences, churches, hospitals, and similar facilities. The locations included a mix of public schools, preschools (childcare centers), hospitals, convalescent homes and a senior housing development. The locations shown in Figure N-1: *Noise Monitoring Locations*, were distributed throughout the City to provide an overall understanding of the noise environment.

The noise measurement locations also functioned as noise-sensitive indicators. These noise-sensitive indicators are uses, such as schools and hospitals, that have a lower tolerance for noise than do industrial and commercial activities or normal residential uses. Noise levels measured at these locations are reported in Table N-6: *Field Noise Measurements*.

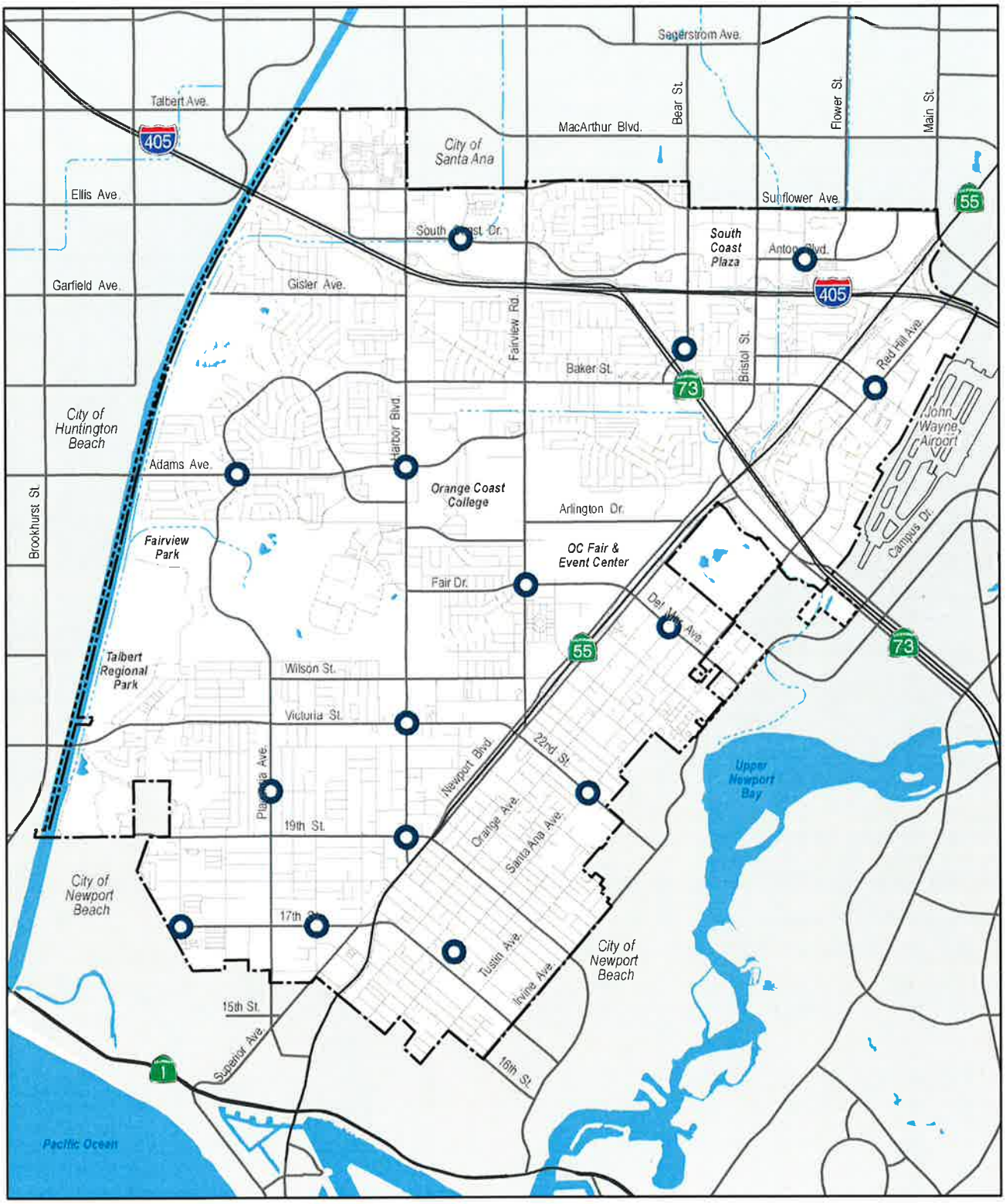


Figure N-1: Noise Monitoring Locations

Table N-6: Field Noise Measurements – 2015 Ambient Noise Levels

Site	Time	L_{eq}	L_{max}	L_{min}	Location
1	7:12 A.M.	67.8	84.5	57.8	Northeast corner of Anton and Avenue of the Arts
2	7:45 A.M.	77.6	102.1	55.3	Southeast corner of Bear and Paularino
3	8:12 A.M.	71.5	88.5	57.6	Northeast corner of Harbor and Adams
4	8:37 A.M.	70.2	84.3	56.2	Northwest corner of Fairview and Fair
5	9:12 A.M.	66.2	82.3	55.1	Southwest corner of South Coast and Susan
6	11:07 P.M.	68.4	80.7	45.5	Northwest corner of Mesa Verde and Adams
7	11:35 P.M.	52.5	65.2	39.1	East corner of Santa Ana and 22nd
8	7:02 A.M.	67.8	84.9	46.4	North corner of Del Mar and Orange
9	7:33 A.M.	61.5	75.1	45.5	East corner of Santa Ana and Cabrillo
10	7:55 A.M.	73.1	86.9	57.1	Northeast corner of Harbor and 19th
11	8:21 A.M.	73.8	89.4	60.5	Northeast corner of Harbor and Victoria
12	8:47 A.M.	69.4	82.5	54.3	Northeast corner of 17th and Pomona
13	9:11 A.M.	63.1	82.0	42.3	Northeast corner of 17th and Whittier
14	9:43 A.M.	74.1	93.9	53.9	Northeast corner of Placentia & 20th
15	10:24 A.M.	69.3	85.5	56.2	South corner of Red Hill and Paularino

Note: This table displays the short-term noise measurements results that were conducted to identify the ambient noise in the City. An American National Standards Institute (ANSI Section SI4 1979, Type 1) Larson Davis model LxT sound level meter was used to monitor noise levels. The noise meter was programmed to record noise levels in A-weighted form. The microphone height was set at five feet. Fifteen 15-minute daytime noise measurements were taken on Tuesday August 4, 2015, through Thursday August 6, 2015.

Source: MIG, 2015.

Citywide Noise Environment

Existing Noise Environment (2015)

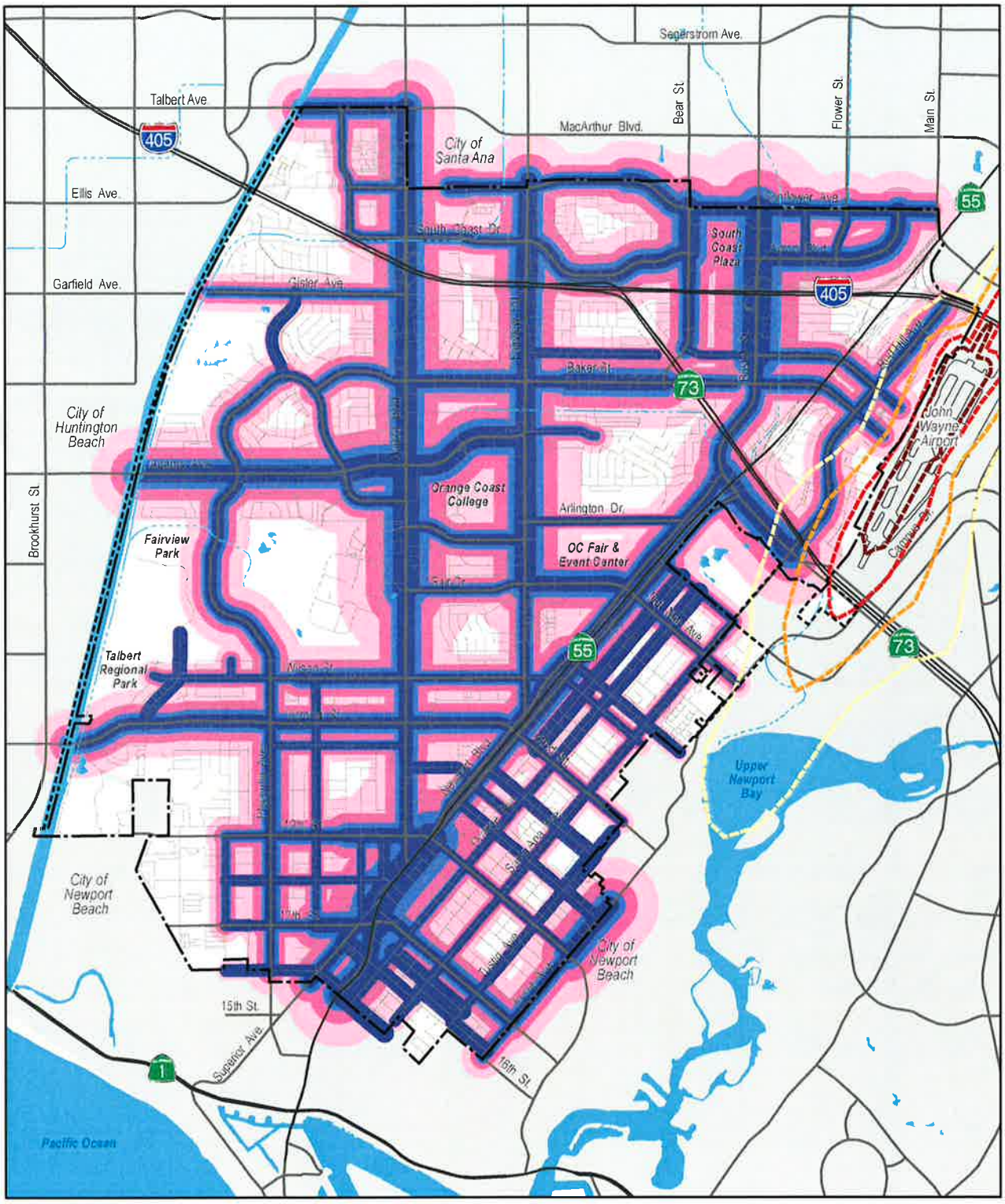
Figure N-2: *Existing Noise Contours - 2015*, illustrates the existing (2015) CNEL noise contours along many of the City's major roadways in the City. CNEL contours are found by calculating distances to the 55, 60, 65, and 70 CNEL contours. Figure N-2 also depicts John Wayne Airport's CNEL noise contours prepared in 2013.

Future Noise Environment (2035)

The noise environment in Costa Mesa is not expected to change as a result of implementation of the General Plan. Vehicular traffic noise—the dominant source citywide—is not anticipated to change substantially along local streets or major through routes, including I-405, SR-73 and SR-55, major arterials. Aircraft noise from John Wayne Airport, noise from events at the OC Fairground & Event Center, and non-transportation noise similarly are not anticipated to increase in the community.

The projected noise exposure contours for year 2035 are indicated in Figure N-3: *Future Noise Contours - 2035*. The future noise contours should be considered as a guide to identifying potential land use/noise compatibility issues and will be used to determine the requirement for project specific noise studies and mitigation. Future noise CNEL for John Wayne Airport are also shown in Figure N-3, which reflect the airport's 1985 Master Plan future noise conditions.

In comparison to the 2015 noise contours presented in Figure N-2, future noise levels will increase only modestly.



Existing Noise Contours
Community Noise Equivalent Levels (CNEL)

- 70 CNEL
- 65 CNEL
- 60 CNEL
- 55 CNEL

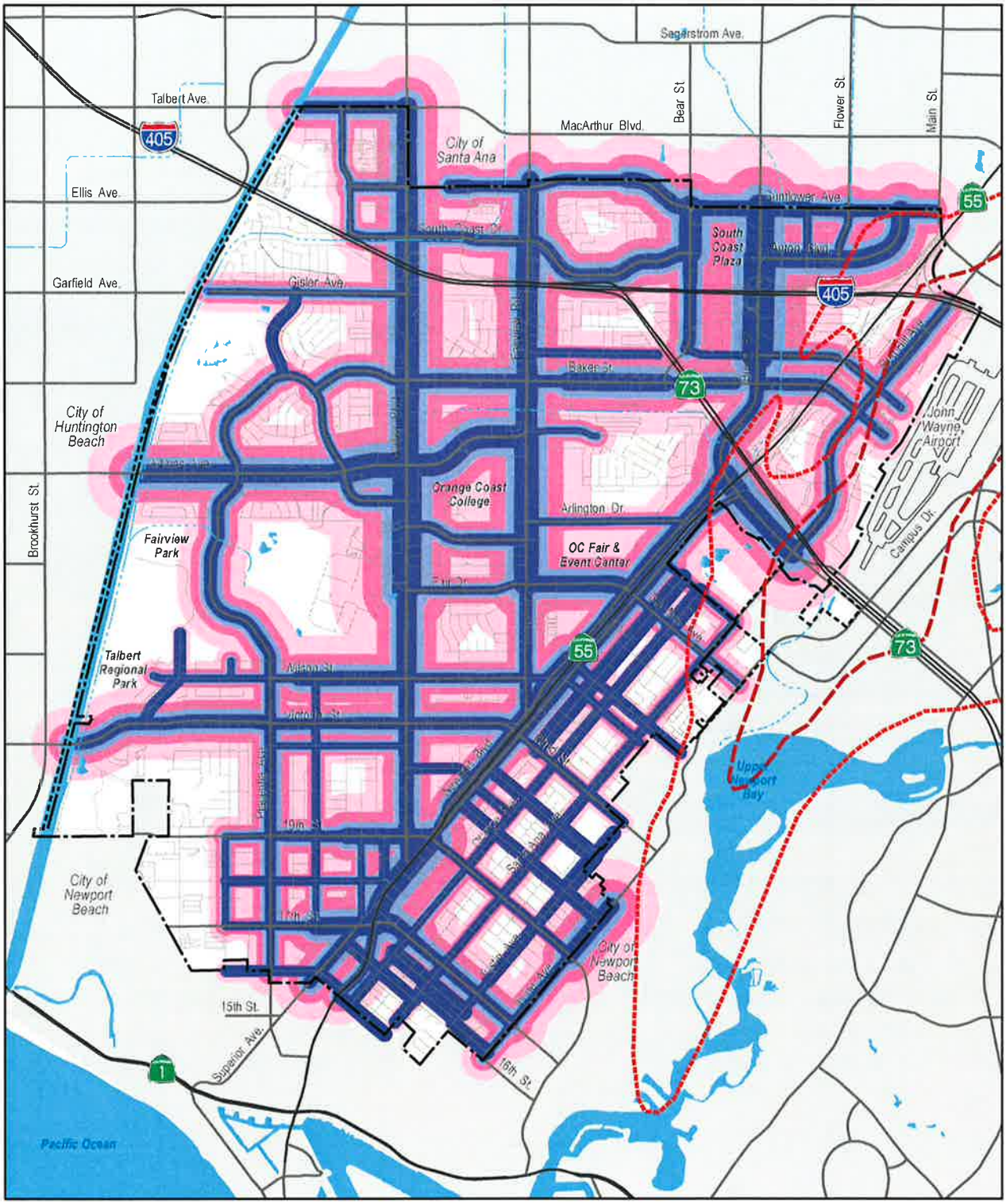
John Wayne Airport Existing (2013) Conditions CNEL Contours

- 75 CNEL
- 70 CNEL
- 65 CNEL
- 60 CNEL

Source: MIG, Inc., 2016 and Mastre Greve Associates, 2013.

0 1,000 2,000 4,000 6,000 8,000 Feet

N-2: Existing Noise Contours - 2015



N-3: Future Noise Contours - 2035

Key Noise Issues

The key noise issues in Costa Mesa are:

John Wayne Airport

John Wayne Airport, a very busy airport, has some of the most restrictive restrictions related to noise in the United States. Noise from operations at John Wayne Airport affects primarily industrial and commercial properties in northeast Costa Mesa (Figures N-2 and N-3). Departures from the airport were amended in 2011 under STREL, which directed departure flights away from residences and over Newport Bay. STREL is the name provided by the Federal Aviation Administration (FAA) to describe the Area Navigation (RNAV) departure procedure implemented in 2011, and replaced the flight departure pattern called DUUKE ONE/TWO.

The County's General Aviation Noise Ordinance regulates the hours of operation and the maximum permitted noise levels associated with general aviation projects. General aviation flights are allowed, as long as aircraft comply with the General Aviation Noise Ordinance. The County has installed 10 noise-monitoring stations along the main designated departure and arrival flight routes; no noise monitoring station was located in Costa Mesa as of 2015.

The FAA, under *its Next Generation Air Transportation System* program, also known as Southern California Metroplex project, seeks to optimize flight patterns departing out of the airport; it may affect the flight paths over Costa Mesa over the long term.

Construction Noise

Construction noise could occur in almost any part of the City. However, Section 13-279 of the Costa Mesa Municipal Code limits construction activity as follows:

Allowable Hours	***Applicable Days***
7:00 A.M. to 7:00 P.M.	Mondays through Fridays
9:00 A.M. to 6:00 P.M.	Saturdays

Construction is prohibited all hours on Sundays and on the following specified federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

Helicopter Noise

Because of the nature of their operations, police helicopter noise may impact any location in the City at any time between 10:00 A.M. and 3:00 A.M. Overflights are usually brief, lasting only a few seconds. Noise exposure of several minutes may occur when circling a crime scene. Although helicopter noise levels are not extremely high in either case, they may be sufficient to cause sleep interruption during nighttime hours. The FAA does not have minimum altitude requirements for helicopters when weather, safety, and other air traffic permit.

Roadway Traffic Noise

Roadway traffic noise has the greatest impact on the noise environment of Costa Mesa's residential properties. Between 55 and 60 dBA CNEL contours are common along collector streets; freeways and major street expose adjacent areas to levels of 65 dBA CNEL or greater.

Figures N-2 and N-3 show baseline 2015 and projected 2035 noise contours along many of the City's major and primary arterials and the three freeways that traverse the City. Noise contours for selected secondary and commuter streets are also included. The figures display the average daily traffic volume noise levels at 100 feet from the roadway centerline and the distance from the roadway centerline to the 70, 65 and 60 dBA CNEL contours. The improvements on the I-405, SR-55, and SR-73 would produce noise impacts on immediately adjacent Costa Mesa properties.

Noise/Land Use Compatibility Conflicts

A great proportion of mixed-use developments, typically multi-family residential or live/work units atop a leasable commercial space or loft ~~art~~ studio, are located in the Westside. The Mixed-Use Overlay District encompasses three Urban Plans that govern almost all of the Westside of Costa Mesa—19 West, Mesa West Bluffs, and Mesa West Residential Ownership. In addition, the SoBeca Urban Plan allows for mixed-use development. Residents in Westside neighborhoods have expressed some concern regarding the operational ambient noise emanating from industrial activities from truck traffic, heavy machinery, materials processing, and general worker activity. In addition, the commercial spaces below the residential portions of buildings could also generate noise. The SoBeca district has additional noise issues associated with the proximity of the SR-55 and SR-73 freeways.

Land use development process within the context of these urban plans take into consideration noise impacts. A project application is required to include a noise study to show how compliance with noise standards will be achieved. Furthermore, as part of conditions of project approval, the required Covenants, Conditions, and Restrictions (CC&Rs) must disclose the existing noise environment within and surrounding the mixed-use development.

Proper design that attenuates the impact of noise is embedded in the urban plans. The plans recommend noise-reduction building design approaches such as double-pane windows, wall and ceiling insulation, and the limitation on commercial operations to minimize interaction between noise-generating business activities such as deliveries and loading.

Noise Plan

Typical Noise Attenuation Techniques

Noise impacts can be mitigated in three ways: 1) by reducing the sound level of the noise generator, 2) by increasing the distance between the source and receiver, and 3) by insulating the receiver. Noise reduction can be accomplished by placement of walls, landscaped berms, or a combination of the two between the noise source and the receiver.

Generally, effective noise shielding requires a solid barrier with a mass of at least four pounds per square-foot of surface area, which is large enough to block the line of sight between source and receiver. Variations may be appropriate in individual cases based on distance, nature and orientation of buildings behind the barrier, and a number of other factors. Garages or other buildings may be used to shield dwelling units and outdoor living areas from traffic noise. In addition to site design techniques, noise insulation can be accomplished through proper design of buildings. Nearby noise generators should be recognized in determining the location of doors, windows and vent openings. Sound-rated windows (extra thick or multi-paned) and wall insulation are also effective.

However, none of these noise mitigation measures can realize their full potential unless care is taken in actual construction: doors and windows fitted properly, openings sealed, joints caulked, plumbing adequately insulated from structural members, and sound-rated doors and windows will have little effect

if left open. This may require installation of air conditioning for adequate ventilation.

Noise impacts can be reduced by insulating noise-sensitive uses, such as residences, schools, libraries, hospitals, nursing homes, and some types of commercial activities. Perhaps a more efficient approach involves limiting the level of noise generation at the source. State and federal statutes have largely preempted local control over vehicular noise emissions, but commercial and industrial operations and certain residential activities provide opportunities for the City to assist in noise abatement.

Although vehicular noise emissions standards are established at the State and federal levels, Costa Mesa can play a significant part in reducing traffic noise by controlling traffic volume and congestion. Traffic noise is greatest at intersections due to acceleration, deceleration, and gear shifting. Measures such as signal synchronization can help to ~~minimize~~ reduce this problem. Likewise, reduction of congestion aids in reduction of noise. This can be accomplished through the application of traffic engineering techniques such as channelization of turning movements, parking restrictions, separation of modes (bus, auto, bicycle, pedestrian) and restrictions on truck traffic. Noise reduction through reduction of traffic volumes can also be accomplished with incentive programs for use of public transit facilities and high-occupancy vehicles, staggering of work hours, and land use controls. Vehicle trips can be turned into pedestrian trips with integration of housing and employment into the same project or area, construction of high-density, affordable housing in proximity to employment, shopping, public transit facilities, and other techniques.

Goals, Objectives, and Policies

Goal N-1: Noise Hazards and Conditions

The City of Costa Mesa aims to protect residents, local workers, and property from injury, damage, or destruction from noise hazards and to work toward improved noise abatement.

Objective N-1:	***Control noise levels within the City for the protection of residential areas and other sensitive land uses from excessive and unhealthful noise.***
Policy N-1.A:	Enforce the maximum acceptable exterior noise levels for residential areas at 65 CNEL.
Policy N-1.B:	Give full consideration to the existing and projected noise environment when considering alterations to the City's circulation system and Master Plan of Highways.
Policy N-1.C:	Encourage Caltrans to construct noise attenuation barriers along I-405, SR-55, and SR-73 where these freeways adjoin residential and other noise-sensitive areas.
Policy N-1.D:	Ensure that appropriate site design measures are incorporated into residential developments, when required by an acoustical study, to obtain appropriate exterior and interior noise levels. When necessary, require field testing at the time of project completion to demonstrate compliance.
Policy N-1.E:	Apply the standards contained in Title 24 of the California Code of Regulations as applicable to the construction of all new dwelling units.
Policy N-1.F:	Discourage sensitive land uses from locating within the 65 CNEL noise contour of John Wayne Airport. Should it be deemed by the City as appropriate and/or necessary for a sensitive land use to locate in the 65 CNEL noise contour, ensure that appropriate interior noise levels are met and that minimal outdoor activities are allowed.
Policy N-1.G:	Support alternative methods for the reduction of noise impacts at John Wayne Airport while continuing to

maintain safety and existing limitations on aircraft daily departures.

Policy N-1.H: Monitor the noise levels at OC Fair and Event Center and the Pacific Amphitheater, and continue to monitor the status of legally binding noise levels on the OC Fair and the Event Center and the Pacific Amphitheater.

Goal N-2: Noise and Land Use Compatibility

Integrate the known impacts of excessive noise on aspects of land use planning and siting of residential and non-residential projects.

Objective N-2: ***Plan for the reduction in noise impacts on sensitive receptors and land uses.***

Policy N-2.A: Require the use of sound walls, berms, interior noise insulation, double-paned windows, and other noise mitigation measures, as appropriate, in the design of new residential or other new noise sensitive land uses that are adjacent to arterials, freeways, or adjacent to industrial or commercial uses.

Policy N-2.B: Require, as a part of the environmental review process, that full consideration be given to the existing and projected noise environment.

Policy N-2.C: Consider ~~supplemental~~ alternative noise level standards for mixed-use projects that take into consideration the interaction of industrial operation noise impacts and the mixed-use developments planned for the Westside and SoBeca.

Policy N-2.D: Require that all proposed projects are compatible with adopted noise/land use compatibility criteria

Policy N-2.E: Enforce applicable interior and exterior noise standards.

Policy N-2.F: Allow a higher exterior noise level standard for infill projects in existing residential areas adjacent to major arterials if it can be shown that there are no feasible mechanisms to meet the exterior noise levels. The interior standard of 45 dBA CNEL shall be enforced for any new residential project.

Policy N-2.G: Encourage effective site planning in mixed-use areas that provides the optimal distance between source of excessive sound and residents.

Policy N-2.H: Require new mixed-use developments to site loading areas, parking lots, driveways, trash enclosures, mechanical equipment, and other noise sources away from the residential portion of the development and adjacent established residential development.

Policy N-2.I: Limit hours and/or require attenuation of commercial/entertainment operations adjacent to residential and other noise sensitive uses in order to minimize excessive noise to these receptors.

Costa Mesa Fire & Rescue Paramedics vehicle

Chapter 8:
Safety Element

Introduction

The City of Costa Mesa emphasizes community safety as a foundation for quality neighborhoods, strong business investment, and inviting public spaces. The City fosters safe and secure environments by recognizing potential hazards and developing plans that guard against disruption and threats to the public welfare.

Purpose

The Safety Element identifies and evaluates public health and safety hazards, and provides measures that can reduce unreasonable risks and minimize potential losses in the event of natural or human-caused disasters. The Safety Element addresses emergency preparedness and coordinated response, police and fire protection, and emergency services by:

- Reviewing the regulatory framework that guides public safety planning efforts

- Highlighting key findings and recommendations based on assessed conditions
- Establishing goals with respect to public safety and welfare
- Defining the policies and implementing actions to address public safety issues
- Identifying lead responsibilities for each implementation action

Legal Requirements

Section 65302(g) of the California Government Code requires that General Plans include a Safety Element for the protection of the community from any unreasonable risks associated with wildland and urban fires, flooding, and known geologic hazards. Geologic risks are defined as those associated with geologic hazards such as seismically induced surface rupture, ground shaking, ground failure, tsunamis, seiches and dam failure, and slope instability leading to mudslides, landslides, and subsidence. Importantly, the law requires that the Safety Element address emergency response and preparedness, including evacuation routes, operations associated with military installations, peakload water supply requirements, minimum road widths, and clearance around structures.

Baseline Conditions - 2015

Like most coast-adjacent urban communities in California, Costa Mesa is exposed to many natural and human-caused hazards that require attention in the planning process. The City lies approximately five miles from the Pacific Ocean and thus is susceptible to flooding from tsunamis. The Santa Ana River, which runs along the eastern boundary, also presents potential flooding hazards. Additionally, Costa Mesa is exposed to earthquakes and other seismic hazards. Human activities such as the transport and manufacturing of hazardous materials create conditions that require attention.

Geology

Geologic Structure

Costa Mesa lies adjacent to the Downey and Tustin portion of the Coastal Plain, where sedimentary and volcanic rocks in the subsurface attain great thickness. These deposits are composed mainly of volcanic, marine and nonmarine sedimentary tocks overlying is basement complex of granitic and metamorphic rock. The plan is immediately underlain by a thick sequence of alluvial sediments, which overlie the older sedimentary and volcanic rocks.

The main development of Costa Mesa is primarily on an uplifted mesa (Newport Mesa) bounded on the west, south, and east by steep cliffs (refer to Figure S-1, *Geologic Map*). Newport Mesa slopes gently northward from an elevation of 80 to 110 feet above sea level at the southern crest of the mesa to less than 40 feet above sea level at the northern boundary of the City. Approximately 80 percent of the City is located on this mesa.

Newport Mesa is the most southerly of a series of a discontinuous low hills and plains that extend along the Newport-Inglewood structural zone from the Santa Monica Mountains southeast to Newport Beach. These topographic features are inferred from both the physiographic and stratigraphic evidence to be essentially contemporaneous segments of the Sangamon Age (120,000 years Before Present) deformed lower terrace of the Palos Verdes Hills.

Soils

Soils within Costa Mesa are variable, ranging from a predominance of clay with some silty sand in the northern half of the City to a predominance of silty sand with some sand and clay in the southern half (refer to Figure S-2 *Soil Types*). These generalized units were derived from a more detailed soils map contained in the soil survey of Orange County.

Mineral Resources

Oil

Portions of Costa Mesa overlay the West Newport Oil Field, which is south of 17th Street between Pomona and Westminster Avenues, and the West Newport Oil Field, which is west of Whittier Avenue, south of Victoria Street (refer to Figure S-1, *Geologic Map*).

Figure S-1: Geologic Map

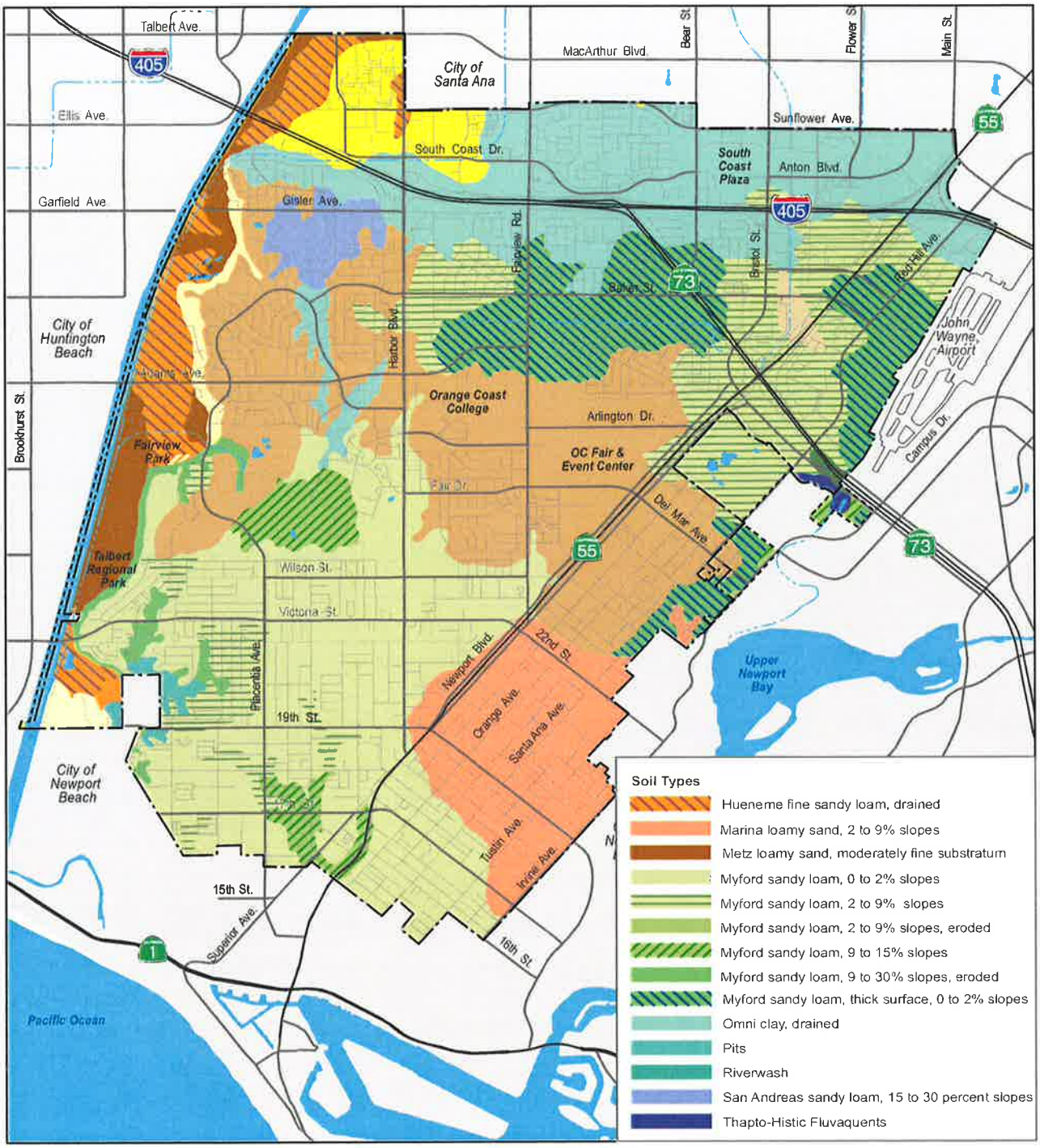


Figure S-2: Soil Types

Currently the only active oil wells in Costa Mesa operate in the West Newport Field west of Whittier Avenue between 17th and 19th Streets. These wells produce a relatively low quality crude oil and remained in operation through the mid-1990s.

Peat Deposits

Peat deposits are located adjacent to the Santa Ana River and in the vicinity of Upper Newport Bay (refer to Figure S-3, Soil Types). The size of the deposits in Costa Mesa is not sufficient to justify extraction. However, peat does provide an unstable base for construction and must be removed prior to development.

Seismic Hazards

Costa Mesa is in the vicinity of several known active and potentially active earthquake faults, including most notably the Newport-Inglewood Fault Zone and the San Joaquin Hills Fault Zone. Other faults such as the San Andreas, Whittier, Elsinore, Palos Verdes, and Puente Hills Faults are predicted to affect Costa Mesa with strong shaking but light damage. An earthquake along these faults may have more indirect impacts such as the need to provide mutual aid, an infusion of those seeking housing, and other mass care or sheltering services.

Ground Shaking

Ground shaking is the phenomenon most often associated with seismic activity. The intensity of ground shaking and relative earthquake damage are heightened with earthquake magnitude, proximity to faults, and the presence of deeper soft soils below the ground surface. The intensity of earthquakes is measured, or expressed, in terms of two scales: the Richter scale and the Modified Mercalli Intensity scale. The Richter scale measures the strength of an earthquake and assigns it a magnitude number using a base-10 logarithmic scale. For example, a magnitude 5.0 earthquake would result in 10 times the level of ground shaking as a magnitude 4.0 earthquake. The Modified Mercalli Intensity scale describes the intensity of an earthquake in terms of observable impacts, ranging from I (Not Felt) to XII (Extreme). The effects of ground shaking in Costa Mesa will vary considerably depending upon the distance of a seismic event relative to the city. Ground shaking from distant events (more than 40 miles away) will be of a different nature than events that occur within

10 miles. Also, the duration of strong ground shaking is another important factor related to seismic activity.

Five regional major faults—the Newport-Inglewood, San Joaquin Hills, Whittier, San Andreas, and San Jacinto—present a seismic hazards to the City. In addition, the El Modeno, Norwalk, Palos Verdes, 4-S Ranch, and Aliso fault pose lesser seismic hazards due to their localized extent. Figure S-3, *Regional Faults*, locates the fault zones of concern, and the descriptions below provide details about each fault.

Newport-Inglewood Fault. The Newport-Inglewood Fault extends approximately 47 miles south from the Santa Monica Mountains to Newport Beach and traverses Costa Mesa. The fault, considered the most active in California, roughly parallels the coastline from the Santa Monica Mountains until just south of Newport Bay, where it heads offshore and becomes the

- **Newport-Inglewood – Rose Canyon Fault Zone**. The fault is seismically active and is approximately 3.5 miles wide within the City. The largest earthquake triggered by the fault zone was the 1933 Long Beach earthquake, which had a magnitude of 6.3 (Richter scale). The earthquake resulted in strong ground shaking in Costa Mesa, as well as in other portions of Southern California.
- **San Joaquin Hills Fault.** The San Joaquin Hills Fault is a recently discovered southwest-dipping blind thrust fault originating near the southern end of the Newport-Inglewood Fault near Huntington Beach at the western margins of the San Joaquin Hills. Rupture of the entire area of this blind thrust fault could generate an earthquake as large as M 7.3. In addition, a minimum average recurrence interval of between about 1,650 and 3,100 years has been estimated for moderate-sized earthquakes on this fault.
- **Whittier Fault.** The Whittier Fault extends approximately 20 miles from the Whittier Narrows (near Whittier) to the southeast of the Santa Ana River. The fault is located approximately 20 miles northeast of Costa Mesa. The most notable seismic event associated with the Whittier Fault was the 1987 Whittier Narrows quake, measuring 5.9 on the Richter scale.

Figure S-3: Regional Faults

While significant damage occurred in the San Gabriel Valley near the epicenter, properties in Costa Mesa did not experience substantial adverse effects.

- **San Andreas Fault.** The 745-mile San Andreas Fault is the best known among all California faults due to its historic seismic activity and destructive capabilities. The fault is expected to produce a probable magnitude of M 6.8-8.0. The center section of the fault ruptured the ground surface during the 1857 Fort Tejon Earthquake and caused considerable damage over thousands of square miles. The fault is located on the northeastern flank of the San Bernardino Mountains approximately 48 miles from Costa Mesa. It is possible that the future movements along the San Andreas Fault Zone will produce simultaneous ruptures or "double earthquakes." A major earthquake occurs on this zone once every 145 years, and 2002 marked 145 years after the Fort Tejon Earthquake.
- **San Jacinto Fault.** The San Jacinto Fault extends over 180 miles from its junction with the San Andreas Fault in San Bernardino County. It has produced several damaging earthquakes over recorded history. The most notable is the 1940 Imperial County Earthquake. The fault is located approximately 44 miles from the City.

Differential Compaction or Settlement

Differential ground settlement is caused by earthquake ground shaking and is potentially damaging to structures and underground utilities. Differential settlement may occur in sediments where differences in densities in adjacent materials lead to different degrees of compaction during ground shaking. Post earthquake differential settlement may occur within the known peat deposits located in the City.

Liquefaction

Liquefaction describes a condition whereby saturated, loose, fine-grained sediment assumes fluid-like state when subjected to intense ground shaking or other disruptive seismic events. Like landslides and mudflows, liquefaction is a form of ground failure. It can occur when susceptible soils strength and their stiffness decreases during an earthquake, which reduces the soil's ability to support foundations for buildings, bridges, or other structures. Even though Costa Mesa has been subject to strong ground shaking in the past, historical

records do not confirm an instance of liquefaction occurring in the City. However, failure due to liquefaction has been reported in the nearby cities of Huntington Beach and Newport Beach. As a result, the potential exists for liquefaction to occur in localized sections within the northwest and western portions of the City, as shown in Figure S-4, *Local Seismic Hazards*.

Ground Cracking, Ground Lurching, Lateral Spreading, and Slope Stability

Most often associated with liquefaction, ground lurching and cracking are caused by moderate to strong ground shaking. Typically, the potential for ground cracking exists within areas of Costa Mesa that have a moderate to high potential for liquefaction and in regions of known peat deposits. The conditions for ground lurching and lateral spreading may be present along the bluffs adjacent to the Santa Ana River and Newport Bay.

Slope stability hazards include landslides, rock falls, mudslides, and avalanches. Since local topography consists of generally flat to gently sloping terrain, the potential for these hazards is minimal. However, the potential exists for earth movement during strong ground shaking along the bluffs along south portion of the City.

Surface Faulting

Surface faulting is the rupture of the ground surface along a fault. The only active fault that traverses Costa Mesa is the Newport-Inglewood Fault. Although this fault is defined as active, surface rupture does not appear to be a significant potential hazard since no historic such event has been observed.

Seismically Induced Water Waves

Seismically induced water waves include tsunamis and seiches. Tsunamis are generated by earthquake-induced subsea dislocations or landslides that cause large volumes of water to move in the form of ocean waves. Coastline configuration and tidal influx may cause local amplifying effects. A seiche is a low amplitude wave generated in a restricted body of water (such as a lake or reservoir) due to earthquake motions.

Potentially Active Faults

- Accurate Location
- Approximate Location

Seismic Hazards - Earthquake Induced

- Landslide Hazard Zone
- Liquefaction Hazard Zone

Source: Department of Conservation, California Geological Survey, 1997 and 1998.

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Figure S-4: Local Seismic Hazards

Tsunamis

Costa Mesa is three-quarters of a mile inland from the Pacific Ocean at elevations ranging between 30 to 100 feet above sea level. The southern portion of the City sits on bluffs overlooking Newport Beach. Consequently, the potential for tsunamis affecting Costa Mesa is negligible. However, areas located along the Santa Ana River Channel may be susceptible to the effects of tsunamis that travel up river.

Seiches

The absence of any large bodies of water within Costa Mesa and the location of high bluffs adjacent to Newport Bay reduce the possibility of damage from seiche effects.

Key Seismic Hazards Issues

Seismic Hazards

Regional and local fault zones pose significant ground shaking, ground cracking, ground lurching, lateral spreading, differential compaction, and settlement hazards that could result in widespread upset in Costa Mesa in the event of a major earthquake. Properties near the bluffs and Santa Ana River are exposed to seismically induced slope failure and instability.

Liquefaction

Although there is no historical evidence of structural damage to buildings as a result of liquefaction, there have been some recorded events that have occurred in Huntington Beach and Newport Beach. Liquefaction-induced structural damage is more likely to occur in buildings that place heavy loads on their foundations, such as high-rise office or multi-family buildings. Buildings with only lightly loaded foundations, such as single-family homes, or those that spread the load over a larger area, are less susceptible to damage. Liquefaction hazards can be reduced through soil mitigation and structural strengthening. A site-specific liquefaction assessment, performed by a geotechnical engineer or engineering geologist, can address the actual liquefaction potential of the soils.

Seismically Induced Water Waves

If a seismic event were to trigger a tsunami, low-lying areas along the Santa Ana River may be subject to flooding. The amount of flooding would be dependent on the size of the earthquake and strength of the tsunami.

Hydrology/Drainage

Flood Hazards

Costa Mesa sits alongside the Santa Ana River. This regional water feature presents a potential flooding hazard, as it drains Southern California's largest watershed, originating in the San Bernardino Mountains and draining over 3,000 square miles. Significant flood control improvements have been installed along the river course, with the goal of protecting properties along its route from flooding hazards. The Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency (FEMA) identify areas located within the City that are susceptible to 100-year and 500-year floods. In the event of a 500-year flood, the northern and western boundaries of Costa Mesa would be susceptible to flooding, as shown in Figure S-5, *Local Flooding Hazards*. In the event of a 100-year flood, minimal flooding is expected to occur within the flood channels adjacent to the Talbert Nature Preserve.

Dam Inundation

The Santiago Creek Dam and Prado Dam provide flood protection for numerous cities within Orange County, including Costa Mesa. Prado Dam is located at the border of Orange and Riverside Counties, approximately 30 miles from Costa Mesa. Dam construction was completed in 1941, and the U.S. Army Corps of Engineers continues to make phased improvements on the structure. The height of Prado Dam has been raised to 28 feet, and a new intake tower and outlet have been added. Those improvements added 140,000 acre-feet to the basin and increased the dam's level of protection to 190 years.

The Santiago Creek Dam, located near Irvine, is approximately 15 miles from the city. Dam construction occurred in 1931. In the event of a failure at either dam, portions of Costa Mesa are susceptible to potential flooding. These dam inundation areas are primarily located in the northern and western portions of the City, as shown in Figure S-6, *Dam Inundation Areas*.

Flood Zones

100-Year Flood Zone

Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

500-Year Flood Zone

Special flood hazard areas subject to inundation by the 1% annual chance flood

Source: Federal Emergency Management Agency (FEMA), National Flood Insurance Program, Flood Insurance Rate Maps (FIRMs), 2009.

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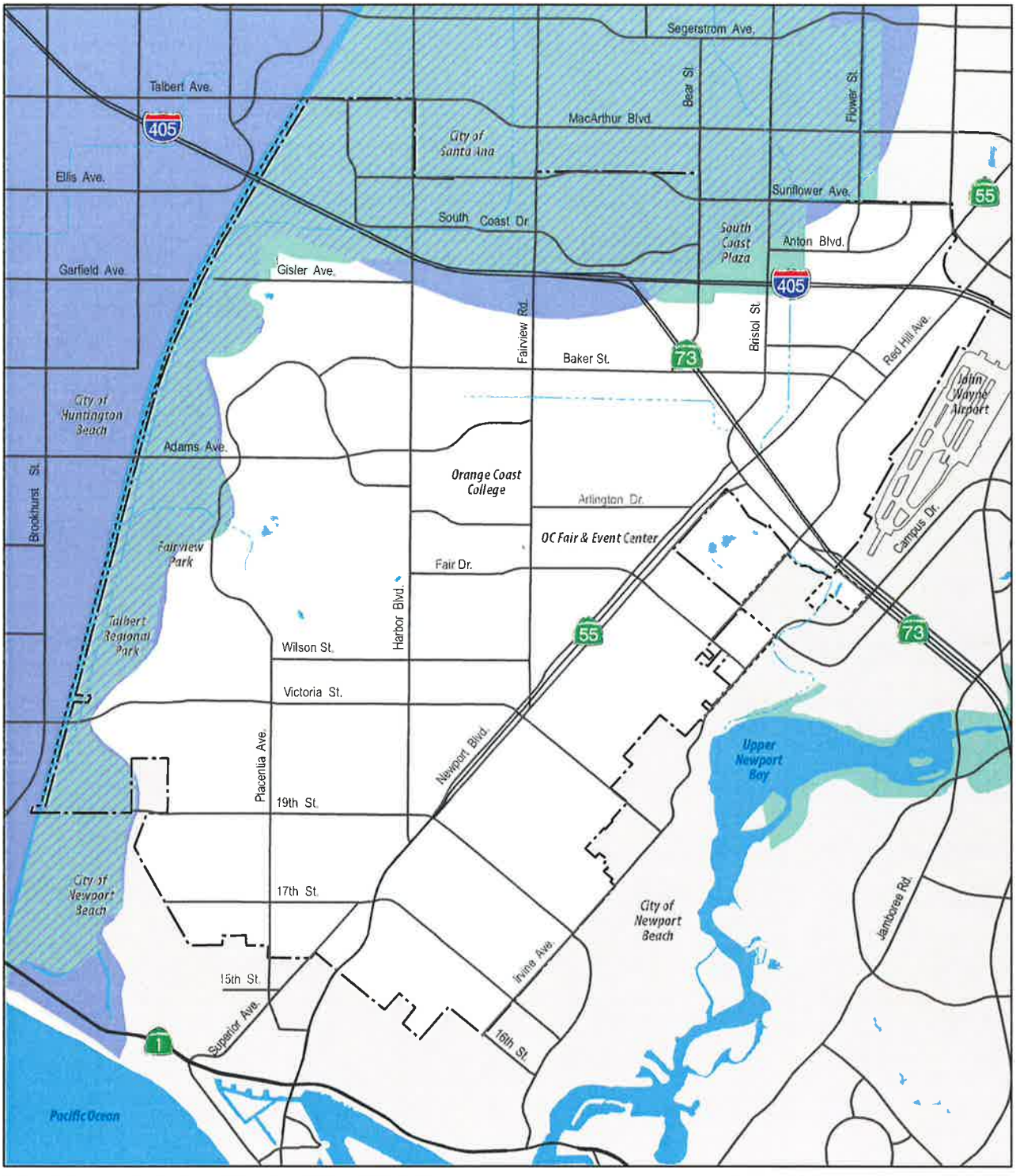
Figure S-5: Local Flooding Hazards



Indundation Areas - Potential Flooding Due to Dam Failure

- Santiago Creek Inundation Area
- Prado Dam Inundation Area
- Inundation Areas Overlap

Source: California Department of Water Resources, 2013

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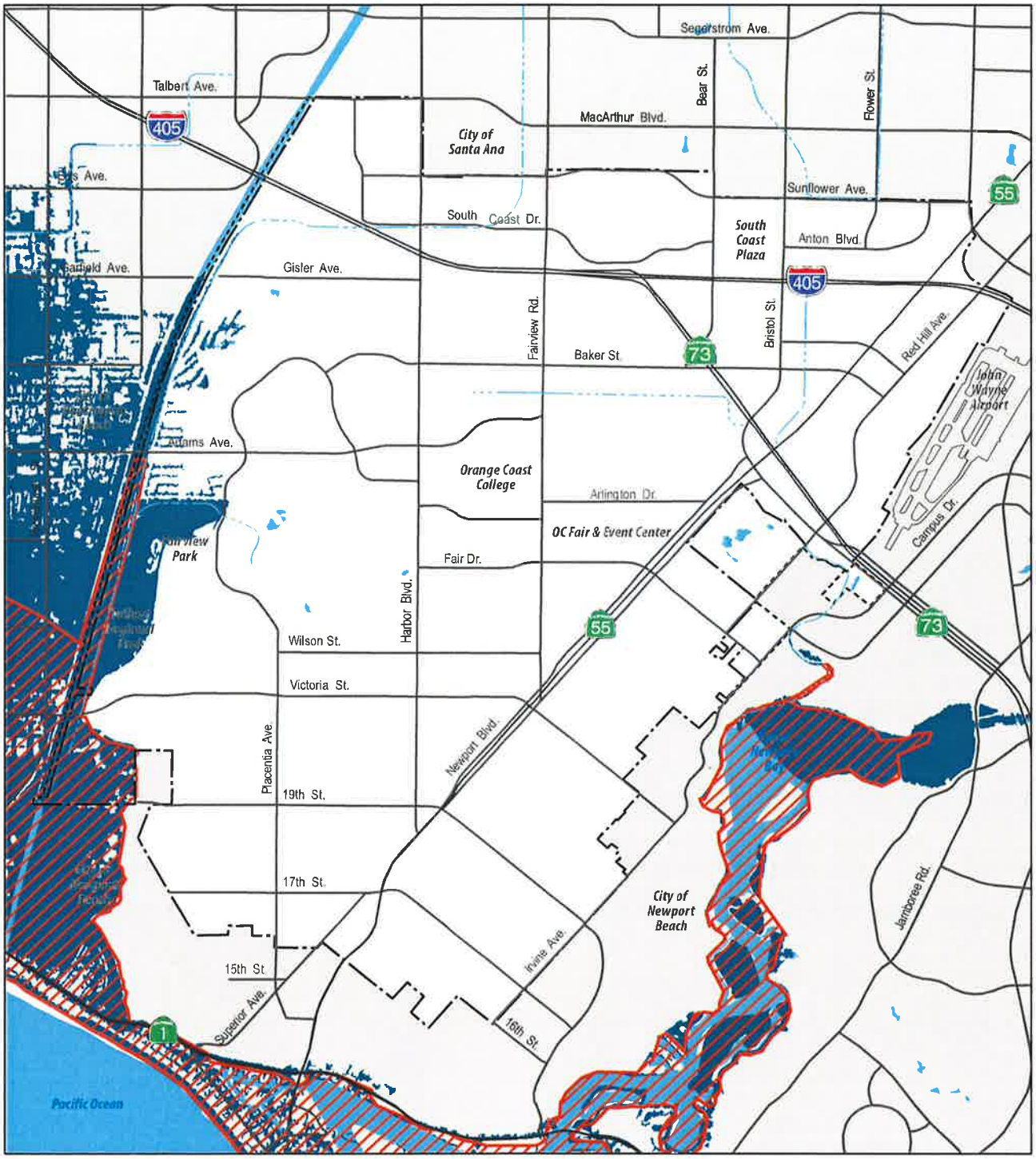
Figure S-6: Dam Inundation Areas

Drainage Facilities

Local drainage facilities—storm drains, channels, and retention and detention basins—are designed to control and manage storm water and urban runoff and to protect properties from flooding. Engineers size and design local and regional drainage facilities based on historical flooding data and an understanding of how urban development affects storm flows. Master plans identify any existing and future system deficiencies, and define improvements needed to provide a high level of flood protection. The City's Master Drainage Plan identifies numerous specific projects that will improve the storm drain system. Continued implementation of the plan provides the City with appropriate control and management over local drainage concerns.

Sea Level Rise

Scientific data strongly suggest that long-term changes in the Earth's climate over the next century and beyond will lead to the possibility of rises in sea levels around the world. In Southern California, sea level rise could result in increased flooding in low-lying areas along the shoreline, water infiltration into sanitary sewer and storm drain systems that outlet into or near the Pacific Ocean, and an increase in storm drain back-ups. All of these effects could result in more frequent and extensive flooding. Given Costa Mesa's location near the coast and along the Santa Ana River, the City could be expected to experience the affects of sea level rise. As shown in Figure S-7, *Tsunami and Sea Level Rise Hazard Areas*, by 2100 areas along the Santa Ana River may be inundated by unimpeded Pacific Ocean water.



Tsunami Inundation

Tsunami Hazard Zone

This tsunami inundation area was prepared to assist cities in identifying their tsunami hazard. It is intended for local jurisdictional, coastal evacuation planning uses only.

Sea Level Rise Impact

Sea Level Rise (Year 2100)

Areas inundated by unimpeded Pacific coastal flooding under a scenario of 100-year flood with a 55-inch (1.4 meters) sea level rise.

Sources: Tsunami: California Emergency Management Agency, California Geological Survey, and University of Southern California, 2009. Sea-Level Rise: CaliforniaPacific Institute, Oakland, California, 2009.

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Figure S-7, Tsunami and Sea Level Rise Hazard Areas

Key Hydrology/Drainage Issues

Localized Flooding

Localized flooding issues are largely addressed through the City's Master Drainage Plan. Local agencies, including Costa Mesa Public Works and the County of Orange Flood Division, must formulate disaster preparedness plans to guard against and respond to large storms that could bring widespread flooding related issues.

Santa Ana River Flood Hazards and Sea Level Rise

Properties along the Santa Ana River are exposed to flood hazards associated with major storm events, possibly tsunamis, and longer-term effects of unmitigated sea level rise.

Dam Inundation

Properties in the northern and western portions of the City lie within the inundation paths of Santiago Creek and Prado Dams. The likelihood of dam failure is very low, but cannot be discounted.

Aviation Hazards

John Wayne Airport, an international airport owned and operated by the County of Orange, borders Costa Mesa on the east, between SR-73 and I-405. The airport has two runways for commercial and private aircraft. In 2015, the airport served 9,386,033 passengers and 269,189 aircraft movements.

Section 21675 of the Public Utilities Code requires that counties establish an Airport Land Use Commission (ALUC) to develop a comprehensive land use plan for areas surrounding airports. These plans are to contain provisions focused on protecting the public from the adverse effects of aircraft noise, ensuring that people and facilities are not concentrated in areas with aircraft accident potential, and ensuring that structures or activities do not adversely affect navigable airspace. To fulfill the purpose of this plan, the Orange County ALUC has adopted aircraft noise, ground safety, and height restriction policies for land uses in the planning areas contained within the Airport Environs Land Use Plan (AELUP) for John Wayne Airport. Per the AELUP,

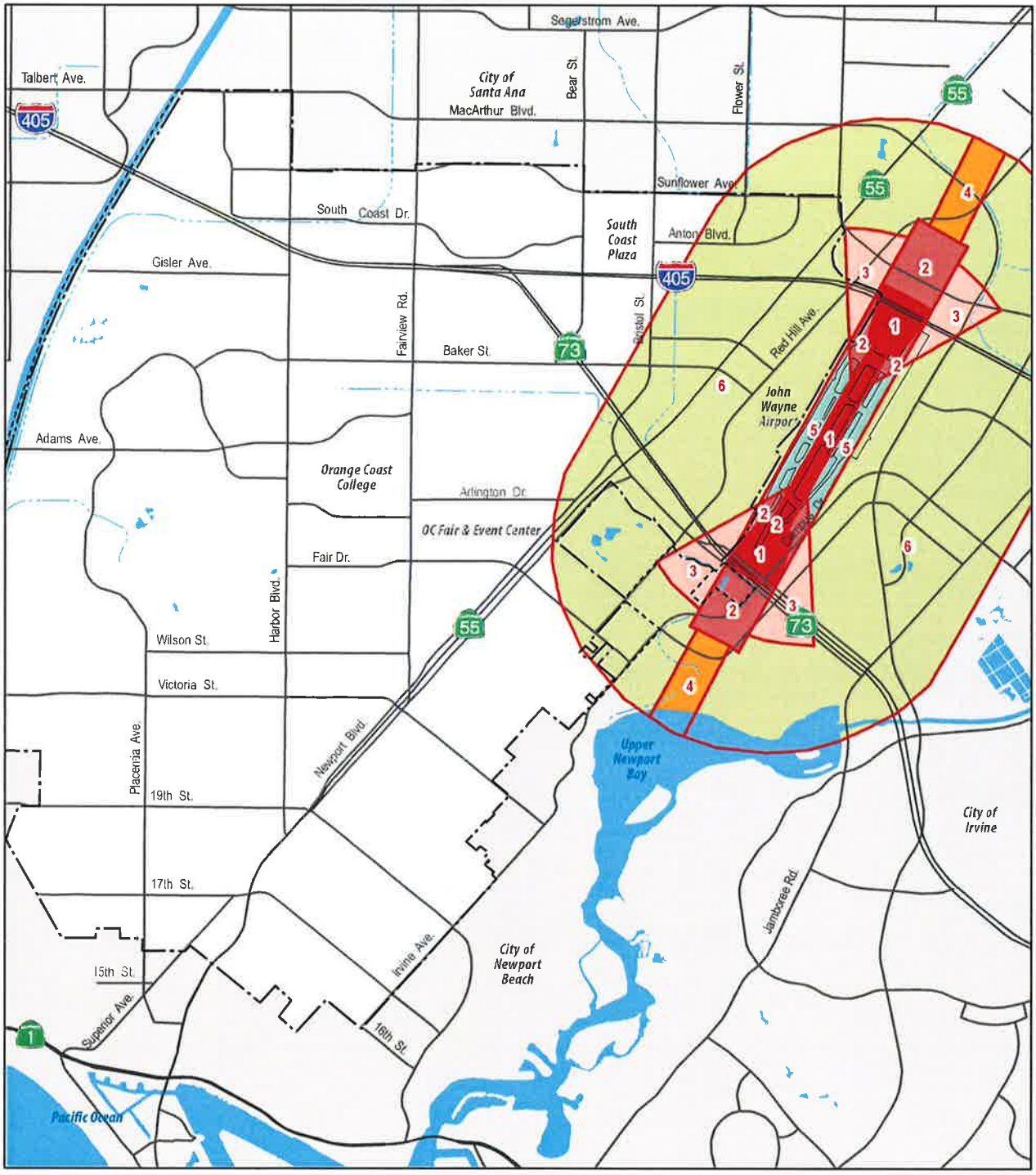
within the Runway Protection Zone most land uses and all buildings intended for human habitation are prohibited due to severe potential for loss of life and property from accidents and aircraft operations. No portion of the City of Costa Mesa lies within the Runway Protection Zone.

The Airport Safety Zone Reference Map, Figure S-8, *John Wayne Airport Safety Zones*, establishes compatibility zones for different land uses and development patterns~~, as described in Table S-1, *Airport Basic Safety Compatibility Qualities*~~.

Key Aviation Hazards Issue

John Wayne Airport Safety and Emergency Response

As required by the Federal Aviation Administration (FAA) regulations, the John Wayne Airport must maintain plans for evacuation, handling of hazardous materials, and emergency response. Infrastructure (e.g., fire stations and sheriff substation) and personnel are all located onsite to serve this need. In the event of an aviation hazard, pilots are instructed to navigate along Newport Bay, away from residential or developed area. In the event on an accident, response operations coordination of all available emergency services personnel is to occur.



John Wayne Airport Safety Zones

- Zone 1: Runway Protection Zone
- Zone 2: Inner Approach/Departure Zone
- Zone 3: Inner Turning Zone
- Zone 4: Outer Approach/Departure Zone
- Zone 5: Sideline Zone
- Zone 6: Traffic Pattern Zone

Source: Land Use Plan for John Wayne Airport, Airport Land Use Commission, Airport Environs, 2008.

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Figure S-8: John Wayne Airport Safety Zones

Emergency Protection and Response

Fire Protection

The Costa Mesa Fire Department operates six fire stations housing almost 100 professional and civilian members. The City's fire stations are located at the following addresses, as shown on Figure S-9, *Public Safety Facilities and Emergency Evacuation Routes*:

- Royal Palm Fire Station: 2803 Royal Palm Drive
- Placentia Fire Station: 2300 Placentia Avenue
- Baker Fire Station: 800 Baker Street
- Civic Center Fire Station: 2450 Vanguard Way
- Park Fire Station: 1865 Park Avenue
- Metro Fire Station: 3350 Sakioka Drive

The City's Fire Department is responsible for community risk reduction, fire prevention and education, enforcement of fire protection laws, fire suppression, rescue, emergency medical services, hazardous materials response, and weed abatement. The Fire Department seeks to balance these various services through use of built-in fire protection, such as early warning and detection systems, automatic fire sprinklers, fire-resistive design of structures and materials, fire prevention inspections, and public education. In addition, the Fire Department utilizes a variety of emergency planning and preparation strategies to ensure the efficiency of fire and emergency services. The Fire Department also participates in the Orange County emergency warning system.

Safety Facilities and Evacuation Routes

- Fire Stations
- Police Headquarters
- Police Substations
- Evacuation Routes

Source: City of Costa Mesa, 2015.

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Figure S-9: Public Safety Facilities and Emergency Evacuation Routes

Wildland and Urban Fires

The fire hazard severity of an area is determined based on the type and amount of vegetation (termed "fuel loading"), slope gradient, and weather. Fire hazards increase in the summer and fall when the weather is hot and dry—and especially when Santa Ana wind conditions occur. Areas identified as having a fire hazard are referred to as State Responsibility Areas (SRAs) because the State has the primary financial responsibility of preventing and suppressing fires. The agency responsible for suppressing fires in SRAs is the Department of Forestry and Fire Protection (Cal Fire). No part of Costa Mesa is listed as an SRA or located within the Very High Fire Hazard Severity Zone. Thus, urban fires represent and grassland fires within open space areas (such as Talbert Regional Park) represent the only fire risks in the City.

Emergency Medical Services

In addition to fire suppression, rescue, and community risk reduction duties, the Fire Department provides emergency medical services to the community. All fire engines in Costa Mesa double as paramedic engines and provide advanced life support. The ladder trucks are staffed with emergency medical technicians trained to provide basic life support. The program strives to satisfy the goal of responding to 80 percent of emergency calls for service requests within five minutes.

Police Protection

The primary responsibilities of the Costa Mesa Police Department are crime prevention, field patrol, crime investigation, and traffic enforcement. Police Department staff includes sworn officers and civilian support personnel. As of 2014, the ratio of police officers to civilians in Costa Mesa was one police officer for every 1,000 persons.

The Police Department maintains headquarters at 99 Fair Drive in the Civic Center and two substations located at:

- South Coast Plaza
- 567 West 18th Street

The Police Department currently contracts with the Huntington Beach Police Department for airborne law enforcement patrols and related services.

Emergency Response and Operations

The Costa Mesa Disaster Plan serves as the community's Emergency Operations Plan (EOP), which provides guidance during emergency situations and natural disasters. The plan addresses potential large-scale disasters that require a coordinated and immediate response.

The EOP identifies key personnel and agencies in the Costa Mesa Emergency Management Organization that are organized to protect life and property in the community. The EOP also identifies sources of outside support that may be provided by State and federal agencies, the private sector, and through mutual aid by other jurisdictions. In addition, the EOP specifies emergency operations to be implemented during an emergency, assigns responsibilities, and provides an explanation of how the plan is to be administered. These activities involve a number of City departments and facilities, including the Police Department, Fire Department, public health officials, and care and shelter operations. The City's emergency evacuation routes are shown in Figure S-7, *Public Facility Facilities and Emergency Evacuation Routes.*

The Police Chief coordinates all emergency evacuation activities and issues evacuation orders based on information gathered from emergency experts. Evacuation operations are also managed by law enforcement agencies, highway/road/street departments, and public and private transportation providers.

Terrorism/National Security Emergency

Since the terrorist incidents of September 11, 2001 and subsequent terrorist events on U.S. soil, public concern regarding terrorist acts in the United States has understandably increased. The State and federal governments have established protocols and programs for dealing with the aftermath of a terrorist act. In 2001, the State of California published the California Terrorism Response Plan, which identifies and describes how the State and local governments are to plan for and respond to terrorism incidents. The tasks and responsibilities of emergency management are based on two terms: Crisis Management and Consequence Management. Crisis Management refers to the response to people committing an act of terrorism. Consequence Management refers to the response to the potential or actual effects of terrorism. According to the California Terrorism Response Plan, local

governments have primary responsibility for responding to an incident to protect public health and safety (Consequence Management). The Costa Mesa EOP is the City's plan to ensure the most effective and economical allocation of resources for the maximum benefit and protection of the civilian population in time of emergency.

Key Emergency Protection and Response Issues

Crime Prevention and Response

Costa Mesa has set high standards for public safety and protection. As a result, it is one of the safest cities of its size in the nation. To maintain these high levels of public safety, it will be important to continue to evaluate programs, meet response time goals, and support crime prevention through education and sensible project design practices.

City leaders have recognized that particular land uses and poorly maintained properties create conditions conducive to criminal activity. By developing and implementing targeted efforts among all City departments to address problem properties and uses, the City can continue to demonstrate its commitment to maintain community safety standards.

Fire and Medical Safety

The Costa Mesa Fire Department is the first responder to medical emergencies. The request for emergency medical services is the most common response made by the Fire Department, and service demands have increased over time. As the City's population ages and new residents and employees locate in the City, adequate emergency medical response funding, staffing, and station locations will continue to require focused attention.

Emergency and Disaster Preparedness

The City excels in preparing for emergency or natural disaster by having clear, up-to-date plans to expedite response, together with ongoing public outreach and education regarding emergency preparedness. Continuing these efforts will mitigate adverse effects associated with natural and human-caused catastrophes.

Hazardous Materials

Hazardous materials and chemicals are used daily by industries, businesses, and residents. Hazardous material sources include service stations, medical labs, drycleaners, and photo processing centers. Certain businesses may generate larger quantities of hazardous waste, such as chemical manufacturers and electroplating companies. In addition, commonly used household products such as paints, cleaners, oils, batteries, and pesticides contain potentially hazardous materials. Accidental spills or leaks, illegal dumping of hazardous waste, illegal storage, or a transportation accident also could release hazardous materials into the community.

The federal government and State of California require all businesses that store hazardous materials in excess of specified quantities to report their chemical inventories in a Hazardous Materials Management Plan. Businesses are required to report releases of toxic chemicals into the air, water, and land, as well as off-site transfers of waste to another location. Facilities that store hazardous materials are also required to report on pollution prevention activities and chemical recycling. All of these businesses operate under stringent regulations governing the storage, use, manufacturing, and handling of hazardous materials.

The U.S. Environmental Protection Agency (EPA) maintains and publishes a database of properties that handle or produce hazardous materials. The EPA defines a small quantity waste generator as one that produces between 100 and 1,000 kilograms of hazardous waste per month. Small businesses like drycleaners, auto repair shops, hospitals, and metal plating shops usually are defined as generators of small quantities of hazardous waste. As of 2014, approximately 245 small quantity generators operated in Costa Mesa. The EPA defines a large quantity generator as a business that produces over 1,000 kilograms of hazardous waste per month. Large quantity generators include large manufacturing facilities and businesses like chemical manufacturers. As of 2014, 28 large quantity generators were located in Costa Mesa. In addition, the City has four registered transporters of hazardous waste, five leaking underground storage tanks, and one incident listed on the EPA's Toxic Release Inventory database.

Hazardous Waste Management

The Costa Mesa Fire Department is the first responder for any hazardous material emergencies in the community. However, the City contracts with the County of Orange Hazardous Materials Team to respond to major hazardous materials emergencies. The City participates in a countywide interagency coalition to better utilize the expertise and equipment that exists within all participating fire districts. The City also adopted the Orange County Hazardous Waste Management Plan to respond to chemical emergencies, and utilizes collection centers operated by the County for residents to drop off household hazardous waste items.

The Orange County Hazardous Waste Management Plan provides policy direction and action programs to address hazardous waste management issues that require local responsibility. The plan analyzes long-term hazardous waste generation and focuses on the development of programs to equitably site needed hazardous waste management facilities. The plan promotes on-site resource reduction, treatment, and recycling of hazardous materials; and provides for the collection and treatment of small quantity hazardous waste generators. Another important plan component is the monitoring of hazardous waste management facilities to ensure compliance with federal and State regulations.

Key Hazardous Materials Issue

Release of Hazards Materials

The release of explosive, reactive, corrosive, toxic, and flammable materials poses a hazard to life and property and may necessitate evacuations. Federal, State, and local laws, plans, and programs are well in place to guard against upset. Emergency plans and trained personnel provide the most appropriate response to hazardous materials emergencies.

Goals, Objectives, and Policies

The following policies strategic directions for City staff and partners, highlighting where time and resources should be focused.

Goal S-1: Risk Management of Natural and Human-Caused Disasters

Minimize the risk of injury, loss of life, property damage, and environmental degradation from seismic activity, geologic hazards, flooding, fire, and hazardous materials. Promote a sustainable approach to reduce impacts of natural disasters, such as flooding and fire.

Objective S-1.A: ***Work to mitigate and prevent potential adverse consequences of natural and human-caused disasters.***

Geologic and Seismic Safety

Policy S-1.A.1: Continue to incorporate geotechnical hazard data into future land use decision-making, site design, and construction standards.

Policy S-1.A.2: Enforce standards, review criteria, and ensure that structures on or adjacent to bluffs are set back sufficiently to preserve the natural contours and aesthetic value of the bluff line and to provide sufficient access for fire protection.

Policy S-1.A.3: Require geologic surveys of all new development located on or adjacent to bluffs.

Policy S-1.A.4: Encourage retrofitting of structures—particularly older buildings—to withstand earthquake shaking and landslides consistent with State and historical building codes.

Policy S-1.A.5: Enforce applicable building codes relating to the seismic design of structures to reduce the potential for loss of life and property damage.

Policy S-1.A.6: Identify through a study the issue of unreinforced masonry buildings in Costa Mesa. Provide assistance if

necessary to unreinforced masonry building owners once those buildings have been identified.

Liquefaction and Landslides

Policy S-1.A.7: Continue to implement the Seismic Hazard Mapping Act, which requires sites within liquefaction hazard areas to be investigated for liquefaction susceptibility prior to building construction or human occupancy.

Policy S-1.A.8: Consider site soils conditions when reviewing projects in areas subject to liquefaction or slope instability.

Localized Flooding

Policy S-1.A.9: Continue to consult with appropriate local, State, and federal agencies to maintain the most current flood hazard and floodplain information; use the information as a basis for project review and to guide development in accordance with federal, State, and local standards.

Policy S-1.A.10: Regularly review and update Article 10 - Floodway and Floodplain Districts of the City's Municipal Code consistent with federal and State requirements.

Policy S-1.A.11: Improve and maintain local storm drainage infrastructure in a manner that reduces flood hazards.

Policy S-1.A.12: Continue to development hazards preparedness plans to prepare for large storms that could bring flooding hazards and other related issues.

Policy S-1.A.13: Actively promote public education, research, and information dissemination on flooding hazards.

Tsunami and Sea Level Rise

Policy S-1.A.13: Minimize flood hazard risks to people, property, and the environment by addressing potential damage tsunamis and sea level rise.

Policy S-1.A.14: Consult with regional agencies and study strategies that employ engineering defensive methods along the Santa Ana River that limit potential flooding hazards from sea level rise.

Dam Inundation

Policy S-1.A.15: Develop emergency response, early warning notification, and evacuation plans for areas that are within dam inundation areas, where feasible.

Aviation Safety and Protection

Policy S-1.A.16: Utilize the John Wayne Airport Environs Land Use Plan (AELUP) as a planning resource for evaluation of land use compatibility and land use intensity in areas affected by airport operations. In particular, future land use decisions within the Safety/Runway Protection Zone will be evaluated in light of the risk to life and property associated with aircraft operations.

Policy S-1.A.17: Comply with Federal Aviation Regulations (FAR) and the John Wayne AELUP requirements relative to Objects Affecting Navigable Airspace.

Policy S-1.A.18: Use the Federal Aviation Regulations as a guideline to establish the ultimate height of structures as defined in FAR Part 77.

Policy S-1.A.19: Minimize hazards to aeronautical operations by ensuring land uses do not emit excessive glare, light, steam, smoke, dust, or electronic interference in compliance with FAR regulations and the John Wayne AELUP.

Goal S-2: High Level of Police and Fire Services and Emergency Preparedness

Provide a high level of security in the community to prevent and reduce crime, and to minimize risks of fire to people, property, and the environment.

Objective S-2.A: ***Plan, promote, and demonstrate a readiness to respond and reduce threats to life and property through traditional and innovative emergency services and programs.***

Crime Prevention and Response

Policy S-2.A.1: Promote crime prevention strategies and provide a high level of response to incidents.

Policy S-2.A.2: Emphasize and prioritize crime prevention strategies, such as pedestrian-scale lighting in targeted areas.

Policy S-2.A.3: Timely response to incidents and monitoring areas with high crime rates should be part of a comprehensive strategy to reduce crime in the community.

Police and Fire Level of Service

Policy S-2.A.4: Provide a high level of police and fire service in the community. Secure adequate facilities, equipment, and personnel for police and fire.

Policy S-2.A.5: Consult with neighboring jurisdictions and partner agencies to respond appropriately to emergencies and incidents in all parts of the City.

Policy S-2.A.6: Require that water supply systems for development are adequate to combat structural fires in terms of location and minimum required fire-flow pressures.

Policy S-2.A.7: Require development to contribute its fair share toward funding the provision of appropriate fire and emergency medical services as determined necessary to adequately serve the project.

Fire and Medical Servicers

Policy S-2.A.8: Regularly update regulations that will protect the community from fire hazards.

Policy S-2.A.9: Emphasize prevention and awareness of fire safety guidelines to minimize risk and potential damage to life, property, and the environment. In areas designated by the Costa Mesa Fire Department as having a high fire hazard, ensure adequate fire equipment, personnel, firebreaks, facilities, water, and access for a quick and efficient response in any area.

Emergency and Disaster Preparedness

Policy S-2.A.10: Maintain staff and facilities that will continue to support a coordinated and effective response to emergencies and natural disasters throughout the City.

Policy S-2.A.11: Consult with neighboring jurisdictions, local employers, and industries to ensure that emergency preparedness

and disaster response programs equitably serve all parts of the City.

Policy S-2.A.12: Continue to maintain adequate police and fire staffing, facilities, equipment, and maintenance sufficient to protect the community.

Hazardous Materials Operations

Policy S-2.A.13: Continue to consult with the County of Orange in the implementation of the Orange County Hazardous Waste Management Plan.

Policy S-2.A.14: Ensure that appropriate in-depth environmental analysis is conducted for any proposed hazardous waste materials treatment, transfer, and/or disposal facility.

Policy S-2.A.15: Continue to consult with the County of Orange to identify and inventory all users of hazardous materials and all hazardous waste generators, and prepare clean-up action plans for identified disposal sites.

Policy S-2.A.16: Require the safe production, transportation, handling, use, and disposal of hazardous materials that may cause air, water, or soil contamination.

Policy S-2.A.17: Encourage best practices in hazardous waste management, and ensure consistency with City, County, and federal guidelines, standards, and requirements.

Policy S-2.A.18: Consult with federal, State, and local agencies and law enforcement to prevent the illegal transportation and disposal of hazardous waste.

Outdoor areas at the South Coast Collection (SOCO) and the OC Mix

Chapter 9:
Community Design Element

Introduction

Costa Mesa understands the value of promoting and creating a cohesive community and unique civic identity. Costa Mesa supports and nurtures smaller communities and districts within the City that seek to establish and retain their unique sense of place. This is accomplished by establishing a policy framework for design standards and guidelines the City will use to review development applications, as well as standards the City will set for ~~itself for~~ the public realm. These policy directives will ensure that continued investment in our community will enhance vitality, context, form, and function.

In Costa Mesa, the public realm includes streetscapes (trees, medians, parkways, benches, lights, signage, etc.). The private realm refers to building architecture, site planning, private landscaping, and business signage. The positive identity, functionality, and aesthetic of the City and its constituent

communities are elevated by interweaving the design of the public and private realms.

Purpose

The Community Design Element promotes quality design for every aspect of a community. Buildings, structures, paths, corridors, districts, nodes, landmarks, natural features, and significant landscaping. It ensures each development in the private or public realm enhances the sense of place for the City, district, and the site itself. The goals, objectives, and policies in this element aim to express the City's parameters for quality design and development. While this element does not dictate specific design guidelines, it does provide policies to ensure projects meet the community's expectations for quality design and development.

Relationship to Other General Plan Elements

The policies of the Community Design Element relate primarily to the policies in the Land Use and Open Space and Recreation Elements. Foremost, this element establishes the three-dimensional built form projection of land use objectives.

Existing Conditions (2015)

The main elements of Costa Mesa's physical environment include major paths and corridors; districts; entries, internal, and activity nodes; destination and landmarks; and edges. These elements contribute to the urban form and character of the City. They identify how visitors observe information about the City and understand their physical surroundings.

Paths and Corridors

Paths are passages (streets and sidewalks) that people use to get from one place to another. A path provides for vehicular and pedestrian movement within the community. Costa Mesa has three major types of paths: Primary Paths, Secondary Paths, and Corridors. Primary Paths are the circulation

passages that carry large volumes of traffic and typically cross community boundaries. Secondary Paths carry reduced traffic volumes and often originate or terminate within the City limits. Corridors are paths or sections of paths that have a concentration of a special use or activity. Figure CD-1 identifies the location of Primary and Secondary Paths. The specific corridors are discussed below and presented in Figure CD-2.

Harbor Boulevard Corridor

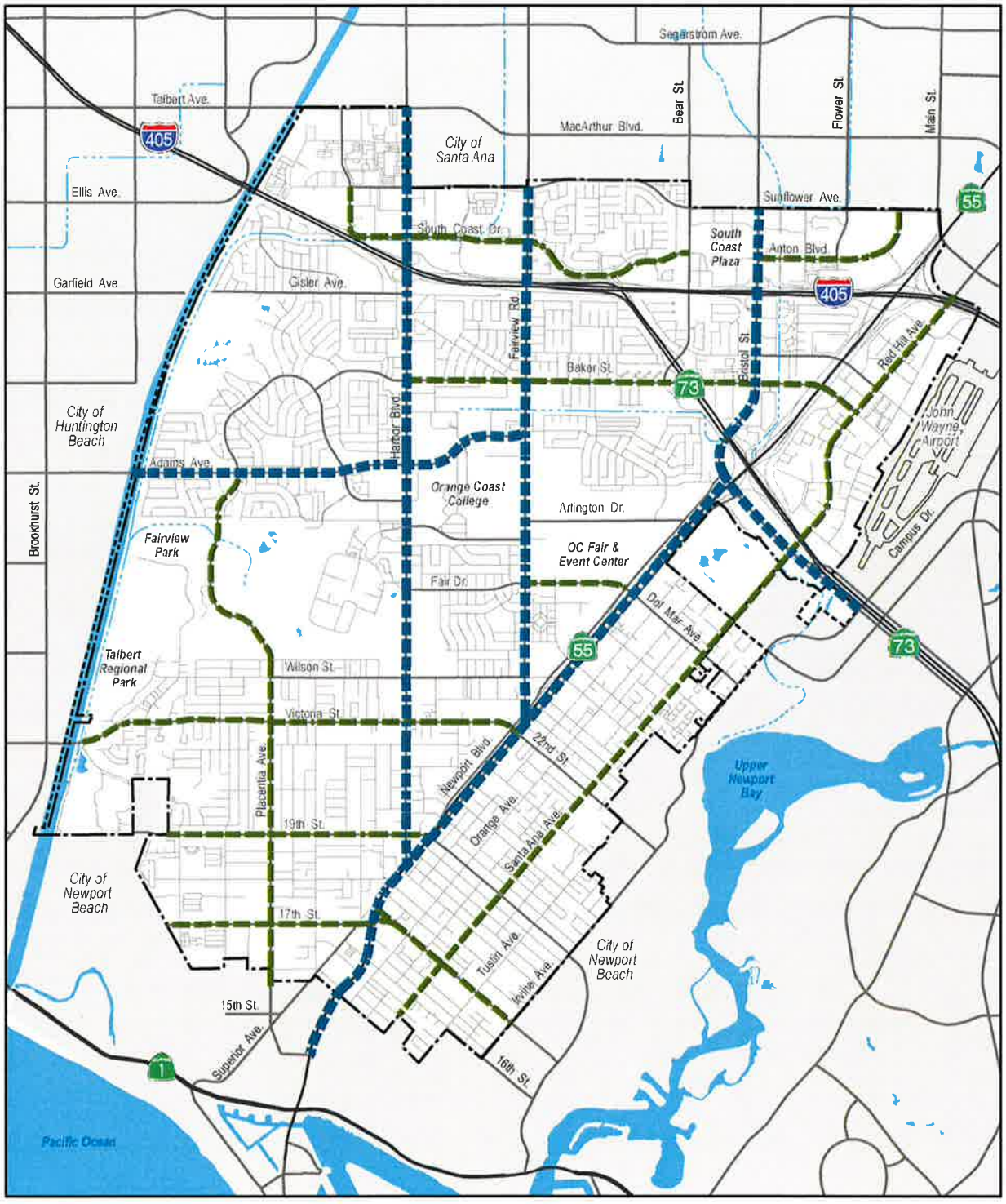
Harbor Boulevard, which extends from Costa Mesa to the City of Anaheim, serves as a primary commercial corridor, with a mix of vehicle-oriented uses, auto dealerships, neighborhood commercial centers, entertainment uses, and residences. The Land Use Element provides for the south end of the Harbor Boulevard corridor to transition to a mixed-use district.

East 17th Street Corridor

The East 17th Street corridor, while auto oriented, has a distinctive neighborhood feel. This corridor is characterized by small businesses and multi-tenant retail centers, restaurants, and offices that largely serve local residents.

North Newport Boulevard Corridor

This section of Newport Boulevard parallels SR-55 from I-405 south to where SR-55 ends at 19th Street. Prior to construction of SR-55, Newport Boulevard was the primary corridor leading through Costa Mesa into Newport Beach, and its historic character as a tourist-oriented travel route are evident in the motels and auto-oriented uses lining the corridor.



Primary and Secondary Paths

Primary Paths

Secondary Paths

Source: City of Costa Mesa, 2016

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Figure CD-1: Paths

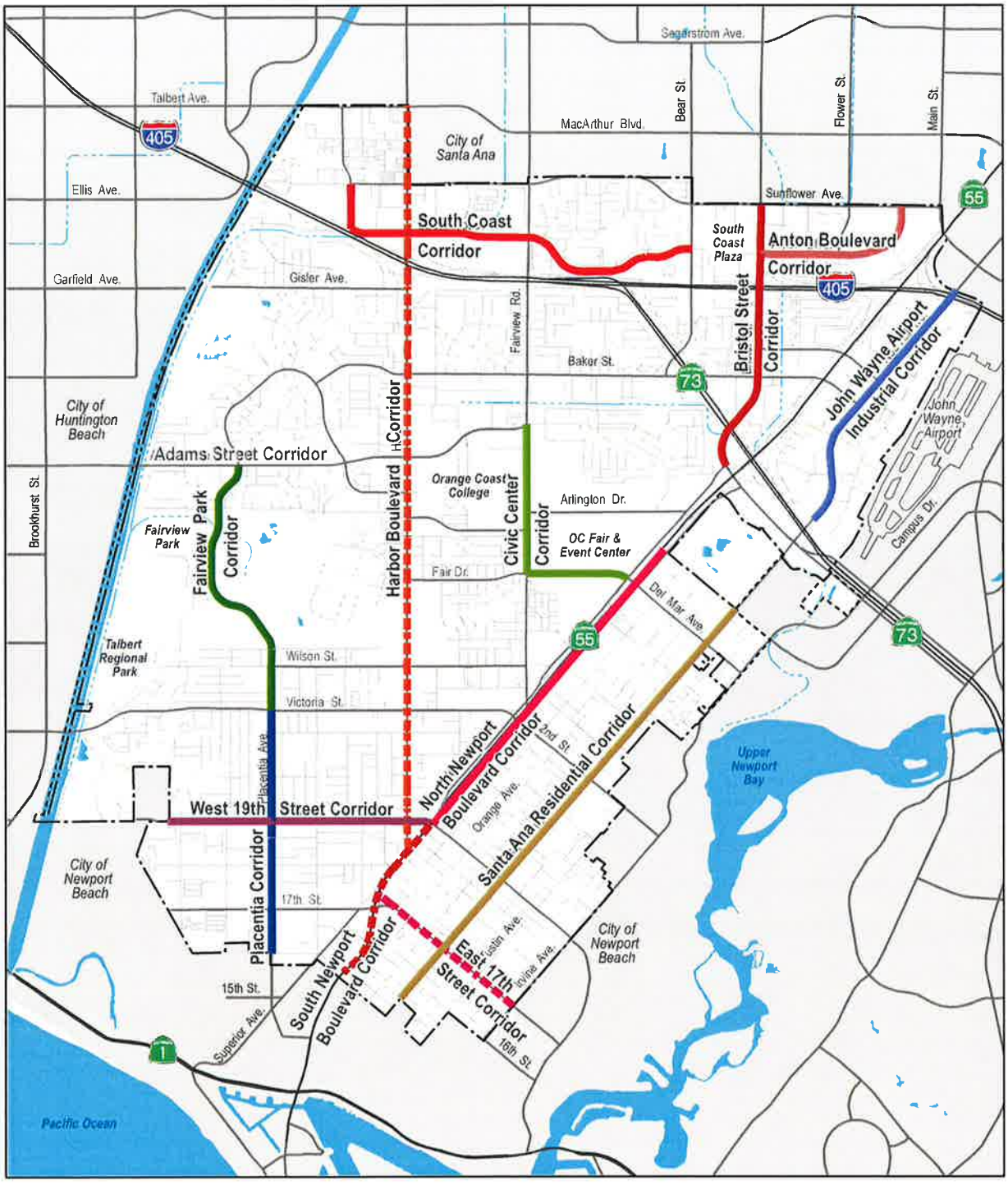


Figure CD-2: Corridors

While residential uses have been developed as infill with extension of SR-55, the predominant character is that of a commercial corridor.

South Newport Boulevard Corridor

Newport Boulevard continues south from 19th Street to 15th Street into Newport Beach. This section of Newport Boulevard has a strong pedestrian scale and commercial character, with retail frontage on the east side of Newport Boulevard directly abutting the sidewalk and the larger shopping centers on the west side of Newport Boulevard providing extensive infrastructure for the accommodation and movement of pedestrians on and ~~,~~ off, and through the sites. Despite the breadth of Newport Boulevard and the volume this arterial supports, the collection of businesses creates a strong concentration of active uses.

Bristol Street Corridor

Bristol Street stretches between the Sunflower Avenue and SR-55. Located in this corridor are two unique shopping and entertainment centers/experiences: The CAMP and the LAB, which the developer/operator has defined as "anti-mall" venues. These unique centers provide small retail and restaurant spaces for start-up and edgy business, together with indoor-outdoor social areas. The CAMP has a central green gathering area surrounded by shopping, dining, and styling businesses. The operators regularly host art, film, and music events.

Anton Boulevard Corridor

Anton Boulevard extends from Sunflower Avenue to Bristol Street, with an entrance to South Coast Plaza. This corridor is a fusion of luxury apartments and hotels, combined with professional headquarters and multi-tenant office spaces in mid-rise settings. This includes the Experian Headquarters, Metro Center at South Coast Office complex, Plaza Tower, the Enclave Apartments, the Westin South Coast Plaza, and Costa Mesa Marriott Hotel. To the north of this corridor the 3400 Avenue of the Arts apartment complex and Wyndham Hotel are within walking distance to these major regional shopping and business destinations. The Noguchi Garden (a 1.6-acre public art project) sits to the south of the corridor. As of 2016, a new 250-unit luxury apartment complex is under construction within this corridor that will provide additional housing.

John Wayne Airport Industrial Corridor

This corridor runs through the industrial district that abuts John Wayne Airport. While this district contains multiple secondary businesses that support the airport, the center of this corridor supports a much wider collection of industrial and offices uses. The scale is predominantly vehicular. Major uses include educational and religious institutions, wholesale and specialty service for automobiles, small light industrial spaces for startup businesses, boutique manufacturing, and supporting services.

Placentia Industrial Corridor

This is the major industrial corridor within the Westside district of the City, which encompasses Placentia Avenue south of Victoria Street and north of West 16th Street. This corridor historically was an enclave for yacht manufacturing. While this industry and automobile service still have a presence, new tenants along the corridor are that of action sports development and manufacturing. Development of live/work units for the creatives who find this edgy environment and its proximity to its industry suitable for their business and lifestyles has added new vibrancy. While this location will remain an industrial center, the boutique manufacturing, entrepreneurial environment, and action sports industry niches make it a unique corridor and interesting place.

Fairview Park Corridor

As Placentia Avenue continues north of Victoria Street, this industrial corridor transitions into a residential one. The corridor provides access to several residential communities, as well as access to Estancia High School, Fairview Park, and Estancia Park which is home of the oldest building in Costa Mesa, the Diego Sepulveda Adobe. Along this stretch of Placentia Avenue, residential and institutional uses represent the only development types from Victoria Street to Adams Avenue.

West 19th Street Corridor

This corridor supports a diverse mix of uses that include destination locations (public parks, amenities, and the Senior Center) and an array of local services to meet the needs of residential communities around this corridor. West 19th Street includes an eclectic collection of commercial uses which predominantly address the corridor at a pedestrian scale. Mixed-use development would

continue the character and vision of this central commercial corridor, which will continue to transition.

Civic Center Corridor

Fair Drive from Newport Boulevard to Fairview Road and Fairview Road from Fair Drive to Adams Avenue accommodate one of the densest collections of civic, institutional, and educational uses in Orange County. Within a mere 1.5 miles, you find Orange Coast Community College, Costa Mesa High School, the Orange County Fair & Event Center, Vanguard University, Civic Center Park, the Jack R. Hammett Sports Complex, and the Civic Center. This corridor provides a collection of uses of great civic pride community and benefits students who attend one of the many education facilities along the corridor.

South Coast Corridor

This corridor spans from the South Coast Plaza on the east to the South Coast Collection on the west. It links two major commercial destinations and provides access to Metro Pointe at South Coast Plaza. This location has opportunity for further growth and development, as it abuts several of the few remaining large vacant lots in Costa Mesa.

Santa Ana Residential Corridor

Santa Ana Avenue is a residential corridor that runs through the Eastside District; development along this corridor consists largely of low-and-medium density housing, with a few traditional single-family subdivisions taking direct access. The grid-like and elongated spatial layout of the Eastside District makes Santa Ana Avenue a major path of travel for various modes of transportation heading north or south. This residential corridor remains residential all the way into Newport Beach.

Districts

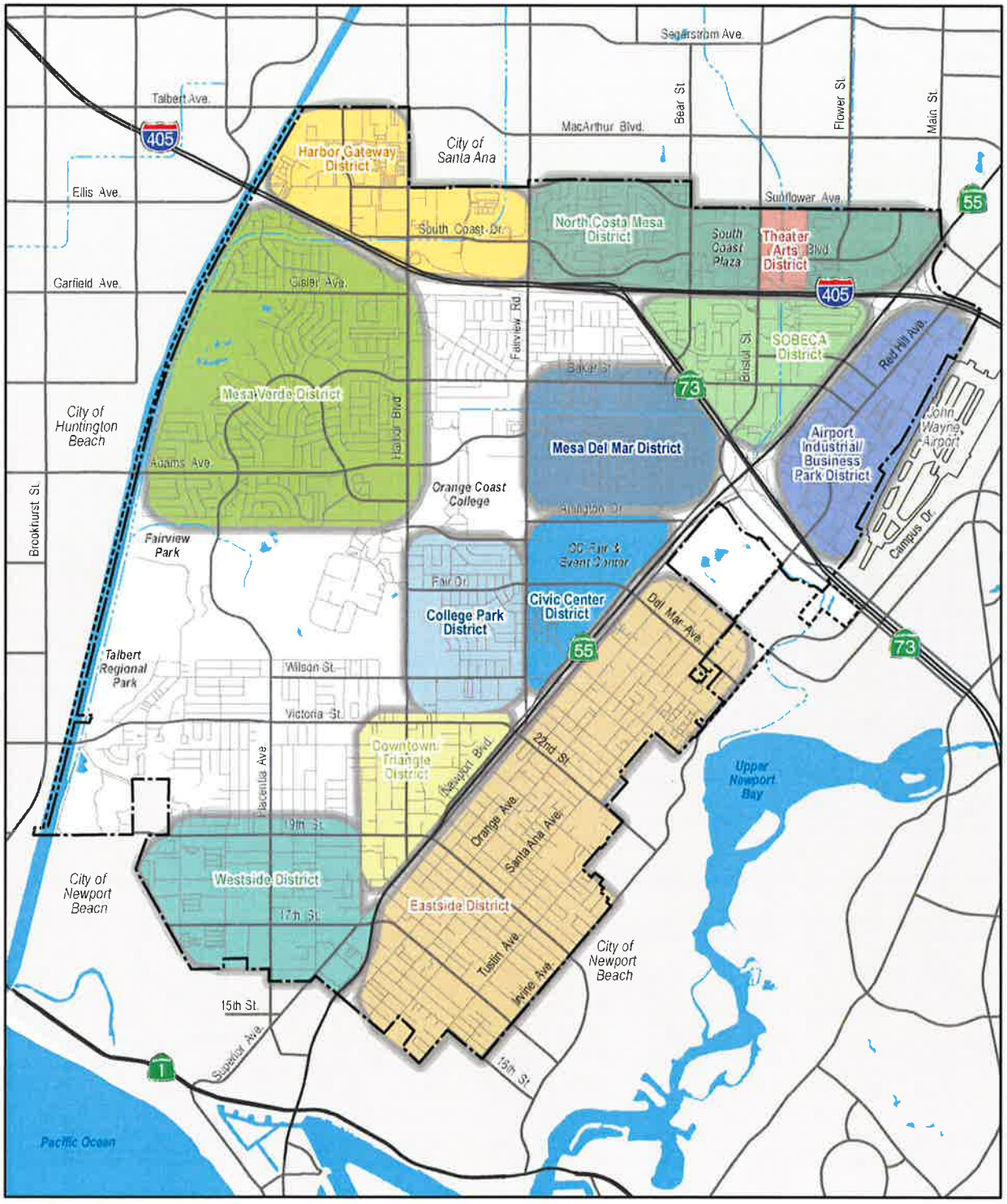
Districts are those areas of Costa Mesa that have an identifiable character due to building architecture, neighborhood design, streetscape, and land use. A district is an integral part of a larger urban area, with common characteristics that make it unique from other areas of the community. Distinguishing features may include building type, use, activity, and/or topography. Figure CD-3: Districts illustrates these districts' fuzzy boundaries. Specific descriptions of these districts are provided below.

Eastside

The district contains a mix of single-family and multifamily homes on large lots. Many neighborhoods have experienced substantial private redevelopment, with the original homes replaced by larger homes. In other areas, developers have purchased properties, torn down the original residence(s), and built townhomes or small-lot developments. The Land Use Element discusses issues associated with this district related to the typical narrow, deep lots and lot consolidation.

Westside

This area is characterized by a mix of residential, commercial, and industrial uses. The Westside District is also the origin and home for the action sports industry which incubated and matured within Costa Mesa. This district includes a variety of traditional housing, as well as non-traditional live/work developments that support the edgy creatives who desire to live in this confluence of production, design, and manufacturing.



Districts

- Airport Industrial/Business Park District
- Civic Center District
- College Park District
- Downtown/ Triangle District
- Eastside District
- Harbor Gateway District
- Mesa Del Mar District
- Mesa Verde District
- North Costa Mesa District
- SOBECA District
- Theater Arts District
- Westside District

Source: City of Costa Mesa, 2016.

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Figure CD-3: Districts

Mesa Verde

Mesa Verde has an eclectic mix of residential densities and housing types. Homes closer to the Mesa Verde Golf Course are much larger and at lower residential densities than those closer to Harbor Boulevard and I-405. The commercial uses along Adams Avenue and Harbor Boulevard provide the personal service uses and retail and food spaces for residents living in this district.

College Park

The homes within this district are a mix of residential densities and architectural types. The majority of the units are higher residential density complexes located along Newport Boulevard, Wilson Street, and Victoria Street. This district also includes College Park, an older single-family residential tract.

Mesa del Mar

This district contains mostly single-family residential tracts, with higher residential densities near arterial roadways. Pockets of commercial uses have been developed along Baker Street.

SoBECA

This district consists of programmatic spaces that allow for experiential shopping and dining activities at the LAB and the CAMP. It is a unique area in transition, with a variety of residential housing options encircling multiple destination locations, including microbreweries, nightclubs, "anti-malls", hotels, and artisanal restaurants.

North Costa Mesa

This district is the major economic heart of the City. South Coast Plaza and other commercial and office establishments provide shopping, entertainment, hospitality, and high-rise office space that serve local, regional, national, and international markets. Key developments include Plaza Tower, Center Tower, South Coast Metro Center, South Coast Metro Pointe, South Coast Repertory, and the Segerstrom Center for the Arts. This district is Costa Mesa's primary commercial and cultural center. The residential areas in this district include mostly single-family residential neighborhoods, with some multi-family developments as well.

Theatre Arts District

This well-defined district exhibits a collection of the finest theatrical venues in Orange County. This rare clustering of art venues consists of the South Coast Repertory Theater, as well as the Segerstrom Center for the Arts, which consist of five venues: Renee and Henry Segerstrom Concert Hall, Samueli Theater, Segerstrom Hall, Judy Morr Theater, and the Arts Plaza. The Theater Arts District provides access to art with art installations throughout the district, including the Noguchi Garden and the Orange County Museum of Art. Supporting uses include several professional office towers such as the Center Tower and Plaza Tower, the two tallest buildings in Costa Mesa.

***South Coast Plaza** is located in the North Costa Mesa district.*

Downtown/Triangle

The Triangle is located at one of the busiest intersections in Costa Mesa, where Newport Boulevard and Harbor Boulevard intersect. The Triangle is an activity hub intended to draw both local and regional visitors. It sits in the heart of Costa Mesa's downtown, which runs along Newport Boulevard and 19th Street. This area includes a variety of pedestrian scale retail spaces, fine restaurants, a movie theatre, and nightclubs.

Harbor Gateway

This district is characterized by large-sized industrial and office buildings, including the Automobile Club and Whittier Law School. It is vehicular in scale and has an office park character, with ample landscaping and large multi-story building complexes. In 2015, Vans acquired an office building in this district to become the corporate headquarters of one of the nation's top lifestyle retailers.

***Whittier Law School** is located in the North Industrial/Business Park district at the southwest corner of Sunflower Avenue and Harbor Boulevard.*

Airport Industrial/Business Park

John Wayne Airport is located in unincorporated Orange County and just east of Costa Mesa. Given the presence of the airport and abutting freeways, this location provides industrial and office space with excellent access and circulation. Land uses within this area are industrial, office, and commercial in nature, housed in low-scale buildings due to the presence of the airport.

Civic Center District

The area is the primary cultural, educational, and civic center district of Costa Mesa. The OC Fair & Event Center which includes the OC Fairgrounds, Pacific Amphitheatre, OC Marketplace, and Centennial Farm, along with the Civic Center, and Orange Coast College, represent major institutional uses that encompass significant open spaces and active recreation area. Vanguard University, adjacent to the Civic Center, includes private open spaces on the campus.

Nodes

A "node" is an important point where people gather and/or where paths converge, thus providing higher-than-typical levels of activity. Costa Mesa has three classifications of nodes:

1) Entry nodes, which function as focal points of identity between Costa Mesa and adjacent cities

2) Internal nodes, which identify locations of two major converging paths and destinations

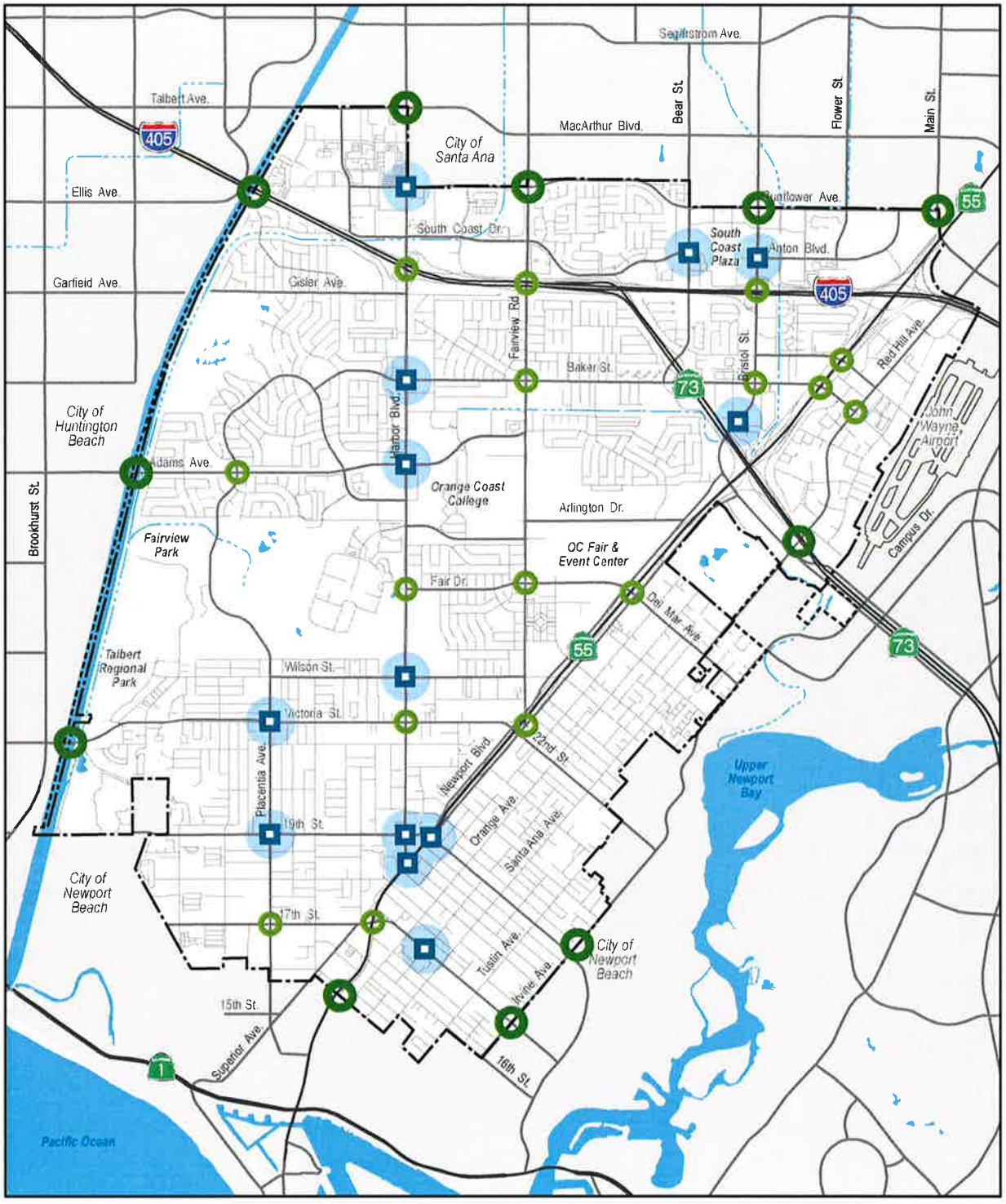
3) Activity nodes, which are intersections of path, focal points of highest activity, provide immediate access to destination locations, and/or have a concentration of specialty uses

All of these nodes are identified and displayed on Figure CD-4: Nodes.

Destinations and Landmarks

A "destination" is a particular use which generates special purpose trips and increases regional attraction. A destination can be a successful retail cluster or rare specialty use. Destination locations are shown on Figure CD-5: Destinations and Landmarks.

A "landmark" is a physical element that provides a point of reference or serves as a community identity marker. A landmark can be a structure, space, or natural feature that helps identify a particular area in the City.



Activity and Entry Nodes

- Entry Node
- Internal Entry Node
- Activity Node

Source: City of Costa Mesa, 2016.

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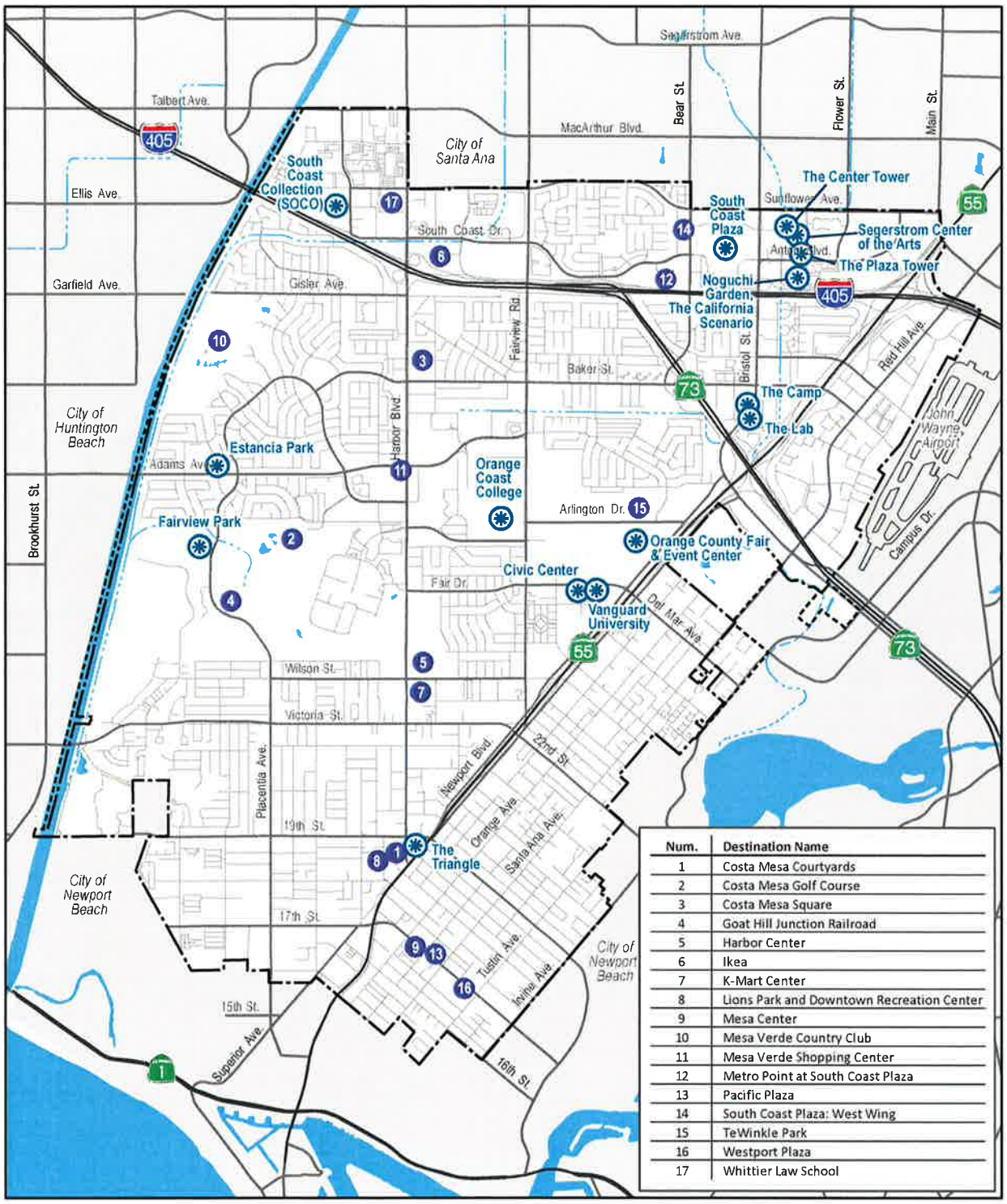
Figure CD-4: Nodes



Num.	Destination Name
1	Costa Mesa Courtyards
2	Costa Mesa Golf Course
3	Costa Mesa Square
4	Goat Hill Junction Railroad
5	Harbor Center
6	Ikea
7	K-Mart Center
8	Lions Park and Downtown Recreation Center
9	Mesa Center
10	Mesa Verde Country Club
11	Mesa Verde Shopping Center
12	Metro Point at South Coast Plaza
13	Pacific Plaza
14	South Coast Plaza: West Wing
15	TeWinkle Park
16	Westport Plaza
17	Whittier Law School

Landmarks and Destinations

Landmark

Destination

(See inset table for name of destination.)

Source: City of Costa Mesa, 2016.

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Figure CD-5: Destinations and Landmarks

Almost all important landmarks in Costa Mesa are also destination locations (see Table CD-2: *Landmarks*).

Table CD-2: Landmarks

Landmark	Name
Sign, Covered Pedestrian Bridge, Carousel	South Coast Plaza
Unique and Identifiable Architecture	Segerstrom Center for the Arts: Segerstrom Hall, Renée and Henry Segerstrom Concert Hall, Samueli Theater, Judy Morr Theater, Arts Plaza
Unique and Identifiable Architecture	South Coast Repertory
Tallest Building in Costa Mesa	The Center Tower
Unique and Identifiable Architecture	The Plaza Tower
Artistic Common Space	Noguchi Garden
The Sign and Mall Design	The Lab and The Camp
The Freeway Sign and Mall Design.	South Coast Collection (SOCO)
Diego Sepulveda Adobe	Estancia Park
Clock Tower, Logo	Orange Coast College
Ferris Wheel, Centennial Farms, Sign	OC Fair and Event Center
Tower	Vanguard University
City Hall	Civic Center
The Dome and Spire	The Triangle
Natural Wetlands, Pedestrian Bridge, Goat Hill Train Station	Fairview Park

Edges

Edges are linear elements that serve as a visual or physical boundary, barrier, or transition between districts and that define the boundaries of a place. Elements such as freeways, flood channels, and natural features and landforms may be considered edges (See Figure CD-6: *Edges)*. Edges within or abutting Costa Mesa include:

- Santa Ana River
- San Diego Freeway (I-405)

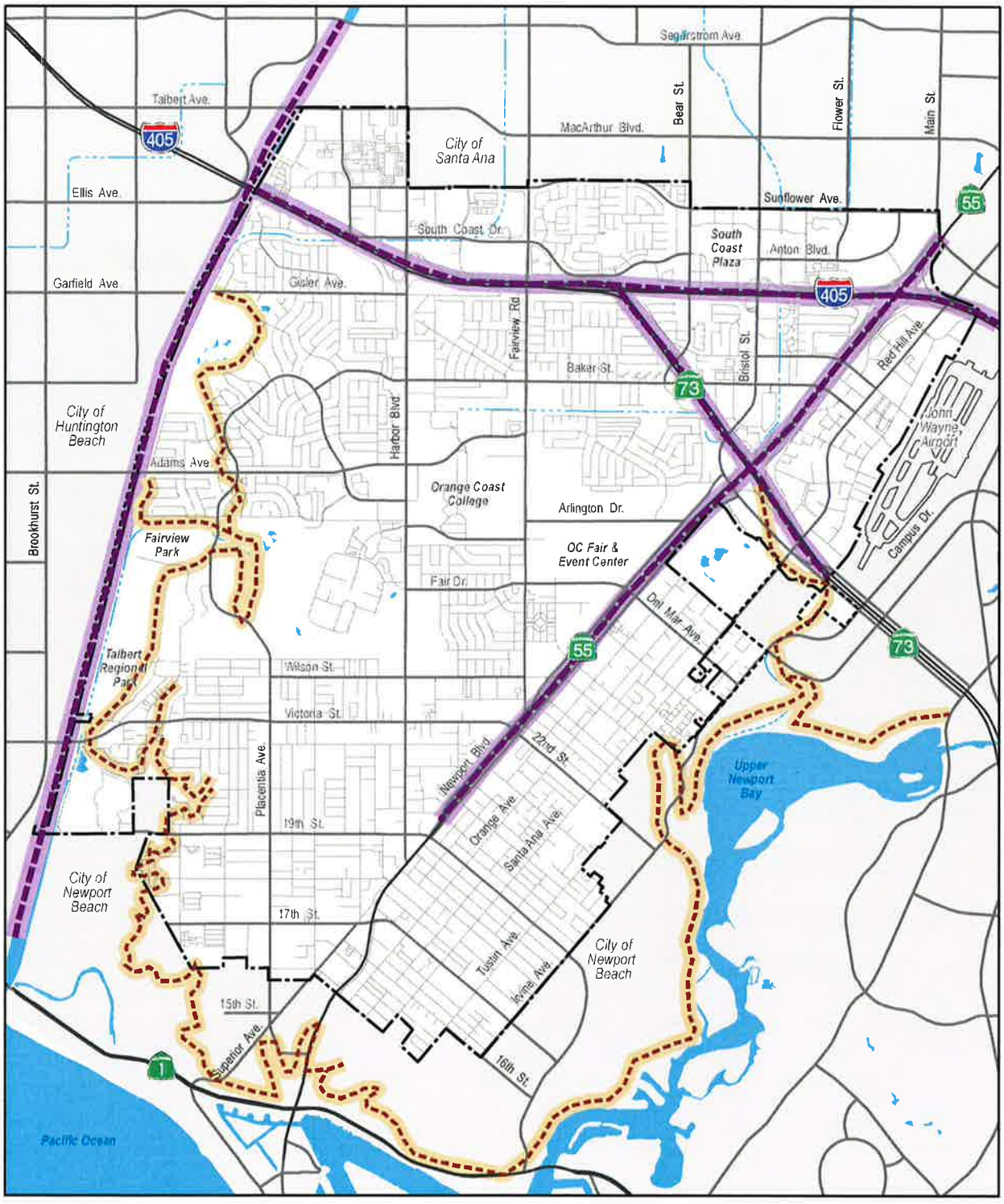


Figure CD-6: Edges

- Corona Del Mar Freeway (SR-73)
- Costa Mesa Freeway (SR-55)
- John Wayne Airport (Unincorporated Orange County)
- Mesa Landforms (Costa Mesa and Newport Beach)

Public Realm Focus

The public realm focuses on the physical features and design that occurs on public rights-of-way, including public streets, sidewalks, medians, parks, and other public spaces. These spaces provide efficient and aesthetically pleasing paths and corridors, create context for existing districts, soften existing edges provide access to destinations and landmarks, and enrich all nodes throughout the City. The City has adopted streetscape and median development standards designed to build a public realm that is aesthetically pleasing and creates efficient paths throughout the City. This also includes the development and maintenance of welcoming signs at entry nodes and way-finding signs at internal and activity nodes.

***Monument sign** on Newport Blvd at 19th Street greets residents and visitors to Costa Mesa.*

Design Strengths and Opportunities

Design Strengths

- Along the City's western boundary and looking south toward the Pacific Ocean, the coastline creates a distinctive visual background. Views of the Pacific coast enhance the visual quality of districts within the viewshed.
- Talbert Regional Park and its extensive natural areas provide an important visual reminder of the local landscape prior to urbanization and create a soft western edge of the City.
- Fairview Park works together with Talbert Regional Park to soften the urban landscape. The park's trails and recreational facilities are a community strength.

***Fairview Park** includes expansive open spaces accessible by trails.*

- Neighborhood parks and the golf courses provide open spaces and recreational opportunities.
- South Coast Plaza, The Triangle, and the OC Fair & Event Center are major visual landmarks.
- The Segerstrom Center for the Arts and South Coast Repertory provide focal points for the local performing arts community and serve as a major culture and arts hub for all of Orange County.
- The Santa Ana River's strength is a potential enhanced water resource. It offers recreation along the multiuse trail that extends along the western edge of the City.

***South Coast Metro** includes a collection of high-rise office towers and the Segerstrom Center for the Arts venues.*

Design Opportunities

- Streetscape enhancements (public realm) can contribute significantly to improving and maintaining the visual quality of major arterial and secondary arterial streets through implementation of the City's Streetscape and Median Development Guidelines. The Guidelines include a comprehensive street tree palette and development standards.
- Improve the design of signs along major corridors and the public realm by adopting sign design guidelines and putting in place incentives for the removal of nonconforming signs.
- Continue to add new gateway treatments at City entry nodes.
- Continue to implement adopted specific plans, urban plans, design guidelines, and other policy documents that contribute to the design quality of new development.
- Consider Preparation ofe design guidelines for new developments along major corridors and the public realm to ensure that such development contribute to the overall enhancement of Costa Mesa's image.

Key Issues

Lack of Visual Interest

Overall, Costa Mesa lacks a strong visual image in terms of definition as a distinct place. Some of the districts lack a clear identity that distinguishes them from other areas in the City. Districts should be unified through design approaches. Paths are challenged by sign clutter, blank walls, and absence of streetscape amenities. Commercial paths should have a unified identity that promotes a positive image of the City. More emphasis should be given to enhancing the image of neighborhoods that lack sufficient visual interest in building elevations, massing, landscaping, and lighting. Natural viewsheds are not optimized.

Residential Transition and Neighborhood Character

Within the Eastside Residential District, the transition of properties from single-story homes on large lots (with architectural styles dating to the 1950s and '60s) to two-story houses, as well as townhome developments, has changed the character of many neighborhoods. Some long-time residents have remarked that residential densities, building architecture, and massing that define the overall character of the district should be preserved.

Lack of Corridor Continuity

Harbor Boulevard lacks continuity of visual quality and has multiple identities. The commercial path is fragmented and contains a mix of land uses with no identifiable character. Even though new landscape medians have been installed, in several areas in the City, landscaping remains substandard along many stretches. Along many of the City's commercial corridors, inconsistent sign styles, colors, and sizes create visual obstructions and clutter.

Entry Nodes

The multiple entry nodes to Costa Mesa do not effectively announce arrival into Costa Mesa. The City's signage needs a conceptual redesign and evaluation of the most effective approach to entrance signage into the City. Entry nodes with currently no signage in need of enhancement include Newport Boulevard/15th Street, Bristol Street/Sunflower Avenue, and East 17th Street/Irvine Avenue.

Industrial Properties

Industrial uses, particularly on the west side of the City, occupy prominent locations with proximity to the coast. Some industrial uses are adequately maintained or participate in valued industrial niches like the Westside's action sports industry. They require this proximity to effectively conduct business. Screening and rehabilitation should be implemented in a strategic manor so as to not negatively impact this areas successful industrial niches and continue to support the maturing trend of creative enhancement to industrial districts.

Goals, Objectives, and Policies

Physical elements such as landscaping, architecture, signs, streets, and open spaces collectively form Costa Mesa's visual environment and character. Through the implementation of these goals, objectives, and policies, the City aims to gradually improve the visual environment and character of Costa Mesa to achieve the high level of quality desired.

Goal CD-1: Vehicular and Pedestrian Corridors

Strengthen the image of the City as experienced from sidewalks and roadways.

Objective CD-1.1	***Contribute to City beautification by enhancing the visual environment of Costa Mesa's vehicular and pedestrian paths and corridors.***
Policy CD-1.A	Implement the City of Costa Mesa Streetscape and Median Development Guidelines in all new streetscape corridor and parkway projects. Coordinate with new development adjacent to public rights-of-ways to integrate landscape features and design elements consistent with the streetscape standards and recommendations.
Policy CD-1.B	Coordinate street furniture elements (benches, bus shelters, newspaper racks, trash receptacles, kiosks, etc.) whenever possible. Develop design standards and guidelines for the street furniture within and

adjacent to public rights-of-way to complement the specific recommendations provided for streets in the City of Costa Mesa Streetscape and Median Development Guidelines.

Policy CD-1.C Promote treatments for walls and fences and utility cabinets along public rights-of-way that contribute to an attractive street and sidewalk environment. Require that new walls and fences complement the style and character of the local district and adjacent buildings. Newly constructed or reconstructed walls and fences adjacent to sidewalks and roadways should incorporate architectural treatments such as pilasters, masonry or wrought iron, and should integrate tiered plantings to soften their appearance.

Policy CD-1.D Promote ~~Require~~ a consistent landscape character along City streets to reinforce the unique qualities of each corridor and district, including the development of landscaped medians. Support implementation of the recommended street tree palette for each City street, as identified in the City of Costa Mesa Streetscape and Median Development Guidelines.

Policy CD-1.E Encourage electric and communication lines to be placed underground and electrical substations and telephone facilities to be screened to minimize visual impacts from sidewalks, streets, and adjacent properties. Support utility undergrounding through conditions of project approval, preparation of undergrounding plans, and the formation of assessment districts.

Objective CD-1.2. ***Encourage clear connections between districts within the City.***

Policy CD-1.F Promote linkages between separate districts using bike trails, pedestrian paths, common medians or parkway landscaping, and other location-appropriate physical improvements. Through conditions of approval, public improvement projects, and other measures, support development of new connections and the enhancement of existing connections between districts.

Goal CD-2: Cohesive and Identifiable Districts

Enhance the existing character and strengthen the identity of Costa Mesa's districts.

Objective CD-2.1	***Encourage future development and redevelopment to reinforce district scale, identity, and urban form.***
Policy CD-2.A	Consider ~~Adopt~~ urban design guidelines for each identified district in Costa Mesa that recognizes, maintains, and enhances the character and identity of each district; integrate existing specific plans' policies and design guidelines as applicable.
Policy CD-2.B	Support and seek land uses and development that correspond or enrich our existing districts.

Districts should include identifiable and consistent design themes through architecture, landscaping, and signage.

Goal CD-3: High Quality and Visually Interesting Nodes

Heighten the design quality and visual interest of nodes within Costa Mesa.

Objective CD-3.1. ***Create a sense of arrival to Costa Mesa, and develop prominent community focal points at key nodes within the City.***

Policy CD-3.A Introduce entry monument signs at key gateway locations, as identified in Figure CD-4. Utilize the standard design specifications for entry signs included in the City of Costa Mesa Streetscape and Median Development Guidelines.

Policy CD-3.B	Reinforce a sense of arrival into the City by promoting architecturally significant development and significant landscape plantings at key nodes. Undertake a visioning process to develop specific design guidelines that articulate the desired character for each node within Costa Mesa.
Policy CD-3.C	Design and development of entry and internal way finding signage to be located throughout the City that corresponds to the existing nodes and districts.

Goal CD-4: Identifiable and Protected City Landmarks.

Objective CD-4.1.	***Promote the maintenance, use, and improvement of landmarks to enhance the visual image and identity of Costa Mesa.***
Policy CD-4.A	Support efforts to introduce new monuments and landmarks, and preserve, maintain, and improve the condition of Costa Mesa landmarks.

Goal CD-5: Edges

Utilize Costa Mesa's edges as opportunities to enhance the City's image along its boundaries.

Objective CD-5.1.	***Develop and implement programs that preserve and enhance City edges.***
Policy CD-5.A	Preserve and optimize natural views and open spaces in Costa Mesa.
Policy CD-5.B	Control the visual impacts of new development on natural views of the coast and the wetlands.
Policy CD-5.C	Develop open space corridors and trails along the edges of Costa Mesa where feasible.
Policy CD-5.D	Continue to preserve natural open space, including restoration of the natural areas of Talbert Regional Park.

Policy CD-5.E	Continue protection of Fairview Park as an open space and recreation area.
Policy CD-5.F	Continue to w~~W~~ork with Caltrans to improve the design quality of freeway edges.

Goal CD-6: Image

Enhance opportunities for new development and redevelopment to contribute to a positive visual image for the City of Costa Mesa and consistent with district image.

Objective CD-6.1.	***Establish development policies and design guidelines that create an aesthetically pleasing and functional environment.***
Policy CD-6.A	Encourage the inclusion of public art and attractive, functional architecture into new development that will have the effect of promoting Costa Mesa as the "City of the Arts."
Policy CD-6.B	Encourage the use of creative and well-designed signs that establish a distinctive image for the City.
Policy CD-6.C	Continue to work with Code Enforcement to ensure continued maintenance of properties and compliance with adopted development standards.

Goal CD-7: Quality Residential

Promote and protect the unique identity of Costa Mesa's residential neighborhoods.

Objective CD-7.1	***Encourage excellence in architectural design.***
Policy CD-7.A	Ensure that new and remodeled structures are designed in architectural styles that reflect the City's eclectic quality, yet are compatible in scale and character with existing buildings and the natural surroundings within residential neighborhoods. Continue to update and maintain the Costa Mesa Residential Guidelines.

Policy CD-7.B Preserve the character and scale of Costa Mesa's established residential neighborhoods where possible; when new residential development is proposed, encourage ~~require~~ that the new structures are consistent with the prevailing character of existing development in the immediate vicinity, and that new development does not have a substantial adverse impact on adjacent areas.

Objective CD-7.2. ***Encourage the use of native plant palettes in the creation of landscaping plans used to establish a sense of place in neighborhood identification efforts.***

Policy CD-7.C Ensure that California native plants are used to support the local ecology and save water. Develop landscaping guidelines that reflect the local community.

Goal CD-8: Quality Commercial Development

Achieve a high level of design quality for commercial development.

Objective CD-8.1. ***Encourage high level of architectural and site design quality.***

Policy CD-8.A Require that new and remodeled commercial development ~~structures and properties~~ be designed to reflect architectural diversity, yet be compatible with the scale and character of the district.

Policy CD-8.B Use distinctive commercial architectural styles to reinforce a positive sense of place. Commercial architectural design elements and materials must be of high quality and style as well as suitable for long-term maintenance. Consistent architectural design should be considered in choosing materials, finishes, decorative details, color, accent features and include the following elements and materials appropriate for their context (see Table CD-3: Elements and Materials):

Table CD-3: Elements and Materials

Design Elements	Design Materials
▪ Simple, multi-planed pitched roofs ▪ Open rafters/tails with large overhangs ▪ Appearance of "thick" walls ▪ Courtyards, arcades, and intimate spaces ▪ Tile details ▪ Deep-set window and door openings ▪ Offset wall planes ▪ Fountains and other unique details ▪ Building masses with the incorporation of one and two story architecture ▪ Sequencing of enclosed space/arches	▪ Stucco, smooth, sand or light lace finish ▪ Wood, as an exposed structural material ▪ Clay or concrete roof tiles ▪ Native fieldstone ▪ Wood window casements ▪ Wood, as an accent material ▪ Brick, as an accent material ▪ Wrought iron (rust proof; anodized aluminum) ▪ Tile, as an accent material ▪ Slumpstone garden walls

Commercial spaces should promote pedestrian amenities, including outdoor dining areas.

Policy CD-8.C Encourage the use of entrance patios, courtyards, plazas, arcades, fountains, porches, tower elements, covered walks, and other features in commercial areas. Promote pedestrian amenities.

Policy CD-8.D Ensure that common areas, walkways, driveways, and parking spaces be landscaped consistent with landscaping standards contained in the Planning, Zoning, and Development Code. Utilize landscaping to provide project amenities for new and remodeled commercial uses, and to screen parking and equipment areas. Landscaped areas generally should incorporate planting utilizing a three-tiered system: 1) grasses and ground covers, 2) shrubs and vines, and 3) trees.

Policy CD-8.E Ensure that site access, parking, and circulation for commercial uses are designed in a logical, safe manner. Parking should not dominate the site in areas adjacent to street, and should be well landscaped with a clear hierarchy of circulation. Wherever possible, parking lots should be divided into a series of connected smaller lots utilizing walkways and raised landscape strips. Parking lots should also include landscaping that accents the importance of driveways from the street, frames the major circulation aisles, and highlights pedestrian pathways.

Policy CD-8.F Require that areas for outside equipment, trash receptacles, storage, and loading areas be located in the least conspicuous part of the site. Utility and mechanical equipment (e.g. electric and gas meters, electrical panels, and junction boxes) should be concealed from view from public streets, neighboring properties, and nearby higher buildings. Trash enclosures should be architecturally compatible with the project. Landscaping should be incorporated into the design of trash enclosures to deter graffiti.

Policy CD-8.G Encourage decorative paving treatments to be incorporated throughout commercial developments, including driveway entries, pedestrian walkways, plazas, and other areas. The design, materials, and colors of decorative paving treatments (e.g., stamped

concrete, stone, brick or granite pavers, exposed aggregate, or colored concrete) should complement the architectural style of the primary buildings and make a positive contribution to the aesthetic and function of the site.

Policy CD-8.H Require that exterior lighting on commercial properties be consistent with the architectural style of the commercial building. On each commercial site, all lighting fixtures should be from the same family of fixtures with respect to design, materials, color, fixture, and color of light. Lighting sources should be shielded, diffused or indirect to avoid spillover on adjacent properties, nighttime sky light pollution, and glare to pedestrians and motorists. To minimize the total number of freestanding light standards, wall-mounted and pathway lights should be utilized to the greatest extent possible.

Objective CD-8.2. ***Preserve the scale and character of established neighborhoods near commercial uses.***

Policy CD-8.I Ensure that new commercial development utilize site planning and design features that optimize compatibility with adjacent residential neighborhoods. The following guidance should be considered:

- When adjacent residential and nonresidential uses can mutually benefit from connection, appropriate linkages (e.g., walkways, common landscape areas, and building orientation) are encouraged. Successful interaction between commercial and residential uses may be achieved through adequate setbacks, landscape buffers, screening, decorative masonry walls, berms, building orientation, and limitations of commercial activities.
- Loading areas, access and circulation driveways, trash and storage areas, and rooftop equipment should be located as far as possible from adjacent residences.

- Building orientation and landscaping of commercial buildings should minimize direct lines of sight into adjacent residential private open space.

Goal CD-9: Mixed Use

Promote development of mixed-use projects that seamlessly integrate multiple uses both functionally and aesthetically.

Objective CD-9.1. ***Design mixed use development projects to achieve a high quality character.***

Policy CD-9.A Require that mixed-use development projects be designed to mitigate potential conflicts between uses. Consider noise, lighting, and security.

Policy CD-9.B Provide adequate parking, open space and recreational facilities to serve residents in mixed-use development projects. Design parking and other areas to acknowledge different users (residents versus shoppers) and to be compatible with the architectural character of the building(s).

Objective CD-9.2. ***Provide for the development of projects that integrate housing with commercial uses and other compatible uses.***

Policy CD-9.C Encourage mixed-use development along the east side of Newport Boulevard between Mesa Drive and Walnut Street. Establish incentives for the development of projects in planned development zones that integrate housing with retail and office uses.

Policy CD-9.D Encourage the development of mixed-use urban villages along specified areas of West 17th Street, West 19th Street, and Superior Avenue that integrates residential with office, retail, business services, personal services, public spaces and uses, and other community amenities in a single building (vertical mixed-use development) or in proximity on the same site (horizontal mixed-use development).

Policy CD-9.E Promote new types of urban housing that could be target-marketed to people seeking alternative housing choices in proximity to a major commercial area.

Policy CD-9.F Support efforts to mix compatible uses and activities. Encourage the siting of community-oriented services, businesses, and amenities in and near mixed-use neighborhoods, including schools, libraries, open space and parks including "tot lots," and commercial uses.

Goal CD-10: Industrial and Business Parks

Promote quality design approaches for the redevelopment of existing industrial buildings, encourage the design to incorporate or provide flexibility for the needs of emerging types of industrial uses, and strive to match design with overall character of node, corridor, or district if applicable.

Objective CD-10.1. ***Require that industrial and business park projects meet high-quality design standards.***

Policy CD-10.A Require that industrial projects be designed to convey visual interest and a positive image. Architectural qualities and design elements for industrial uses encouraged are:

- Building modulation indentations and architectural details
- Building entry accentuation
- Screening of equipment and storage areas
- Landscaping to soften building exteriors and to serve as a buffer between uses

Policy CD-10.B Encourage that the design of industrial buildings consider the visual and physical relationship to adjacent uses. An industrial structure which dominates its surrounding environment by its relative size shall generally be discouraged.

Policy CD-10.C Encourage adaptive reuse of existing industrial structures which results in rehabilitated buildings with distinctive and attractive architecture.

Policy CD-10.D Promote the use of materials and colors that produce diversity and visual interest in industrial buildings. The

use of various siding materials (i.e., masonry, concrete texturing, cement or plaster) can produce effects of texture and relief that provide architectural interest.

Policy CD-10.E Require that landscaping be used to define areas such as entrances to industrial buildings and parking lots; define the edges of developments; provide transition between neighboring properties; and provide screening for outdoor storage, loading, and equipment areas. Landscaping should be in scale with adjacent buildings and be of an appropriate size at maturity to accomplish its intended purpose.

Policy CD-10.F Require that the design of lighting fixtures and their structural support be of a scale and architectural design compatible with on-site industrial buildings. Large areas should be illuminated to minimize the visual impact and amount of spillover light onto surrounding projects.

Objective CD-10.2 ***Ensure that the development of industrial projects are positive additions to the City's community setting and do not result in adverse impacts with adjacent uses.***

Policy CD-10.G Require industrial projects to incorporate landscape setbacks, screening walls, and/or other elements that mitigate negative impacts with adjacent uses.

Policy CD-10.H Protect transitional areas between industrial and other uses.

Policy CD-10.I Storage yards, parking areas, and service areas should be screened from public view.

Goal CD-11: Attractive Signs that Reflect Costa Mesa

Ensure that signs contribute positively to Costa Mesa's image and overall economic development.

Objective CD-11.1. ***Facilitate the installation of signs that contribute to a positive image of the public realm.***

Policy CD-11.A	Encourage homeowners' associations and neighborhoods to maintain housing tract entrance signs in an attractive condition, and encourage the placement of such signs at the entrance of major developments which do not have such identification.
Policy CD-11.B	Encourage the use of common design elements in signs for commercial and industrial centers through the development of planned sign programs to improve center identity by publicizing the benefits of such programs to developers and local business operators.
Policy CD-11.C	Encourage ~~Develop~~ citywide sign design guidelines that promote creativity and flexibility while upholding design quality. Design guidelines could include the design and placement of business signs, public street graphics, street signs, locational and directional signs, traffic signs, etc.
Policy CD-11.D	Introduce distinctive entry signage within the Costa Mesa Streetscape and Median Development Guidelines which effectively announces arrival to unique districts and neighborhoods.
Policy CD-11.E	Develop and design signage that helps with way-finding throughout the City so visitors and residents can easily access destination locations and identify landmarks.

Goal CD-12: Public Safety through Design

Use design approaches to enhance public safety.

Objective CD-12.1.	***Incorporate public safety considerations into community design.***
Policy CD-12.A	Decrease the opportunity for criminal activity by addressing high-risk circumstances (e.g., dark alley, enclosed stairwell, and dark entrances). Involve the Police and Fire Departments in reviewing and making design recommendations during the project review process.
Policy CD-12.B	Continue to implement and refine development standards and/or guidelines based on Crime

	Prevention Through Environmental Design (CPTED) for new development and redevelopment with emphasis on site and building design to minimize vulnerability to criminal activity.
Policy CD-12.C	Continue to provide CPTED training to City staff and local planning and design professionals to optimize public safety through community design.

TeWinkle Park

Chapter 10: Open Space and Recreation Element

Introduction

Open spaces, recreation programs, and cultural arts contribute significantly to the quality of life in Costa Mesa. With its high-quality park facilities and comprehensive community service programs, Costa Mesa offers many opportunities for residents and visitors to practice healthy living and engage in community-building activities.

Parks and community-serving facilities enhance the quality of life for residents and are important components of complete and sustainable neighborhoods. Accessible parks provide places to play, exercise, spend time with friends and neighbors, or just relax and reflect. This Open Space and Recreation Element provides the policy framework to ensure that open space and recreation

resources in the City are preserved and maintained. Open space in Costa Mesa includes neighborhood and community parks, County-owned regional recreation facilities, institutional land uses, and golf courses.

Purpose

The purpose of the Open Space and Recreation Element is to sustain the network of open space and recreation resources for today's residents and future generations. The goals, policies, and objectives contained in this element aim to protect, maintain, and enhance open spaces for all purposes and to meet recreation needs. This also describes how Costa Mesa can promote the City's identity as a City of the Arts.

Park and Recreation System

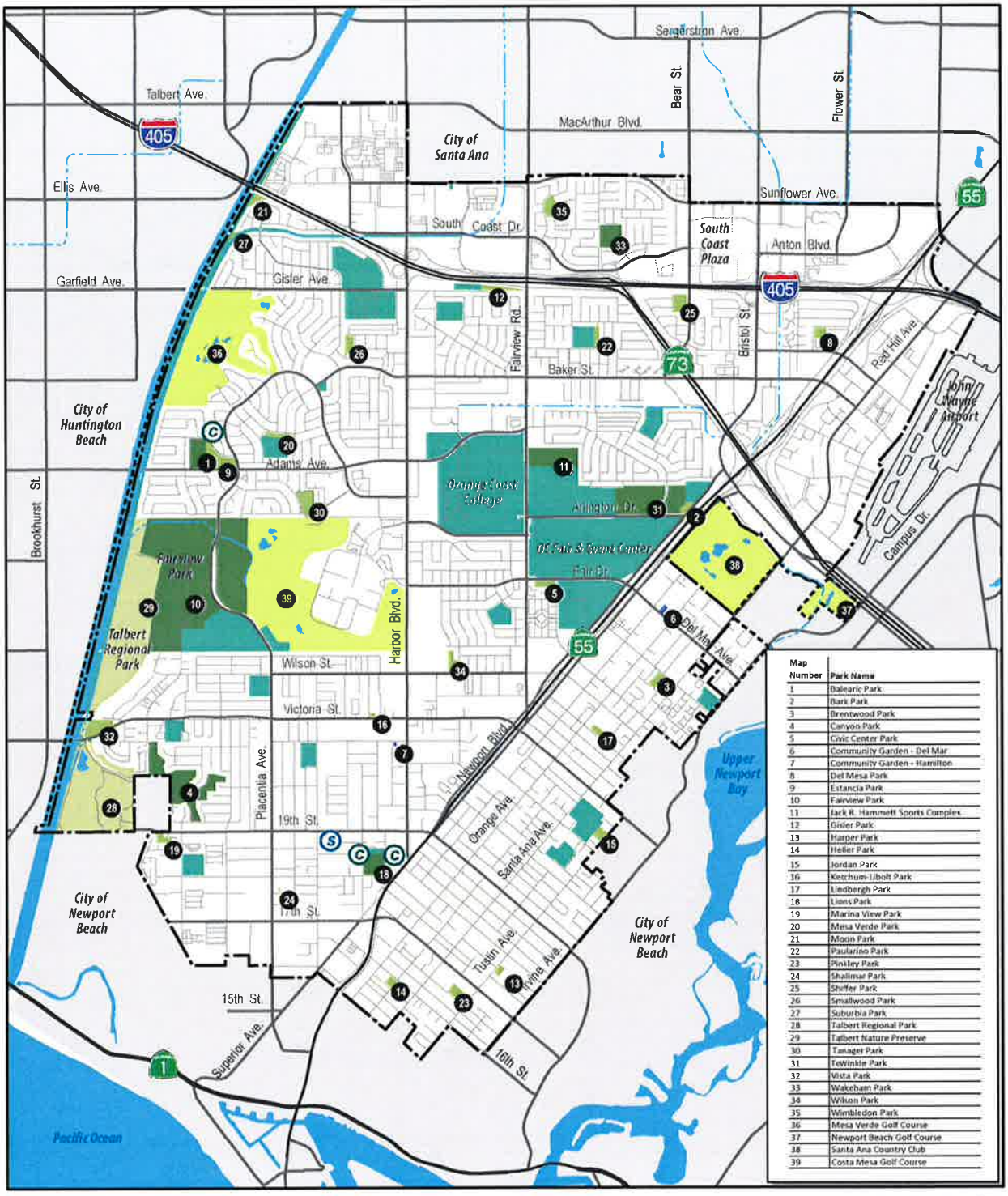
Costa Mesa's inventory of open space and recreation resources includes a diversity of facilities, ranging from highly developed, active recreation sites to low-activity, passive open spaces. The existing network of open space and recreation facilities is illustrated in Figure OSR-1, *Parks and Open Space ~~Inventory~~*, and inventoried in Table OSR-1, *Parks and Open Space Inventory*.

Table OSR-1: Park and Open Space Inventory

Facility Name	Acreage
Neighborhood and Community Parks	415.19
Regional Nature Preserve (Talbert Regional Park)	211.00
Institutional Uses [1]	763.03
OC Fair & Event Center	150.04
Open Space Easements	6.19
Golf Courses[2]	379.70
Total	**1,925.15**

Notes: 1) Includes schools, colleges, public facilities, Civic Center, Santa Ana River right-of-way, Fairview Development Center, and other public and institutional uses.

2) Includes acres of golf courses within the City of Costa Mesa only. Acreages do not include Santa Ana Country Club and Newport Beach Golf Course.



Map Number	Park Name
1	Balearic Park
2	Bark Park
3	Brentwood Park
4	Canyon Park
5	Civic Center Park
6	Community Garden - Del Mar
7	Community Garden - Hamilton
8	Del Mesa Park
9	Estancia Park
10	Fairview Park
11	Jack R. Hammett Sports Complex
12	Gisler Park
13	Harper Park
14	Heller Park
15	Jordan Park
16	Ketchum-Libolt Park
17	Lindbergh Park
18	Lions Park
19	Marina View Park
20	Mesa Verde Park
21	Moon Park
22	Paularino Park
23	Pinkley Park
24	Shalimar Park
25	Shiffer Park
26	Smallwood Park
27	Suburbia Park
28	Talbert Regional Park
29	Talbert Nature Preserve
30	Tanager Park
31	TeWinkle Park
32	Vista Park
33	Wakeham Park
34	Wilson Park
35	Wimbledon Park
36	Mesa Verde Golf Course
37	Newport Beach Golf Course
38	Santa Ana Country Club
39	Costa Mesa Golf Course

Parks and Open Space Inventory
- Neighborhood Parks
- Community Parks
- Orange County Parks
- Golf Courses
- Community Gardens
- Public Facilities and Institutional Uses

Community Centers
- Senior Center
- Community and Recreation Centers

City Boundaries
- City Boundary
- Sphere of Influence

Source: City of Costa Mesa, 2015.

0 1,000 2,000 4,000 6,000 8,000 Feet

Figure OSR-1: Parks and Recreation

Neighborhood and Community Parks

The neighborhood and community park system represents the foundation of Costa Mesa's open space and recreation network. Approximately 415 acres of developed neighborhood and community parks provide places for residents and visitors to enjoy themselves. As shown in Table OSR-1, Costa Mesa Parks Inventory, Costa Mesa has 25 neighborhood parks and seven community parks, located as shown on Figure OSR-1. The largest City-owned park is Fairview Park, encompassing approximately 210 acres. The smallest City-owned park is Shalimar Park at 0.18 acres. Parks within the City are classified based on size. The classification system is as follows.

- **Neighborhood Parks.** Neighborhood parks are 10 acres or smaller in size and are intended to serve the daily recreational needs of residents in the immediate park vicinity. Primary uses include passive and active open space, tot lots, and picnic facilities. Community gardens are also included under this classification.
- **Community Parks.** Community parks are 10 acres or larger in size and are intended to provide a wide variety of recreation amenities, including lighted athletic fields and courts and other wide-serving recreational uses.

Fairview Park

Fairview Park is the largest park in the City encompassing approximately 210 acres. This passive open space consists of bluffs, vernal pools, trails, and native plant communities and wildlife. Visitors to the park can also enjoy special events that occur at the park, as well as take a train ride on the Goathill Junction Model Railroad.

In 1998, the City Council approved the Fairview Park Master Plan. Pursuant to the Master Plan, a series of improvements to wetlands and riparian habitat were accomplished consisting of enhancement of 17 acres of riparian habitat, rehabilitation of ponds and streams, and installation of a new irrigation system. In 2013, the City restored six acres of wetland ponds, five acres of native grasslands, three acres of native oak trees, and nine acres of coastal sage scrub habitat.

***Fairview Park** encompasses over 200 acres of open space and passive park areas consisting of bluffs, vernal pools, trails, native plant communities and wildlife. Park visitors also can enjoy community events fly, model aircraft, or take a train ride at Goat Hill Junction Railroad Station.*

In April 2013, the Costa Mesa City Council voted to reconvene the Fairview Park Citizens Advisory Committee (FPAC) to examine several issues regarding the park, and to evaluate the Fairview Park Master Plan relative to the City's needs. Based on those needs, the FPAC will recommend the addition, reduction, elimination, and modification of park uses and master-planned elements. Key elements included providing various sport fields and facilities, community gardens, trail exercise stations, a nature center, and a variety of improvements to the passive open space uses. Completion of the review is anticipated in 2016. As part of the citywide Open Space Master Plan of Parks and Recreation initiated in 2015, the community will be engaged in further discussion of improvement plans for Fairview Park.

Costa Mesa Community Gardens

Community gardens provide opportunities for Costa Mesa residents to nurture their physical and social health. As of 2015, the City managed two community gardens. The Del Mar Community Garden has 60 plots, each measuring 15 feet by 15 feet. Hamilton Community Garden has 42 plots with the same dimensions. The City rents garden plots to residents to grow vegetables, flowers, fruits, and plants for personal consumption. Both community gardens are immensely popular and have long waiting lists for new urban farmers to participate.

Table OSR-2: Neighborhood and Community Parks Inventory

Name	Acres	Baseball	Softball	Soccer Field	Utility Field	Basketball	Playground	Tennis Courts	Handball	Volleyball	Par Course
Neighborhood Parks											
Brentwood Park	2.60						1			1	
Civic Center Park	2.50										
Del Mar Com. Garden	0.77										
Hamilton Com. Garden	0.45										
Del Mesa Park	2.47				1	1	1			1	
Estancia Park	9.03										
Gisler Park	4.59						1			1	
Harper Park	1.06						1				
Heller Park	2.61				1		1				
Jordan Park	2.48				1						
Ketchum-Libolt Park	0.34										
Lindbergh Park	2.00						1				
Marina View Park	2.29				1		1				
Mesa Verde Park	2.73						1				
Moon Park	1.67						1				
Paularino Park	2.23						1			1	
Pinkley Park	2.57				1		1				
Shalimar Park	0.18						1				
Shiffer Park	7.09				1	1	2		2	2	1
Smallwood Park	3.39		1			1	1			1	
Suburbia Park	0.53										
Tanager Park	7.41				1	1	1			2	1
Vista Park	5.92				1		1				
Wilson Park	3.61						1			1	
Wimbledon Park	3.29				1	1	1				1

Table OSR-2: Neighborhood and Community Parks Inventory

Name	Acres	Baseball	Softball	Soccer Field	Utility Field	Basketball	Playground	Tennis Courts	Handball	Volleyball	Par Course
Neighborhood Park	***73.81***	***0***	***1***	***0***	***9***	***5***	***19***	***0***	***2***	***10***	***3***
Community Parks											
Balearic Park	10.06			2	1	2	2		2		
Canyon Park	35.96						1				
Jack R. Hammett Sports Complex	18.50			6							
Fairview Park	210.04				1						
Lions Park	12.82						1		6		
TeWinkle Park	43.67	1	2		1		1	12		1	1
Wakeham Park	10.33			1	1	1	1			1	1
Community Park	***341.38***	***1***	***2***	***9***	***4***	***3***	***6***	***12***	***8***	***2***	***2***
Grand Total	**415.19**	**1**	**3**	**9**	**13**	**8**	**25**	**12**	**10**	**12**	**5**

Source: City of Costa Mesa, 2015.

Parks and Recreation Commission

The Parks and Recreation Commission acts in an advisory capacity to the City Council with respect to:

- Park and recreation facility locations
- Park site planning and facility design
- Development, operation, maintenance, and redevelopment of facilities
- Fiscal policy recommendations regarding development priorities, grants, and fees

The Parks and Recreation Commission also advises the City Council on matters pertaining to the provision of quality recreational services and activities programs, as well as park and recreation matters referred to the Commission

by the City Council or brought to the Commission's attention by stakeholders.
Other Recreational Facilities

Institutional Uses

Costa Mesa is home to many public schools, a community college, and a private university—as well as the OC Fair & Event Center—that have open space and recreational facilities. While not all facilities are available for public recreational use, the inventory of institutional uses is considerable. These facilities contribute substantially to play the citywide open space and recreation inventory, and can augment open space provided by the neighborhood and community park system. Although not a party to the use-agreements between schools and sports leagues, the City does provide support to community organizations seeking joint-use agreements and improvements to school sites. Table OSR-3, *School Recreational Facilities*, identifies institutional facilities located within the City operated by the Newport-Mesa Unified School District.

As of 2015, the Newport-Mesa Unified School District facilities included 32 utility fields and at least 20~~18~~ baseball/softball diamonds. The City utilizes NMUSD elementary and middle school facilities for after-school programs, and all elementary, middle, and high school athletic fields, with the exception of Jim Scott Stadium, for youth and adult sports programming.

Youth Sports. *Children participating in a Pop Warner Football game*

Table OSR-3: School Recreational Facilities

School Name	Acres	Baseball	Softball	Soccer	Turf Area	Basketball	Multi-Use Courts	Track	Play Equipment	Handball	Volleyball	Tennis	Swimming Pool
Adams Elementary School	10			■		■							
Back Bay High School	6		■	■	■	■							
California Elementary School	8		■	2	■	■	■		■	■			
College Park Elementary School	8		■	■	■	■	■		■	2			
Costa Mesa High School	50	4	■	3	■	■	■	■			■	8	■
Davis School	15				■	■		■					
Early College High School	3												
Estancia High School	42	2	■	■	■	■	■	■		■		8	■
Harper Preschool	2			2	■	■	■				■		
Kaiser Elementary School	16	2		3	■	■	■	■					
Killybrooke School	10			■	■	■				■			
Paularino Elementary School	9				■	■	■			■			
Pomona Elementary School	8			■	■	■	■						
Rea Elementary	14												
Sonora Elementary School:	10				■	■	■			■			
TeWinkle Intermediate School	20	3	2	3	■	4		■			■		
Victoria Elementary School	7			■	■	■	■						
Waldorf School of Orange County	N/A			■	■	■	■		■		■		
Whittier Elementary School	9		■		■		■		■	■			
Wilson Elementary School:	9				■		■						
Woodland Elementary School	8	■		■		■			■	■			

Source: City of Costa Mesa and Newport-Mesa Unified School District

Note: 1) All school identified in this table are included in the Joint Use Agreement (JUA) between Newport-Mesa Unified School District (UNMD) and the City of Costa Mesa. The JUA pertains to athletic facility use, maintenance, and program oversight, and is updated periodically. Some schools are subject to third-party agreements.

Surplus School Sites

Student enrollment throughout the Newport-Mesa Unified School District fluctuates over time, and NMUSD makes long-range projections for facility needs. In the past, NMUSD has closed elementary schools due to low enrollment, with the facilities available for many uses.

OC Fair & Event Center

In the late 1940s, the State of California obtained the current fairgrounds property, formerly occupied by the Santa Ana Army Air Base, and used the fairgrounds for over 60 years. In 2010, the County of Orange acquired the site from the State, with the core objective to preserve and promote the fairground and event uses. The OC Fair & Event Center is a major entertainment, recreational, cultural, and educational asset to Orange County. Including the OC Fair, which occurs every summer, over 100 events occur every year supporting cultural and nonprofit organizations, and attracting over 4.1 million visitors annually.

***Centennial Farm** is a three-acre working farm at the OC Fair & Event Center created to educate youth about agriculture and its importance to daily life.*

The 150-acre property includes these components:

- **Centennial Farm.** An approximately 3.5-acre outdoor agricultural and livestock area on the southwest corner of the property. This working farm includes livestock barns and fruit and vegetable gardens, and showcases educational programs for school-aged children.

- **Equestrian Center.** Approximately 14.5 acres, the equestrian center facility provides year-round, privately operated horse boarding and training. The area includes riding arenas, hot walkers, turnout pens, storage lockers, and ample parking.
- **Grandstand Arena.** The Grandstand, per the Master Plan, is anticipated to expand to hold 10,000 seats. The area is used for rodeos, circuses, motorcycles races, and other outdoor events.
- **Orange County Market Place.** A weekly outdoor swap meet held on the property's southeast corner attract people from throughout the region.
- **Pacific Amphitheatre.** An outdoor arena that seats up to 8,500 patrons, this venue hosts entertainers of local, national and international renown.
- **Showroom Buildings.** Buildings totaling 148,000 square feet which are rented for various shows, with the possibility of expanding to 275,000 square feet per the Master Plan.
- **Festival Fields (Multipurpose Area).** The Festival Fields consist of an outdoor theater, camping, and Kid's Carnival.
- **Mall Areas.** Three areas adjacent to the outdoor area are used primarily as show areas for automobiles, outdoor social events, and other similar uses.

Golf Courses

Located adjacent to the Fairview Park is the Costa Mesa Country Club, a municipal golf course with two 18-hole golf courses, a pro shop, coffee shop, banquet facility, and driving range. The Mesa Verde Mesa Verde Country Club golf course is a private facility that includes an 18-hole golf course, tennis and pool complex, and club house. Additionally, the private Santa Ana Country Club and Newport Beach Golf Course, both located outside City limits but within the City's sphere of influence, offer additional recreation opportunities.

Costa Mesa Country Club *is a public golf course with 36 holes of golf, practice facility and driving range, and banquet facility.*

Dog Park

Bark Park is a two-acre fenced off-leash dog park located at TeWinkle Park and adjacent to the Costa Mesa Tennis Center. The park has a separate area for small, elderly, and disabled dogs. Dog park amenities include trees, benches, water dispensers for dogs, dog waste bags, and a restroom. Bark Park is administered through the non-profit Costa Mesa Bark Park Foundation.

Costa Mesa Tennis Center

The Costa Mesa Tennis Center is located in TeWinkle Park, 880 Junipero Drive. This special use facility includes twelve lighted courts, fifty-five parking spaces, landscaped walkways and a pro-shop with professional tennis staff. The Costa Mesa Tennis Center offers lessons, tournaments, leagues, open play and monthly classes and activities to participants of all ages.

Costa Mesa Skate Park

Built in 2005, the Costa Mesa Skate Park is open to skate boarders and inline skaters of all ages daily. The 15,000 square foot facility is free to the public, although all participants are required to wear their own helmet and pads. This specialty facility is located inside of TeWinkle Park. It features street elements, a kidney-shaped pool, and a bowl. Finally, the facility also hosts the City's Parks and Community Services Department skateboarding classes.

Park Level of Service

Level of Service is a method used to calculate the level of service standards for parks and recreation to determine if it meets the City's needs and expectations.

~~The City's goal is to provide 4.26 acres of parkland for every 1,000 residents.~~

With a changing population, the City must continually assess how park facilities satisfy the needs of a changing demographic. Park standards determine how many parkland acres the City should develop based on population levels, locations of parks, and existing parks. As on 2015, the City had a park standard of 3.66 acres of parkland for every 1,000 residents. However, the City's goal is to attain and maintain a park standard of 4.26 acres of parkland for every 1,000 residents. Pursuant to State law (State Government Code Section 66477), the City may collect up to 3.0 acres of parkland or in-lieu fees from new residential subdivisions for every 1,000 residents. Accordingly, the City adopted a Local Park Ordinance to implement its park and recreational land dedication requirements (Article 5 – Park and Recreation Dedications). However, to reach the goal of 4.26 acres per 1,000 residents, the City must pursue alternative funding sources for the additional park acreage and/or park improvements that exceed the State standard. Alternative funding sources include general fund revenues, development impact fees, federal and State grants, user group contributions, and school district joint-use contributions. Other methods for supplementing the City's park system include encouraging the development of private open space and recreational amenities (beyond public park requirements) within large residential projects, and pursuing the joint use (or ultimate use) of utility district lands, such as those owned by County of Orange Flood Control District, for parks and open space.

As of 2015, the City had an estimated population of 113,984 residents. Based on the City's park standard goal of 4.26 acres for every 1,000 persons, approximately 483 acres of parkland are required to meet the City's goal. Assuming a build-out population of 134,984 residents, 575 acres would be required to achieve the goal.

This total does not include private open space and recreation facilities, golf courses, the OC Fair & Event Center, or joint use of facilities at school sites. The City's policies and implementation actions emphasize the need to pursue

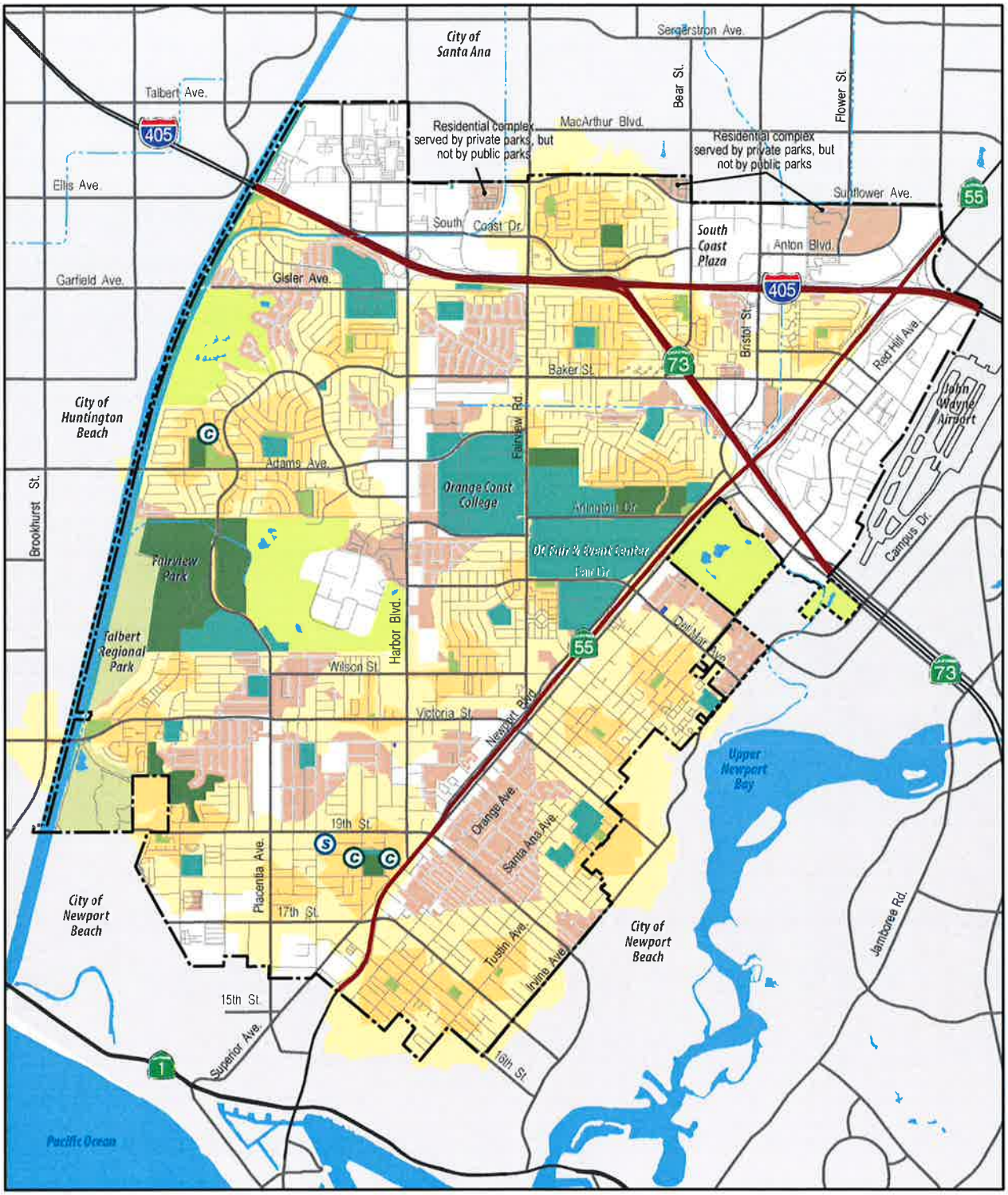
all means to expand and maximize benefits of the parks and recreation system.

Neighborhood and Community Park Accessibility

Figure OSR-2, *Park Access~~ibility~~*, utilizes the street network system to identify areas within a one-quarter-mile and one-half-mile walking distance to park pedestrian-access points (service area). The figure identifies areas within neighborhoods that do not have ready access to City parks and thus helps assist in the strategic approach to identify and prioritize locations for parkland to meet the community goals and objectives.

Park Level of Service and Accessibility by Planning Area

An estimate of population to park ratios has been conducted by "Planning Areas" to evaluate deficiencies in the City's allocation of parkland. Table OSR-4, 2015 Park /Population Ratios, indicates these estimated ratios. Planning Area 2 exceeds the park-to-population standard of parkland, but includes some areas that lacks park accessibility. Planning Area 3 is the area with the most deficient neighborhood parkland with a ratio of 0.60 acres of parkland, for every 1,000 persons. Figure OSR-3, *Planning Areas and Underserved Park Areas,* identifies the Planning Areas.



Parks and Open Space Inventory

- Neighborhood Parks
- Community Parks
- Orange County Parks
- Golf Courses
- Community Gardens
- Public Facilities and Institutional Uses

Walking Shed Analysis

- 1/4 Mile Walking Distance to Park
- 1/2 Mile Walking Distance to Park
- Residential Underserved Areas
- Pedestrian Barriers

Source: City of Costa Mesa, 2015

0 1,000 2,000 4,000 6,000 8,000 Feet

Figure OSR-2: Park Access

Table OSR-4: 2015 Park /Population Ratios

Planning Area	Population[1]	Existing Park Land (2015)	Estimated Park/ Population Ratio
1	23,820	54.43	2.29/1,000
2	24,698	248.39	10.06/1,000
3	23,451	14.09	0.60/1,000
4	27,151	75.10	2.77/1,000
5	8,753	13.62	1.56/1,000
6	6,111	9.56	1.56/1,000
Total	**113,984**	**415.19**	**3.64/1,000**

Notes: 1) Population based on U.S. Census Bureau, American Community Survey, 5-Year Estimates for 2014 by Census Tract. Some variation may occur due to differences between tract boundaries and Planning Area boundaries.

Source: City of Costa Mesa, 2015.

Planning Area 1

Planning Area 1 is unique in a number of ways. First, it is the location of major public open space features, including Canyon Community Park and the Talbert Regional Park and in close proximity to Fairview Community Park. However, these facilities are located along the easternmost boundary of the area, leaving the balance poorly served for neighborhood park service. Secondly, the area is the most densely populated and highly developed in the City, leaving very limited opportunities for sites to fulfill this service deficiency. There are several park priority areas within the Westside neighborhood, just south of Victoria Street.

Planning Area 2

Planning Area 2 is well served and exceeds the park-to-population standard for neighborhood and community. Nearly 250 acres of parkland are provided in this Planning Area. However, in terms of park accessibility, the Mesa Verde neighborhood around Gisler Avenue is located more than a one-half mile from a park. The Westside neighborhood north of Victoria Street is also identified as being farther than one-half mile walking distance from a park.

Planning Area 3

Planning Area 3 is similar to Area 1 in that it is an older neighborhood which is nearly fully developed without an adequate neighborhood park system. One advantage that the Eastside neighborhood has is the availability of operating school sites to augment the local park network, plus surplus school sites. Regarding park access, the neighborhood area east of Downtown and along 19th Street is identified as being located beyond a one-half-mile walking distance from a park. This area is both deficient in park-to-population standard and by accessibility standards.

Planning Area 4

Planning Area 4, although it does not meet the park-to-population standard for parks, it is generally well served by City parks. The acquisition of the Jack R. Hammett Sports Complex helped improve the park deficiency within the entire Planning Area. However, the Halecrest and College Park neighborhoods lie beyond the desired one-half mile.

Planning Area 5

Planning Area 5 is identified as park deficient. Several residential complexes are served by private on-site recreation facilities and open space easements. However, with the development of the Sakioka Farms residential site, this area is expected to have the potential for new residential development that could include new public (or private) park space.

Planning Area 6

Planning Area 6, which consists of the Bristol and Paularino neighborhoods, is identified as park deficient in terms of the park-to-population standard. Park accessibility is generally good to Schiffer Park and Del Mesa Park by surrounding residential neighborhoods. Large residential complexes that are not within a one-half-mile walking distance to a public park generally have private park facilities dedicated to their residents. New residential development associated with the SoBECA Urban Plan will also increase the current population in this Planning Area and the need for additional public parks.

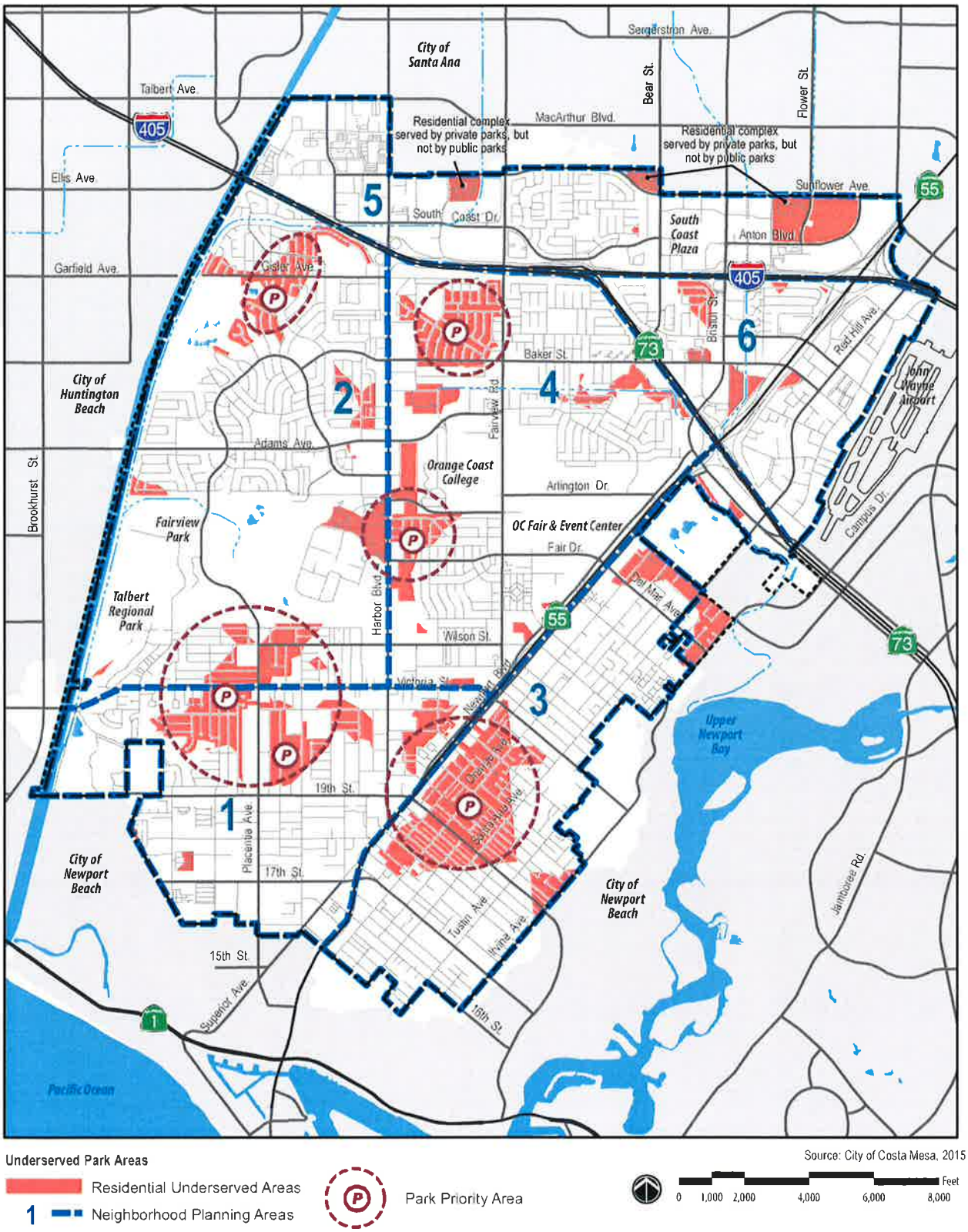


Figure OSR-3: Planning Areas and Underserved Park Areas

Key Park System Issues

Limited Availability of Park Sites

Costa Mesa is a mature, well-developed city with very little land available for new parkland. Few vacant parcels exist, and those that do may not be useful in terms of size, location, or other factors. The few remaining large vacant lands are located north of I-405 and planned for urban-intensity development, as outlined in the *North Costa Mesa Specific Plan*. As part of any master planning process, the City has the ability to require provision of public open space for parks and similar purposes.

The other major potential site for parkland is the Fairview Development Center, which the State may choose to downsize or relocate, thus making these public lands possibly available for transfer to the City. Any new parks the City acquires within established neighborhoods will be small infill parks. Several contiguous sites will need to be acquired to provide an active sports park facility to meet the community's recreational needs.

Further, the demands on capital funds are highly competitive, potentially creating further limitations for acquisition of new City parkland.

Balance of Passive and Active Recreation

As the population in the City continues to changes, the demand for parks and open spaces will increase and change based on the population's composition. In response, the City may find it necessary to repurpose current parks and open spaces to accommodate residents' needs. As a result, preserving the established uses of parks and open spaces and balancing between passive and active recreation use may become a challenge. ~~Due to its size, Fairview Park is one of the parks that may be repurposed to include other public amenities.~~ However, a balance between passive and active open space opportunities within the park will continue to be a key consideration.

Demand for Sports Field

Organized sports programs have created a demand for more baseball, softball, and soccer fields. Many neighborhood parks provide space for organized sports but typically have insufficient parking, lighting, and facilities to meet this demand. Sports parks within neighborhoods require a balancing act for the City to meet the needs of private athletic organizations and neighborhood residents. Residents often express concerns regarding parking

spillover into neighborhoods, lighting, noise, and the general unavailability of facilities to residents.

Adequate Space for Community Gardens

Costa Mesa owns and operates two community garden sites in the City. As of 2015, long waiting lists to lease garden parcels to community members prevented many residents from having garden plots. As the population and popularity of gardening continues to grow, the demand community garden will grow as well.

Park Level of Service

As of 2015, Costa Mesa had 3.66 acres of parkland per 1,000 persons (based on population of 113,455 and 415.19 park acres), well under the 4.26 acres per 1,000 persons this element identifies as the minimum parkland ratio. With the planned population growth identified in the Land Use Element, demand per the standard will increase to 575 park acres per 1,000 persons, again below the threshold identified in this element. The City of Costa Mesa will have to acquire additional park acres to meet the citywide goal of 4.26 acres per 1,000 persons.

Park Accessibility

Several residential neighborhoods in Costa Mesa are more than one-quarter and one-half-mile pedestrian walking distance to public neighborhood and community parks. These neighborhoods include the Westside residential district generally along Victoria Street and Placentia Avenue, the Eastside residential district along 19th and 20th Streets, the residential area northeast of the Mesa Verde Country Club, and the Halecrest residential neighborhood. The Halecrest area does include a private park, Halecrest Park, which requires a membership to access the recreation facilities. These areas should be considered priorities areas for future parks. Other small underserved areas should also be considered as well. Additionally, large apartment and condominium complexes provide private recreational facilities for their residents and are maintained under management groups or homeowner associations.

Recreational Facilities and Programs

Community Facilities

The City operates and maintains four community centers: Balearic Community Center, Downtown Recreation Center, Neighborhood Community Center, and Costa Mesa Senior Center. Each facility provides recreational activities and room rentals.

- **Balearic Community Center.** Located at 1975 Balearic Drive, the facility comprises two rental rooms that can accommodate up to 100 people. Year round, these rooms are used for the City's Day Camp Program, Recreation on Campus for Kids (ROCK) program, and Early Childhood Program. Adjacent to the center is Balearic Park, which features a fenced playground with play equipment, playground, basketball courts, and a large athletic field.
- **Downtown Recreation Center.** Located at 1860 Anaheim Avenue, this center includes an indoor gymnasium, gymnastics room, a 25-yard outdoor pool, and a designated room and office for the Childs-Pace day-care program. The facility offers a multipurpose room equipped with a kitchen, and provides open gym time for youth and adult basketball. During the summer, the multipurpose room is also used as a ROCKS program site.
- **Neighborhood Community Center.** Located at 1845 Park Avenue, this 24,000-square-foot facility consists of a large multipurpose hall, stage, dance floor, and full-service kitchen. Three smaller meeting and conference rooms are available for meetings and classes. In 2015, The City approved a $34.5 million plan to build a new library building to house the new Donald Dungan Library; renovate the existing Donald Dungan library to serve as the new Neighborhood Community Center (NCC); demolish the old NCC; and proposed parking and landscape developments in several phases. A community-driven process has guided design and service plans.

- **Costa Mesa Senior Center.** Located at 695 West 19th Street the senior center, provides a day facility for Costa Mesa's older residents to gather and participate in social, recreational, and personal development programs. The facility also provides seniors access to free transportation for medical-related appointments and other transportation needs.

Community Services Programs

Community Services programs encompass the diverse recreational and social services activities provided by the City to residents. These programs can be classified in one of the following categories:

- Recreational and Physical Activities
- Action Sports
- Cultural and Performing Arts
- Youth Programs
- Human Services
- Older Adult Programs and Services

The City provides a diverse selection of recreational and sports activities, programs, and services that utilize the extensive network of parks and recreation facilities. A number of nonprofit organizations within the community also provide programs and services, including the Newport-Mesa Family YMCA, Costa Mesa United, and youth sports organizations such as AYSO, Little League Baseball, and Pop Warner Football. The City facilitates the use of its facilities and as outdoor school grounds by these groups.

Youth Programs

The City offers a variety of recreation programs for local youth, including gymnastics, basketball, soccer, tee-ball, skateboarding, martial arts, and horseback riding. The programs aim to provide children and teenagers with effective tools to learn and grow through well-planned curriculum, activities, field trips, and socialization. Youth and teen programs include the Costa Mesa Day Camp, Early Childhood Program, ROCK, Recreation Leadership Training Program, and Teen Camp.

Human Services

Human services programs provide social and financial aid to community members, and can enhance quality of life, promote civic involvement and volunteerism, foster partnerships with private organizations, and create a sense of belonging. The City coordinates with a variety of human services providers such as the Orange County Rescue Mission and the Orange County Interfaith Shelter to assist residents and their families.

***Costa Mesa's Community Services Department** provides a wide range of programs and activities for youth and teens.*

Older Adult Programs and Services

Residents over age 50 represent a growing demographic in Costa Mesa. As a result, the City's services and programs need to address the growing demands of residents who are 50+ by providing social events, expressive arts, nutrition, fitness, and educational and recreational classes that focus on health and wellness. Older residents who face mobility, economic, and medical care challenges can find support and referrals through the programs, services, and classes held at the Costa Mesa Senior Center. The Costa Mesa Senior Center also organizes activities, trips, and special events throughout the year.

Key Recreational Facilities and Programs Issue

Adequate Community Services to Serve Changing Community

Historically, the City has provided high levels of recreation, community, youth and family, and older adult services that meet changing community needs. Maintaining and improving this level of service may be challenging given limited funding resources and demographic changes.

Open Space

Open space land, as defined by California Government Code Section 65560, is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use, including open space for the:

- Preservation of natural resources
- Managed production of resources
- Outdoor recreation
- Public health and safety

Preservation of open space resources, including habitat areas, wildlife, and water resources are addressed in the Conservation Element.

Costa Mesa Open Spaces

Canyon Park

Canyon Park's name refers to its location within a canyon just north of 19th Street. This approximately 36-acre natural open space park includes meandering trails which connect to several surrounding neighborhoods, a small playground and picnic green-space, and Talbert Regional Park.

Talbert Regional Park

The County of Orange preserves and maintains the 244-acre Talbert Regional Park, which encompasses the Talbert Nature Preserve. This open space is located in the southwest portion of the City, north and south of Victoria Street along the Santa Ana River lowlands, and provides passive recreation opportunities, including walking, picnicking, and hiking. The trail system allows for observation of natural resources and links to other parks along the

Santa Ana River. Group use within the habitat areas is permitted by guided walks, and individual use is facilitated by interpretive signage. When combined, Canyon Park, Fairview Park, and Talbert Regional Park provide almost 490 acres of restored and enhanced natural open space.

Santa Ana River

The Santa Ana River forms the western boundary of Costa Mesa. Although not included in the open space inventory, the Santa Ana River Trail provides a major recreation and circulation element that extends from the Pacific Ocean to the Inland Empire. The bikeway has been designated by Congress as a "National Recreational Trail." OC Parks owns and manages the nearly one mile of the mouth of the Santa Ana River, and the U.S. Army Corps of Engineers controls river area above the mouth.

Santa Ana River Open Space *includes trails and access to Costa Mesa's Fairview Park and Talbert Regional Park.*

Open Spaces Adjacent to Costa Mesa

Newport Banning Ranch

Newport Banning Ranch is an approximately 401-acre site partially located in unincorporated Orange County and partially within the City of Newport Beach, adjacent to Costa Mesa. Plans for the property include approximately 174 acres of permanent open space to be preserved and protected for lowland and upland habitat, a nature center, vernal pool interpretive area,

and a diverse system of public interpretive trails connecting to the Talbert Nature Preserve and Santa Ana River Trail in Costa Mesa.

Upper Newport Bay

Upper Newport Bay is located just east of Costa Mesa in the City of Newport Beach. It is the largest of only a few remaining natural estuaries in Southern California. An estuary is a coastal wetland where saltwater from the ocean mixes with nutrient-rich fresh water from inland sources to provide a fertile feeding area for birds, fish, and other animals. The Upper Bay is a recreational and educational resource for the area, with a multipurpose trail~~trial~~ and many wildlife viewing stations.

Open Space Conservation Efforts

Orange Coast River Park, Inc. is a 501(c)(3) nonprofit independent organization originally founded as a committee by the Friends of Harbors, Beaches and Parks. Orange Coast River Park's mission is to facilitate coordination among stakeholders, agencies, landowners, and the public to create a 1,000-acre Open Space Master Plan at the mouth of the Santa Ana River between the Mesa Verde residential community in Costa Mesa and the Pacific Ocean. The organization's major goals are to "restore the historic ecological staircase, extend a seamless passageway to the coast from inland, and create access for residents and visitors to an oasis of tranquility."

Key Open Space Issues

Open Space Preservation and Management

Open space lands within Fairview Park, Canyon Park, and Talbert Regional Park need to be managed to prevent impacts to sensitive habitat and wildlife. Wetlands, vernal pools, and other sensitive habitats need to be protected from human activity and accidental and intended damage. Invasive plant and wildlife species and hazardous material from pesticides, pollution, trash, and other toxic materials need to be controlled and/or restricted to prevent severe damage to these resources. Unauthorized trails by bicyclists and hikers can also damage sensitive habitat areas. Public agencies need to continue to provide and enforce management and educational strategies to protect, preserve, and steward these limited resources.

Open Space Acquisition

As a built-out community, Costa Mesa will face challenges acquiring new open space land due to high land costs and the limited availability of land.

Open Space Access

Open spaces in Costa Mesa are primarily located along the Santa Ana River. Adjoining residential neighborhoods can easily access the Santa Ana River Trail and Banning Channel Bikeway. Eastside Costa Mesa neighborhoods may encounter difficulties in accessing these open spaces through the City's established bikeway system. Talbert Regional Park is primarily accessed by surrounding residential neighborhoods can access through trail connections and access points. Careful consideration must be given to increase access to open spaces while protecting sensitive habitat.

Cultural Arts Resources

Costa Mesa's motto is "City of the Arts." Over the past decades, regionally and nationally recognized organizations have established the City as their home, and they continue to grow. The Segerstrom Center for the Arts, South Coast Repertory Theater, Arts Plaza, and Noguchi Sculpture Gardens are some of the significant cultural resources based in Costa Mesa. The Costa Mesa Playhouse also thrives in the City, along with a wide array of art galleries and a contemporary music scene.

Costa Mesa Theater and Arts District Plan

The 54-acre Costa Mesa Theater and Arts District includes high-rise office buildings; internationally recognized cultural facilities; and hotels, restaurants, and high-end commercial uses. Located along the Avenue of the Arts and with ready access to I-405, the district attracts visitors from throughout Southern California and beyond. To guide the coordinated development of the district, in 2004 the City the Costa Mesa Theater & Arts District Plan was established.

Segerstrom Hall and the Renee & Henry Segerstrom Concert Hall *within the Segerstrom Center for the Arts*

Cultural Arts Committee

The Cultural Arts Committee coordinates with the City Council to support cultural arts programs and increase awareness of the arts to Costa Mesa residents. The Committee's overarching goal is to establish programs, organize events, and distribute information that promote arts and culture.

Programs and events organized by the Committee include the Artist Showcase, Arts in the Park, Art Walk, and Youth Art Gallery.

Key Cultural Arts Issue

Limited Number of Public Arts

Public art refers to works of art in any media located in a public setting, with the purpose of beautifying public spaces and buildings, drawing attention to the message the artwork may communicate, and educating the public. Public art can increase the intrinsic and monetary values of the places it graces; and it can express a civic and corporate pride. Many of Costa Mesa's public art pieces are located at the Segerstrom Center of the Arts, which has limited public access.

~~A p~~Public art located at the main entrance of the Segerstrom Hall

Goals, Objectives, and Policies

These goals, objectives, and policies guide policy decisions regarding open space and recreation in Costa Mesa, and allow for the continued expansion, improvement, and maintenance of community facilities and services for the enjoyment of current and future residents. Additional opportunities include integrating public art throughout the community to highlight predominant themes in Costa Mesa's history.

Goal OSR-1: Balanced and Accessible System of Parks and Open Spaces

Provide a high-quality environment through the development of recreation resources and preservation of open space that meets community needs in Costa Mesa.

Objective OSR-1: ***Maintain and preserve existing parks, and strive to provide additional parks, public spaces, and recreation facilities that meet the community's evolving needs.***

Adequate Neighborhood and Community Park Recreational Facilities

Policy OSR-1.A: Maintain a system of Neighborhood and Community Parks that provide a variety of active and passive recreational opportunities throughout the City.

Policy OSR-1.B: Provide parks and recreation facilities appropriate for the individual neighborhoods in which they are located and reflective of the needs and interests of the population they serve.

Acquisition of New Parkland

Policy OSR-1.C: Pursue the acquisition and development of pocket and neighborhood parks within park-deficient areas, as identified in Figure OSR-3: Planning Areas and Underserved Park Areas.

Policy OSR-1.D: Prioritize the acquisition of land for parks in underserved neighborhoods.

Policy OSR-1.F: Maximize public space by requiring plazas and public gathering spaces in private developments that can serve multiple uses, including recreation and social needs.

Policy OSR-1.G: Provide maximum visibility and accessibility for future public parks by locating facilities in close proximity to public streets.

Policy OSR-1.H: Adjust and update development fee programs to accumulate funds for the acquisition and improvement of parks and recreation facilities commensurate with identified need and population growth.

Balance of Passive and Active Recreation

Policy OSR-1.I: Require that parks and recreation facilities reflect new trends and population changes, and are developed with facilities appropriate to all ages, including athletic fields, active play areas, passive open space, tot lots, and picnic areas.

Policy OSR-1.J: Conduct a sports facility study to review current outdoor facility locations and resources and a demographic study for future facility requirements as they relate to planned growth within the City.

Policy OSR-1.K: Pursue additional community garden lots and spaces to meet demand and need by the community.

Park Maintenance and Retrofit

Policy OSR-1.L: Perform regular maintenance of facilities to ensure proper working order of all recreation facilities and equipment.

Policy OSR-1.M: Retrofit parks and recreation facilities to provide disability access as required by law.

Policy OSR-1.N: Design and reform parks to reflect the latest recreational features that respond to demographic changes and community needs.

Policy OSR-1.O: Consult with law enforcement agencies, surrounding cities, community policing groups, and OC Parks to create a safe and healthy environment at Talbert Regional Park, Fairview Park, and along the Santa Ana River.

Long-Term Planning of Institutional Uses

Policy OSR-1.P: Continue to pursue opportunities to create joint-use community space at facilities owned by private organizations such as private schools, faith-based groups, service clubs, and hospitals.

Policy OSR-1.Q: Continue to coordinate with the Newport-Mesa Unified School District to supplement City park facilities through joint-use agreements.

Policy OSR-1.R: Consult with Orange County Fairgrounds in implementing OC Fair & Event Center Master Plan.

Level of Service and Access

Policy OSR-1.S: Provide a minimum of 4.26 acres of parkland per 1,000 residents.

Policy OSR-1.T: Update the Parks, Recreation and Open Space Master Plan every 10 years, as feasible.

Policy OSR-1.U: Enhance pedestrian, bicycle, and transit linkages to meet the needs of residents and to provide better access to parks, recreation, and public spaces.

Policy OSR-1.V: Provide opportunities for public access to all open space areas, except where sensitive resources may be threatened or damaged, public health and safety may be compromised, or access would interfere with the managed production of resources.

GOAL OSR-2: Community Services Programs Meeting Community Needs

Enhancing the community through the delivery of innovative recreational programs, quality parks and facilities and services that promote social, physical, and emotional well-being. High-quality community services programs demonstrate the City's commitment to providing opportunities for recreational, physical, and educational activities for residents of all ages.

Objective OSR-2: ***Provide activities, classes, and a variety of programs to meet the year-round recreational needs of all residents: children, adult, seniors, and persons with special needs.***

High-quality Community Services

Policy OSR-2.A: Provide high-quality community services programs that are flexible and responsive to the community's changing needs.

Policy OSR-2.B: Plan and conduct citywide special events that bring residents together to create an enhanced quality of life and promote economic development.

Policy OSR-2.C: Continue to consult with nonprofit sports organizations and recreational groups to support their offering of diverse recreational programs that complement and supplement those offered by the City.

Policy OSR-2.D: Update existing facilities and facilities for senior citizens, youth, adult, and overall community use.

Community Services to Support Community Needs

Policy OSR-2.E: Monitor and research the ever-changing community services needs of the community, and develop action plans to address those needs through partnerships with service agencies.

Policy OSR-2.F: Continue to provide rental opportunities at community facilities and parks for residents, nonprofit groups, and businesses to meet their recreational and professional needs.

Policy OSR-2.G: Continue broad-based public outreach activities that inform residents of all available community services programs, and obtain input from the community regarding program and service needs.

Policy OSR-2.H: Encourage resident input and utilize demographic data, partnerships, volunteers, and existing resources to meet the needs of community.

Policy OSR-2.I: Identify innovative funding and development opportunities to support and sustain a responsive community services network.

Policy OSR-2.J: Continue and expand the development of community partnerships to offer both standard and innovative services to meet residents' needs.

Policy OSR-2.K: Develop and implement community services programs and activities that meet the needs of specialized populations through the development of community partnerships.

Policy OSR-2.L: Provide support for volunteer groups that conduct special activities open to the entire community.

GOAL OSR-3: Conserved Open Space

Costa Mesa is committed to open space conservation to ensure that the network of parklands, trails, hillsides, and undeveloped natural areas remain viable for supporting biological communities and providing sanctuary for future generations. This commitment includes expanding public access to open space, where appropriate, and acquiring additional lands where feasible.

Objective OSR-3: ***Preserve the City's open space lands and provide additional community and neighborhood parkland in underserved areas.***

Open Space Preservation and Stewardship

Policy OSR-3.A: Preserve open space areas along The Santa Ana River, large open space parks, and along the mesa formations to protect natural habitat and to maintain the integrity of the natural environment.

Policy OSR-3.B: Encourage the preservation of coastal views from City and County parkland and public streets within Costa Mesa.

Policy OSR-3.C: Identify current open space areas for protection, management, and potential enhancement to maintain and, if possible, increase its value as wildlife habitat.

Management and Maintenance of Open Space

Policy OSR-3.D: Encourage the long-term maintenance and management of open space lands through open space easements, development rights transfers or acquisition, zoning regulations, and other incentives.

Policy OSR-3.E: Encourage the greening and beautifying of the Santa Ana River.

Policy OSR-3.F: Encourage opportunities for recreation, history, education, interpretive materials, and art associated with the Santa Ana River open spaces.

Policy OSR-3.G: Promote water quality strategies to improve water quality along the Santa Ana River.

Coordination and Organization Development

Policy OSR-3.H: Consult with State and regional agencies regarding open space planning efforts.

Policy OSR-3.I: Consult with the Orange Coast River Park, Inc. and surrounding cities and other government agencies in maintaining and rehabilitating open space lands along the Santa Ana River.

Policy OSR-3.J: Consult with OC Parks over the enhancements and management of Talbert Regional Park without adversely impacting surrounding residential neighborhoods.

GOAL OSR-4: Extensive Arts and Culture Programs and Services

Provide comprehensive and multifaceted arts and culture programs and services that provide education and entertainment to the community and a broader audience.

Objective OSR-4: ***Support performing and visual arts programs, facilities, and activities that stimulate the minds and intellectual thinking of community members to increase awareness of the City's motto, "The City of the Arts."***

Cultural Arts Venues

Policy OSR-4.A: Continue to support the mission of the Segerstrom Center for the Arts and associate venues and facilities.

Policy OSR-4.B: Support the development and operations of an arts museum at the Segerstrom Center for the Arts.

Policy OSR-4.C: Encourage additional indoor and outdoor facility spaces citywide to display public art and host arts and culture special events.

Leader in the Arts

Policy OSR-4.D: Expand the City's role as a supporter of the arts.

Policy OSR-4.E: Encourage financial support of the arts by supporting non-profit groups and foundations.

Policy OSR-4.F: Consider preparation of an arts and culture master plan for the City.

Policy OSR-4.G: Consult with local agencies and surrounding cities to address the creation and implementation of arts-friendly policies.

Policy OSR-4.H: Enhance Costa Mesa's position as a leader in the arts in Southern California and its recognition nationally as a city devoted to arts institutions of superior quality.

Policy OSR-4.I: Engage community members in arts activities, and utilize the arts to provide educational and cultural awareness opportunities.

Policy OSR-4.J: Continue the City's commitment to its arts in cooperation with the private sector.

Policy OSR-4.K: Provide opportunities for local artists to create and display their work.

Arts Programs and Events

Policy OSR-4.L: Support arts activities, programs, events, and facilities for patrons to enjoy and share experiences, and that enhance the City's economic vitality.

Policy OSR-4.M: Designate Community Services Department staff with the responsibility for expanding and implementing activities related to recreational arts programming.

Policy OSR-4.N: Pursue cooperative educational cultural programs enlisting the aid of public and private institutions.

Arts in Public Places and in Private Development

Policy OSR-4.O: Continue to review adopting an Arts in Public Places Program.

Policy OSR-4.P: Pursue the placement of public art in prominent locations, particularly along major travel corridors to enliven and beautify the public realm .

Policy OSR-4.Q: Develop incentives or programs that encourage art in new developments.

Diego Sepúlveda Adobe at Estancia Park

Chapter 11: Historical and Cultural Resources Element

Introduction

Costa Mesa's historical and cultural resources are woven into the fabric of the community and offer a window into the City's rich and colorful past. These resources provide tangible reminders of a past, including the original indigenous inhabitants, early Spanish explorers and settlers, American pioneers and City builders, and the World War II home-front efforts in Costa Mesa. The Historical and Cultural Resources Element identifies the historical and cultural resources that celebrate Costa Mesa's story and have fostered its vibrant ethnic and cultural diversity.

This Historical and Cultural Resources Element:

- Reviews the historical development of Costa Mesa
- Describes local historical and cultural resources.
- Identifies the preservation framework related to historical and cultural resources
- Defines goals, objectives, and policies for preserving and maintaining historical and cultural resources

Purpose

Costa Mesa's historical and cultural resources provide an important connection to the past, while shaping the community's identity and direction for the future. To foster this connection, the Historical and Cultural Resources Element provides the regulatory framework for identifying, maintaining, and restoring the City's historical and cultural resources. Furthermore, the element ensures that these resources are preserved to satisfy the following objectives:

- To safeguard the City's heritage as embodied and reflected in such resources
- To encourage public knowledge, understanding, and appreciation of the City's past
- To foster civic and neighborhood pride and a sense of identity based on the recognition and use of cultural resources
- To preserve diverse and harmonious architectural styles and design preferences reflecting the phases of the City's history, and to encourage complementary contemporary design and construction
- To enhance property values, and to increase economic and financial benefits for the City and its inhabitants
- To protect and enhance the City's attractions for tourists and visitors

Historical Context: Costa Mesa's Past

Costa Mesa's historical resources are physical reminders of a history dating back thousands of years, from Native American settlement, to periods when the region was under the flags of Spain and Mexico, to the World War II era. Native Americans inhabited the region for thousands of years. The location along the Santa Ana River and near the Pacific Ocean provided abundant food and other resources for Native Americans for millennia. During California's colonial era, the region became one of Southern California's great ranchos and agricultural producing areas for growing sweet potatoes, corn, tomatoes, strawberries, and apples. The convergence of water and rail transportation at the end of the 19th century led to an industrial boom in the early 20th century. During World War II, Costa Mesa became the site of the Santa Ana Army Air Base. The following summarizes significant periods in Costa Mesa's social, physical, cultural, and economic evolution. The summary also describes some of the historical sites, structures, and landmarks associated with each period.

Native Americans and Early Spanish Settlers

Located on the "coastal tableland" above Newport Beach, Costa Mesa's first inhabitants were Native Americans who settled on the mesa near the banks of the Santa Ana River. Discovered artifacts, including discarded shells and ceremonial and household artifacts, indicate that the riverbanks were a part of the village once known as Lukup. In 1776, Spanish explorers established Mission San Juan Capistrano approximately 22 miles southeast from present-day Costa Mesa. Occasionally, the padres from the mission would visit Lukup.

In the early 1800s, when the Capistrano cattle grazed in the Costa Mesa area, provisions had to be made to shelter the herdsmen. Three adobes were built along the bluffs of Costa Mesa overlooking the Santa Ana River. The first adobe, known as the *Polloreno* (or Banning Adobe), was located approximately one-third of a mile south along the bluffs near Adams Avenue. The adobe fell to ruin between 1903 and 1906 after treasure hunters dug around the building looking for hidden gold. Between 1820 and 1823, the second adobe, known as the Gabe Allen Adobe (or the Estancia), was constructed. This structure still stands today. It was restored by the City and

now serves as a museum at 1900 Adams Avenue in Estancia Park. The third adobe, called the Rice Adobe, was located just north of Gisler Avenue. In 1919, this adobe was torn down by the owner of the property of the time, Edward Pomeroy, to keep treasure hunters off of the property.

Early City Settlements

The history of Costa Mesa is the story of three communities: an old boomtown called Fairview, the small farming village of Paularino, and the town of Harper, which would later be renamed Costa Mesa. The growth and blending of these communities played a significant role in the history of Orange County and California.

Town of Fairview

Between the fall of 1887 and summer of 1888, the town of Fairview was established. The town was centered near the present-day intersection of Adams Avenue and Harbor Boulevard. In October 1887, a syndicate of local businessmen formed to purchase and develop various tracts within the Newport District. Over the next few years, development of Fairview grew at a rapid pace. It was during this time that the Fairview Post Office was established and the Santa Ana, Fairview, and Pacific (SF&P) Railroad was founded. In addition, the discovery of hot mineral water springs in the area led to the construction of the three-story Hotel Fairview.

By the spring of 1889 the town began to collapse as rapidly as it had appeared, despite attempts to promote the continuing development of Fairview. During that same year, the land boom of Southern California also declined, with many of the land transactions throughout the region falling through. In March of 1889, a severe rainstorm washed out a section of the SF&P Railroad tracks and the roadbed midway between Fairview and Santa Ana, next to the Santa Ana River. As a result, many residents began to leave the town, including the editor and owner of the local paper, town physician, butcher, and local sign painter.

By 1911, all that remained of Fairview was the schoolhouse, the hotel, and a few houses. The schoolhouse closed in 1915, and the hotel was demolished in 1920. The few remaining houses located in Fairview eventually were

destroyed by fire or removed to make way for new development beginning in the 1930s.

Farming Communities

Paularino

Paularino was a typical farming community that consisted of approximately 800 acres generally bounded by the present-day location of Fairview Road to the west, Newport Boulevard to the east, I-405 to the north, and Baker Street to the south. The Paularino community did not amount to more than a name with a few scattered farmhouses, a schoolhouse, and a railroad siding. The lack of growth of Paularino eventually led to its abandonment.

***Harper-Fairview Grammar School**, formerly located at the northwest corner of 19th Street and Newport Boulevard in the early 1920s*

Harper

Harper was named after a rancher who came to the area after the Fairview land boom. Parallel with the land development, the area experienced its first oil boom, with three oil wells installed in 1906 just south of the present-day location of Newport Harbor High School. In 1907, several more wells were installed on the northern end of the Newport Heights Tract. The oil boom was short lived; within three years, the wells were abandoned.

In 1920, the farming community of Harper was renamed Costa Mesa, which means coastal tableland in Spanish. In the summer of that same year, the Wayside Market (located on Newport Boulevard) opened. During 1921, several more store buildings were constructed along Newport Boulevard, including a garage shop, blacksmith shop, barber shop, and soda fountain.

Development continued to increase throughout Costa Mesa until January 21, 1932, when the Costa Mesa Branch of the Bank of Balboa closed. A year later, the Southern Pacific Railroad's branch line that ran along Newport Boulevard was abandoned, and the 1933 Long Beach Earthquake shook the town, damaging businesses and other structures.

Newport Boulevard
streetscape lined with cafes and businesses, as well as Ford Model T automobiles parked along the street, circa 1927

After the Great Depression, the town began to grow again with the opening of several commercial stores, including Sprouse-Reitz Variety (located at 1830 Newport Boulevard), Myers and Myers Department Store (located at 1816 Newport Boulevard), and the post office (located at 1809 Newport Boulevard). Costa Mesa continued to be recognized as a small town until World War II.

Costa Mesa and the Santa Ana Army Air Base

In response to increasing world conflicts in the 1930s and '40s, military installations were planned throughout the country. One of these military installations was the United States Air Corps Replacement Training Center, which was redesignated the Santa Ana Army Air Base (SAAAB) in 1942. The base encompassed 1,337 acres between Newport Boulevard and Harbor Boulevard and consisted of three schools: the Air Force Classification Center, the Air Force Pre-Flight School for pilots, and the Air Force Pre-Flight School for bombardiers and navigators.

In 1946, the War Department announced that the SAAAB was for sale to any educational institution for the price of one dollar. That same year, the War Assets Administration sold a portion of the base to the Orange Coast Junior

College District, which would later become the campus for Orange Coast College. Two years later, the Southern California Assemblies of God Churches purchased 126 acres of the base for a future campus, the Southern California Bible College. This would eventually be renamed Vanguard University. The remaining portions of the base would later be occupied by Costa Mesa High School, Davis Elementary School, the City of Costa Mesa Civic Center, Air National Guard 222nd Combat Communications Squadron, the Orange County Fairgrounds, TeWinkle Park, and several commercial and residential areas. Today, all that remains of the base are a few buildings preserved within the Orange County Fairgrounds, including the 1.4-acre Memorial Garden and Bird Sanctuary.

***Newport Boulevard** and 18th Street circa 1965*

Modern Costa Mesa

On June 29, 1953, the City of Costa Mesa incorporated. At the time, the new city encompassed approximately 3.5 square miles and had a population of 16,840. By 2010, Costa Mesa had expanded to cover approximately 17 square miles, and the population had grown to 109,960. Today, Costa Mesa is a major commercial and industrial center of Orange County. The City formally adopted the slogan "The City of the Arts" in 1999, reflecting the concentration of major regional arts venues and the presence of the Pacific Symphony and South Coast Repertory Theater. The 3,000-seat Segerstrom Center for the Arts (previously known as Orange County Performing Arts Center) was completed in 1985. In 2006, the 2,000-seat Renee and Henry Segerstrom Concert Hall and the 500-seat Samueli Theater opened.

Historical, Archaeological, and Paleontological Resources

Historical, archaeological, and paleontological resources provide knowledge of California's past. These resources also contribute to the character of Costa Mesa. Activities that result in the loss of historical, archaeological, and/or paleontological resources can result in the loss of cultural identity; loss of unique engineering, architectural, or artistic works; and loss of unique irreplaceable components that help create a sense of place and help foster the cultural environment. Costa Mesa boasts locally significant assets, as well as multiple sites eligible for national recognition. Costa Mesa's early settlement patterns and contributions to the wartime effort are recalled through these unique historical places and features, reflecting the diverse culture and people who have made Costa Mesa their home over the years. For these reasons, historical, archaeological, and paleontological resources should be protected and preserved.

Historical Resources Inventory

Historical resources include, but are not limited to, buildings, structures, roads, features, and objects that are: 1) 45 years old or older, and 2) are listed in or determined to be eligible for listing in the National Register of Historic Properties, the California Register of Historical Resources, a local register, or otherwise designated as having historical significance by a lead agency (supported by substantial evidence as required by the California Environmental Quality Act). Costa Mesa is home to 31 historical properties, built environments, and landmarks that have been determined eligible for listing in the City's Local Register of Historic Places (see Table HCR-1: *Historical Resources Eligibility Inventory*). Five of these historical properties have been determined eligible for listing in the National Register of Historic Places and in the California Register of Historical Resources. It is anticipated that the City's inventory of eligible listed historical properties, buildings, and structures will increase as time and resources become available to evaluate and nominate additional properties.

As of 2015, the Fairview Indian Site was the only site listed on the National Register of Historic Places. Figure HCR-1, *Historical Resources Eligibility Sites*,

identifies the general location of potentially historical sites, including those eligible for the National Register. Additionally, the following properties satisfy the requirements for listing:

- Methodist Church: 420 West 19th Street
- Diego Sepulveda Adobe: 1900 Adams Avenue
- Segerstrom House: 3315 Fairview Road
- Segerstrom Barn: 3315 Fairview Road
- Station Master's House: 2150 Newport Boulevard

First United Methodist Church, *built in 1928 and considered eligible for both the National Register and local register listing*

Historic Eligibility Sites

- National Eligibility
- Local Register Listing
- Historic District Contributor

City Boundaries

- City Boundary
- Sphere of Influence

Source: City of Costa Mesa, 2015.

0 1,000 2,000 4,000 6,000 8,000 Feet

Figure HCR-1: Historical Eligibility Sites

Table HCR-1: Historical Resources Eligibility Inventory

Site	Location	Year Built	Property Type[1]	Notes
Sites Eligible for National Register Listing and Local Register Listing				
1	420 W. 19th St.	1928	Religious	Spanish Colonial/Methodist Church
2	1900 Adams Ave.	c.1823	Adobe	Diego Sepulveda Adobe
3	3315 Fairview Rd.	1915	SF Residential	Craftsman/Segerstrom House
4	3315 Fairview Rd.	1928	Agricultural	Western Style/Segerstrom Barn
5	2150 Newport Blvd.	1880	Commercial	Queen Anne/Stationmaster House
Sites Eligible for Local Register Listing				
6	123 E. 18th St.	1926	SF Residential	Spanish Colonial
7	127 E. 18th St.	1926	SF Residential	Spanish Colonial
8	179 E. 18th St.	1923	SF Residential	Bungalow/Tewinkle House
9	565-7 W. 18th St.	1950	Government	Int'l. Style/Vet's Hall/Police Substation
10	1534 Adams Ave.	1963	Theater	Modern/International Style
11	147 Albert Place	c.1923	SF Residential	Bungalow
12	195 Albert Place	1924	SF Residential	Bungalow
13	1293 Baker St.	1928/30	SF Residential	Spanish Colonial/McClintock House
14	1950 Church St.	1928	Religious	Craftsman/Church
15	1817 Fullerton Ave.	c.1909	SF Residential	False Front/Blacksmith's Shop
16	137 Magnolia St.	c.1920	SF Residential	Bungalow/Blacksmith's House
17	200 Magnolia St.	1936	SF Residential	Monterey Style/Sparke's House
18	208 Magnolia St.	1927/40	SF Residential	Period Revival/Leroy Anderson
19	301 Magnolia St.	c.1923/39	Religious	Church
20	2180 Newport Blvd.	c.1962	Commercial	International Style/Stater Brothers
21	1734 Orange Ave.	c.1939/50	Religious	Mesa Bible Chapel
22	1835 Orange Ave.	1930	SF Residential	Craftsman/Bungalow
23	2048 Orange Ave.	1923	SF Residential	Craftsman/Bungalow
24	2172 Orange Ave.	1923	SF Residential	Craftsman/Pink House
25	2519 Santa Ana Ave.	1925	SF Residential	Bungalow
26	1549 Tustin Ave.	1915	SF Residential	Craftsman/La Perle House

Table HCR-1: Historical Resources Eligibility Inventory

Site	Location	Year Built	Property Type[1]	Notes
27	204 22nd St.	1907	SF Residential	Craftsman
28	1785 Newport Blvd.	1923	Commercial	Former clubhouse
29	240 E. 16th St.	c. mid 1950s	SF Residential	Modern/International Style
Sites Eligible for Local Register Listing as Historical District Contributors				
30	88 Fair Drive	1942	Military	Santa Ana Army Air Base/O.C. Fairgrounds
31	2701 Fairview Rd.	c.1950/55	Educational	Int'l Style/Orange Coast College

Source: City of Costa Mesa, 2015.

Note: 1) SF: Single Family

Archaeological Resources Inventory

Archaeological resources are the physical remains of past human activities, and can be either prehistorical or historical in origin. Archaeological sites are locations that contain evidence of human activity. Generally, a site is defined by a significant accumulation, or presence, of one or more of the following: food remains, waste from the manufacturing of tools, tools, concentrations or alignments of stones, modification of rock surfaces, unusual discoloration or accumulation of soil, or human skeletal remains.

Costa Mesa has a rich prehistoric past. The Gabrielinos (Tongva or Kizh) were the City's first settlers prior to 1,500 B.C. The Gabrielinos are Takic-speakers who lived in domed, circular shaped structures, constructed from tree branches and thatched with tule, fern, or carrizo. Villages were located near fresh water and raw material resources. Evidence, or artifacts of their occupation, have been found both on the surface and subsurface, and have included stone and bone tools, shell middens, pottery shards, and human burials.

A comprehensive cultural resources assessment was conducted on the undeveloped areas of the City of Costa Mesa. The cultural assessment included a records search at the California Historical Resources Information System, which involved review of all previously conducted cultural resource

studies, as well as recorded archaeological and historical resources located within the undeveloped portions of the City. Furthermore, an intensive pedestrian survey was undertaken to determine the presence or absence of exposed surficial cultural artifacts.

The results of the cultural assessment indicate that within City Limits are seven previously recorded prehistorical archaeological sites and nine potential prehistorical sites requiring additional fieldwork within the City limits. The seven archaeological sites are identified as:

- CA-ORA-76 (shell midden)
- CA-ORA-163 (shell midden)
- CA-ORA-165 (lithic scatter and shell midden)
- CA-ORA-297 (stone tools and debris)
- CA-ORA-506/58 (habitation complex)
- CA-ORA-687 (habitation complex with human burials) and were located on or near the bluffs overlooking the Santa Ana River and the Upper Newport Bay.

Of these seven archaeological sites, CA-ORA-506/58, known as the "Fairview Indian Site," is listed on the National Register of Historic Places and on the California Register Historical Resources. Since much of the City has been urbanized by past development, it is anticipated that future development could increase the potential for discovery of archaeological and historical resources within soils depths not previously disturbed by existing or past development.

Paleontological Resources Inventory

Paleontological resources include fossilized remains of organisms from prehistorical environments found in geologic strata, providing evidence of pre-human activity. These resources are valued for the information they yield about the history of the earth and its past ecological settings. There are two types of resources, including vertebrate and invertebrate, and are generally found in geologic strata conducive to preservation, typically sedimentary formations. Often they are simply small outcroppings visible on the surface or sites encountered during grading. Geologic formations are the most important indicator of paleontological resources, since they may contain important fossils.

A comprehensive paleontological assessment of Orange County, which included the City of Costa Mesa, was undertaken in 1980. The geology of Costa Mesa was mapped out as part of the countywide assessment. The geology of Costa Mesa was determined to be part of the Palos Verdes Formation, a collection of sand and gravel deposits approximately 100,000 years old. These deposits were formed during the time when Costa Mesa was covered by the Pacific Ocean. Often referred to as the Palos Verdes Sand, these deposits contain evidence of the kinds of marine life that inhabited the area prior to the ocean receding, exposing the current terrestrial landmass of Costa Mesa.

The results of the paleontological assessment identified eight unique paleontological sites consisting of a variety of gastropods (e.g., marine snails) and bivalves (e.g., clams, oysters, and mussels). These sites were singled out due to encroaching development, which could cause significant impacts to the site if left unattended. The ten paleontological sites have been classified as:

- F-91 (Partial skeleton of a mastodon)
- A-3129 (Mollusks); LACM-3267 (Mastodon or mammoth)
- LACM-4219 (Mollusks, Fish, Birds, Sharks, Sea lions and Seals)
- JDC-CM-1 (Bivalve, Gastropods, and Mollusks); JDC-CM-2 (Mollusks); JDC-CM-2A (Oyster shells and Mollusks)
- JDC-CM-3 (Bay-type Sea shells)
- JDC-CM-4 (Marine shells
- and VAC-CM-4 (Mollusks)

In addition, the assessment identified more than 500 species of marine invertebrate fossils, as well as, significant numbers of non-marine vertebrate fossils including, birds, sea, and land mammals.

Preservation Framework

The City is committed to recognizing and preserving local historical and cultural resources using available programs, such as those described below.

Historical Preservation Programs

National Register of Historic Places

The National Register of Historic Places is the official list of the nation's historic places worthy of preservation. To be eligible for inclusion in the National Register of Historic Places, a district, site, building, structure, or object must possess one of the following characteristics:

- The project is associated with events that have made a significant contribution to the broad patterns of American history.
- The project is associated with the lives of persons significant in the past.
- The project embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.
- The project has yielded, or may be likely to yield, information important in prehistory or history.

California Register of Historical Resources

The California Register of Historical Resources program has been crafted to allow the State and local agencies, private groups, and citizens to identify, evaluate, register, and protect historical resources. It is also the authoritative guide to the State's significant historical and archeological resources. The California Register of Historical Resources includes buildings, structures, objects, sites, and districts significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. As of 2015, no properties located in Costa Mesa were included in the California Register of Historical Resources. However, the City contains one property designated as a California Historical Landmark: 1900 Adams Avenue – Diego Sepulveda Adobe. The Santa Ana Army Air Base site at 88 Fair Drive has been designated a California Point of Historical Interest.

Mills Act

In 1972, California State Senator James Mills introduced a bill, known as the Mills Act, to grant property tax relief to owners of qualified historical properties. The Mills Act is a preservation tool created by the California

Legislature to encourage the preservation and restoration of historical properties. The Mills Act enables cities to enter into property agreements with owners of qualifying historical properties, which results in a reduction to the owner's property taxes. The agreements also provide a benefit to cities in that they ensure preservation, guarantee authentic rehabilitations, and provide a higher level of maintenance of cultural resources that are important to communities. A few properties in Costa Mesa utilize the Mills Act.

Local Program: Historic Preservation Ordinance

In 1999, the City adopted its Historic Preservation Ordinance (Article 14 of the Municipal Code) to preserve designated historical and cultural resources. Pursuant to the ordinance, a local historical resource is any building, structure, natural feature, site, landscape, object, or improvement that is of significance to the people of the City, the State, or the nation. To be designated a local landmark, a historical resource must be over 50 years of age, or in special circumstances under 50 years of age, and meet one or more of the following requirements:

- Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; or
- Is identified with persons or events significant in local, state, or natural history; or
- Embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
- Represents the work of a notable builder, designer, or architect; or
- Contributes to the significance of a historical area, being a geographically definable area possessing a concentration of historical or scenic properties, or thematically related grouping of properties, which contribute to each other and are unified aesthetically by plan or physical development; or
- Has a unique location or singular physical characteristics or is a view or vista representing an established and familiar visual feature of a neighborhood community or of the City; or

- Embodies elements of architectural design, detail, materials, or craftsmanship that represents a significant structural or architectural achievement or innovation; or
- Is similar to other distinctive properties, sites, areas, or objects based on a historical, cultural, or architectural motif; or
- Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning; or
- Is a type of building or is associated with a business or use which was once common but is now rare; or
- Yields, or may yield, information important in prehistory or history; or
- Retains the integrity of those characteristics necessary to convey its significance.

As of 2015, the Huscroft House (located at 2529 Santa Ana Avenue) was the only resource listed on the City's Local Register of Historic Places. In addition, 30 other properties have been evaluated as eligible to be included (see Table HCR-1 for list of these properties).

Historical Districts and Neighborhood Character Areas

To recognize historical communities in Costa Mesa and groupings of historical resources and places of interest, General Plan policies allow City staff to explore the creation of historical districts and/or neighborhood character areas.

***Huscroft House**, officially listed as a local historical resource is a Craftsman-styled house built in the early 1920s and moved to Costa Mesa from Santa Ana in 1954*

A historical district is a definable and unified geographic area that possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. It can also be distinguished from surrounding areas and present the same constraints and opportunities as individually listed properties. Historical districts can be designated at the national, State, and/or local level, and each level of designation has its own specific criteria. In addition, each level of designation entails a different level of protection, triggers different levels of review, and designates the property(ies) as potentially eligible for various preservation incentives.

A neighborhood character area, also commonly referred to as a conservation district, is a tool used to define a group of significant historical resources that do not retain adequate integrity to qualify as a historical district but still maintain important levels of cultural, historical, or architectural significance. The focus of a neighborhood character area includes maintaining basic community character, but not necessarily specific historical details of buildings or landscapes. Neighborhood character areas are designated as a zoning overlay, which geographically cover a neighborhood and may be coupled with other regulations. Conceptually, a neighborhood character area creates "buffer zones" to transition from historical districts to surrounding development.

Key Historical Preservation Issues

Loss of Historical Buildings

Historical resources can be subject to decay and disrepair. As a result, continuing to develop a comprehensive preservation program implemented through the Historical Preservation Ordinance is essential to preserving the City's historical and cultural resources. As part of implementation of the preservation program, the City will update its historical resources survey to identify and inventory historical and cultural resources. The survey should be prepared and maintained periodically and be consistent with State and federal preservation standards. Through implementation of a historical resources survey, greater protection and community awareness of the resources can be achieved.

New Development Compatibility and Potential Impacts

Costa Mesa's historical neighborhoods have developed over many decades with a significant amount of residential neighborhoods built in the mid 1950s and 1960s, post-World War II. These residential neighborhoods established subdivision patterns and architectural design styles that are characteristic of the era. The City's "Residential Design Guidelines," last updated in 2013, promote architectural design styles that will be compatible with the character of the affected neighborhoods. As Costa Mesa continues to grow and becomes more intensely urbanized, the potential impacts from new development can create significant issues, including density, land use compatibility, scale, mass, noise, and development patterns.

With sensitive and thoughtful design and development, new construction, rehabilitation, and adaptive reuse projects can enhance the historical character of the City while still meeting its contemporary needs.

Preservation of Post-World War II Historical Resources

Costa Mesa is home to post-World War II buildings and tract housing developments that have become old enough and/or developed sufficient significance to be considered historical resources. As the age threshold for determining whether or not a property is "historical" is 50 years, tract housing dating to the 1950s and '60s are beginning to present themselves as potential historical resources. Buildings may be individually eligible for the local register or may qualify for eligibility only as an intact grouping (i.e., housing tract). This

topic warrants exploration given that many neighborhoods, particularly east of Newport Boulevard, contain representative examples of some of the earliest tract housing development in Orange County.

Interpretation of Historical Resources

Interpretation of historical resources refers to the way in which historical buildings, objects, and sites are identified and presented to the public. An effective interpretation program helps preserve a sense of local history and enhances opportunities for cultural heritage tourism. The City will explore implementing an interpretation program to preserve local history.

Lack of Resources for Educating Residents about Identifying and Caring for Historical Properties

Property owners often unknowingly alter historical properties in a manner that causes significant loss of architectural integrity, which renders potential resources ineligible for inclusion in the local inventory. Likewise, City employees charged with preservation program implementation and code enforcement often do not have sufficient training in managing historical resources to adequately address historical preservation.

***Blacksmith's shop** built in 1909 with a false front façade located at the 1800 block of Fullerton Avenue*

Goals, Objectives, and Policies

The City aims to preserve, enhance, and promote its history and cultural resources, and to integrate these efforts with broader community goals of economic development. Costa Mesa seeks to continue its progress to actively preserve historical resources, identify economically viable uses, encourage public knowledge of resources, and foster civic pride.

The potential for adaptive reuse and revitalization of existing structures, which would add to the character of Costa Mesa, is high. The City will promote the development of appropriate land uses, site design, and architectural treatments to ensure compatibility of new development with the character of surrounding historical resources.

Goal HCR-1: Historical, Archeological, and Paleontological Resource Preservation

The City of Costa Mesa supports focused efforts to provide residents with a sense of community and history through the protection and preservation of historical and cultural resources.

Objective HCR-1: ***Encourage preservation and protection of the City's archaeological, paleontological, and historical resources.***

Preserving Historical Resources

Policy HCR-1.A: Encourage protection and enhancement of the diverse range of historical sites and resources in the City for the benefit of current and future residents and visitors.

Policy HCR-1.B: Encourage the preservation of significant historical resources (as identified in Table HCR-1) by developing and implementing incentives such as building and planning application permit fee waivers, Mills Act contracts, grants and loans, and implementing other incentives identified in the Historical Preservation Ordinance.

Policy HCR-1.C: Promote context-sensitive design that respects and celebrates the history and historical character of sites and resources while meeting contemporary needs of the community.

Policy HCR-1.D: Require, as part of the environmental review procedure, an evaluation of the significance of paleontological, archaeological, and historical resources, and the impact of proposed development on those resources.

Policy HCR-1.E: Continue to identify local landmarks with markers and way-finding signage. Include informational signage about local history, utilizing maps to highlight locations of other historical resources at popular historical sites.

Policy HCR-1.F: Encourage development of an interpretive center for paleontological, archaeological, and historical resources at Fairview Park. The center may contain resources found in the park area as well as resources found throughout the City.

Preserving Archaeological Resources

Policy HCR-2.A: Require cultural resources studies (i.e, archaeological and historical investigations) for all applicable discretionary projects, in accordance with CEQA regulations. The studies should identify cultural resources (i.e., prehistorical sites, historical sites, and isolated artifacts and features) in the project area, determine their eligibility for inclusion in the California Register of Historical Resources, and provide mitigation measures for any resources in the project area that cannot be avoided. Cultural resources studies shall be completed by a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistorical or historical archaeology.

Policy HCR-2.B: Comply with requirements of the California Environmental Quality Act regarding protection and recovery of archaeological resources discovered during development activities.

Preserving Paleontological Resources

Policy HCR-3A: Require paleontological studies for all applicable discretionary projects. The studies should identify paleontological resources in the project area, and provide mitigation measures for any resources in the project area that cannot be avoided.

Policy HCR-3B: Comply with the California Environmental Quality Act regarding the protection and recovery of paleontological resources during development activities.

Chapter 12:
Glossary

General Plan Glossary of Terms

The terms in this glossary are adapted from the California General Plan Glossary, 1997, published by the California Planning Roundtable, the 2003 *General Plan Guidelines*, published by the Governor's Office of Planning and Research, the 2010 *Glossary of Land Use and Planning Terms,* published by the Institute for Local Government, and the Glossary section of the draft SCAG 2016-2040 *Regional Transportation Plan and Sustainable Community Strategy*.

12.1 ABBREVIATIONS

AB32: California Global Warming Solutions Act of 2006

ADT: Average daily trips made by vehicles or persons in a 24-hour period

AELUP: Airport Environs Land Use Plan

AICUZ: Air Installation Compatibility Use Zone

ALUC: Airport Land Use Commission

AQMD: South Coast Air Quality Management District

AQMP: Air Quality Management Plan

ARB: Air Resources Board

BRT: Bus Rapid Transit

CDBG: Community Development Block Grant

CEQA: California Environmental Quality Act

CHFA: California Housing Finance Agency

CIP: Capital Improvements Program

CMP: Congestion Management Plan

CMSD: Costa Mesa Sanitary District

CNEL: Community Noise Equivalent Level

COG: Council of Governments

CPTED: Crime Prevention Through Environmental Design

CSDOC: County Sanitation District of Orange County

CSS: Coastal Sage Scrub

DAMP: Drainage Area Master Plan

dB: Decibel

EIR: Environmental Impact Report (State)

EMS: Emergency Medical Services

EOP: Emergency Operations Plan

EPA: Environmental Protection Agency

FAA: Federal Aviation Administration

FAR: Floor Area Ratio

FEMA: Federal Emergency Management Agency

FHBP: Friends of Harbors, Beaches and Parks

FIRM: Flood Insurance Rate Map

GHG: Greenhouse Gas

HUD: U.S. Department of Housing and Urban Development

MFI: Median Family Income

IRWD: Irvine Ranch Water District

ISO: Independent System Operator

JUA: Joint Use Agreement

JWA: John Wayne Airport

LAFCO: Local Agency Formation Commission

LCP: Local Coastal Plan

LOS: Level of Service

Mesa: Mesa Consolidated Water District

MPAH: Orange County Master Plan of Arterial Highways

MPB: Costa Mesa Master Plan of Bikeways

MPSH: Costa Mesa Master Plan of Street and Highways

MWD: Metropolitan Water District

MWDOC: Metropolitan Water District of Orange County

NMUSD: Newport-Mesa Unified School District

NPDES: National Pollutant Discharge Elimination System

OCFEC: Orange County Fair and Exposition Center

OCWD: Orange County Water District

OCRP: Orange Coast River Park

OCTA: Orange County Transportation Authority

RHNA: Regional Housing Needs Assessment

RPZ: Runway Protection Zone

PMP: Performance Monitoring Program

PPM: Parts Per Million

PUC: Public Utilities Commission

PX: Power Exchange

ROCK: Recreation On Campus for Kids

RTP/SCS: SCAG Regional Transportation Plan/Sustainable Communities Strategy

RWQCB: Regional Water Quality Control Board

SCAG: Southern California Association of Governments

SoBECA: South Bristol Entertainment and Cultural Arts District

SOI: Sphere of Influence

SRA: State Responsibility Areas

SRO: Single Room Occupancy

SRRE: Source Reduction and Recycling Element

SWP: State Water Project

SWPP: Storm Water Pollution Prevention Plan

TDM: Transportation Demand Management

TDR: Transportation of Development Rights

TDS: Total Dissolved Solids

TSM: Transportation Systems Management

UBC: Uniform Building Code

VMT: Vehicle Miles Traveled

WQMP: Water Quality Management Plan

12.2 TERMS AND DEFINITIONS

AB 32: California's Global Warming Solutions Act of 2006. The Act requires that California's greenhouse gas (GHG) emissions be reduced to 1990 levels by 2020.

Acres, Gross: The total area within the lot lines of a lot of land before public streets, easements or other areas to be dedicated or reserved for public use are deducted from such lot, and not including adjacent lands already dedicated for such purposes.

Acres, Net: The buildable portion of a site. The following generally are not included in the net acreage of a site: public or private road rights-of-way, public open-space, and flood ways.

Active Transportation: A mode of transportation that includes walking, running, biking, skateboarding and other human powered forms of transportation. It can also include low-speed electrical devices such as motorized wheel chairs, Segways, electric-assist bicycles and neighborhood electric vehicles, such as golf carts

Adaptive Reuse: Converting obsolete or historic buildings from their original or most recent use to a new use. For example, an old manufacturing site could be converted into apartments or retail space.

Aging in Place: The ability to live in one's own home and community safely, independently, and comfortably, regardless of age, income, or ability level.

Affordable Housing: Housing capable of being purchased or rented by a household with very low, low, or moderate income, based on a household's ability to make monthly payments necessary to obtain housing. "Affordable to low-and moderate-income households" means that at least 20 percent of the units in a development will be sold or rented to lower income households, and the remaining units to either lower or moderate income households. Housing units for lower income households must sell or rent for a monthly cost not greater than 30 percent of 60 percent of area median income as periodically established by Housing and Community Development Department of the State of California (HCD). Housing units for moderate income must sell or rent for a monthly cost not greater than 30 percent of area median income.

Agriculture: Use of land for the production of food and fiber, including the growing of crops and/or the grazing of animals on natural prime or improved pasture land.

Air Rights: The right granted by a property owner to a buyer to use space above an existing right-of-way or other site, usually for development.

Ambient: Surrounding on all sides; used to describe measurements of existing conditions with respect to traffic, noise, air and other environments.

Annex: To incorporate a land area into an existing district or municipality.

Anthropogenic. Made by people or resulting from human activities. Usually used in the context of emissions produced by human activities.

Aquifer: An underground, water-bearing layer of earth, porous rock, sand, or gravel, through which water can seep or be held in natural storage. Aquifers generally hold sufficient water to be used as a water supply.

Articulation: Variation in the depth of the building plane, roof line, or height of a structure that breaks up plain, monotonous areas and creates patterns of light and shadow.

As-of-Right Use: A use of land that is permitted as a principal use in a zoning district.

Attainment: Compliance with State and federal ambient air quality standards within an air basin. (See "Non-attainment.")

Base Flood: In any given year, a 100-year flood that has a one percent likelihood of occurring, and is recognized as a standard for acceptable risk.

Benefit Assessment District: An area within a public agency's boundaries that receives a special benefit from the construction of one or more public facilities. A Benefit Assessment District has no independent life; it is strictly a financing mechanism for providing public infrastructure as allowed under various statutes. Bonds may be issued to finance the improvements, subject to repayment by assessments charged against the benefiting properties. Creation of a Benefit Assessment District enables property owners in a specific area to cause the construction of public facilities or to maintain them (for

example, a downtown, or the grounds and landscaping of a specific area) by contributing their fair share of the construction and/or installation and operating costs.

Bicycle Boulevards: Streets with low motorized traffic volumes and speeds, designated and designed to give bicycle travel priority. Bicycle Boulevards use signs, pavement markings, and speed and volume management measures to discourage through trips by motor vehicles and create safe, convenient bicycle crossings of busy arterial streets.

Bikeways: A term that encompasses bicycle lanes, bicycle paths, bicycle routes, and cycle tracks. Bikeways are divided into the following four classes pursuant to the California Department of Transportation Highway Design Manual:

Class I (Bicycle Trail): A paved route not on a street or roadway and expressly reserved for bicycles traversing an otherwise unpaved area. Bicycle trails may parallel roads but typically are separated from them by landscaping.

Class II (Bicycle Lane): A corridor expressly reserved for bicycles, existing on a street or roadway in addition to any lanes for use by motorized vehicles.

Class III (Bicycle Route): A facility shared with motorists and identified only by signs, a bicycle route has no pavement markings or lane stripes.

Class IV (Cycle Track/Separated Bikeways): A bikeway for the exclusive use of bicycles and includes a separation required between the separated bikeway and the through vehicular traffic. The separation may include, but is not limited to, grade separation, flexible posts, inflexible posts, inflexible barriers, or on-street parking.

Biotic Community: A group of living organisms characterized by a distinctive combination of both animal and plant species in a particular habitat.

Blight: A condition of a site, structure, or area that may cause nearby buildings and/or areas to decline in attractiveness and/or utility. The Community Redevelopment Law (Health and Safety Code, Sections 33031 and 33032) contains a definition of blight used to determine eligibility of proposed redevelopment project areas.

Buffer Zone: An area of land separating two distinct land uses that acts to soften or mitigate the effects of one land use on the other.

Building Coverage: The amount of a lot that is covered by buildings, usually expressed as a percentage.

Building Envelope: The space remaining on a site for structures after all building setback, height limit, and bulk requirements have been met.

Building Intensity. For residential uses, the actual number or the allowable range of dwelling units per net or gross acre. For non-residential uses, the actual or the maximum permitted floor area ratio (FAR). *See* Floor Area Ratio.

Buildout: Development of land to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations.

Bulk Regulations: Zoning or other regulations that control the height, mass, density, and location of buildings. The purpose of bulk regulations is to provide proper light, air, and open space. Some bulk regulations also are intended to reflect context-sensitive design.

Business Improvement Districts: Public-private partnerships among property owners and commercial tenants who collectively contribute to the maintenance, development and promotion of their commercial district.

Busway: A vehicular right-of-way or portion thereof reserved exclusively for buses

California Environmental Quality Act (CEQA): A State law requiring State and local agencies to regulate activities with consideration for environmental protection. If a proposed activity has the potential for a significant adverse environmental impact, an Environmental Impact Report (EIR) must be prepared and certified as to its adequacy before taking action on the proposed project.

California Housing Finance Agency (CHFA): A State agency, established by the Housing and Home Finance Act of 1975, which is authorized to sell revenue bonds and generate funds for the development, rehabilitation, and conservation of low-and moderate-income housing.

Caltrans: California Department of Transportation.

Cap-and-Trade: A market based regulation that is designed to reduce greenhouse gases (GHGs) from multiple sources. Cap-and-trade sets a firm limit or cap on GHGs and minimizes the compliance costs of achieving California's AB 32 goals. The cap will decline approximately 3 percent each year beginning in 2013. Trading creates incentives to reduce GHGs below allowable levels through investments in clean technologies. With a carbon market, a price on carbon is established for GHGs. Market forces spur technological innovation and investments in clean energy. Cap-and-trade is an environmentally effective and economically efficient response to climate change.

Carbon Dioxide (CO2): A naturally occurring gas, and also a by-product of burning fossil fuels and biomass, as well as land-use changes and other industrial processes. It is the reference gas against which other greenhouse gases are measured and therefore has a Global Warming Potential of 1. Carbon dioxide represents about 84 percent of total U.S. greenhouse gas emissions.

Capital Improvements Program (CIP): A program established by a city or county government and reviewed by its planning commission, which schedules permanent improvements, usually for a minimum of five years in the future, to fit the projected fiscal capability of the local jurisdiction. The program generally is reviewed annually, for conformance to and consistency with the general plan.

Carrying Capacity: Used in determining the potential of an area to absorb development: (1) The level of land use, human activity, or development for a specific area that can be accommodated permanently without an irreversible change in the quality of air, water, land, or plant and animal habitats. (2) The upper limits of development beyond which the quality of human life, health, welfare, safety, or community character within an area will be impaired. (3) The maximum level of development allowable under current zoning. (See "Buildout.")

Climate: Climate is generally defined as the "average weather" over a period of time ranging from months to thousands of years. The classical period is

three decades, as defined by the World Meteorological Organization (WMO). Statistical measurements of climate most often focus on surface variables such as temperature, precipitation, and wind. *See* Weather.

Climate Change: Climate change refers to any significant change in measures of climate (such as temperature, precipitation, or wind) lasting for an extended period (decades or longer). Climate change may result from: natural factors, such as changes in the sun's intensity or slow changes in the earth's orbit around the sun; natural processes within the climate system (such as changes in ocean circulation); and human activities that change the atmosphere's composition (such as burning fossil fuels) and the land surface (such as deforestation, reforestation, urbanization or desertification).

Commercial: A land use classification that permits facilities for the buying and selling of commodities and services.

Community Care Facility: Housing for the elderly licensed by the Department of Social Services within the California Health and Human Services Agency, typically for residents who are frail and need supervision. Services normally include three meals daily, housekeeping, security and emergency response, a full activities program, supervision in the dispensing of medicine, personal services such as assistance in grooming and bathing, but no nursing care. These services sometimes referred to as residential care or personal care.

Community Development Block Grant (CDBG): A grant program administered by the U.S. Department of Housing and Urban Development (HUD) on a formula basis for entitlement communities, and by the State Department of Housing and Community Development (HCD) for non-entitled jurisdictions. This grant allots money to cities and counties for housing rehabilitation and community development, including public facilities and economic development.

Community Facilities District: Under the Mello-Roos Community Facilities Act of 1982 (§53311, et seq.), a legislative body may create within its jurisdiction a special tax district that can finance tax-exempt bonds for the planning, design, acquisition, construction, and/or operation of public facilities,

as well as public services for district residents. Special taxes levied solely within the district are used to repay the bonds.

Community Noise Equivalent Level (CNEL): A 24-hour energy equivalent level derived from a variety of single-noise events, with weighting factors of 5 and 10 dBA applied to the evening (7 PM to 10 PM) and nighttime (10 PM to 7 AM) periods, respectively, to allow for the greater sensitivity to noise during these hours.

Community Park: Land with full public access intended to provide recreation opportunities beyond those supplied by neighborhood parks. Community parks are larger in scale than neighborhood parks but smaller than regional parks.

Complete Streets: Streets designed to accommodate all modes of travel and enable safe access for all users. Pedestrians, bicyclists, motorists and bus riders of all ages and abilities are able to safely move along and across a complete street.

Congestion Management Plan (CMP): A mechanism employing growth management techniques, including traffic level of service requirements, standards for public transit, trip reduction programs involving transportation systems management and jobs/housing balance strategies, and capital improvement programming, for the purpose of controlling and/or reducing the cumulative regional traffic impacts of development.

Connectivity: The ease of travel between two points. The degree to which streets or areas are interconnected and easily accessible to one another by direct routes. An example of high connectivity would be a dense grid pattern in a downtown area.

Consistency; Consistent With: Free from significant variation or contradiction. The various diagrams, text, goals, policies, and programs in the general plan must be consistent with each other, not contradictory or preferential. The term "consistent with" is used interchangeably with "conformity with." The courts have held that the phrase "consistent with" means "agreement with; harmonious with."

Webster defines "conformity with" as meaning harmony, agreement when used with "with." The term "conformity means in harmony therewith or agreeable to (Sec 58 Ops.Cal.Atty.Gen. 21, 25 [1975]). California State law also requires that a general plan be internally consistent and also requires consistency between a general plan and implementation measures such as the zoning ordinance. As a general rule, an action program or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment.

Covenants, Conditions, and Restrictions (CC&Rs): A term used to describe restrictive limitations that may be placed on property and its use, and which usually are made a condition of holding title or lease.

Critical Facility: Facilities housing or serving many people, that are necessary in the event of an earthquake or flood, such as hospitals, fire, police, and emergency service facilities, utility "lifeline" facilities, such as water, electricity, and gas supply, sewage disposal, and communications and transportation facilities.

Cul-de-Sac: A short street or alley with only a single means of ingress and egress at one end and with a large turnaround at its other end.

Day-Night Average Sound Level (Ldn): The A-weighted average sound level for a given area (measured in decibels) during a 24-hour period with a 10 dB weighting applied to night-time sound levels. The Ldn is approximately numerically equal to the CNEL for most environmental set- tings.

dB (Decibel): a unit used to express the relative intensity of a sound as it is heard by the human ear.

dBA: The "A-weighted" scale for measuring sound in decibels; weighs or reduces the effects of low and high frequencies in order to simulate human hearing. Every increase of 10 dBA doubles the perceived loudness though the noise is actually ten times more intense.

Dedication: The turning over by an owner or developer of private land for public use, and the acceptance of land for such use by the governmental agency having jurisdiction over the public function for which it will be used.

Dedications for roads, parks, school sites, or other public uses often are made conditions for approval of a development by a city or county.

Dedication, In lieu of: Cash payments that may be required of an owner or developer as a substitute for a dedication of land, usually calculated in dollars per lot, and referred to as in lieu fees or in lieu contributions.

Defensible Space: (1) In firefighting and prevention, a 30-foot area of non-combustible surfaces separating urban and wildland areas. (2) In urban areas, open-spaces, entry points, and pathways configured to provide maximum opportunities to rightful users and/or residents to defend themselves against intruders and criminal activity.

Density Bonus: The allocation of development rights that allows a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned. Under Government Code §65915, a housing development that provides 20 percent of its units for lower-income households, ten percent of its units for very-low income households, or 50 per- cent of its units for seniors is entitled to a density bonus and other concessions.

Density, Residential: The number of permanent residential dwelling units per acre of land. Densities specified in the General Plan may be expressed in units per gross acre or per net developable acre. (See "Acres, Gross," and "Developable Acres, Net.")

Density, Employment: A measure of the number of employed persons per specific area (for example, employees/acre).

Design Review; Design Control: The comprehensive evaluation of a development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, architecture, materials, colors, lighting, and signs, in accordance with a set of adopted criteria and standards. "Design Control" requires that certain specific things be done and that other things not be done. Design Control language is most often found within a zoning ordinance. "Design Review" usually refers to a system set up outside of the zoning ordinance, whereby projects are reviewed

against certain standards and criteria by a specially established design review board or committee.

Detention Dam/Basin/Pond: Dams may be classified according to the broad function they serve, such as storage, diversion, or detention. Detention dams are constructed to retard flood runoff and minimize the effect of sudden floods. Detention dams fall into two main types. In one type, the water is temporarily stored and released through an outlet structure at a rate that will not exceed the carrying capacity of the channel downstream. Often, the basins are planted with grass and used for open space or recreation in periods of dry weather. The other type, most often called a retention pond, allows for water to be held as long as possible and may or may not allow for the controlled release of water. In some cases, the water is allowed to seep into the permeable banks or gravel strata in the foundation. This latter type is sometimes called a water- spreading dam or dike because its main purpose is to recharge the underground water supply. Detention dams are also constructed to trap sediment. These are often called debris dams.

Developable Acres, Net: The portion of a site that can be used for density calculations. Some communities calculate density based on gross acreage. Public or private road rights-of-way are not included in the net developable acreage of a site.

Developable Land: Land that is suitable as a location for structures and that can be developed free of hazards to, and without disruption of, or significant impact on, natural resource areas.

Development Agreement: A legislatively-approved contract between a jurisdiction and a person having legal or equitable interest in real property within the jurisdiction (California Government Code §65865 et. seq.) that "freezes" certain rules, regulations, and policies applicable to development of a property for a specified period of time, usually in exchange for certain concessions by the owner.

Development Fee: Fee or charge imposed on developers to pay for the costs to the community of providing services to a new development. Development fees must not exceed the estimated reasonable cost of providing the service for which the fee is charged. The most common are: (1) impact fees (such as

parkland acquisition fees, school facilities fees, or street construction fees) related to funding public improvements which are necessitated in part or in whole by the development; (2) connection fees (such as water line fees) to cover the cost of installing public services to the development; (3) permit fees for the administrative costs of processing development plans (such as permits for building, grading, or signage); and (4) application fees for the administrative costs of reviewing and hearing development proposals.

Discretionary Decision: An action taken by a governmental agency that calls for the exercise of judgment in deciding whether to approve and/or how to carry out a project.

Discretionary Project: An activity which requires the public agency to exercise judgment in deciding whether or not to approve or deny a project, as opposed to an administrative action

Dwelling Unit: A room or group of rooms (including sleeping, eating, cooking, and sanitation facilities, but not more than one kitchen), that constitutes an independent housekeeping unit, occupied or intended for occupancy by one household on a long-term basis.

Easement: Usually the right to use property owned by another for specific purposes or to gain access to another property. For example, utility companies often have easements on the private property of individuals to be able to install and maintain utility facilities.

Easement, Conservation: A tool for acquiring open space with less than full-fee purchase, whereby a public agency buys only certain specific rights from the land owner. These may be positive rights (providing the public with the opportunity to hunt, fish, hike, or ride over the land) or they may be restrictive rights (limiting the uses to which the land owner may devote the land in the future.)

Easement, Scenic: A tool that allows a public agency to use an owner's land for scenic enhancement such as roadside landscaping or vista preservation.

Elderly Housing: Typically one- and two-bedroom apartments or condominiums designed to meet the needs of persons 62 years of age and older.

Emergency Shelter: A facility that provides immediate and short-term housing and supplemental services for the homeless. Supplemental services may include food, counseling, and access to other social programs.

Eminent Domain: The right of a public entity to acquire private property for public use by condemnation and the payment of just compensation.

Emission Standard: The maximum amount of pollutant legally permitted to be discharged from a single source, either mobile or stationary.

Endangered Species: A species of animal or plant is considered to be endangered when its prospects for survival and reproduction are in immediate jeopardy from one or more causes.

Energy Intensity: The ratio of energy consumption to a measure of the demand for energy services (such as the number of buildings, total floorspace, floorspace-hours, number of employees, or constant dollar value of Gross Domestic Product).

Energy-efficiency: The ratio of the useful output of services from an article of industrial equipment to the energy use by such an article; for example, vehicle miles traveled per gallon of fuel (mpg).

Environment: CEQA defines environment as "the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, mineral, flora, fauna, noise, and objects of historic or aesthetic significance."

Environmental Impact Report (EIR): A report required pursuant to the California Environmental Quality Act which assesses all the environmental characteristics of an area, determines what effects or impacts will result if the area is altered or disturbed by a proposed action, and identifies alternatives or other measures to avoid or reduce those impacts. (See "California Environmental Quality Act.")

Environmental Justice: The fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies (Government Code §65040.12).

Erosion: (1) The loosening and transportation of rock and soil debris by wind, rain, or running water. (2) The gradual wearing away of the upper layers of earth.

Exaction: A contribution or payment required as an authorized precondition for receiving a development permit; usually refers to mandatory dedication (or fee in lieu of dedication) requirements found in many subdivision regulations.

Expansive Soils: Soils that swell when they absorb water and shrink as they dry.

Expressway: A divided multi-lane major arterial street for through traffic with partial control of access and with grade separations at major intersections.

Fair Market Rent: The rent, including utility allowances, determined by HUD for purposes of administering the Section 8 Existing Housing Program.

Family: One or more persons occupying one dwelling unit and living together as a single housekeeping unit.

Fault: A fracture in the earth's crust forming a boundary between rock masses that have shifted.

Feasible: Capable of being accomplished in a successful manner within a reasonable time taking into account economic, environmental, social, and technological factors.

Fire Hazard Zone: An area where, due to slope, fuel, weather, or other fire-related conditions, the potential loss of life and property from a fire necessitates special fire protection measures and planning before development occurs.

First Mile/Last Mile: Strategies designed to increase transit usage by making it more convenient and safe to walk or bike to transit stations. This

includes such strategies as wayfinding, bikeways, sidewalk repair and bike share.

Fiscal Impact Analysis: A projection of the direct public costs and revenues resulting from population or employment change to the local jurisdiction(s) in which the change is taking place. Enables local governments to evaluate relative fiscal merits of general plans, specific plans, or projects.

Flood, 100-Year: The magnitude of a flood expected to occur on the average every 100 years, based on historical data. The 100-year flood has a 1/100, or one percent, chance of occurring in any given year.

Flood Insurance Rate Map (FIRM): For each community, the official map on which the Federal Emergency Management Agency (FEMA) has delineated areas of special flood hazard and the risk premium zones applicable to that community.

Floodplain: The relatively level land area on either side of the banks of a stream regularly subject to flooding. That part of the floodplain subject to a one percent chance of flooding in any given year is designated as an "area of special flood hazard" by the Federal Insurance and Mitigation Administration (FIMA).

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the "base flood" without cumulatively increasing the water surface elevation more than one foot. No development is allowed in floodways.

Floor Area Ratio (FAR): The gross floor area permitted on a site divided by the total net area of the site, expressed in decimals to one or two places. For example, on a site with 10,000 net sq. ft. of land area, a Floor Area Ratio of 1.0 will allow a maximum of 10,000 gross sq. ft. of building floor area to be built. On the same site, an FAR of 1.5 would allow 15,000 sq. ft. of floor area; an FAR of 2.0 would allow 20,000 sq. ft.; and an FAR of 0.5 would allow only 5,000 sq. ft. Also commonly used in zoning, FARs typically are applied on a parcel-by-parcel basis as opposed to an average FAR for an entire land use or zoning district.

Freeway: A high-speed, high-capacity, limited-access road serving regional and county-wide travel. Such roads are free of tolls, as contrasted with "turnpikes" or other "toll roads" now being introduced into Southern California. Freeways generally are used for long trips between major land use generators. At Level of Service "E," they carry approximately 1,875 vehicles per lane per hour, in both directions. Major streets cross at a different grade level.

Gateway: A point along a roadway where a motorist gains a sense of entering a city or county.

Ground Failure: Ground movement or rupture caused by strong shaking during an earthquake. This includes landslides, lateral spreading, liquefaction, and subsidence.

Ground Shaking: Ground movement resulting from the transmission of seismic waves during an earthquake.

Groundwater: Water under the earth's surface, often confined to aquifers capable of supplying wells and springs.

Growth Management: The use by a community of a wide range of techniques in combination to determine the amount, type, and rate of development desired by the community and to channel that growth into designated areas. Growth management policies can be implemented through growth rates, zoning, capital improvement programs, public facilities ordinances, urban limit lines, standards for levels of service, and other programs. (See "Congestion Management Plan.")

Guidelines: General statements of policy direction around which specific details may be later established.

Habitat: The physical location or type of environment in which an organism or biological population lives.

Hazardous Material: Any substance that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment

if released into the workplace or the environment. The term includes, but is not limited to, hazardous substances and hazardous wastes.

Highest and Best Use: The use of a property that will bring the greatest profit to its owners. In theory, the economics of the real estate market establish a maximum value for each parcel of land at any given time. However, owners are not necessarily entitled to that use, particularly when that use may have negative effects on the use and enjoyment of neighboring properties.

Historic Preservation: The preservation of historically significant structures and neighborhoods until such time as, and in order to facilitate, restoration and rehabilitation of the building(s) to a former condition.

Household: All those persons--related or unrelated—who occupy a single housing unit. (See "Family.") Households, Number of: The count of all year-round housing units occupied by one or more persons. The concept of *household* is important because the formation of new households generates the demand for housing. Each new household formed creates the need for one additional housing unit or requires that one existing housing unit be shared by two households. Thus, household formation can continue to take place even without an increase in population, thereby increasing the demand for housing.

Housing and Urban Development, U.S. Department of (HUD): A cabinet-level department of the federal government that administers housing and community development programs.

Housing Unit: The place of permanent or customary abode of a person or family. A housing unit may be a single-family dwelling, a multi-family dwelling, a condominium, a modular home, a mobile home, a cooperative, or any other residential unit considered real property under State law. A housing unit has, at least, cooking facilities, a bathroom, and a place to sleep. It also is a dwelling that cannot be moved without substantial damage or unreasonable cost.

HOT Lane High-Occupancy Toll Lane: An HOV lane that single-occupant drivers can pay to drive in, also referred to as "Express Lanes."

High-Occupancy Vehicle (HOV): Any vehicle other than a driver-only automobile (e.g., a vanpool, a bus, or a car carrying two or more persons).

Impact Fee: A fee, also called a development fee, levied on the developer of a project by a city, county, or other public agency as compensation for otherwise-unmitigated impacts the project will produce. Government Code §66000, et seq., specifies that development fees shall not exceed the estimated reasonable cost of providing the service for which the fee is charged. To lawfully impose a development fee, the public agency must verify its method of calculation and document proper restrictions on use of the fund. Impact/development fees may be used to pay for preparing and updating general plans and specific plans.

Impacted Areas: Census tracts where more than 50 percent of the dwelling units house low- and very- low income households.

Impervious Surface: Surface through which water cannot penetrate, such as roof, road, sidewalk, and paved parking lot. The amount of impervious surface increases with development and establishes the need for drainage facilities to carry the increased runoff.

Incorporation: Creation of a new city.

Incubator Space: Retail or industrial space that is affordable to new, low-margin businesses.

Industrial: The manufacture, production, and processing of consumer goods. Industrial is often divided into "heavy industrial" uses, such as construction yards, quarrying, and factories; and "light industrial" uses, such as research and development and less intensive warehousing and manufacturing.

Infill Development: Development of vacant land (usually individual lots or leftover properties) within areas that are already largely developed.

Infrastructure: Public services and facilities, such as sewage-disposal systems, water-supply systems, other utility systems, and roads.

Institutional Uses: (1) Publicly or privately owned and operated activities such as hospitals, convalescent hospitals, intermediate care facilities, nursing homes, museums, and schools and colleges; (2) churches and other religious

organizations; and (3) other non-profit activities of a welfare, educational, or philanthropic nature that cannot be considered residential, commercial, or industrial. (See "Public and Quasi-public Facilities.")

Intensity, Building: For residential uses, the actual number or the allowable range of dwelling units per net or gross acre. For non-residential uses, the actual or the maximum permitted floor area ratios (FARs).

Intermittent Stream: A stream that normally flows for at least thirty (30) days after the last major rain of the season and is dry a large part of the year.

Issues: Important unsettled community matters or problems that are identified in a community's general plan and dealt with by the plan's objectives, policies, plan proposals, and implementation programs.

Jobs/Housing Balance; Jobs/Housing Ratio: The availability of affordable housing for employees. The jobs/housing ratio divides the number of jobs in an area by the number of employed residents. A ratio of 1.0 indicates a balance. A ratio greater than 1.0 indicates a net in-commute; less than 1.0 indicates a net out-commute.

Joint Powers Authority (JPA): A legal arrangement that enables two or more units of government to share authority in order to plan and carry out a specific program or set of programs that serves both units.

Joint-use Agreements: Agreements between two or more entities, such as a city, county, school district, nonprofit or private organization, to share capital, operating costs and responsibilities for a facility. Examples include recreational space, meeting facilities, libraries and community centers.

Landmark: (1) A building, site, object, structure, or significant tree, having historical, architectural, social, or cultural significance and marked for preservation by the local, state, or federal government. (2) A visually prominent or outstanding structure or natural feature that functions as a point of orientation or identification.

Landslide: Downslope movement of soil and/or rock, which typically occurs during an earthquake or following heavy rainfall.

Land Use Classification: A system for classifying and designating the appropriate use of properties.

Lateral Spreading: Lateral movement of soil, often as a result of liquefaction during an earthquake.

Ldn: Day-Night Average Sound Level. The A-weighted average sound level for a given area (measured in decibels) during a 24-hour period with a 10 dB weighting applied to night-time sound levels. The Ldn is approximately numerically equal to the CNEL for most environmental settings.

LEED: An acronym for Leadership in Energy and Environmental Design. LEED is a voluntary, consensus based green building rating system developed and maintained by the U.S. Green Building Council to support and certify successful green building design, construction and operations.

LEED for Neighborhood Development (LEED-ND): A rating system for neighborhood design. The rating system integrates the principles of smart growth, urbanism and green building and emphasizes the creation of compact, walkable, vibrant, mixed-use neighborhoods with good connections to nearby communities.

Level of Service (LOS) Standard: A standard used by government agencies to measure the quality or effectiveness of a municipal service, such as police, fire, or library, or the performance of a facility, such as a street or highway.

Level of Service (Traffic): A scale that measures the amount of traffic that a roadway or intersection can accommodate, based on such factors as maneuverability, driver dissatisfaction, and delay.

Level of Service A: Indicates a relatively free flow of traffic, with little or no limitation on vehicle movement or speed.

Level of Service B: Describes a steady flow of traffic, with only slight delays in vehicle movement and speed. All queues clear in a single signal cycle.

Level of Service C: Denotes a reasonably steady, high-volume flow of traffic, with some limitations on movement and speed, and occasional backups on critical approaches.

Level of Service D: Designates the level where traffic nears an unstable flow. Intersections still function, but short queues develop and cars may have to wait through one cycle during short peaks.

Level of Service E: Represents traffic characterized by slow movement and frequent (although momentary) stoppages. This type of congestion is considered severe, but is not uncommon at peak traffic hours, with frequent stopping, long-standing queues, and blocked intersections.

Level of Service F: Describes unsatisfactory stop-and-go traffic characterized by "traffic jams" and stoppages of long duration. Vehicles at signalized intersections usually have to wait through one or more signal changes, and "upstream" intersections may be blocked by the long queues.

Liquefaction: The transformation of loose, wet soil from a solid to a liquid state, often as a result of ground shaking during an earthquake.

Local Agency Formation Commission (LAFCO): A five- or seven-member commission within each county that reviews and evaluates all proposals for formation of special districts, incorporation of cities, annexation to special districts or cities, consolidation of districts, and merger of districts with cities. Each county's LAFCO is empowered to approve, disapprove, or conditionally approve such proposals. The LAFCO members generally include two county supervisors, two city council members, and one member representing the general public. Some LAFCOs include two representatives of special districts.

Local Coastal Program (LCP): A combination of a local governments land use plans, zoning ordinances, zoning district maps, and (within sensitive coastal resources areas) other implementing actions that together meet the local requirements of, and implement the provisions and policies of, the California Coastal Act of 1976.

Local Coastal Program Land Use Plan: The relevant portion of a local government general plan or coastal element that details type, location, and intensity of land use, applicable resource protection and development policies, and, where necessary, implementation actions.

Low-income Household: A household with an annual income usually no greater than 80 percent of the area median family income adjusted by

household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

Low-income Housing Tax Credits: Tax reductions provided by the federal and State governments for investors in housing for low-income households.

L10: A statistical descriptor indicating peak noise levels—the sound level exceeded ten percent of the time. It is a commonly used descriptor of community noise, and has been used in Federal Highway Administration standards and the standards of some cities and counties.

Manufactured Housing: Residential structures that are constructed entirely in the factory and that, since June 15, 1976, have been regulated by the federal Manufactured Home Construction and Safety Standards Act of 1974 under the administration of HUD. (See "Mobilehome" and "Modular Unit.")

Mean Sea Level: The average altitude of the sea surface for all tidal stages.

Median Strip: The dividing area, either paved or landscaped, between opposing lanes of traffic on a roadway.

Mercalli Intensity Scale: A subjective measure of the observed effects (human reactions, structural damage, geologic effects) of an earthquake. Expressed in Roman numerals from I to XII.

Mineral Resource: Land on which known deposits of commercially viable mineral or aggregate deposits exist. This designation is applied to sites determined by the State Division of Mines and Geology as being a resource of regional significance, and is intended to help maintain the quarrying operations and protect them from encroachment of incompatible land uses.

Mixed-use: Properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with significant functional interrelationships and a coherent physical design. A "single site" may include contiguous properties.

Moderate-income Household: A household with an annual income between the lower income eligibility limits and 120 percent of the area median family income adjusted by household size, usually as established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

Multimodal: A mixture of the several modes of transportation, such as transit, highways, non-motorized, etc.

National Ambient Air Quality Standards: The prescribed level of pollutants in the outside air that cannot be exceeded legally during a specified time in a specified geographical area.

National Flood Insurance Program: A federal program that authorizes the sale of federally subsidized flood insurance in communities where such flood insurance is not available privately.

National Historic Preservation Act: A 1966 federal law that established a National Register of Historic Places and the Advisory Council on Historic Preservation, and that authorized grants-in-aid for preserving historic properties.

National Register of Historic Places: The official list, established by the National Historic Preservation Act, of sites, districts, buildings, structures, and objects significant in the nation's history or whose artistic or architectural value is unique.

Neighborhood: A planning area commonly identified as such in a community's planning documents, and by the individuals residing and working within the neighborhood. Documentation may include a map prepared for planning purposes, on which the names and boundaries of the neighborhood are shown.

Neighborhood Park: City- or county-owned land intended to serve the recreation needs of people living or working within one-half mile radius of the park.

Noise: Any sound that is undesirable because it interferes with speech and hearing, or is intense enough to damage hearing, or is otherwise annoying. Noise, simply, is "unwanted sound."

Noise Attenuation: Reduction of the level of a noise source using a substance, material, or surface, such as earth berms and/or solid concrete walls.

Noise Contour: A line connecting points of equal noise level as measured on the same scale. Noise levels greater than the 60 Ldn contour (measured in dBA) require noise attenuation in residential development.

Non-attainment: The condition of not achieving a desired or required level of performance. Frequently used in reference to air quality. (See "Attainment.")

Official County Scenic Highway: A segment of state highway identified in the Master Plan of State Highways Eligible for Official Scenic Highway Designation and designated by the Director of the Department of Transportation (Caltrans).

Open Space: An area that is intended to provide light and air, and is designed for either environmental, scenic or recreational purposes. Open space may include, but is not limited to, lawns, decorative planting, walkways, active and passive recreational areas, playgrounds, fountains, swimming pools, wooded areas; first floor decks; unenclosed patios with solid or lattice roofs; water courses; and surfaces covered by not more than 5 feet in depth by projections which are at least 8 feet above grade.

Open space shall not include the following: driveways; parking lots; other surfaces designed or intended for vehicular travel; and upper floor decks, balconies or areas under projections which are less than 8 feet above grade.

Ordinance: A law or regulation set forth and adopted by a governmental authority, usually a city or county.

Overlay: A land use designation on the General Plan Land Use Map, or a zoning designation on a zoning map, that modifies the basic underlying designation in some specific manner.

Parcel: A lot in single ownership or under single control, usually considered a unit for purposes of development.

Park Land; Parkland: Land that is publicly owned or controlled for the purpose of providing parks, recreation, or open-space for public use.

Parking, Shared: A public or private parking area used jointly by two or more uses.

Parking Area, Public: An open area, excluding a street or other public way, used for the parking of automobiles and available to the public, whether for free or for compensation.

Parks: Open-space lands whose primary purpose is recreation.

Parkway: An expressway or freeway designed for non- commercial traffic only; usually located within a strip of landscaped park or natural vegetation.

Parkway Strip: A piece of land located between the rear of a curb and the front of a sidewalk, usually used for planting low ground cover and/or street trees, also known as "planter strip."

Performance Standards: Zoning regulations that permit uses based on a particular set of standards of operation rather than on particular type of use. Performance standards provide specific criteria limiting noise, air pollution, emissions, odors, vibration, dust, dirt, glare, heat, fire hazards, wastes, traffic impacts, and visual impact of a use.

Performance Standards: Zoning regulations that permit uses based on a particular set of standards of operation rather than on particular type of use. Performance standards provide specific criteria limiting noise, air pollution, emissions, odors, vibration, dust, dirt, glare, heat, fire hazards, wastes, traffic impacts, and visual impact of a use.

Planning Area: The area directly addressed by the general plan. A city's planning area typically encompasses the city limits and potentially annexable land within its sphere of influence.

Pollution, Non-Point: Sources for pollution that are less definable and usually cover broad areas of land, such as agricultural land with fertilizers that are carried from the land by runoff, or automobiles.

Pollution, Point: In reference to water quality, a discrete source from which pollution is generated before it enters receiving waters, such as a sewer outfall, a smokestack, or an industrial waste pipe.

Public and Quasi-public Facilities: Institutional, academic, governmental and community service uses, either owned publicly or operated by non-profit organizations, including private hospitals and cemeteries.

Reclamation: The reuse of resources, usually those present in solid wastes or sewage.

Reconstruction: As used in historic preservation, the process of reproducing by new construction the exact form and detail of a vanished structure, or part thereof, as it appeared during a specific period of time. Reconstruction is often undertaken when the property to be reconstructed is essential for understanding and interpreting the value of an historic district and sufficient documentation exists to insure an exact reproduction of the original.

Redevelop: To demolish existing buildings; or to increase the overall floor area existing on a property; or both; irrespective of whether a change occurs in land use.

Regional: Pertaining to activities or economies at a scale greater than that of a single jurisdiction, and affecting a broad geographic area.

Regional Housing Needs Plan/Share: A quantification by a COG or by HCD of existing and projected housing need, by household income group, for all localities within a region.

Regional Park: A park typically 150-500 acres in size focusing on activities and natural features not included in most other types of parks and often based on a specific scenic or recreational opportunity.

Rezoning: An amendment to the map and/or text of a zoning ordinance to effect a change in the nature, density, or intensity of uses allowed in a zoning district and/or on a designated parcel or land area.

Richter Scale: A measure of the size or energy release of an earthquake at its source. The scale is logarithmic; the wave amplitude of each number on the scale is 10 times greater than that of the previous whole number.

Ridesourcing: A generic term coined by researchers at UC Berkeley for the act of using a Transportation Network Company such as Lyft or Uber. The term distinguishes this mode from car sharing and from taxi use. A user is "sourcing" a ride from an online community, in exchange for a brokered payment.

Right-of-way: A strip of lane occupied or intended to be occupied by certain transportation and public use facilities, such as roads, railroads, and utility lines.

Riparian Lands: Riparian lands are comprised of the vegetative and wildlife areas adjacent to perennial and intermittent streams. Riparian areas are delineated by the existence of plant species normally found near freshwater.

Sanitary Landfill: The controlled placement of refuse within a limited area, followed by compaction and covering with a suitable thickness of earth and other containment material.

Sanitary Sewer: A system of subterranean conduits that carries refuse liquids or waste matter to a plant where the sewage is treated, as contrasted with storm drainage systems (that carry surface water) and septic tanks or leech fields (that hold refuse liquids and waste matter onsite).

Seiche: An earthquake-generated wave in an enclosed body of water such as a lake, reservoir, or bay.

Seismic: Caused by or subject to earthquakes or earth vibrations.

Single Room Occupancy (SRO): A single room, typically with a sink and closet, but which requires the occupant to share a communal bathroom, shower, and kitchen.

Solar Access: The provision of direct sunlight to an area specified for solar energy collection when the sun's azimuth is within 45 degrees of true south.

Solar System, Active: A system using a mechanical device, such as a pump or a fan, and energy in addition to solar energy to transport a conductive medium (air or water) between a solar collector and the interior of a building for the purpose of heating or cooling.

Solar System, Passive: A system that uses direct heat transfer from thermal mass instead of mechanical power to distribute collected heat. Passive systems rely on building design and materials to collect and store heat and to create natural ventilation for cooling.

Solid Waste: Any unwanted or discarded material that is not a liquid or gas. Includes organic wastes, paper products, metals, glass, plastics, cloth, brick, rock, soil, leather, rubber, yard wastes, and wood, but does not include sewage and hazardous materials. Organic wastes and paper products comprise about 75 percent of typical urban solid waste.

Specific Plan: A tool authorized by Government Code §65450 et seq. for the systematic implementation of the general plan for a defined portion of a community's planning area. A specific plan must specify in detail the land uses, public and private facilities needed to support the land uses, phasing of development, standards for the conservation, development, and use of natural resources, and a program of implementation measures, including financing measures.

Sphere of Influence: The probable physical boundaries and service area of a local agency, as determined by the Local Agency Formation Commission of the County.

SRTS Safe Routes to School: Part of a nationwide/region-wide program to increase students walking or biking to school. Includes engineering, educational and enforcement activities. Funded through the State Active Transportation Program (ATP).

Standards: (1) A rule or measure establishing a level of quality or quantity that must be complied with or satisfied. Government Code §65302 requires that general plans spell out the objectives, principles, "standards," and proposals of the general plan. Examples of standards might include the number of acres of park land per 1,000 population that the community will

attempt to acquire and improve, or the "traffic Level of Service" (LOS) that the plan hopes to attain. (2) Requirements in a zoning ordinance that govern building and development as distinguished from use restrictions--for example, site-design regulations such as lot area, height limit, frontage, landscaping, and floor area ratio.

Structure: Anything, including a building, located on the ground in a permanent location or attached to something having a permanent location on the ground.

Subdivision: The division of a tract of land into defined lots, either improved or unimproved, which can be separately conveyed by sale or lease, and which can be altered or developed. "Subdivision" includes a condominium project as defined in Section 1350 of the California Civil Code and a community apartment project as defined in Section 11004 of the Business and Professions Code.

Subregional: Pertaining to a portion of a region.

Subsidence: The sudden sinking or gradual downward settling and compaction of soil and other surface material with little or no horizontal motion. Subsidence may be caused by a variety of human and natural activity, including earthquakes.

Subsidize: To assist by payment of a sum of money or by the granting of terms or favors that reduce the need for monetary expenditures. Housing subsidies may take the forms of mortgage interest deductions or tax credits from federal and/or state income taxes, sale or lease at less than market value of land to be used for the construction of housing, payments to supplement a minimum affordable rent, and the like.

Substandard Housing: Residential dwellings that, because of their physical condition, do not provide safe and sanitary housing.

Sustainability: Community use of natural resources in a way that does not jeopardize the ability of future generations to live and prosper.

Sustainable Development: Development that maintains or enhances economic opportunity and community well-being while protecting and

restoring the natural environment upon which people and economies depend. Sustainable development meets the needs of the present without compromising the ability of future generations to meet their own needs. *(Source: Minnesota State Legislature)*

Traffic Model: A mathematical representation of traffic movement within an area or region based on observed relationships between the kind and intensity of development in specific areas. Many traffic models operate on the theory that trips are produced by persons living in residential areas and are attracted by various non-residential land uses.

Transit: The conveyance of persons or goods from one place to another by means of a local, public transportation system.

Transit, Public: A system of regularly-scheduled buses and/or trains available to the public on a fee-per-ride basis. Also called "Mass Transit."

Transitional Housing: Shelter provided to the homeless for an extended period, often as long as 18 months, and generally integrated with other social services and counseling programs to assistin the transition to self-sufficiency through the acquisition of a stable income and permanent housing. (See "Emergency Shelter.")

Transportation Demand Management (TDM): A strategy for reducing demand on the road system by reducing the number of vehicles using the roadways and/or increasing the number of persons per vehicle. TDM attempts to reduce the number of persons who drive alone on the roadway during the commute period and to increase the number in carpools, vanpools, buses and trains, walking, and biking. TDM can be an element of TSM (see below).

Transportation Systems Management (TSM): A comprehensive strategy developed to address the problems caused by additional development, increasing trips, and a shortfall in transportation capacity. Transportation Systems Management focuses on more efficiently utilizing existing highway and transit systems rather than expanding them. TSM measures are characterized by their low cost and quick implementation time frame, such as computerized traffic signals, metered freeway ramps, and one-way streets.

Trip: A one-way vehicular journey either to or from a site, or totally within the site, i.e., internal trip. Each trip has two trip ends, one at the beginning and the other at the destination.

Trip Generation: The dynamics that account for people making trips in automobiles or by means of public transportation. Trip generation is the basis for estimating the level of use for a transportation system and the impact of additional development or transportation facilities on an existing, local transportation system. Trip generations of households are correlated with destinations that attract household members for specific purposes.

Tsunami: A large ocean wave generated by an earthquake in or near the ocean.

Uniform Building Code (UBC): A national, standard building code that sets forth minimum standards for construction.

Urban: Of, relating to, characteristic of, or constituting a city. Urban areas are generally characterized by moderate and higher density residential development *(i.e.,* three or more dwelling units per acre), commercial development, and industrial development, and the availability of public services required for that development, specifically central water and sewer, an extensive road network, public transit, and other such services *(e.g.*, safety and emergency response).

Development not providing such services may be "non-urban" or "rural." (See "Urban Land Use.") CEQA defines "urbanized area" as an area that has a population density of at least 1,000 persons per square mile - (Public Resources Code 21080.14(b)).

Urban Design: The attempt to give form, in terms of both beauty and function, to selected urban areas or to whole cities. Urban design is concerned with the location, mass, and design of various urban components and combines elements of urban planning, architecture, and landscape architecture.

Vehicle-Miles Traveled (VMT): A key measure of overall street and highway use. Reducing VMT is often a major objective in efforts to reduce vehicular congestion and achieve regional air quality goals.

Very-Low Income Household: A household with an annual income usually no greater than 50 percent of the area median family income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

View Corridor: The line of sight - identified as to height, width, and distance - of an observer looking toward an object of significance to the community (e.g., ridgeline, river, historic building, etc.); the route that directs the viewer's attention.

Viewshed: The area within view from a defined observation point.

Volume-to-Capacity Ratio: A measure of the operating capacity of a roadway or intersection, in terms of the number of vehicles passing through, divided by the number of vehicles that theoretically could pass through when the roadway or intersection is operating at its designed capacity. Abbreviated as "V/C". At a V/C ratio of 1.0, the roadway or intersection is operating at capacity. If the ratio is less than 1.0, the traffic facility has additional capacity. Although ratios slightly greater than 1.0 are possible, it is more likely that the peak hour will elongate into a "peak period."

Water-Efficient Landscaping: Landscaping designed to minimize water use and maximize energy efficiency.

Watercourse: Natural or once natural flowing (perennially or intermittently) water including rivers, streams, and creeks. Includes natural waterways that have been channelized, but does not include manmade channels, ditches, and underground drainage and sewage systems.

Watershed: The total area above a given point on a watercourse that contributes water to its flow; the entire region drained by a waterway or watercourse that drains into a lake, or reservoir.

Wetlands: Transitional areas between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is covered by shallow water. Under a "unified" methodology now used by all federal

agencies, wetlands are defined as "those areas meeting certain criteria for hydrology, vegetation, and soils."

Wildlife Refuge: An area maintained in a natural state for the preservation of both animal and plant life.

Zone, Traffic: In a mathematical traffic model the area to be studied is divided into zones, with each zone treated as producing and attracting trips. The production of trips by a zone is based on the number of trips to or from work or shopping, or other trips produced per dwelling unit.

Zoning: The division of a city or county by legislative regulations into areas, or zones, that specify allowable uses for real property and size restrictions for buildings within these areas; a program that implements policies of the General Plan.

2015-2035 GENERAL PLAN ERRATA (JUNE 21, 2016)

Introduction

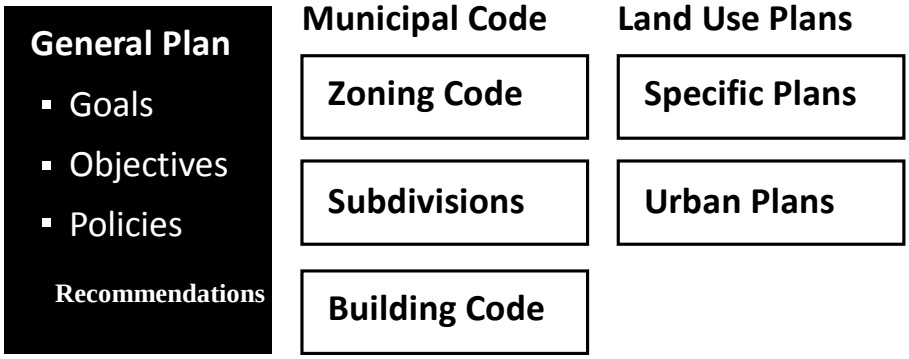
Page I-10

Located on the "coastal tableland" above Newport Bay, Costa Mesa was once grazing grounds for cattle ~~belonging to the Mission San Juan Capistrano~~. At the beginning of the 19th century, ~~missionaries built the~~ adobe structures like the "Estancia" were built as waystations for the cattle drivers who tended the herds. This structure still stands and was restored and transformed by the City into a museum at 1900 Adams Avenue.

Page I-15

Figure I-3: Regulating Use of Property, will be altered to include an additional bullet point under the General plan for "Recommendations".

Figure I-3: Regulating Use of Property



Land Use Element

Page LU –9

Within Table LU-1: Public and Institutional Lands, the Costa Mesa Farm Soccer Complex shall be replaced with Jack R. Hammett Sports Complex.

Page LU-16

The FAA standard that is of the most concern in Costa Mesa is the horizontal surface for John Wayne Airport. This surface is 206 ~~203.68~~ feet above the mean sea level and extends nearly two miles from the airport.

Page LU-18

The City will also ensure that development proposals including the construction or alteration of a structure more than 200 feet above ground level, reference North American Vertical Datum 1988 (NAV88), must fully comply with procedures provided by Federal and State law, including with the referral requirements of the ALUC, and filing a Notice of Construction and Alteration (Form 7460-1). ~~(Form 7480-1).~~

Page LU-25

Update Land Use Map to correspond with relative change to overlays.

Page LU-42

Figure LU-6 required a modification to the Maximum Building Height for the site per the Airport Land Use Commission consistency determination on May 19th, 2016. Revised figure attached.

Page LU 54

- Maximum cap of 582 ~~500~~ dwelling units for the entire site at 15 dwelling units per acre. Exception: 332 ~~300~~ dwelling units at 40 ~~25~~ dwelling units per acre allowed for the Shannon's Mountain site (12-acre development area at Shannon's Mountain)

Page LU-54

The maximum number of residential units ~~density~~ under the Multi-Use Center designation for the Fairview Developmental Center property would be 582: this contains the multi-family unit cap of 332 and the low density single family unit cap of 250 units. ~~a maximum density of 15 dwelling units per acre, with a maximum number of 500 residential~~ units for the entire site. ~~However, a maximum of 300 dwelling units at a maximum density of 25 dwelling units per acre may be allowed at the Shannon Mountain's site within the Fairview Developmental Center. Under these density limitations, the overall cap in total housing buildout shall not exceed 500 units for the entire Fairview Developmental Center site.~~ However, 50 acres must be used for low density, single family residential with a 250 unit cap with a maximum density of 6 du/acre.

Page LU-56

Modify *Figure LU-8: Multi-Use Center* to reflect the May 31, 2016 Multi-Use Center Alternative, which was adopted by City Council on June 21, 2016, which changes:

1. Total Residential Units from 500 to 582,
2. Modified the two residential density types that make up this total from 300 units at 25 du/ac and 200 units at 15 du/ac to 332 multi-family units with no specified density and 250 single family low density units at 6 du/ac.
3. Replace the reference of Public/Institutional acreage …. 51.6 acre (50%) with Public/Institutional …. .25 FAR.

Page LU-57

Replace contents Table LU-123: Multi-Use Center Designation with the revised adopted compositions of allowable uses and caps approved for the Multi-Use Center by City Council on June 21, 2016.

Categories	~~Baseline (2015)~~	Multi-Use Center Designation
Density (DU/AC)	~~N/A~~	~~300~~ 332 multi-family residential units at ~~25 DU/AC~~ ~~200~~ 250 single-family residential units at ~~15~~6 DU/AC Minimum 50 acres for single-family residential
Total Units	~~N/A~~	~~500~~ 582
Floor-Area Ratio (FAR)	~~N/A~~	0.25 Public Facilities/Institutional/ Recreational
Building Square Feet	~~N/A~~	N/A
Dedicated Open Space	~~N/A~~	Minimum 25.6 acres of Open Space
Trip Budget	~~N/A~~	Maximum trip budget for this area is 557 AM and 669 PM. Building intensity shall not exceed maximum allowable development set forth by the trip budget.

Page LU-58

Revised Figure LU-9: due to the cluster of parcels at the Mesa Verde and Adams Street Intersection being removed from the Residential Incentive Overlay per City Council direction on May 17th. Revised Figure attached.

Page LU-60

Revised Table LU-16: Residential Incentive Overlay.

Table LU-15: Residential Incentive Overlay

Categories		Baseline (2015)	Residential Incentive Overlay
Density (DU/AC)		N/A	40
Units	Harbor Boulevard	84	420 ~~1,063~~
	Newport Boulevard	237	1,210
	Total Units	321	1,630 ~~2,273~~
Floor-Area Ratio (FAR)			
Building Square Feet	Harbor Boulevard	356,800	178,400
	Newport Boulevard	582,000	291,100
	Total Building Square Feet	938,800	469,500

Source: City of Costa Mesa, 2015.

Page LU-61

Revised Figure LU-10: Residential Incentive Overlay: Harbor Boulevard due to the cluster of parcels at the Mesa Verde and Adams Street Intersection being removed from the overlay per City Council direction on May 17th. Revised Figure attached.

Page LU-76

Continue code enforcement as a high priority with regard to the regulation of property maintenance standards citywide. ~~and group homes and sober living homes in the single family and multi-family residential areas~~.

Page LU-77

Additional policies per Airport Land Use Commission consistency finding with the Airport Environs Land Use Plan.

Policy LU-3.14 Certain development proposals which may include the construction or alteration of structures more than 200 feet above ground level or are located within the FAR Part 77 notification area for J.W.A. may require filing with the Federal Aviation Administration (FAA) and Airport Land Use Commission (ALUC) pursuant to Federal and State Law. If a filing requirement is determined to be necessary in accordance with the procedures provided by State/Federal agencies, the filing of a Notice of Proposed Construction or Alteration (FAA Form 7460-1) shall be required prior to review and consideration of the proposed development.

Policy LU-3.15 The City will ensure that development proposals including the construction or operation of a heliport or helistop comply fully with permit procedures under State law, including referral of the project to the ALUC by the applicant, and with all conditions of approval imposed or recommended by the Federal Aviation Administration, ALUC, and Caltrans, including the filing of Form 7480-1 (Notice of Landing Area Proposed) with the FAA. This requirement shall be in addition to all other City development requirements.

Policy LU-3.16 The City shall refer certain projects to the Airport Land Use Commission for Orange County as required by Section 21676 of the California Public Utilities Code to determine consistency of the project(s) with the AELUP for JWA.

Policy LU-3.17 New residential developments within the 60 dB CNEL noise contour of the airport shall provide designated outdoor signage informing the public of the presence of operating aircraft.

Page LU-81

Policy LU-6.9 Support the retention and growth of Class A office tenants, including corporate headquarters for the action sports industry, biotech ~~pharmaceuticals~~, and high technology companies within the City.

Page LU-83

Policy LU-7.5 ~~Support and provide flexibility for development projects and businesses which produce, care, and maintain material goods or fixed assets meant to support the production of market goods, especially for niche industries within the City of Costa Mesa.~~ Support and provide flexibility for development projects and businesses that produce and maintain material goods, or fixed assets, meant to support the production of market goods. This should be especially true for niche industries in Costa Mesa.

Page LU-84

Goal LU-10: Promote the growth of tourism.

Objective LU 10.1: Promote structural improvements of visitor-oriented land uses.
Policies

Policy LU 10.1.1 Engage with property owners, developers and business owners to encourage the revitalization of the hotel/motels.

Policy LU 10.1.2 Provide incentives to motel development projects seeking to improve existing motel facilities by increasing the hotel rating. These projects may include:

a. Updating building mechanical, electrical, or pluming to comply with current building standards.
b. Updating physical improvements to the site.
c. Adding hotel amenities to the site.
d. Updating or improving the landscaping on the site.
e. Updating or improving the façade of the building(s).

Objective LU- 10.2: Promote growth of visitor-oriented land uses.

Policy LU 10.2.1 Motel and Hotels land uses should be encouraged to be located near major transportation corridors and proximate to key tourist/visitor draws, other recreation venues, the airport, regional and general local shopping centers.

Policy LU 10.2.2 Consider the interests and quality of stay for visitors when evaluating projects near visitor-oriented land uses.

Objective LU 10.3: Promote uses and events that make visitor-oriented business more economically viable.

Policy LU 10.3.1 Celebrate and promote the arts, culture, and industries of Costa Mesa through special events, civic gatherings, and City marketing and tourism promotion efforts.

Policy LU 10.3.2 Promote the development of small-scale manufacturing uses or other uses that generate multiple secondary and tertiary markets that support business travel tourism-related uses.

Policy LU 10.3.3 Maintain and enhance the City's status and image as a centrally located destination and cultural center in Orange County.

Circulation Element

Page C-25

Figure C-6: Pedestrian Opportunity Zones shows all existing Schools and Colleges on the map and currently the map identifies the Library on Mesa Verde and Baker as a school instead of Early College High School which is on the north east corner of the same intersection. Revised figure is attached. (Jose Direction)

Page C-38

Policy C-1.A.8: Pursue downgrade of 17th Street from 6-lane Major Arterial to 4-lane Primary Arterial between Orange Avenue and Tustin Avenue, through Master Plan of Arterial Highways (MPAH) Amendment process with the Orange County Transportation Authority.

Page C-35

Policy C-2.A.3: Encourage commercial property owners to use shared driveway access and interconnected roads within blocks, where feasible. Require driveway access closures or consolidations, or both when a site is remodeled or redeveloped.

Page C-44

Policy C-6.A.6: ~~Balance~~ Supplement funding from annual fees or assessments on existing and new development with grants and other nonlocal sources.

Conservation Element

Page CON-5

Modifications to Figure OSR-2 to update legend information. Revised map attached.

Page CON-35

Policy CON-2.D: Encourage new development to take advantage of Costa Mesa's optimal climate in the warming and cooling of buildings, including use of passive heating, ventilation, cooling and /or energy efficient air conditioning (HVAC) systems.

Noise Element

Pages N-17 & N-18
Figure N-2 and N-3 Modified to be more legible. Revised maps are attached.

Page N-23

Objective N-1: Control noise levels within the City for the protection of residential areas, park areas, and other sensitive land uses from excessive and unhealthful noise.

Safety Element

Page S-2

The City lies approximately ~~five~~ one mile~~s~~ from the Pacific Ocean and thus is susceptible to flooding from tsunamis.

Page S-5

Figure S-2: Soil Types. This figure was simplified and altered to make it more readable.

Revised figure is attached.

Page S-28

Policy S-1.A.6: Identify through a study the issue of unreinforced masonry buildings, soft stories, and other structures not meeting earthquake standards in Costa Mesa. Provide assistance if necessary to unreinforced masonry building owners once those buildings have been identified.

Community Design

Page CD-14

A landmark can be a structure, space, or natural feature that helps identify a particular area in the City. Most landmarks are also main destination locations within the City as well.

Pages CD-16 and CD-17

Update Figure CD-5: Destination and Landmarks and Table CD-2: Landmarks to incorporate the following additional landmarks:

1. Segerstrom Home
2. 1901 Newport Blvd
3. Playground Jet Memorial
4. Methodist Church

Page CD-27

Policy CD-5.C Develop open space corridors and trails along the edges of Costa Mesa where feasible and connect these trails to existing and potential future trails throughout the City.

Open Space and Recreation Element

Page OSR-2

~~Park and Recreation System~~ Recreational Sites and Facilities

Table OSR-1: ~~Park and Open Space Inventory~~ Recreational Sites and Facilities Inventory

Notes: 1) Includes schools, colleges, public facilities, Civic Center, Santa Ana River right-of-way. Fairview Developmental Center, and other public and institutional uses.

Page OSR-3

Figure OSR-1: Parks and Recreation is being renamed to Figure OSR-1: Recreational Sites and Facilities and modified to include the Fairview Developmental Center in the body of the map.

Page OSR-5

In April 2013, the Costa Mesa City Council voted to reconvene the Fairview Park Citizens Advisory Committee (FPAC) to examine several issues regarding the park, and to evaluate the Fairview Park Master Plan relative to the City's needs. Based on those needs, the FPAC will recommend the addition, reduction, elimination, and modification of park uses and master-planned elements. ~~Key elements included providing various sports fields, and facilities, community gardens, trail exercise stations, a nature center, and a variety of improvements to the passive open space uses. Completion of the review is anticipated in 2016.~~ As part of the citywide Open Space Master Plan of Parks and Recreation initiated in 2015, the community will be engaged in further discussion of improvement plans for Fairview Park.

Page OSR-13

~~As on 2015, the City had a park standard of 3.66 acres of parkland for every 1,000 residents. However,~~ The City's goal is to attain and maintain a park standard of 4.26 acres of parkland for every 1,000 residents.

Page OSR-15

Modifications to Figure OSR-2 to update legend and source information. Revised map attached.

Page OSR-18

Modifications to Figure OSR-3 to update legend and source information. Revised map attached.

Page OSR- 33

Policy OSR-2.H: Encourage resident input and utilize demographic data, partnerships, volunteers, and existing resources, to ~~meet~~ identify the needs of the community.

Page OSR – 35

Policy OSR-3.H: Consult with State and regional agencies and the California Native American Heritage (NAHC), regarding open space planning efforts.

SP-78-02
SP-78-02A

Baker Street and Paularino Avenue Specific Plan

adopted June 1978
(Resolution No. 78-57)

amended November 1982
(Resolution No. 82-80)

I. INTRODUCTION

Specific Plan 78-02 was initiated by the Costa Mesa City Council following consideration of General Plan Amendment GP-77-3J, Case 2. The purpose of the General Plan Amendment was to alleviate the General Plan/zoning inconsistencies in the area south of Paularino Avenue, north of Baker Street, west of Bristol Street and east of the Corona del Mar Freeway. One recommendation suggested a rezoning of property north of Baker Street from C1 to R2 into conformance with the General Plan designation of High Density Residential. However, several of the affected property owners expressed a preference for higher density zoning. The Planning Staff was directed to prepare this Specific Plan to consider these properties and the R2 properties on Paularino Avenue. Thus, this Specific Plan deals with all property between Paularino Avenue, Baker Street, the commercial property on Bristol Street, and residential developments on Jeffrey Drive (Map 1).

II. AUTHORITY FOR SPECIFIC PLANS

Section 65450 of the Government Code authorizes local governments to adopt Specific Plans for the systematic execution of their General Plan. This Specific Plan will be used to implement various goals and objectives contained in the Land Use, Housing, Circulation, and Environmental Management Elements of the City's General Plan within the study area. This will be accomplished through the application of a master zoning plan to encourage parcel consolidation, noise attenuation measures, land dedication requirements to increase the width of Baker Street, and appropriate traffic circulation in the area.

III. AREA ANALYSIS

The study area contains 17.9 acres, after required right-of-way dedication along Baker Street. Currently most of the properties are vacant or underdeveloped. The Environmental Management Element calls for maximization of the potential of these vacant parcels (See Reference No. 1). The properties fronting on Paularino Avenue are large parcels developed predominantly with single family homes with the exception of Parcels, 1, 8 and 9 which are developed with multi-family units. Parcel 3 is occupied by a pre-school. The Baker Street properties are either vacant or occupied by "interim" uses such as nurseries and storage lots. Parcel 11 is occupied by a fire station. All of the properties are zoned R2 with the exceptions of Parcels 10 and 11, which are R3 and I & R, respectively.

The study area adjoins multiple family units to the west, zoned R3-CP. Properties across Paularino Avenue to the north are zoned R1 and developed with single family homes. The commercial property to the east, zoned C1-CP, is mostly vacant. To the south of Baker Street is commercial property zoned C1 and C2.

IV. PLAN ELEMENTS

The following sections present the various elements of the Specific Plan. These elements are in the form of policies, programs and standards which can be used to implement the goals and objectives of the City's General Plan. The most clearly related General Plan elements to this Specific Plan are the 1) Land Use Element, 2) Environmental Management Element, 3) Housing Element, and 4) Circulation Element.

CNEL FROM NOISE STUDY CONDUCTED BY HILLIARD & BRICKEN ACOUSTICAL ENGINEERS, JAN. 1978

MAP 1

OPTION 1

EXISTING ZONING & USE

SP-78-02

A. GENERAL PLAN DESIGNATION

The General Plan designates the entire Specific Plan area for High Density Residential land use. Consistent zones within this designation are R2, R3, R4, PDR-HD, I & R and CL. The residential zones would allow from 14.5 to 30.0 dwelling units per acre.

B. ZONING AND CIRCULATION PLAN

Since the zoning possibilities depend largely on the circulation arrangements, the zoning and circulation stategies are considered together.

The subject area has certain characteristics which require particular consideration. All of the involved parcels have lot areas over 18,000 square feet. Based on this factor alone, each would meet the minimum square footage Staff policy guideline for R3 zoning, although Parcels 6, 7, 8 and 9 do not have sufficient frontage. All of the parcels are deep lots (360 to 380 feet - after dedication), and compared to this depth, most are relatively narrow (Map 1). The Housing Element encourages the grouping of parcels in order to make possible improved living environments (See Reference No. 2). The objective of this policy is to encourage the combination of parcels so as to avoid the development problems associated with lots resulting from an obsolete subdivision pattern.

As a means of furthering this objective, this Specific Plan offers density incentives to encourage lot combination. All of the parcels will retain the existing R2 zoning. Higher density zoning, including PDR-HD, R3 and R4, will be offered to applicants who combine parcels for development purposes. Zoning will also be dependent on circulation arrangements.

Baker Street, a primary highway, has a daily traffic volume of 15,610 vehicles (See References Nos. 3 and 4). A raised median is planned for the center of the Street. Thus, access would be limited and difficult for most of the Baker Street properties if developed separately.

These particular concerns of the study area can be addressed in more than one manner, therefore three Options have been prepared. These alternatives have been developed to deal with different ownership arrangements and to present appropriate ciculation plans. Options I and II propose that the study area properties take their access directly from Baker Street or Paularino Avenue. Option III proposes a through street from Baker Street to Paularino Avenue to provide primary access to a majority of the subject parcels.

Option I

This Option would be applicable if the parcels remain under separate ownership. Each property would take individual access from either Baker Street or Paularino Avenue. Ingress and egress for the majority of the Baker Street properties would be restricted to right-hand turns. Thus eastbound traffic would be unable to enter many of the properties nor would exiting vehicles be able to join eastbound traffic. With these circulation restraints, R2 zoning would be applied to all parcels except Parcel 10. This parcel was recently rezoned to R3 because of its isolation from the remaining parcels in the study area by the City-owned fire station site.

If developed with the maximum number of units permitted, 253 units, housing approximately 443 persons, could be built. The estimated traffic generation would be 2,024 vehicle trip ends per day. Even though the density permitted by this zoning plan is at the low end of the high density residential range, significant circulation problems (combination of high volumes and multiple access points) are anticipated at full development.

Option II

This Option would apply if all the Baker Street properties, presently R2 (Parcels 12 through 17), are combined into one development site (Map 2). This would create one seven-acre parcel which would be zoned PDR-HD. Corresponding development would range from 257 to 362 units. It is estimated that 450 to 634 persons would occupy these units and 2313 to 2896 vehicle trip ends per day would be generated. This Option would encourage the consolidation of parcels created by an outdated subdivision pattern. Another advantage would be the reduction in the number of driveways entering Baker Street. Approximately eight driveways would result from separate development of Parcels 12 through 17. If combined, only two driveways would be permitted located opposite the existing streets to the south of Baker Street. When the median is constructed, vehicles will be able to utilize the breaks and left turn pockets in the median for improved access.

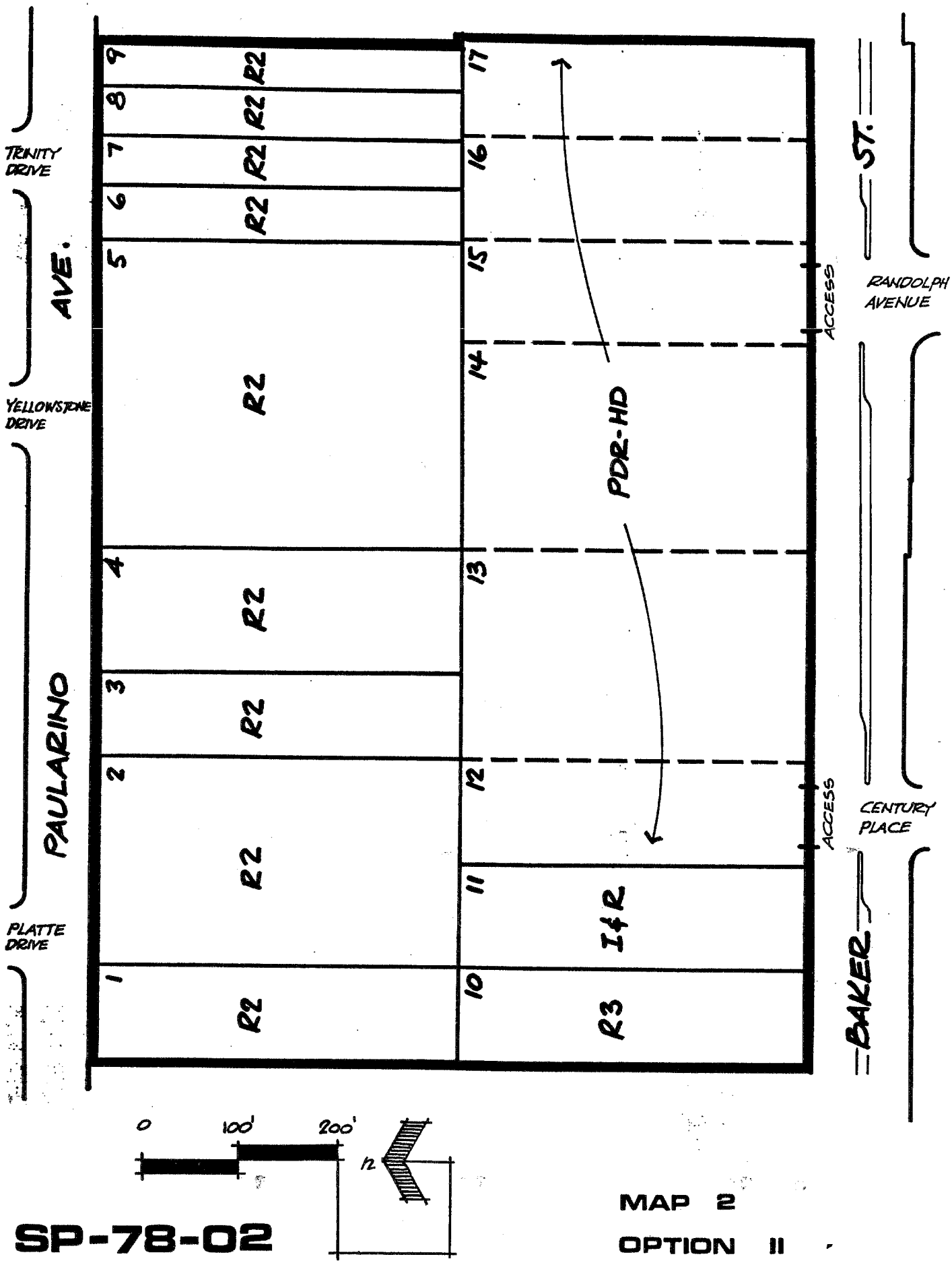
Parcels with Paularino Avenue frontage would remain zoned R2. Higher density zoning is not recommended if the only vehicular access is Paularino Avenue.

Option III

Option III proposes a through street (Street A) from Baker Street to Paularino Avenue. The street could connect with Platte Drive on the north and Randolph Avenue on the south as shown in a conceptual alignment on Map 3. The intersection of Randolph Avenue and Baker Street could be signalized.

Implementation of this Option offers numerous advantages not provided by the previous options. The proposed through street will serve as the collector for traffic generated by the development of the subject parcels and reduce the number of access points to Paularino Avenue and Baker Street. Traffic flow on Baker Street will also be improved by the provision of the traffic signal at the Randolph Avenue intersection. Besides these circulation advantages, this Option offers improved fire protection capabilities and would require fewer on-site fire hydrants than the previous options. Primary disadvantages relate to the need to acquire large portions of Parcels 2 and 15 to construct Street A as presented on Map 3.

This Option contains a density incentive to encourage parcel consolidation which would apply to the Paularino Avenue properties as well as those on Baker Street. Either R3 or PDR-HD zoning would be available for those properties with two to three acres in lot area. For properties over three acres, R4 zoning would be offered. If properties are combined to qualify for the highest density zoning possible, up to 415 units could be built which would house approximately 725 persons. An estimated 3320 vehicle trip ends per day would be generated.



SP-78-02

MAP 2

OPTION II

* HIGHER DENSITY ZONING IS POSSIBLE IF PROPERTIES ARE COMBINED AS DESCRIBED IN TEXT

SP-78-02

MAP 3

OPTION III

All properties with frontage on Street A would be required to orient developments toward this street and to use it for primary access. Street A could be accomplished by three different methods. These are briefly discussed below.

Dedication: This traditional method, requiring dedication at the time of development, would be most applicable if all the affected properties (Parcels 2-7, 12-17) were being developed simultaneously. Otherwise the street could remain in a partially completed stage for years. Some parcels would not have a connection with either Baker Street or Paularino Avenue until the adjacent properties were developed. In addition, certain properties would be burdened with substantial dedication requirements (up to 31% of lot area).

Improvement District: The establishment of an improvement district as allowed by the Improvement Act of 1911 has been used successfully to fund other public projects. Under this method, a district including all the benefiting properties would be established. The properties would then be assessed for the costs of the improvements. The disadvantage of this method is the additional cost (sometimes in excess of 20 percent of the actual project cost) incurred through the creation of an improvement district.

City Project: The third possibility is for the City to construct the street. At the time each of the benefiting properties is developed, the property owners would be required to reimburse the City for their share of the total land and improvement costs of the street. The amount of reimbursement would be apportioned according to the square footage of each benefiting property. This method has advantages not found in the other possibilities. Firstly, it insures the completion of the street prior to development of the properties. Secondly, the property owners would not be burdened with the additional expenses associated with an improvement district to provide the same street. Lastly, the total cost of the street would be evenly distributed between benefiting properties.

The methodology of distributing the costs of the street would involve three steps. First, the total cost of the street (construction and acquisition) would be determined upon adoption of a specific alignment and completion of an appraisal of the property to be acquired. Second, the average assessment fee would be calculated by dividing the total project cost by the area of the benefiting properties. Third, as developments are proposed the contribution of each developer would be computed by multiplying the average assessment fee by the area of the project site. No specific cost estimates were developed at this time because of the uncertainty of the exact alignment, the value of the property and the indentification of the benefiting parcels.

C. PARK DEDICATION

Every residential development within the City is required to contribute to the provision of adequate parkland for its residents. This contribution may be in the form of a dedication of land from the project site or payment of fees for parkland acquisition (See Reference No. 5). The amount of land dedication is based on providing 2.5 acres of parkland for every 1,000 persons.

Park fees are determined by completing periodic appraisals of existing parks and applying the average square footage cost to the dedication requirements for single and multiple family units. It is the City's decision whether to accept fees or land dedication. Because of the acreage and diverse ownership patterns of the study area, it is recommended that the payment of in lieu parkland fees be required.

D. DEVELOPMENT STANDARDS

An analysis of environmental impacts of proposed residential developments is called for in the Housing Element (See Reference No. 6). A set of development standards has been developed to regulate several concerns in the study area. Besides those concerns mentioned in the Zoning and Circulation Plan, noise impacts in the area have been studied (See Reference No. 7 and Map 1) and are also dealt with by appropriate development standards. Since the standards would vary depending on which Option is implemented, the particular Options to which the standards apply are specified.

The proposed development standards applicable to all Options are as follows:

1. Dedicate and improve all land within 53 feet of the centerline of Baker Street to achieve ultimate right-of-way as a primary highway.

2. A minimum setback of twenty-five feet shall be provided along Baker Street. A solid opaque wall at least six feet high shall be constructed along the setback line. Whenever this wall continues for a distance of one-hundred-twenty-five feet without interruption, said wall shall be offset or meandered a minimum of five feet. This setback area shall provide a uniform appearance through the use of similar plant and fencing materials to be approved by the Planning Department.

3. A detailed landscape plan for all setbacks and renderings of finished elevations of all walls, buildings and structures constructed along the required setbacks or visible from a public right-of-way shall be approved by the Planning Director prior to the issuance of building permits.

4. An acoustical analysis shall be required for all residential units built on the Baker Street properties. Evidence that interior noise levels will not exceed 45 CNEL and exterior noise levels will not exceed 65 CNEL shall be furnished from a licensed acoustical engineer.

5. Park requirements shall be fulfilled through in-lieu fees collected from the developments. These fees will be applied to parkland acquisition in the same park district.

6. Additional development standards not specified in this Specific Plan, shall be governed by the requirements of the underlying zoning district. In cases where development standards appear to conflict, the most restrictive shall apply.

Additional development standards pertinent to Option II:

1. Development of the Baker Street properties shall provide for internal circulation with two access points on Baker Street. These two access points shall be directly across from Randolph Avenue and Century Place on the south side of Baker Street.

Additional development standards applicable to Option III:

1. All residential properties with frontage on Street A shall use this street for major access and primary orientation.

2. A twenty-five foot landscaped setback shall be required along Street A and Paularino Avenue.

3. At least a six foot high solid, opaque wall shall be constructed along the rear of the Paularino Avenue setback. When said wall continues for a distance of one-hundred-twenty-five feet without interruption, it shall be offset or meandered a minimum of five feet.

4. The front property line shall be considered to be that portion of a parcel with frontage on Street A.

5. One-half of the cost for signalization of the intersection of Baker Street and Randolph Avenue shall be paid by the developers of properties with access to Street A. The apportionment of the cost shall be based on square footage of the specific development site and shall be paid at the time of development.

6. The total improvement and acquisition costs of Street A shall be paid by the developers of the properties with access to Street A. The apportionment of the cost shall be based on square footage of the specific development site and shall be paid at the time of development.

IV. SPECIFIC PLAN IMPLEMENTATION

The following procedures shall be established to implement this Specific Plan:

1. The City shall prepare and adopt a Precise Plan for Street A prior to the submittal of development plans for projects located on the benefiting properties.

2. The developer of a project shall file an application for a Development Review or Preliminary Development Review to comply with residential zoning requirements.

3. Planning Staff shall review the proposed project plan to determine compliance with the standards in the Specific Plan and applicable zoning requirements.

4. Planning Staff, or Planning Commission for Planned Development projects, shall approve, approve with conditions, or deny each application.

5. If a proposed project plan includes sufficient acreage to qualify for a higher density zone as outlined in Section IV B of this Specific Plan, the Staff shall include a condition of approval as follows:

> "Applicant shall legally combine the parcels included in the proposed project plan so as to create one parcel prior to the granting of building occupancy or within 90 days of approval of the Development Review, or Preliminary Development Plan whichever is sooner."

6. Subsequent to approval of the Development Review and upon notification that the applicant has legally combined parcels, the City shall initiate a rezone petition to change the land use district designation to the appropriate zone. In cases involving Planned Development projects, the City shall initiate a rezone petition to PDR-HD in conjunction with the filing of the Final Development Plan by the developer.

7. For Planned Development projects only, the Final Development Plan will be reviewed for conformance with the Preliminary Development Plan by the Planning Staff.

8. For Planned Development projects only, the Planning Commission will hold public hearings on the Final Development Plan and rezone petitions and forward recommendations to the City Council.

9. For Planned Development projects only, upon receipt of the Planning Commission recommendations, the City Council will hold public hearings to consider adoption of the Final Development Plan and rezone petitions. If adopted, both ordinances will be effective thirty (30) days after City Council action.

10. Building Permits may be granted after Development Review or Final Development Plan approval and prior to the finalization of required lot combinations.

V. RECOMMENDATIONS

Based upon the information presented in this Specific Plan the Planning Staff makes the following recommendations:

Recommendation 1. The Planning Staff recommends adoption of Option III. This Option, specifically referring to the need of the through street, is supported by the Public Services Department. However, the key to the success of this option lies in the construction of the street prior to, or in conjunction with, the first development of the affected properties.

Recommendation 2. The Planning Staff recommends that the City Council direct the Public Services and Planning Departments to initiate procedures to develop a Precise Plan for Street A. Because of the importance of the Street, immediate attention should be given to the specific design and alignment desired.

REFERENCES

1. Environmental Management System, Concept Plan for Zone 6, Page 47.
2. Housing Element, Program 3, Page 23.
3. Master Plan of Highways, Revised June 3, 1975.
4. Traffic Volume Map, July, 1977.
5. Costa Mesa Park Fee/Land Dedication Requirements.
6. Housing Element, Program 1, Page 26.
7. Noise Contours for Baker Street Property, Hilliard & Bricken, January 9, 1978.

SP-78-02

IMPLEMENTATION PLAN AND PRECISE ALIGNMENT

adopted September 1978
(Resolution No. 78-101)

SP-78-02

IMPLEMENTATION PLAN AND PRECISE ALIGNMENT

I. INTRODUCTION

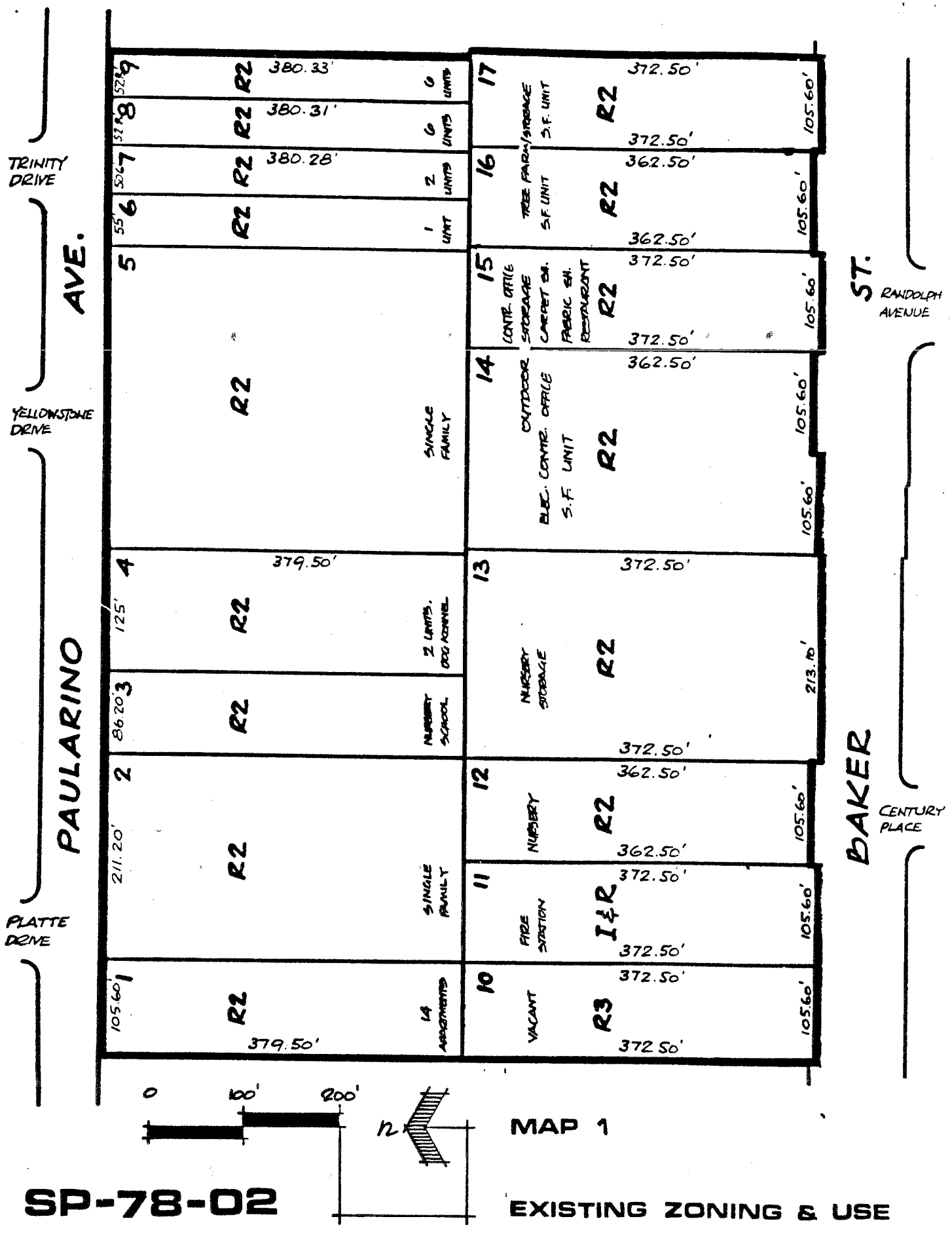
Specific Plan SP-78-02 was prepared by the City of Costa Mesa Planning Department at the direction of the City Council. The primary purpose of this Plan was to formalize a set of land use policies to guide the future development of approximately 18 acres of land located between Baker Street and Paularino Avenue and Bristol Street and Jeffrey Drive (Map 1). Such policies were developed to meet the specific development concerns (traffic volumes on Baker Street and multiple ownership of relatively deep parcels) of this area. The policies recommended for adoption included additional site development standards, zoning incentives and circulation alternatives. One of the major policies which was adopted related to the need to construct an additional through street to connect Paularino Avenue and Baker Street. The focus of this plan will be to review various mechanisms available to effectuate the construction of this street.

On June 5, 1978, the City Council adopted Specific Plan SP-78-02 with modifications. These modifications deleted references of the R4 and PDR-HD zones as density incentives. On a second motion, the Council also directed the Public Services and Planning Departments to initiate processing of a precise alignment to Street A. This Implementation Plan will be presented as an amendment to SP-78-02 and will be processed concurrently with the precise alignment plan for the through street.

II. PRECISE ALIGNMENT

The precise alignment for Street A prepared by the Department of Engineering Services is illustrated on Map 2. Under this plan, Randolph Avenue would be extended in a northerly direction from Baker Street for a distance of approximately 360 feet. Once it reaches the rear property line of the Baker Street parcels, the roadway curves in a westerly direction (using the property lines as the centerline of the street) for approximately 560 feet. At the rear of Fire Station 2, the roadway curves north to intersect with Paularino Avenue at Platte Drive. Approximately 69,000 square feet of right-of-way will be required to construct the street as proposed.

Because of the largely underdeveloped nature of the study area, the proposed alignment will only adversely impact the current use of one parcel. As noted on Map 3, the alignment requires the removal of the structures occupied by a restaurant, fabric shop, contractor's office and carpet shop located at 750 Baker Street. Minor modifications to those areas used for outdoor and nursery storage will also be required.



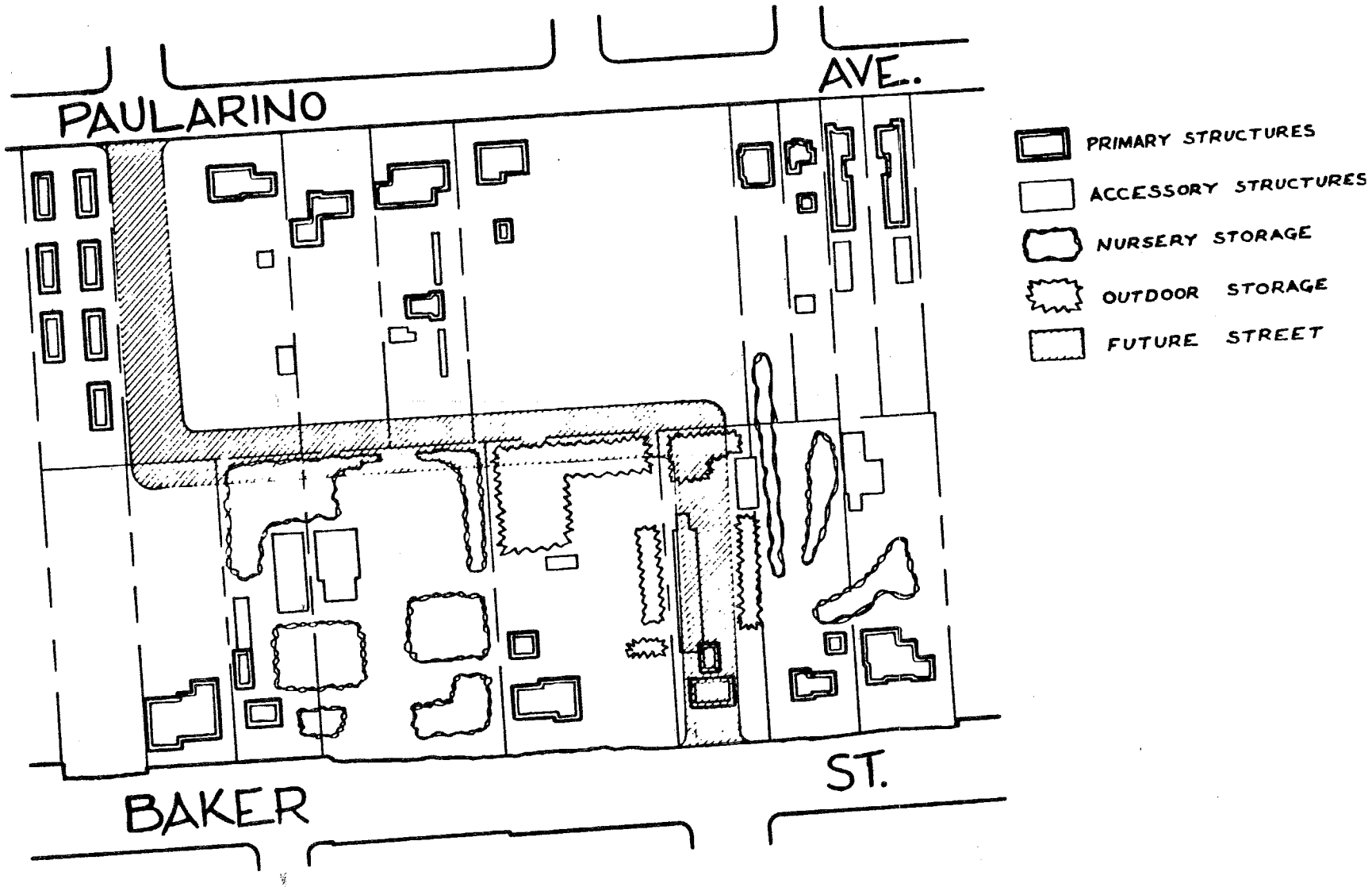
MAP 1

SP-78-02

EXISTING ZONING & USE

SP-78-02

MAP 3


PAULARINO
AVE.
BAKER
ST.
PRIMARY STRUCTURES
ACCESSORY STRUCTURES
NURSERY STORAGE
OUTDOOR STORAGE
FUTURE STREET

Estimated construction costs of Street A are approximately $183,000. This estimate includes a 10% contingency ($16,500) and 5% miscellaneous costs ($8,000). In addition, sidewalks and driveway approaches will cost an estimated $34,000. Land acquisition costs are estimated at $6 to $7 per square foot for a total of $370,000 to $430,000.

The Costs for the property owners could be increased through the use of an assessment district (because of additional administrative, legal and engineering costs) and decreased if portions of the right-of-way are dedicated by the adjacent property owners.

III. IMPLEMENTATION ALTERNATIVES

A variety of implementation techniques are presented in this section of the plan. These alternatives can be grouped into two primary categories based upon the specific vehicle used to fund the necessary improvements. The first group relies on the use of an assessment district and various improvement acts to acquire, construct and allocate the costs of this project while the second group relies on a joint effort on behalf of City and the affected property owners. Advantages and disadvantages of each group are presented below.

A. ASSESSMENT DISTRICTS

Several improvement and assessment district acts have been enacted by the State Legislature which enable cities to acquire land, construct public improvements, and provide funding for such projects. Two acts, The Improvement Act of 1911 and the Municipal Improvement Act of 1913, are broad in scope and both have been used by the City for street purposes. Also pertinent is the Street Opening Act of 1903 which is more limited in its application. These acts, along with appropriate bond acts to fund their implementation, are presented in the following subsections:

1. Improvement Act of 1911

This act is the more frequently used of the two improvement acts discussed in this section. It permits the acquisition of property and construction of improvements. This act has been employed in Costa Mesa for land acquisition and street construction for both Merrimac Way and Joann Street.

The first step in proceeding under the 1911 Act is the Council's direction to the City Engineer to prepare construction plans, specifications, and a detailed cost estimate. A substantial amount of this work has already been completed. Council may then adopt a resolution approving the plans and specifications and a resolution of intention which describes the project, district, and bonding arrangements.

A public hearing must then be held to consider protests to the project. If property owners of a majority of the land area in the district protest, the Council may adopt a resolution overruling the protest by a four/fifths vote. After a resolution ordering the work to be done is adopted, the right-of-way is acquired, bids are invited and a contract is awarded to the lowest responsible bidder.

A provision is made in the 1911 Act for the issuance of assessment bonds. After the work is satisfactorily completed, an apportionment of the costs is prepared. A hearing is required so that dissatisfied property owners may protest the assessment on his property or the method of apportionment. Council may make adjustments which it feels are equitable. Bonds are then issued for all unpaid assessments.

2. Municipal Improvement Act of 1913

The 1913 Act is unlike the 1911 Act in certain procedural aspects. While the improvements which can be done under the 1911 Act can also be done with the 1913 Act, the specified acquisitions are more limited. Thus costs relating to the relocation of businesses may not be authorized. Also, it does not contain its own provisions for funding. This Act has been used in Costa Mesa to form drainage districts and can also be used for providing streets. The Council initiates the proceedings by a Resolution of Intention which is similar to the resolution for a 1911 Act project but requires an engineer's report. Included in the engineer's report is an assessment roll based on an estimate of costs. The project, its cost, and the amounts of individual assessments are considered at a public hearing at which City Council may adjust the assessments. In order to avoid a situation in which the actual costs do not coincide with the engineer's estimate, construction bids may be invited prior to the public hearing. An adjusted assessment roll is then prepared to represent the amount of the actual bids. After confirmation of the assessments, property owners are given thirty (30) days to pay their portions. Bonds are sold to represent all unpaid assessments. The contract for the work is not awarded until the bonds are sold. Thus, unlike the 1911 Act, the property owners know their assessments and are assessed for this amount prior to construction.

The 1913 Act does not specify its own procedures for the issuance of bonds. Thus, bonding may be handled under the procedures established in the 1911 Act. An alternative would be to use the proceedings specified in the Improvement Bond Act of 1915. The primary difference between the 1911 and 1915 Act procedures is that the 1915 Act Bonds are issued against the district as a whole rather than the individual properties. Also, bonds issued pursuant to the 1915 Act may not bear interest in excess of 7 percent.

3. Street Opening Act of 1903

The Street Opening Act of 1903 permits acquisition of land for street purposes. It does not allow for construction costs. This Act is infrequently used and has not been employed in Costa Mesa. Under 1903 Act procedures, the amount of condemnation awards are offset against the amount of assessment. Unpaid assessments are paid by the issuance of bonds under the procedures of the 1911 Act.

The City could employ this act to acquire land for a pilot road (to be discussed in a following Section). However, this acquisition could be accomplished through the 1911 and 1913 Acts as well.

B. CITY/PROPERTY OWNER PARTICIPATION

Three alternatives will be presented below which involve the participation and coordination of the City and private development interests outside of the legal framework of the improvement acts. Because of the wide range in acquisition and construction responsibilities, the distribution of total improvement costs will vary with each alternative. Where possible, the distribution of private and public costs will be assessed.

4. "Pilot Road"

Under this alternative, the City would only acquire enough right-of-way to construct an approximately 20 to 25 feet wide access road along the proposed alignment. This would be a temporary road which would require completion to City standards by adjacent developers.

By using this alternative, the costs to the City would be higher than in other options since the City would assume financial responsibility for the pilot road. Actual right-of-way acquisition would be reduced from approximately 62,000 (7,000 square feet of fire station property not included) to approximately 25,000 square feet. Construction costs could be reduced depending upon the quality of roadbed provided for the temporary access road.

A primary advantage of this alternative is that it provides for the immediate use of Street A. Partial completion along the entire alignment allows individual developers to use the street while only being responsible for the full improvement for their frontage. A disadvantage, however, stems from the possible piecemeal completion of the full right-of-way.

5. Dedication

This alternative includes two possible arrangements regarding dedication and improvement responsibilities. First, the City could offer the property owners the option of their dedication of the necessary right-of-way in exchange for the City's construction of the street. This approach would have advantages for property owners and the City. The street could be constructed at one time, avoiding the piecemeal approach. The property's value will increase since the street will be totally improved. Under normal circumstances, a potential developer would be required to dedicate and improve the street. This savings, coupled with possible density incentives, should theoretically increase property values.

In addition, this approach would not require "out-of-pocket" expenses for present property owners. If a property owner does not dedicate, there are two options. First, when the property is developed, both dedication and improvement will be required. Second, the City could utilize the improvement act approach which could result in higher costs to the property owner due to extra legal and engineering costs. In this instance, the City would not pay for street improvements. The advantages to the City stem from the time savings and benefit of completing the street at one time.

It is also suggested that the City consider R3 zoning for lot 2, and for lots 15 and 16 (if combined), due to the greater impacts of the street alignment on these parcels. Following is a comparison of the number of units which could be built on these parcels given the two zoning alternatives.

Lot	R2 Zoning Without Street	R3 Zoning With Street
2	26 units	28 units
15, 16	25 units	26 units

6. City Project

This alternative implementation scheme was presented in Specific Plan SP-78-02. Conceptually, this alternative is similar to the use of an improvement act without the actual formation of an assessment district. Initially, the City would fund the necessary improvements and right-of-way costs to be reimbursed by property owners as their parcels are redeveloped. The costs of this alternative would be similar to the estimate noted in Section II.

The advantages of this alternative (immediate construction of Street A, elimination of assessment district burdens and even distribution of costs) where identified in Section IV (B) of Specific Plan SP-78-02. A disadvantage may become apparent if individual property owners challenge the acquisition of their property during the eminent domain proceedings.

The method of assessing and collecting costs of the street were detailed in Specific Plan SP-78-02 (Page 4).

IV. RECOMMENDATIONS

Staff Recommends Implementation 5 (Dedication in exchange for City improvement) and R3 zoning for Parcels 2, 16, and the residual of 15 if 15 and 16 are combined.

SP-78-02A

Baker Street and Paularino Avenue Specific Plan

amended November 2, 1982
(Resolution No. 82-80)

AMENDMENTS
SP-78-02 AND IMPLEMENTATION PLAN

I. INTRODUCTION

Specific Plan SP-78-02 contains circulation and zoning components which pertain to 17.9 acres of High Density Residential land between Baker Street and Paularino Avenue to the west of Bristol Street (Map 1). The Specific Plan establishes a two-acre minimum parcel size in order to qualify for R3 zoning. This zoning policy has been successful in encouraging the combination of several parcels in the area. The Plan also calls for the extension of Randolph Avenue as a through street between Baker Street and Paularino Avenue. The majority of this street has already been installed. However, the necessary public right-of-way has not been obtained from three parcels and the City Council has directed a reconsideration of the alignment and improvement options of Randolph Street. This report presents possible zoning and circulation strategies and discusses implementation techniques.

II. BACKGROUND

In 1977, the City examined General Plan/zoning inconsistencies in this area (GP-78-3J Case 2). At that time, the properties on the north side of Baker Street were zoned C1 and A1, inconsistent with the General Plan designation of High Density Residential. To correct this inconsistency, the City Council directed the rezoning of these properties to R2 (R-78-01). The zoning of the properties fronting on Paularino Avenue was not affected.

At the time the General Plan and zoning were examined, most of the properties were underdeveloped. Several of the property owners expressed a preference for higher density zoning than R2. Realizing the development potential of the area, the City Council directed the preparation of a Specific Plan.

Alternative zoning and circulation possibilities were discussed when the Specific Plan was being considered. At that time, the area contained 17 parcels, the majority of which were narrow and deep. If each were developed independently, several driveways onto Baker Street and Paularino Avenue would have resulted. With plans for a median in Baker Street, many properties would be limited to a right turn in and out arrangement. In order to avoid these undesirable circulation arrangements, it was decided to extend Randolph Avenue as a through street. The Specific Plan requires that all residential properties with frontage on Randolph Avenue use it for major access and primary orientation. Traffic is thus to be focused onto two intersections. After opting for the through street, the City Council adopted a Precise Plan of Alignment for the Randolph Avenue Extension (Map 2).

At the time the through street was being considered, it affected nine parcels. The sequence of development was of concern since unless parcels at the Randolph Avenue connections to Baker or Paularino were developed first, the other properties would have no access to these streets. An Implementation Plan was prepared which discussed several alternative methods to install the street. These included the formation of an assessment district, construction of a narrow "pilot road," full construction of the street as a City project, and relying on dedication from the affected properties. City Council decided

to utilize the dedication method, but as an incentive for expedient installation, offered that the City would construct the street improvements on properties from which dedication was made. It was hoped that this improvement for dedication offer would enable the street to be constructed at one time, avoiding piecemeal acquisition and installation. Within the following year (September 1978 to August 1979), the City's offer proved successful as it applied to the properties fronting on Baker Street. The full required right-of-way was obtained from these properties. However, the offer was unsuccessful in obtaining right-of-way from the Paularino Avenue properties, where most property owners were not interested in providing a street. After this one year, it appeared that as much of the right-of-way as could be acquired through voluntary methods had been obtained. The Implementation Plan was reconsidered which resulted in the City rescinding the improvement for dedication offer, and determining that immediate through access to Paularino Avenue was not necessary. Dedication and improvement of the street was established as the responsibility of the developer when properties are developed.

After the City offer of improvement for dedication was rescinded, developers interested in two Paularino Avenue properties requested its reinstatement. The Janes Company had acquired the parcel at 773 Paularino Avenue, which is now under construction with a 52-unit-extension of Pentridge Cove. Dedication for Randolph Avenue was obtained. Richard Sewell, Inc., was pursuing the purchase of the Stewart/Montgomery parcel at 801 Paularino Avenue. However, negotiations failed and this transaction did not occur. The City did reinstate the improvement for dedication offer on January 7, 1980; this offer is still in effect.

The adopted alignment of the Randolph Avenue Extension affected 11 of the original parcels in the area (Map 2); several parcels have been combined since. The required right-of-way has been obtained from 8 of the original 11 parcels. Of the total property required for the through street as per its adopted alignment, 61.6 percent has been acquired. The area of improvements installed is 60.8 percent of the ultimate.

As per the Specific Plan, several properties have been developed to take access from Randolph Avenue. The existing Pentridge Cove development takes access from the north/south segment of Randolph Avenue north of Baker Street. The phase of Pentridge Cove under construction (formerly 773 Paularino Avenue) will have access at the easterly "knuckle" in Randolph Avenue. Near the westerly "knuckle" in Randolph Avenue, arrangements have been made for three properties to have Randolph Avenue access. The rear portion of the fire station property has been modified to provide secondary access. A twenty-unit condominium development has been approved at 810 Baker Street. This project is designed to have access only onto Randolph Avenue. The roadway improvements adjacent these two properties have been installed. Negotiations with the owner of the property at 811 Paularino Avenue have resulted in right-of-way being obtained. When Randolph Avenue is installed in this area, the existing 14 apartment units on this property will use it for access and the driveway onto Paularino Avenue will be closed. In summary, of the property to be served by the Randolph Avenue Extension, arrangements have been for 76.2 percent of the area to use it for access.

III. ZONING AND CIRCULATION PLAN OPTIONS

Two alternatives to the presently adopted alignment of Randolph Avenue are presented. These alternatives have been developed considering right-of-way acquisitions, new development and access commitments which have occurred since the Specific Plan was adopted. The options are depicted on Map 3 and discussed below. Since the zoning and circulation arrangements are interrelated, alternative zoning possibilities are also discussed.

OPTION I

Option I consists of retaining the adopted alignment of Randolph Avenue (Map 2). This would provide access onto either Baker Street or Paularino Avenue for the properties served by the through street. This section of Randolph Avenue serves as a collector for traffic generated by adjoining properties and reduces the number of access points onto Baker Street and Paularino Avenue. The Baker/Randolph intersection is planned for signalization. Randolph Avenue will have a stop sign where it will connect with Paularino Avenue across from Platte Drive. A through street with a stop sign provides for improved pedestrian safety as compared to a situation where each parcel would have a driveway onto Paularino Avenue.

As was the case when the street alignment was originally being considered, the Public Services Department recommends a through street as per the adopted alignment. A through street would render the area more accessible. With the possibility of Paularino Avenue access, traffic generated within the area would be less onto Baker Street, reducing demand at Baker Street signals. These dual access points enable R3 density development as the Specific Plan allows.

Paularino Avenue presently carries 6,200 vehicles per day. Of these, 940 are during the peak hour, from 5:00 to 6:00 p.m. With a through street the daily count on Paularino Avenue would increase by 625 vehicles per day. The peak hour increase would be 40 vehicles.

The Fire Department prefers Option I. The Department is considering modification to the Baker Street Station which would result in engines leaving the station towards Baker Street and entering from the rear off of Randolph Avenue. This arrangement was based on the assumption that there would be a through street, allowing straight-in access from Paularino Avenue. The Department is concerned with turning movements which would be required on Randolph Avenue if it were a cul-de-sac. These turning movements could become more complicated by on-street parking.

OPTION II

A cul-de-sac terminating at the westerly knuckle in Randolph Avenue is presented as Option II. All the 2,500 daily vehicle trip ends generated would be concentrated at the Baker Street intersection. Residents of the area would be required to use Baker Street and its intersections even if their destination is to the north.

This option would increase the use of the Baker/Bristol intersection by a slight ICU increment of .020 (2.0 percent) as compared to .017 (1.7 percent) for a through street. Conversely, the use of the Paularino/Bristol intersection would decrease slightly: .021 ICU as compared to .015 ICU for a through street.

This option would reduce the amount of traffic on Paularino Avenue somewhat. Daily traffic volume added from the Specific Plan area would be 270 vehicles. The peak hour addition would be 30 vehicles, an insignificant reduction of 10 vehicles compared with Options I or III. Without through access, the Public Services Department reports that there appears to be little need to restrict the Paularino Avenue properties to access from Randolph only. Although the existing new development in the area will not benefit from access onto both Baker Street and Paularino Avenue, the remaining not yet redeveloped properties would not have this same limitation. However, limiting access to Randolph Avenue would reduce the number of driveways on Paularino Avenue. This reduces pedestrian hazards. A benefactor from this option would be the property at 801 Paularino Avenue, which would be the most impacted by through street dedication.

If Randolph Avenue is not a through street, its circulation advantages are reduced. Its use would be primarily for residents of the street and it would not provide the anticipationed area-wide circulation benefits. The Public Services Department questions the propriety of using the City's gas tax funds for such a street and recommends that the offer to construct street improvements in exchange for dedication be rescinded if a cul-de-sac is selected.

With this restricted access situation, the Planning Division recommends that the incentive of offering R3 zoning be deleted from the Specific Plan. The concept of making higher density zoning than R2 possible was contingent upon a through street, and it was hoped that property owners would cooperate in providing the through street with this density possible.

OPTION III

As with Option I, this option calls for a through street, except that the northerly leg of the street would be narrower. The right-of-way would be mostly 40 feet in width, except where it approaches Paularino Avenue. At this location it would again be 50 feet in order to allow for simultaneous right- and left-turning exiting vehicles. The primary difference between streets with forty- and fifty-foot rights-of-way is that the narrower width does not allow for on-street parking. On-street parking is a convenience, not a necessity. However, street parking is typically heavily used in high density residential areas.

IV. IMPLEMENTATION PLAN

As stated in Section II, Background, of this report, the present implementation strategy for the Randolph Avenue Extension is to rely on dedication from the affected parcels. The reinstated offer of the City to construct street improvements in exchange for dedication is still available. The original purpose of this offer was to encourage the installation of the street at one time. Although this approach was partially successful and the majority of the street was constructed at one time, it has obviously been unsuccessful in regard to obtaining right-of-way from parcels located at 789, 795, and 801 Paularino Avenue. Since the desired efficiencies and economies of "at-one-time" street installation have not been fully realized, the City may wish to again reconsider its improvement for dedication offer. The Public Services Department has recommended rescinding this offer if a cul-de-sac (Option II) is selected.

Of the property not yet acquired for the street, the greatest portion involves the property located at 801 Paularino Avenue. Acquisition from this parcel would provide the through connection to Paularino Avenue. Under the adopted alignment, 28.8 percent of this parcel would be required as dedication. The property owner has correctly pointed out that this is substantially more than any other property (see Map 1) and believes it to be an abnormal taking.

The alternate street options presented in Section III of this report would reduce the amount of roadway acquisition from the subject parcel. Under Option II, cul-de-sac, dedication would be 6,250 square feet, 7.8 percent of the parcel size. Option III, through street with reduced width, would reduce the acquisition to 20,546 square feet, 25.6 percent of the parcel.

With either through street arrangement, there will be a substantial dedication requirement from the 801 Paularino Avenue parcel. Owners of property fronting on Baker Street faced a similar situation when the alignment of Randolph Street was decided. Map 2 indicates the subdivision arrangement at the time the Precise Plan of Alignment was prepared. Although the acquisition from one individual parcel was considerable, when this property was combined with others to form a larger development, the portion of the resulting property dedicated became more acceptable. A similar opportunity exists for 801 Paularino. If it were to be combined with properties at 789 and 795 Paularino Avenue, the overall dedication would be reduced to 17.7 percent (16.1 percent if Option III street system is adopted). The properties at 789 and 795 Paularino Avenue are under the same ownership. Further, the combined three parcels would contain 3.03 net acres, sufficient to qualify for R3 zoning under the density incentive provisions of SP-78-02.

However, it is realized that for various reasons the Paularino Avenue properties may not be combined. These reasons could include economic conditions, development interest, or attitudes of property owners. It may well result that property owners are either not interested in combination or are unable to agree on forming one larger parcel. In this event, development may be proposed independently on the parcels. If the incentive for lot combination is not effective and the dedication requirement for a development proposal is found to be disproportionately large, then consideration of accommodation would be appropriate at that time. This accommodation could be in the form of compensation for acquisition determined to be excessive. To date, there has not been an application for development of the property at 801 Paularino Avenue. Staff suggests that decisions regarding these issues not be made until a development plan is submitted for review.

V. RECOMMENDATION

Option I, a through street on the adopted alignment, is recommended. The factors which led to its selection in 1978 are still valid. It would provide superior circulation benefits, pedestrian safety, and on-street parking for residents of the area. Further, the area is committed to High Density Residential development. When the draft Specific Plan was originally presented, the alternative zoning and circulation possibilities were presented together since they are so interrelated. When the decision was made that R3 zoning would be possible throughout the plan area, this was contingent on through street circulation. If Option II is selected, it is recommended that the incentive of offering R3 zoning be eliminated from the Specific Plan.

Also, it should be noted that no specific plan or policy is cast in concrete and cannot be amended in the future. At this point in time, Staff is reluctant to recommend amendment to the Randolph Avenue extension since the impacts on the Paularino parcels, which have not dedicated land for the extension, cannot be determined without the benefit of a specific development plan for one or all of these properties. As noted earlier, Staff would suggest that if amendments or modifications are to be made, that these decisions be postponed and evaluated in conjunction with a specific development proposal.

IMPLEMENTATION PLAN

If it is decided to implement Option II, cul-de-sac, it is recommended that the street improvement in exchange for dedication offer be rescinded. With a cul-de-sac arrangement, the general public would not benefit from the circulation system.

Review and Summary of

SP-78-02
SP-78-02A

Baker Street and Paularino Avenue Specific Plan

April 1993

SP-78-02/02A

BAKER/PAULARINO/BRISTOL SPECIFIC PLAN

INTENT

To promote the best possible development of 17 lots assigned a General Plan designation of High Density Residential. The Specific Plan proposed to encourage assembling of the long, narrow, underdeveloped lots by offering density incentives. (All lots except for two had R2 zoning and all lot areas are at least 18,000 square feet each).

Under SP-78-02, zoning choices would not just depend on consolidation of lots. Consideration would be given to circulation arrangements as properties either front Baker Street or Paularino Avenue and access could be a serious problem if some lot assemblage did not occur. Three options were proposed, based on different scenarios, including establishing a through street (Randolph Avenue extension) from Paularino to Baker. The option which included the Randolph Avenue extension was approved, but an amendment in 1982 revised the extension to dead end at 810 Baker Street and 801 Paularino Avenue. Specific development standards were included in SP-78-02.

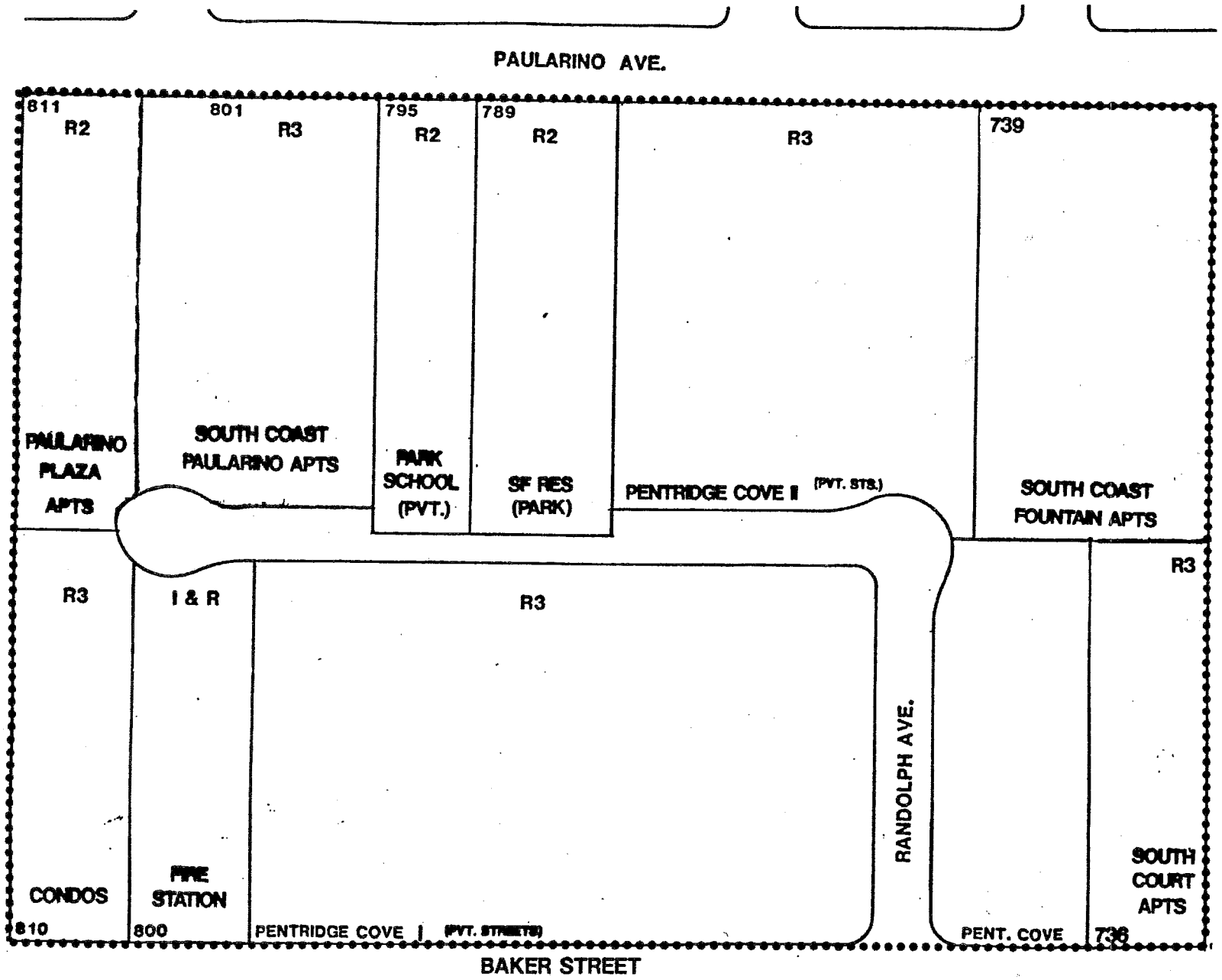
ANALYSIS

The majority of the parcels have now been developed and rezoned R3 as a result of lot consolidations. Regular incentives offered then (minimum lot frontage and area requirements) were used. However, several parcels did not develop since the adoption of SP-78-02. These exceptions are the Park Playmates School (795 Paularino Avenue), the Park residence (789 Paularino Avenue), an existing 14-unit apartment complex (811 Paularino Avenue) and the Costa Mesa Fire Station (800 Baker Street). The first three parcels are zoned R3 and the fire station is zoned I&R. It should be noted that the properties at 789 and 795 Paularino Avenue are currently owned in common and could be combined for future multi-family residential development.

It would seem reasonable to conclude that with current General Plan policies and zoning standards, development could occur without creating major impacts, absent SP-78-02. However, SP-78-02 required 25' building setbacks, wall treatments and street improvements for properties abutting the Randolph Street extension (including 789 and 795 Paularino Avenue properties). These standards would result in consistency for the area and fairness in development for all property owners in the Specific Plan area.

RECOMMENDED CHANGES

Retain SP-78-02. [No CEQA required]



ZONING as of April 1993

BAKER/PAULARINO/BRISTOL SPECIFIC PLAN SP-78-02

SP-82-01

BRISTOL STREET

SPECIFIC PLAN

JANUARY 1982

NOT A CURRENT OFFICIAL CITY POLICY

I. INTRODUCTION

Specific Plan SP-82-01 has been directed by the Costa Mesa City Council to guide the future commercial development in the vicinity of Bristol Street between the San Diego (405) and Costa Mesa (55) Freeways. This directive was given in response to increasing pressures for intense, high-rise commercial development and the existence of a considerable quantity of undeveloped or underdeveloped land in the area. The intent of the Specific Plan is to provide guidelines for commercial development in the area which is of an intensity and scale compatible with adjacent land uses and circulation system capacities.

II. AUTHORITY AND SCOPE

Section 65450 of the Government Code enables local governments to adopt Specific Plans for the systematic implementation of their General Plans. This Specific Plan pursues the attainment of various General Plan goals, and most directly relates to the following General Plan policies:

31. Consider effects of building height on adjacent parcels to ensure minimum interference with solar access in the vicinity of all new developments.
105. Develop standards, policies, and other methods to encourage the grouping of individual parcels to eliminate obsolete subdivision patterns and to provide improved living environments.
111. Protect existing stabilized residential neighborhoods from the encroachment of incompatible or potentially disruptive land uses and/or activities.
127. Increase the visual quality of Costa Mesa's streetscapes through the use of linear open space facilities such as landscaped medians, parkways, and building setbacks.
188. Investigate the feasibility of contributions to a City-wide or area-wide transportation system improvement fund for projects exceeding specified levels of development.
210. Encourage higher density commercial and office development along public transit routes to enhance transit usage and reduce auto dependency.
222. Create an environment where business can succeed while being in harmony with other City goals.
223. Provide levels of public improvements and services necessary to support the existing level of business activity and allow for the expansion of business opportunities in the future.
225. Encourage, through development standards, building height or area bonuses, or other incentives, developers and property owners to utilize common parking areas and driveways to reduce access points to major arterials and to increase district identity, in commercial districts.
227. Permit the construction of high-rise (over two stories or 30 feet) only when it can be shown that the construction of such structures will not adversely impact surrounding developments and deprive existing land uses of adequate light, air, and privacy.
228. Prohibit construction of buildings which, according to independent studies by qualified private consultants or the FAA, would present a hazard to air navigation.

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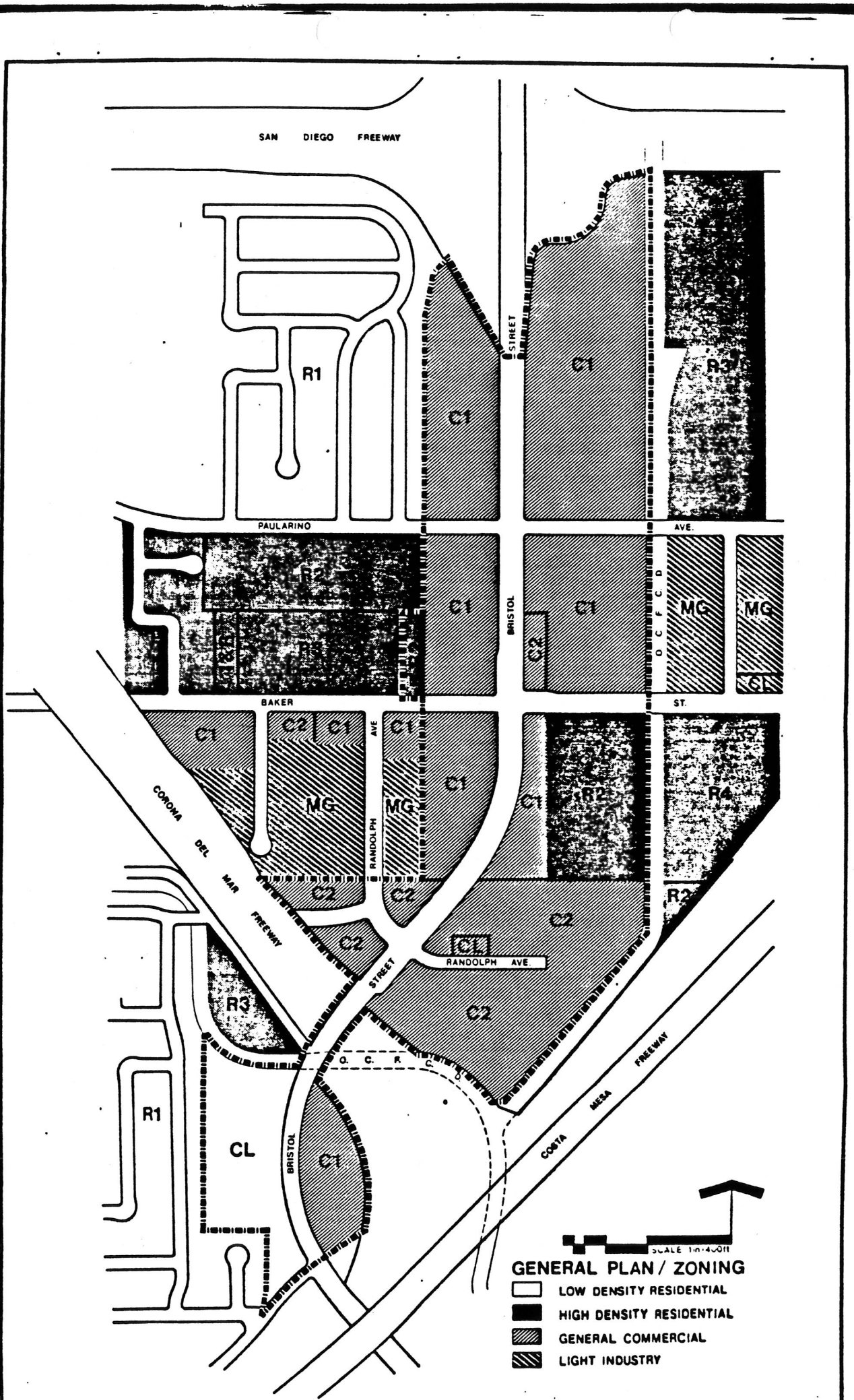
SAN DIEGO FREEWAY
R1
C1
STREET
C1
R3
PAULARINO
AVE.
R2
C1
BRISTOL
C1
O.C.F.C.D.
MG
MG
C2
CL
BAKER
ST.
C1
C2
C1
AVE
C1
C1
R2
R4
CORONA DEL MAR FREEWAY
MG
RANDOLPH
MG
C1
C2
C2
C2
R2
C2
CL
RANDOLPH AVE.
STREET
R3
C2
O. C. R. C.
R1
CL
BRISTOL
C1
COSTA MESA FREEWAY
SCALE 1in=400ft
GENERAL PLAN / ZONING
LOW DENSITY RESIDENTIAL
HIGH DENSITY RESIDENTIAL
GENERAL COMMERCIAL
LIGHT INDUSTRY

III. AREA ANALYSIS

A. AREA DESCRIPTION

The properties comprising the Specific Plan area total 89 acres. The majority of the area, the 79 acres between the San Diego and Corona del Mar Freeways, is designated by the General Plan as General Commercial and zoned either C1 or C2 (Map 1). Two exceptions are properties located at 655 and 736 Baker Street which are designated as High Density Residential and zoned R2. These parcels have been included so that in the event that they are ever redesignated for commercial use, the Specific Plan will pertain. This plan also affects the ten acres of commercial property on Bristol Street between the Corona del Mar and Costa Mesa Freeway. The parcels on the easterly side of the street have a Land Use designation of General Commercial and are zoned C1. The westerly side of the street is designated as Low Density Residential and zoned CL.

The area contains predominantly a mix of office and retail uses (Map 2). The development existing as of January 1982 was primarily one and two story with the exception of the Holiday Inn at 3131 Bristol Street (five stories, 48 ft.) and three buildings approved in the Creekside office condominiums at 2900 Bristol Street (three-story, 42 ft.). All of the existing development, with the above exceptions, remained within the limits of two stories, 30 ft.

As of January, 1982, a considerable portion of the area remained vacant, 30.7 acres. An additional 20.4 acres was underdeveloped, or occupied by vacated buildings. Thus, a majority of the Specific Plan area, 57 percent, was underutilized, and could be considered desirable for new development. The area has experienced much recent development and interest in development, the majority of this being office. Of the underutilized property, new office development has been approved on seven acres, although not yet constructed. The majority of such properties are located on the west side of Bristol Street between the Corona del Mar and Costa Mesa Freeways.

Interest in high-rise development in the area has also increased. Applications have been made for such development on the properties nearest the San Diego Freeway on Bristol Street. Four high-rise proposals were submitted in 1980-81 for the property at 3150 Bristol Street. Originally proposed was a 14-story office tower, which was withdrawn. Seven- and nine-story buildings were then proposed; this proposal was modified to a five- and seven-story, which was denied. Two six-story buildings were then proposed, and denied. The Holiday Inn at 3131 Bristol Street had proposed a 12-story expansion, which was denied by the Planning Commission and withdrawn when before the City Council. When the proposals on both of the above properties were being considered, it was recognized that approval of high-rise could be a precedent, setting the scale for future development proposals on Bristol Street.

Unlike South Coast Town Center, north of the San Diego Freeway, this segment of Bristol Street had not been originally planned for intense high-rise development. The Town Center area is a planned concentration of high-rise development. Bristol Street south of the 405 Freeway is a linear commercial

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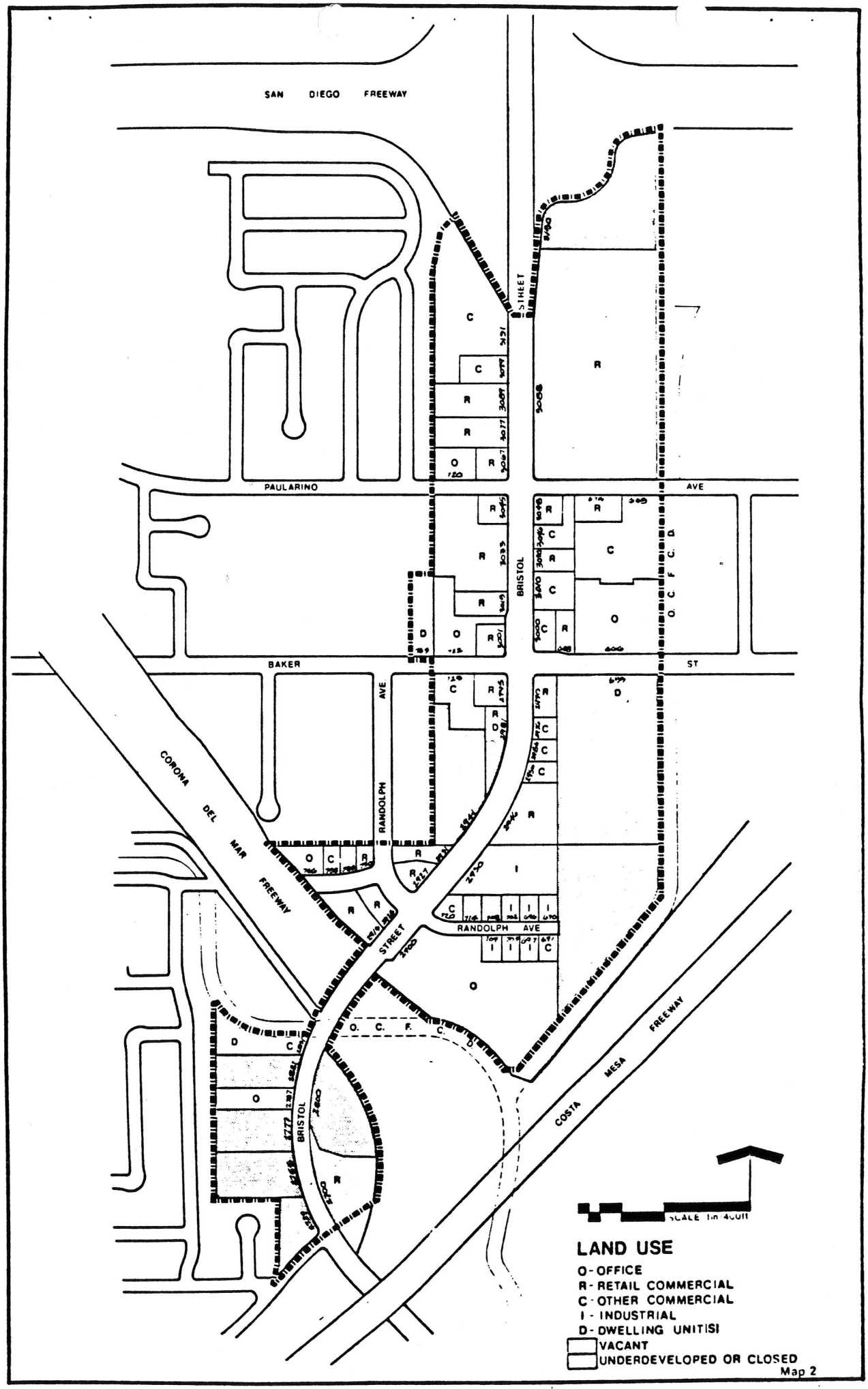
SAN DIEGO FREEWAY
PAULARINO
AVE
BRISTOL
STREET
BAKER
ST
O. C. F. C. D.
CORONA DEL MAR FREEWAY
RANDOLPH AVE
COSTA MESA FREEWAY
SCALE 1in 400ft
LAND USE
O-OFFICE
R-RETAIL COMMERCIAL
C-OTHER COMMERCIAL
I-INDUSTRIAL
D-DWELLING UNITIS)
VACANT
UNDERDEVELOPED OR CLOSED

Map 2

corridor, which adjoins sensitive residential uses in some areas. The past subdivisions, which have occurred in the area, have resulted in many parcels which are of inappropriate size and have inadequate access for intense commercial development.

Bristol Street is designated as a Major Highway by the Master Plan of Highways. A Major Highway is 120 ft. in width with three lanes in each direction and a median, although full right-of-way or improvements have not been attained for several segments of Bristol Street within the area. Crossing Bristol Street are Baker Street and Paularino Avenue. Baker Street is designated as a Primary Highway, which when improved to full Master Plan of Highway specifications, will have a 106-ft. wide right-of-way with three lanes in each direction, although it is currently deficient in sections. Paularino is a Secondary Highway (84 ft. wide, four lanes) to the east of Bristol Street. For a short distance to the west of Bristol, Paularino Avenue is a Commuter Highway (60 ft. wide, 2 lanes). Paularino Avenue has minor right-of-way deficiencies in the area. The segment of Randolph Avenue between Bristol and Baker Streets is designated as a Secondary Highway. This segment of Randolph Avenue provides an alternative route for some traffic which would otherwise pass through the Bristol/Baker intersection.

Full access to and from the San Diego Freeway is possible at the Bristol Street crossing. Although Bristol Street underpasses the Corona del Mar and Costa Mesa Freeways, there are no ramps at either crossing.

B. MAJOR ISSUES/CONCERNS

There are several issues which arise when high-rise intense commercial development is considered. The majority of these relate to the effects of building height and traffic generation. Although the greater building square footage enabled by greater height relates to traffic generation, these two concerns can be treated separately.

1. Building Height

Shade/shadow impacts on sensitive land uses have been discussed in Environmental Impact Reports prepared for high-rise proposals in the area. One of the findings used in denying certain high-rise proposals has been that the project would deprive surrounding properties of adequate light and air. Depending on building location, height, and time of year, high-rise development can overshadow recreational open space of adjacent residential areas, reducing the function of such areas. The extent of shadowing is greater during the winter months when the northern hemisphere is tilted away from the sun.

The shadows cast by tall structures can impair solar energy access. Environmental Impact Reports prepared for previous applications indicate the primary collection time of solar collector panels is between 9 a.m. and 3 p.m. While solar tracking equipment can maximize collection and extend the primary collection time, the expense of such

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sophisticated equipment reduces the likelihood of it being used commonly. Future installations of solar equipment in the vicinity are likely to be stationary units. Solar energy collection potential for adjoining residential properties can be maintained by providing adequate building setbacks and/or height limits to avoid shadowing during the primary collection hours.

A frequent complaint from residents near a high-rise site is infringement upon privacy. Protection of privacy is a valid concern, yet what constitutes adequate protection depends largely on individual perceptions. Recognized methods of protecting privacy include building setbacks, height limits, limiting windows, and landscaped buffers, although the extent to which these methods should be employed is not as precisely determinable as the methods to mitigate other concerns.

Compatibility of scale is often a concern with high-rise development, especially when proposed in predominantly low-rise areas. Although this compatibility is largely influenced by individual perspectives, there are certain aspects of scale which can be generally agreed upon. A structure which may be compatible in Town Center could be considered out of scale within the Plan area. Assuming that all other concerns relating to building height are satisfied, it may be desirable to establish a maximum limit in order to provide some uniformity within the district, and a balance between building heights on both sides of Bristol Street.

The Specific Plan area is within 10,000 feet of the John Wayne, Orange County Airport runway. The area would thus be under the 150-foot horizontal surface as described in Section 77.25(2) of the Federal Aviation Regulations. The airport elevation is 53.68 feet above mean sea level, resulting in the horizontal surface being at 203.68 feet above mean sea level. The Specific Plan area is mostly 35 to 40 feet in elevation, meaning that structures would have to remain below 164-169 feet in height to avoid being defined as an "obstruction to air navigation" by the Federal Aviation Administration. The FAA does not have the authority to prohibit such construction, but will issue a notice of hazard to air navigation for structures which do not comply.

2. Traffic Generation

Past environmental impact studies conducted for proposed projects in the area have indicated significant traffic congestion would result from certain types of development. Congestion is particularly aggravated by office development because of its peak hour traffic generation characteristics. Other uses, such as hotels, have been found to have more even traffic distribution throughout the day or peak times which are different than the peak volume hours of the circulation system.

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Although improvements can be made to the circulation system to increase its capacity, even the most extensive and sophisticated system could be forced beyond its capacity by unlimited development. The present two-story height maximum serves as a form of limit, since the amount of floor area and resulting traffic generation are limited. Allowing additional height can also make possible a higher ratio of floor area to ground area, and resulting traffic beyond that anticipated when the roadway system was designed.

A more direct method of controlling traffic generation than through building height is by establishing maximum floor area ratios. This is the ratio of floor area to ground area. For instance, a 4,000 sq. ft. building on a 10,000 sq. ft. lot would have a ratio of .40. Establishing a maximum ratio for an area would control traffic generation. Higher ratios could be allowed for properties which, because of their situation and access, would not cause as severe a traffic impact from the additional generation.

Table 1 compares several existing, approved, or recently applied for, office buildings in the City and their floor area ratios. This table provides reference points as to what type of development could result under different ratios. A two-story office building meeting all setback, landscaping, and parking requirements, and with surface level parking, can usually result in a maximum ratio of between .4 and .5. With subterranean parking or three stories, intensities of between .5 and .7 are possible. Beyond this intensity, developments can be characterized by such features as multi-stories, subterranean parking, and parking structures.

Significant traffic generators can affect the circulation system even at areas far beyond the project itself. Providing roadway improvements adjacent to or within the project itself does not alleviate the impacts of project traffic on remote street segments and intersections. Recognition of this fact led to the Central Orange County Circulation Study (CENTROCCS). This study identified several roadway deficiencies within the Sunflower-Main corridor area. Major project developers in the area then participated in the funding of these improvements. A similar arrangement could be made for improvements necessary from development in the Specific Plan area.

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TABLE 1. FLOOR AREA RATIO ILLUSTRATION

Location	Floor Area Ratio	Notes
3151 Airway Avenue Executive Guild	.30	Predominantly single-story
2787 Bristol Street	.33	Two-story
3158 Red Hill Avenue	.38	Two-story
2900 Bristol Street Creekside	.45	Two- and three-story office condominiums
2755 Bristol Street (1)	.48	Tuck under parking
720 Paularino Avenue	.49	Two-story
2777 Bristol Street (1) Livingston Plaza	.56	Subterranean parking
400 West 19th Street Pacific Federal	.61	Three-story
2729 Bristol Street (1)	.68	Extensive subterranean parking
485 East 17th Street	1.22	Six-story with subterranean parking
3150 Bristol Street (2) Bristol Plaza	1.25	Six-story with parking structure
Town Center when built out	1.27	Intense development with large open space easement

(1) Approved, not yet constructed.
(2) Denied.

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IV. PLAN ELEMENTS

A. GENERAL PLAN

The majority of the Specific Plan area is presently designated for General Commercial uses by the Land Use Element. This Plan calls for a General Plan Amendment of the area within the Specific Plan limits to the west of Bristol Street between the Corona del Mar and Costa Mesa Freeways from Low Density Residential to General Commercial. Although the existing CL zoning and Low Density Residential designation are consistent with each other, a General Commercial designation would be more appropriate considering the location, existing subdivision arrangements, and the number of recently approved or constructed office buildings in this area.

Properties located at 655 and 736 Baker Street currently have a General Plan designation of High Density Residential and are zoned R2. This Specific Plan is intended to apply only to commercial properties. The limits of the Plan area have included the above properties so that in the event their land use designation is ever amended to a commercial classification, they will be subject to the Specific Plan.

This Specific Plan also specifies one amendment to the Master Plan of Highways. This is for the indication of a right-turn lane on northbound Bristol Street at Baker Street. This would accommodate one of the recommended area-wide circulation system improvements presented in a later section of this Plan.

B. CIRCULATION SYSTEM

In order to determine the extent of circulation system improvements appropriate, four different development scenarios were examined. These are presented as options, since the maximum intensity of development to be allowed in the area will determine the volume of traffic which must be accommodated. Each Option is based upon a different floor area ratio, starting with .50, which reflects conventional development meeting current parking, landscaping, and height regulations, with surface level parking. Options III and IV present floor area ratios of 1.0 and 1.2, which represent much higher levels of development, typified by multi-story buildings and parking subterranean or in structures. The maximum potential square footage, traffic generation and employment are expressed in the following Table 2.

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TABLE 2. DEVELOPMENT INTENSITY OPTIONS

	Existing	Option I	Option II	Option III	Option IV
Max. floor area ratio	-	.50	.70	1.00	1.20
Building square footage	700,252	1,942,159	2,719,021	3,884,315	4,661,179
Traffic Generation					
Daily Trips		38,843	54,380	46,612	55,934
am peak/pm peak		5,050/4,661	7,069/6,526	8,934/8,545	10,721/10,255
Employment	2,802	7,769	10,876	15,537	18,645

The above figures for each Option present a worst case scenario. They assume that all the properties in the area would qualify for and be built at the maximum floor area ratio. It is further assumed that the entire area would be used as office, with primary traffic generation during peak hours. In reality, not all properties will be developed to the maximum, nor will all be used as office.

The most congested intersection in the Specific Plan area is Bristol/Baker. The effect of the worst case traffic generation on this intersection has been calculated for each option. Also calculated have been the daily traffic volumes on Bristol and Baker Streets as indicted in Table 3.

TABLE 3. TRAFFIC VOLUMES, INTERSECTION IMPACT

	Daily Volume on Bristol (Hwy. 405 to 73)	Daily Volume on Bristol (Hwy. 73 to 55)	Daily Volume on Baker	Bristol/Baker Intersection Capacity Utilization
Existing	45,000	30,000	16,000	0.73
Option I	50,000	40,000	24,000	0.87
Option II	55,000	50,000	28,000	0.95
Option III	60,000	60,000	32,000	1.05
Option IV	65,000	65,000	35,000	1.13

Again, actually resulting volumes and intersection capacity utilization levels will most likely be less than the above projections. With this knowledge, the City's Transportation Services Division would recommend area-wide development at no higher than the intensity of Option III, which would result in overall development to a maximum floor area ratio of 1.00.

The recommended circulation system improvements for the projected levels of development have been identified (Table 4). Many of these improvements are recommended even under the low intensity Option I. These are largely existing circulation deficiencies which will be aggravated by further development. Additional improvements are associated with the more intense Options, under which more significant alterations to the roadway system would become necessary.

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TABLE 4. CIRCULATION SYSTEM IMPROVEMENTS

Option I

- Signal modification at the following intersections:
  - Bristol/Paularino
  - Hwy. 55/Baker
  - Hwy. 55/Paularino
- New signals at the following intersections:
  - Baker/Randolph
  - Bristol/Randolph
  - Paularino/Luddington
  - Hwy. 73/Bear
- Improve undeveloped frontage on Bristol and Baker
- Install right-turn lane on northbound Bristol at Baker
- Install bus bays and furniture as needed

Option II

- Convert Hwy. 55 frontage road between Arlington and Bristol to two-way
- Signal modification at Bristol/Hwy. 55 frontage road
- Bristol improvements to Red Hill
- Left-turn protection for northbound Bristol to southbound 405 turning movement (signalization)
- Install median on Baker Street
- Install median on Bristol Street

Option III

- Widen southbound 405 onramp from Bristol
- Widen south side of Baker at Bristol

Option IV

- Improve Baker to Fairview
- Widen Paularino to four lane between Bristol and Bear (secondary highway)

Alternative financing methods to construct the above improvements have been considered. One method would be to charge all new development in the area a fee based on square footage. The method recommended by the Transportation Services Division is to charge a fee only of new development exceeding a floor area ratio of .50. The logic being that development exceeding this level will generate traffic beyond that anticipated for the roadway system. This method would implement General Plan policy 188, referenced at the beginning of this plan.

In addition to paying a fee, it is recommended that properties possess certain access characteristics to qualify for higher intensity development. A higher level of development may be acceptable on one property but not on another, because of differences in location, street frontage, and accessibility. The types of features which would enable intense development of a property to be more acceptable from a traffic impact perspective include the following: signalized access onto Bristol Street, access onto Bristol Street at a location which facilitates convenient freeway access, and access onto Bristol and another street. It is difficult to state conclusively, however, a set of access criteria which, if met, would qualify a property for higher intensity. This is because there are several variables which require that each site be evaluated individually.

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C. BUILDING HEIGHT

The existing limit on height in the C1 and C2 zones is two stories with a maximum of 30 ft. Where a commercial property adjoins residentially zoned property, all structures must be setback a minimum of twice their own height from the residential. The two-story, 30-ft. limit can be exceeded when approved by a Conditional Use Permit. Three additional Options have been prepared for consideration. Each relates to different ratios of height to setback from residential property. Each Option is briefly described below and illustrated in Figure 1.

Option I - retains the existing two-story, 30-ft. limit, and requires a 2 x height setback from residential.

Option II - maintains the present 2 x height setback for the first 60 ft. from residential, with a 4 x height setback thereafter.

Option III - maintains the present 2 x height setback for the first 60 ft. from residential, with a 3 x height setback thereafter.

Option IV - requires a 2 x height setback from residential

With the exception of Option I, the above Options specify a maximum height based only upon distance from residential. There still appears to be a need to establish a scale for the area and limit height for properties which are not near residential. In order to establish a rationale for a maximum height throughout the area, the maximum height which could result under each Option for properties adjoining residential was examined. Property on the west side of Bristol Street was selected, since these parcels are generally shallower than those to the east, and would thus be more restrictive as to height potential. Based on the approximate 330 ft. lot depth, the greatest height possible was determined by two alternative methods. The first, Alternative A, is the maximum height possible at the furthest portion of the property from residential. The second, Alternative B, is the height at which the height limit plane crosses the mid point of the property. These figures have been rounded to the nearest multiple of five and are presented in the following table and in Figure 1.

TABLE 5. MAXIMUM BUILDING HEIGHT

	Setback/Height Ratio	Alternative A	Alternative B
Option I	30 ft. max.	30 ft.	30 ft.
Option II	4:1	90 ft.	55 ft.
Option III	3:1	110 ft.	65 ft.
Option IV	2:1	150 ft.	85 ft.

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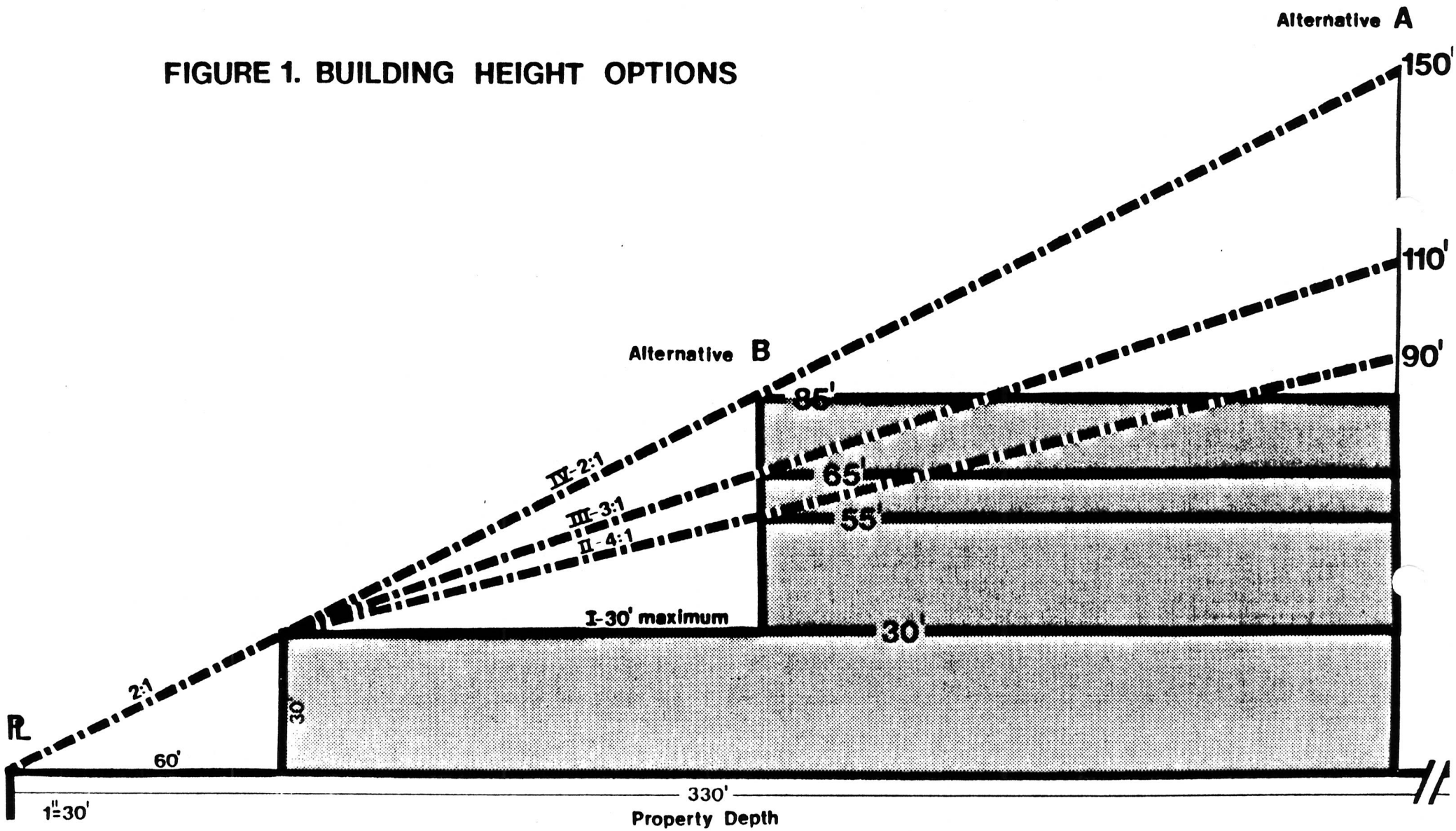
FIGURE 1. BUILDING HEIGHT OPTIONS



Although there could be several methods available to specify a maximum height, these two alternatives are offered as a means to not only establish a ceiling, but also to provide a maximum that properties on both sides of Bristol Street can attain. Without such a limit, the deeper parcels on the eastside of the street could be developed with much taller buildings, creating a potential imbalance of scale between the two sides of the street.

Shown on Maps 3 and 4 are the extent of shadow impacts for both the summer and winter solstices under each Option. These depictions assume the maximum heights allowed under Alternative B. Although not shown, the shadows resulting under Alternative A would be the same or similar under Options I and II. Option III would result in approximately 25 ft. of additional shadow extent in the summer and 50 ft. in the winter. Option IV, with this alternative, would cause an additional 130 ft. of shadow in the summer and 175 ft. in the winter.

The summer AM shadows are not as significant as at other times or seasons, because of their early hours of impact. The summer PM shadows are of greater concern, particularly under Options III and IV. The 6 PM shadow under Option IV, Alternative A, would extend over swimming pool and recreational areas in the Brookview condominiums. The summer PM shadows could make such recreation areas less usable.

With the shorter winter days and longer shadows, shade impacts would occur at more significant times of day. Under Options I, II, and III, Alternative B, 38 single-family residences would be affected by 8 AM shadows. Twelve apartment units and the easterly portion of the Pentridge Cove condominiums would also be affected. Option IV could result in shadow impacts at this hour on 67 single-family homes and a greater portion of the multi-family area between Baker and Paularino. Alternative A, under Options III or IV, would result in greater area of AM shadow impact. Sixty-three and 99 single-family residences would be affected, respectively. Substantially more of the Pentridge Cove condominiums would be shaded.

Interference with solar engergy access could occur under Option IV during winter months. Shadows could be cast upon adjoining residential parcels during the 9 am to 3 pm primary collection time.

Based upon the impacts which could result under each Option, Staff recommends approval of either Option II or III. Although Option I would provide the greatest protection for adjoining sensitive uses, protection can also be achieved through adequate separation and height limits. As discussed in preceding paragraphs, the Option IV potential building heights could significantly affect adjacent uses.

B. INTENSITY/HEIGHT CRITERIA

In order to qualify for the greater building height and intensity made possible under this Specific Plan, development must meet certain additional standards. It is hoped that the incentives offered by the Specific Plan will encourage the combination of parcels, improved site access, fewer driveways onto Bristol Street, and the construction of area roadway improvements.

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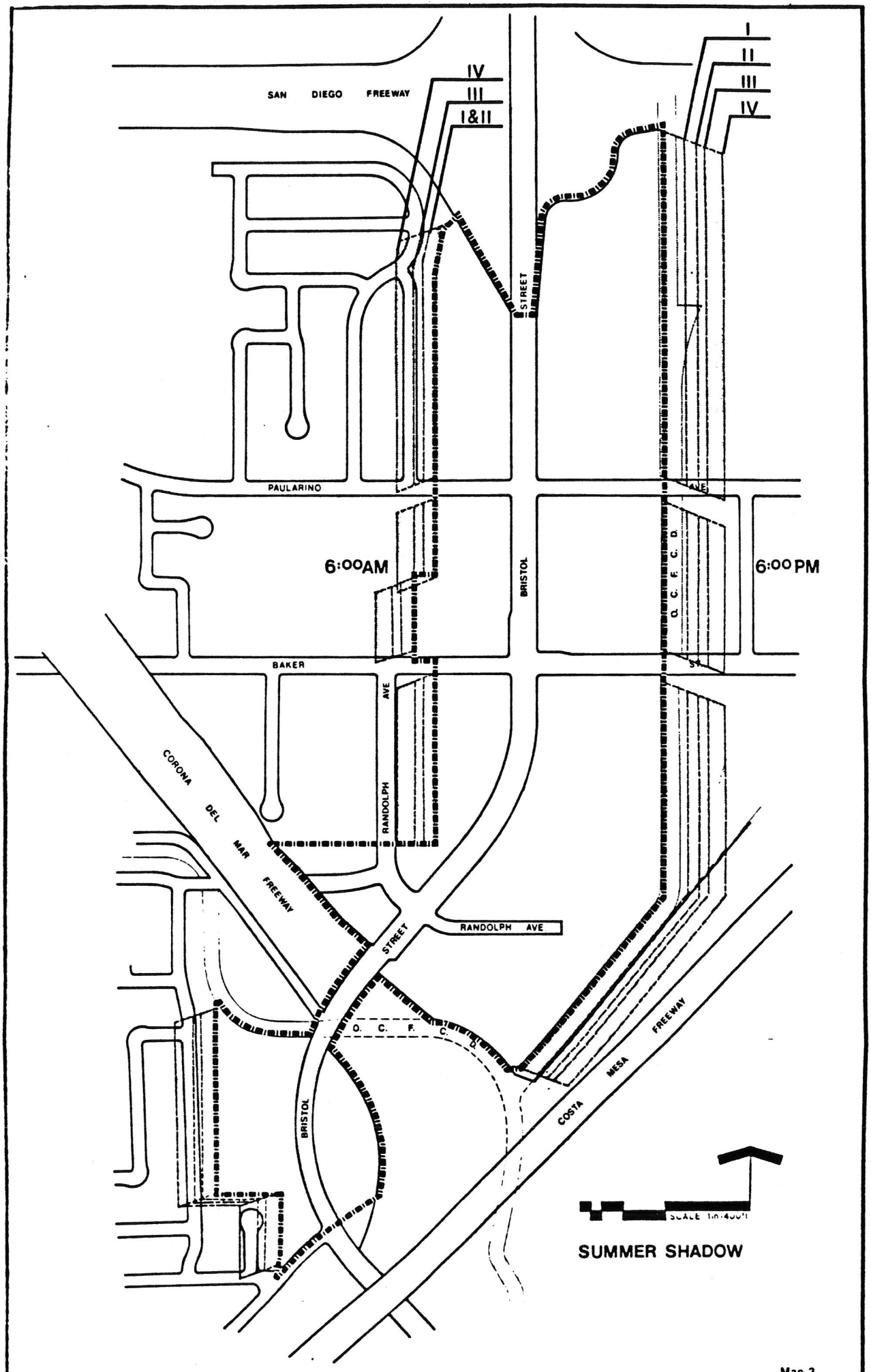
SAN DIEGO FREEWAY
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III
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IV
STREET
PAULARINO
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BRISTOL
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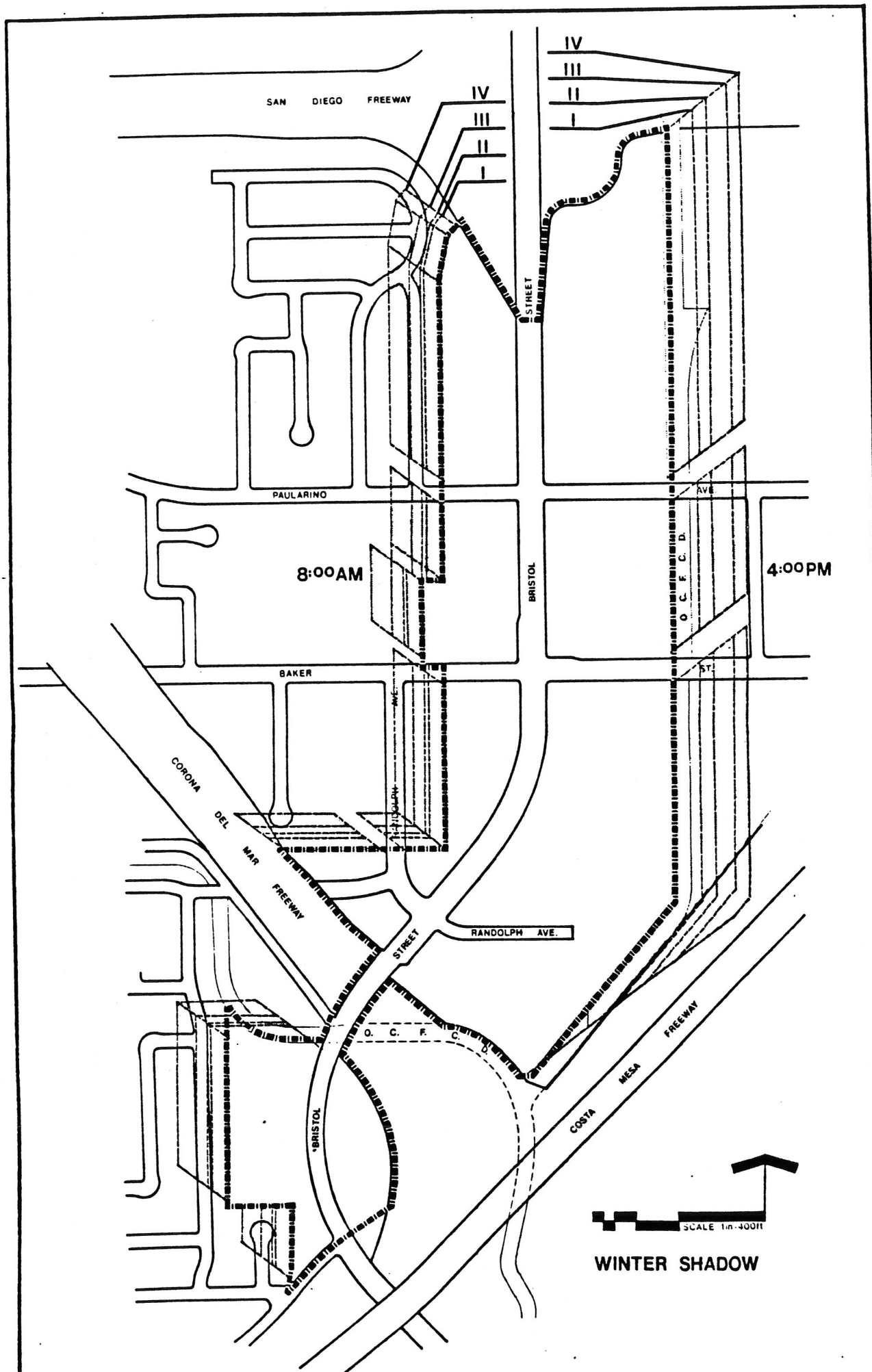
6:00PM
BAKER
ST
AVE
CORONA DEL MAR FREEWAY
RANDOLPH
RANDOLPH AVE
STREET
O. C. F. C. D.
BRISTOL
COSTA MESA FREEWAY
SCALE 1in.=400ft
SUMMER SHADOW

Map 3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CORONA DEL MAR FREEWAY
RANDOLPH AVE.
STREET
O. C. F. C. D.
BRISTOL
COSTA MESA FREEWAY
SCALE 1in.=400ft
WINTER SHADOW

All properties affected by this Plan are subject to all standards and requirements of the underlying zoning classification, and are limited to a maximum floor area ratio of .50. The procedure to qualify for higher intensity and height, and guidelines for consideration of such proposals are as follows:

1. Planned Development Commercial

To obtain the highest intensity offered under this Plan, the subject site must obtain Planned Development Commercial zoning (PDC). The rezoning application and development plan shall be processed concurrently. To qualify for PDC zoning, a property must possess the following characteristics:

- Minimum size of five acres.
- Frontage on, or access acceptable to the Public Services Director onto, Bristol Street.
- Signalized access onto Bristol Street, or access onto Bristol Street and an intersecting street, if such dual access is acceptable to the Public Services Director.

Properties obtaining PDC zoning are allowed a maximum floor area ratio of 1.00. Height shall be evaluated for its consistency with the Option and Alternative selected in Section IV.C. of this Plan. If such property adjoins or is proximate to residentially zoned property, a minimum 10-ft. wide planter landscaped with trees shall be installed between the commercial and residential properties under the direction of the Planning Division. Participation in the area-wide Circulation System Improvement Plan is required; all fees must be paid at the time of building permit issuance.

2. Conditional Use Permit

Proposed development which exceeds the maximum height specified by the underlying zoning district requirements and/or a floor area ratio of .50 shall be processed as a Conditional Use Permit. To qualify for Conditional Use Permit approval, a property must possess the following characteristics:

- Minimum size of two acres.
- Frontage on, or access acceptable to the Public Services Director onto, Bristol Street.

Properties obtaining said Conditional Use Permit are allowed a maximum floor area ratio of .70. Height shall be evaluated for its consistency with the Option and Alternative selected in Section IV.C. of this Plan. A landscaped buffer and participation in the Circulation System Improvement Plan shall be required as discussed in the above PDC procedure.

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3. Exceptions

Certain uses possess traffic generation characteristics which would not significantly impact the circulation system. When an analysis of project traffic verifies that the resulting traffic of a proposed use will be of minimal impact, the subject property may be developed with a floor area ratio exceeding that for which it would otherwise qualify. Sufficient assurance must be provided that the development cannot later be converted to a use with significantly more adverse traffic generation characteristics. Such proposals may be considered under the Conditional Use Permit procedure.

V. SPECIFIC PLAN IMPLEMENTATION

A. IMPLEMENTATION PROCEDURE

1. The City shall initiate a General Plan Amendment to amend the Land Use designation of the CL zoned parcels on the west side of Bristol Street between the 73 and 55 Freeways from Low Density Residential to Neighborhood Commercial.

2. The City shall initiate an amendment to the Master Plan of Highways to include a right-turn lane on northbound Bristol Street at Baker Street.

3. The Public Services Department shall prepare an areawide Circulation System Improvement Plan to be returned to the City Council for approval. This Plan shall identify improvements to be made, their estimated cost, and the method of assessment.

4. Proposed development will be processed under conventional procedures (Development Review, Conditional Use Permit). The Planning Staff shall review the proposed project plans to determine compliance with the Specific Plan and zoning requirements.

5. For properties which meet the minimum qualifications for Planned Development Commercial zoning, the rezoning and development plan shall be processed concurrently. Prior to the meeting of the Planning Commission, the Public Services Director shall report as to the acceptability of the proposed site access, and its compliance with the circulation components of the Specific Plan. The Development Services Director shall report as to the compliance with other sections of the Specific Plan. The City Council has ultimate approval power over the PDC application.

6. Properties which meet the minimum qualifications for additional intensity and height, but do not qualify for PDC zoning, shall have proposed development considered through the Conditional Use Permit procedure. Prior to the Planning Commission meeting, the Public Services Director shall report as to the acceptability of the proposed site access, and its compliance with the circulation components of the Specific Plan. The Development Services Director shall report as to the compliance with other sections of the Specific Plan.

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7. Properties which do not qualify for greater intensity under the Specific Plan may apply for an exception by Conditional Use Permit. A traffic study may be required to determine if the specific use will generate a significant adverse traffic impact.

8. Any required fees, as per the Circulation System Improvement Plan, shall be paid at the time of building permit issuance.

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RESOLUTION NO. 82-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING SPECIFIC PLAN SP-82-01 FOR PROPERTY LOCATED ALONG BRISTOL STREET BETWEEN THE SAN DIEGO AND CORONA DEL MAR FREEWAYS.

WHEREAS, there has been presented to the Costa Mesa City Council a certain Specific Plan for property located along Bristol Street between the San Diego and Corona del Mar Freeways; and

WHEREAS, the Costa Mesa Planning Commission has recommended the adoption of said Specific Plan by Resolution PC-82-05, adopted March 8, 1982; and

WHEREAS, a public hearing on the adoption of said Specific Plan has been duly held and conducted by the Costa Mesa City Council on May 3, 1982; and

WHEREAS, the City Council, after hearing all the evidence, deems it to be in the best interest of the City that said Specific Plan be approved, ratified, and adopted as amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Costa Mesa that said Specific Plan SP-82-01, as amended, for property located along Bristol Street between the San Diego and Corona del Mar Freeways as shown in "SP-82-01, Bristol Street Specific Plan, February 1982" on file in the City Clerk's Office, be, and is hereby approved, ratified, and adopted, as set forth in Exhibit "A" attached hereto and by this reference made a part thereof;

BE IT FURTHER RESOLVED, that the Negative Declaration prepared for said Specific Plan be, and is hereby adopted.

PASSED AND ADOPTED this 3rd day of May, 1982.

Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

City Clerk of the City of Costa Mesa

City Attorney

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

I, EILEEN P. PHINNEY, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Resolution No. 82-38 was duly and regularly passed and adopted by said City Council at a regular meeting thereof held on the 3rd day of May, 1982.

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this _____ day of _____, 1982.

City Clerk and ex-officio Clerk of the
City Council of the City of Costa Mesa

Exhibit "A"
Resolution 82-38

SP-82-01
BRISTOL STREET SPECIFIC PLAN
CITY COUNCIL ACTION

POLICY QUESTION	COUNCIL ACTION
1a	Limit Specific Plan boundaries to Bristol Street corridor between San Diego (405) and Corona del Mar (73) Freeways
1b	Direct Staff to initiate General Plan Amendment for parcels west of Bristol between Costa Mesa (55) and Corona del Mar (73) Freeways
2a	Continue to date uncertain. Incorporate into CENTROCCS study/discussion
2b	Establish maximum permitted floor area ratio (FAR) as follows: - .80 FAR north of Paularino, east of Bristol - .50 FAR north of Paularino, west of Bristol - No maximum south of Paularino
2c	Same as 2a
2d	Same as 2a
3a, 3b, 3c	Establish maximum permitted building heights and setback requirements as follows: A. North of Paularino, east of Bristol - 85' maximum building height - 150' setback from Brookview for all structures - Option III (3:1) setback plane starting at Brookview property line B. North of Paularino, west of Bristol - 50' maximum building height - setbacks to conform to Holiday Inn expansion (60' setback for buildings with Option III (3:1) setback plane) C. South of Paularino - 30' maximum building height - Setbacks to conform to existing Ordinance requirements (2:1)

up to
exceed
max

POLICY QUESTION	COUNCIL ACTION
4a	Establish criteria to qualify for Planned Development Commercial (PDC) zoning as follows: - Minimum lot size of four (4) acres - Signalized access onto Bristol Street or access from an intersecting street with a signalized intersection at Bristol Street
4b	Adopt Specific Plan Implementation Permit procedure and guidelines as proposed
4c	Adopt "Exception" provisions

SPECIFIC PLAN AMENDMENTS
SP-82-01A

I. INTRODUCTION/BACKGROUND

The Bristol Street Specific Plan (SP-82-01) was adopted by the City Council in May 1982, to guide future development along the Bristol Street commercial district between the San Diego and Corona del Mar Freeways (see Figure 1). The primary purpose of the Plan was to establish design guidelines to respond to increasing development pressures in the district and, at the same time, to limit development to an intensity and scale compatible with adjacent land uses and circulation system capacities. This purpose was achieved by the establishment of design parameters regarding building heights and setbacks and floor area ratios.

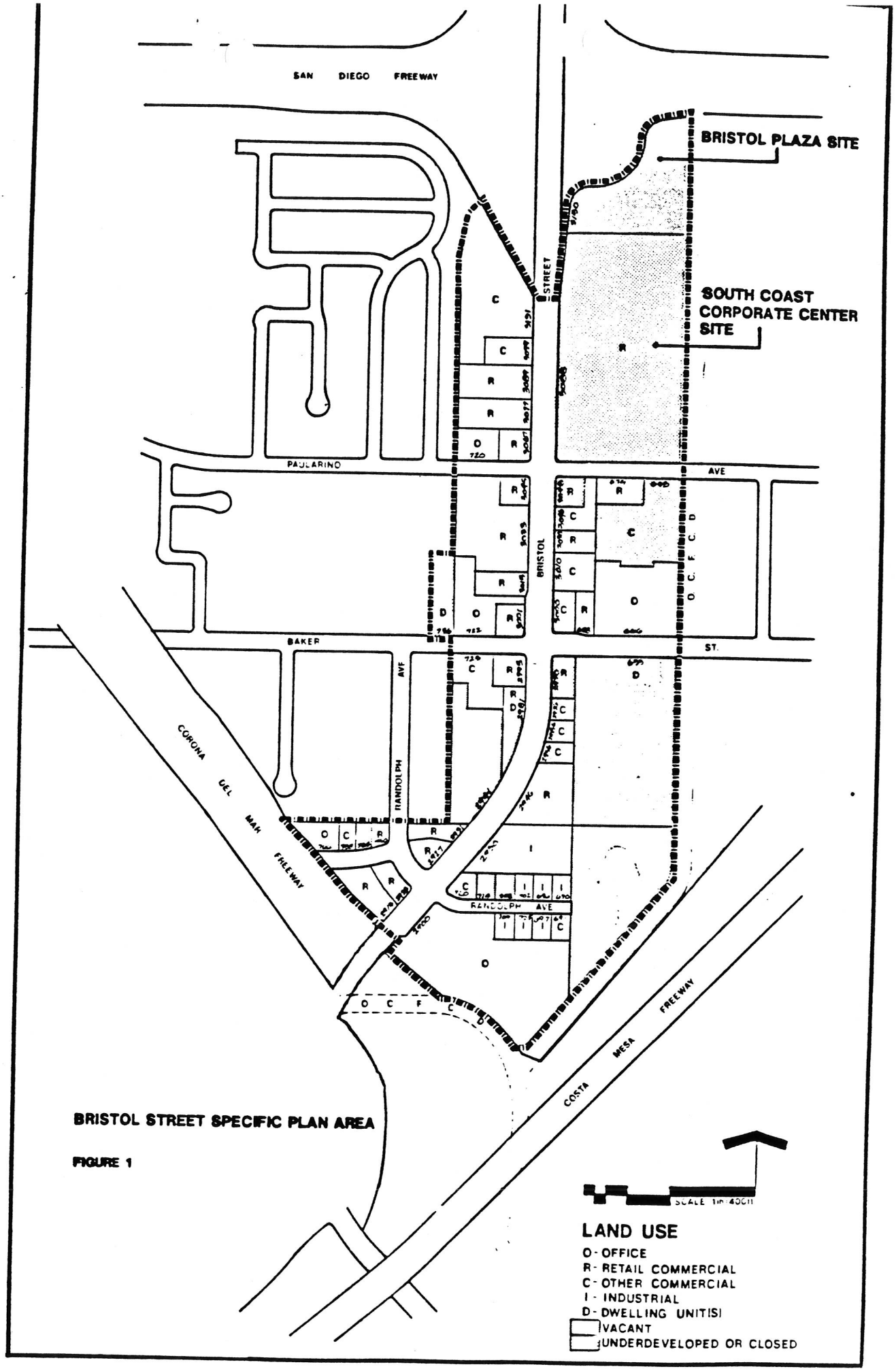
Since adoption of the Specific Plan, development proposals have been submitted for two key parcels located east of Bristol Street between the San Diego Freeway and Paularino Avenue. The first, Bristol Plaza, included two 5-story office buildings containing 146,700 square feet of office space. This proposal complied with all provisions of SP-82-01 and is scheduled for City Council consideration on September 7, 1982. The second, South Coast Corporate Center, proposes to develop a multi-use office/hotel complex on the 13.64-acre parcel now occupied by the vacant Montgomery Ward store. The latter project does not comply with the building height, setback, and floor area ratio provisions of SP-82-01. In order to proceed with the project as proposed, the prospective developer has requested the subject amendment to the Bristol Street Specific Plan.

Additional discussion of the provisions of the Specific Plan applicable to the South Coast Corporate Center project and of the requested amendments is provided in the following sections.

II. KEY FEATURES OF SP-82-01

In adopting SP-82-01, the City Council established different development standards for individual areas within the Plan boundaries to reflect the unique needs and constraints of each area. Listed below are those standards which apply to the two parcels east of Bristol Street, north of Paularino Avenue:

Maximum Building Height	-	85 feet
Required Setbacks (see Figure 2)	-	No building within 150 feet of the Brookview Condominiums
	-	Setback plane of 3:1 (including Code-required 2:1 setback for first 60 feet) beginning at the Brookview property line
Maximum Floor Area Ratio (FAR)	-	0.80 FAR

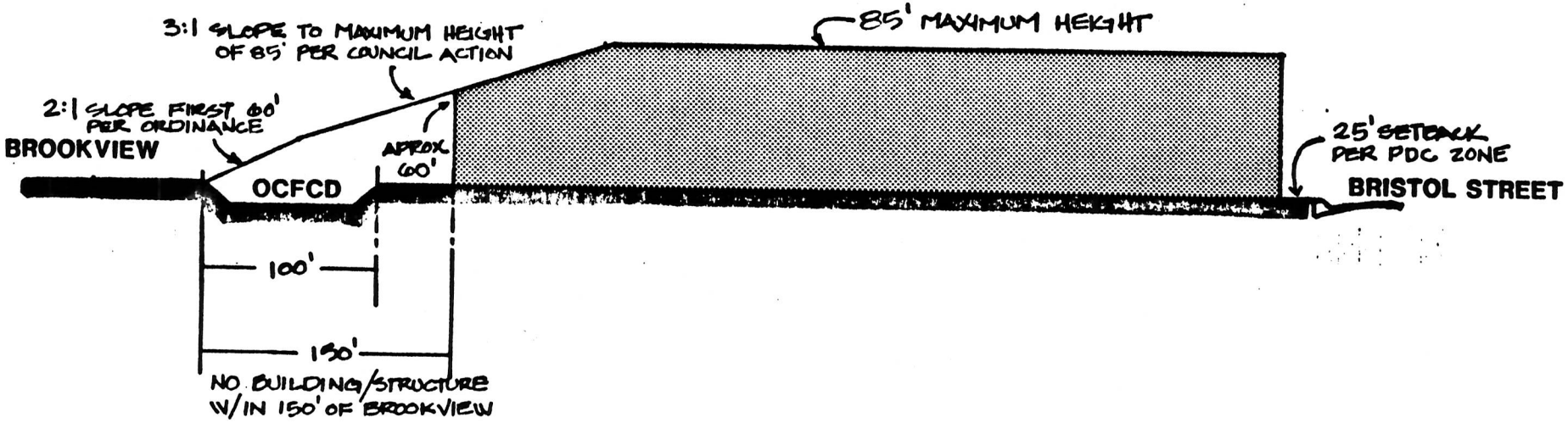


BRISTOL STREET SPECIFIC PLAN AREA

FIGURE 1

FIGURE 2: BUILDING HEIGHT & SETBACK PROVISIONS OF SP-82-01

(VIEW TO THE SOUTH)



In addition to these provisions, the City Council also adopted an "exceptions" provision which permits a higher floor area ratio for specific uses, or combination of uses, which can be shown to have equal or less significant traffic impacts than full office development at the established 0.80 FAR. Such exceptions must be supported by traffic studies and approved by the Planning Commission and City Council.

III. REQUESTED AMENDMENTS

As noted in Section I, the proposed South Coast Corporate Center does not comply with a majority of the design parameters of SP-82-01. In order to develop the project as proposed, the maximum building height would have to be raised from 85 feet to 124 feet, the setback plane would have to be deleted, or modified, and the maximum floor area ratio would have to be increased from 0.80 FAR to 0.90 FAR.

Each of the requested amendments is discussed and analyzed in the following sections.

A. Building Height. The development plans for the project include three 7-story office buildings and one 12-story hotel. The three office buildings comply with both the building height and setback requirements with the exception of the mechanical/elevator rooms which encroach into the height ceiling by approximately 14 feet (as a note, the mechanical/elevator rooms on the approved Bristol Plaza project were within the height requirement). However, these encroachments are minor when compared to the 12-story hotel which reaches 124 feet, 39 feet above the adopted height limit.

The building height issue was one of the most controversial aspects of the Bristol Street Specific Plan and the four previous Bristol Plaza projects. Major concerns related to the shade/shadow impact of multi-story buildings on adjacent residential properties and, the less tangible but equally significant effects on privacy, visual dominance, and view encroachment. Because of the orientation and length of the north-south wing of the hotel, this building will result in greater impacts on all of these concerns than all of the previous Bristol Plaza projects. Table 1 provides a comparison of the shade/shadow impacts at 4 p.m. in the winter for these projects.

As noted in Table 1, the proposed hotel impacts more than twice the area and number of units as any of the Bristol Plaza projects. The height of the hotel is also similar to buildings in ZE-80-111 and ZE-81-165, which were denied. The hotel wing is also approximately 40 feet closer to Brookview than the 122-foot high buildings in ZE-81-165.

B. Building Setback. The proposed South Coast Corporate Center complies with the setback prohibiting structures within 150 feet of the Brookview condominiums. However, the hotel does not comply with the adopted setback plane as illustrated in Figure 3. This illustration also shows that even with an increase in maximum building height to 124 feet; the hotel would still encroach into the 3:1 setback plane.

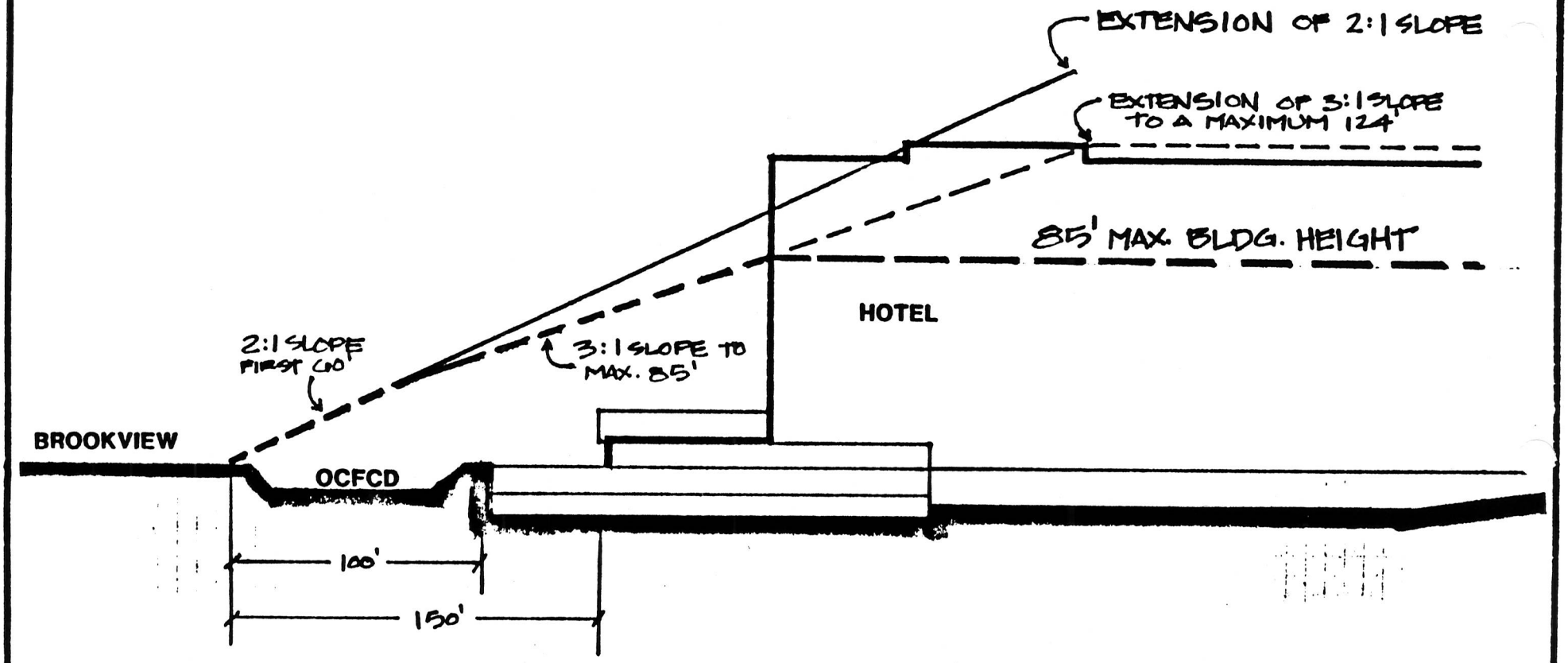
TABLE 1: BUILDING HEIGHT IMPACT COMPARISON

PROJECTS	STORIES	HEIGHT	4 PM WINTER SHADOW IMPACTS			
			AREA SHADED	% OF COMPLEX SHADED	UNITS SHADED	AMENITIES SHADED
Bristol Plaza						
ZE-80-10*	14	217'	16,625 sq. ft.	2.26%	6	None
ZE-80-111*	7 & 9	124' & 155'	48,135 sq. ft.	6.55%	6	None
ZE-81-165*	6 & 6	122'	54,025 sq. ft.	7.35%	18	None
ZE-82-117**	5 & 5	85'	13,570 sq. ft.	1.85%	6	None
South Coast Corporate Center	12	124'	139,725 sq. ft.	19.02%	44	Pool (partial)

* DENIED
** APPROVED

FIGURE 3: SETBACK COMPARISON

(VIEW TO THE SOUTH)



As noted on Figure 3, the proposed hotel also encroaches into the 2:1 setback plane required in all commercial zones except the PDC and TC zones. This setback ratio was the most liberal option contained in the draft Bristol Street Specific Plan. Because of these reasons, approval of the project as proposed would require deletion of the setback plane provisions. An amendment from the existing 3:1 plane to the 2:1 plane would allow the project to be built with minor alterations to the eastern-most projection of the hotel.

As an additional comparison to previous development proposals, all of the Bristol Plaza projects, even the original 14-story building, complied with the 2:1 setback plane. The current hotel proposal also fails to comply with the Modified Option III proposal submitted by the Brookview Homeowners' Association and the two developers of Bristol Plaza and South Coast Corporate Center (the Modified Option III did not reach its maximum height of 130 feet until approximately 200 feet into the Ward site; the hotel is located approximately 130 feet into the Ward site).

C. Floor Area Ratio. The Bristol Street Specific Plan limits development to maximum floor area ratios of 0.80 FAR, with exceptions for less traffic-intense uses. Application of this requirement to the 13.64-acre site translates into a maximum building intensity of 475,327 square feet of office space. The proposed project includes 797,000 square feet of total floor area (385,000 square feet of office and 412,000 square feet of hotel). Based on traffic information in the draft Environmental Impact Report for the project, this is comparable with an office floor area ratio of 0.90 FAR.

Three alternatives can be employed to bring the project into compliance with the Specific Plan. First, the 385,000 square feet of office area could be retained but the hotel would have to be reduced to 307 rooms. Second, the 500-room hotel could be retained but the office area would have to be reduced to 328,267 square feet. Third, as requested by the applicant, the maximum floor area ratio could be increased to 0.90 FAR. As the latter alternative is less than the maximum intensity suggested by Staff (1.00 FAR) in the draft Specific Plan, the requested amendment could be supported and recommended for approval. Additionally, the draft EIR for the project indicates that development at this intensity will not significantly impact surrounding streets and intersections if the proposed mitigation measures are incorporated in the project design.

IV. RECOMMENDATIONS

Based upon the information contained in this report and the draft EIR for the South Coast Corporate Center, Staff recommends:

1. Denial of the amendment to increase the maximum building height from 85 to 124 feet.

2. Denial of the amendment to modify or delete the existing setback plane of 3:1.

3. Approval of the amendment to increase the maximum floor area ratio from 0.80 FAR to 0.90 FAR.

Approval of the building height and setback amendments would permit development on the Ward site which creates more significant impacts on adjoining residential uses than any of the previous development proposals for the Bristol Plaza site. Development of the scale proposed would have more far-reaching impacts because of the relative sizes of the two sites (Bristol Plaza, 4.21 acres; Ward site, 13.64 acres). Also, because of its larger size and more conventional shape, the Ward site would seem to offer sufficient flexibility to design a project which does comply with these key provisions of the Plan.

Since the requested amendment to the maximum floor area ratio from 0.80 FAR to 0.90 FAR is within the limits suggested in the draft Specific Plan, this amendment can be supported by Staff. Also, information on the Draft EIR indicates that with the proposed mitigation measures, a project of this intensity will not have any significant adverse impacts on surrounding streets and intersections.

SPECIFIC PLAN AMENDMENTS
SP-82-01A (REVISED)

I. INTRODUCTION/BACKGROUND

In August 1982, an application to amend the Bristol Street Specific Plan (SP-82-01) was filed by the prospective developer of the property occupied by the now-vacant Montgomery Ward store at 3088 Bristol Street. The requested amendments were as follows:

1. Increase maximum building height from 85 to 124 feet

2. Modify or delete the required setback plane from the Brookview Condominiums to the east of the property

3. Increase maximum floor area ratio from 0.80 FAR to 0.90 FAR

These amendments were necessary to accommodate the 12-story, 500-room hotel; the three 7-story office buildings (375,000 sq. ft.); and the single-story restaurant (5,000 sq. ft.) and financial building (5,000 sq. ft.) proposed by the applicant.

On September 20, 1982, the Planning Commission recommended denial of the amendments to SP-82-01 and denial of the development plans as proposed by the applicant. Subsequent to this action, the applicant has revised the proposed plans to more closely conform to the provisions of the Bristol Street Specific Plan. The revisions and the subsequent amendments still required to SP-82-01 are discussed in the following section.

II. REVISED PROJECT AND AMENDMENTS

The most significant revision to the plan is the reduction in the height of the hotel to comply with the 85-foot height limit. Other modifications include a reduction in the number of hotel rooms (500 to 491 rooms), a refinement in the calculations for the office area (375,000 to 356,250 sq. ft.), an increase in the number of parking spaces (2,027 to 2,213 spaces), and several minor on-site circulation changes.

The project alterations have eliminated the need to modify or delete the amendment to the established setback plane from the Brookview Condominiums. While the bulk of the hotel and office buildings complies with the 85-foot height limit, the mechanical and elevator penthouses extend an additional 14 ft. above this limit. As this involves a minor portion of the building area, an interpretation as to whether such encroachments are acceptable must be made.

Although the intensity of the project, in terms of hotel rooms and office square footage, has been reduced, an amendment to the maximum floor area ratio is still required. The proposed 491 rooms and 356,250 sq. ft. of office/commercial development are equivalent to a floor area ratio of approximately 0.85 FAR of full-office development.

Further discussion of the building height interpretation and the floor area ratio is provided in the following sections.

A. Building Height. As noted in the Staff Report for SP-82-01A, the seven-story office buildings comply with the 85-foot height limit with the exception of the mechanical/elevator penthouses. The revised plans for the project retain this feature while proposing a similar treatment for the hotel. This situation raises the issue of how the maximum height limit in the Specific Plan should be interpreted.

The definition of building height in the Municipal Code is related to the highest point on the roof. Strict application of this definition would mean that the 14-ft. encroachment of the proposed penthouses would not be permitted. However, if the mechanical equipment was surrounded by an open screen, the encroachment would be permitted as there would be no roof over the equipment. Figures 1A and 1B illustrate this difference.

As noted in Figures 1A and 1B, the construction of a high-rise building with an open screen could provide an extra floor of office area over a similar building with an enclosed equipment penthouse. This difference has been a concern of Staff as the current Code provides a disincentive to developers to integrate the design of mechanical equipment rooms into the overall building design and provides an incentive to utilize an often less desirable equipment screen. The latter solution often appears to be "tacked on" or an afterthought to the overall building design.

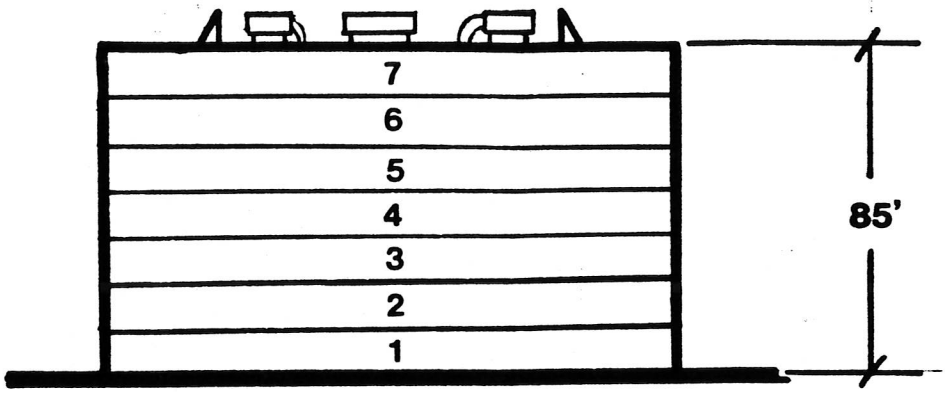
The applicant is proposing that the building height be measured to the top of the building, exclusive of the penthouse. This position would be consistent with approved variances to commercial building heights where equipment rooms, rather than screens, were incorporated into the general design theme of the building. As the mechanical rooms occupy a small portion of the total roof area and are setback from the face of the buildings, the shade/shadow and visual impacts of these penthouses would not be significant. Because of these facts, the proposed interpretation (as illustrated in Figure 1C) seems acceptable.

B. Floor Area Ratio. As noted earlier, the size of the hotel has been decreased from 500 to 491 rooms while the area of the office buildings has been recalculated to exclude elevator shafts and elevator equipment rooms. This latter revision was made to conform to the Municipal Code definition of gross floor area. Using the exception provisions contained in SP-82-01, the revised project equates to a full-office development with a floor area ratio of approximately 0.85 FAR (SP-82-01 allows a maximum floor area ratio of 0.80 FAR while the original submittal was comparable to a full-office development with a floor area ratio of 0.90 FAR).

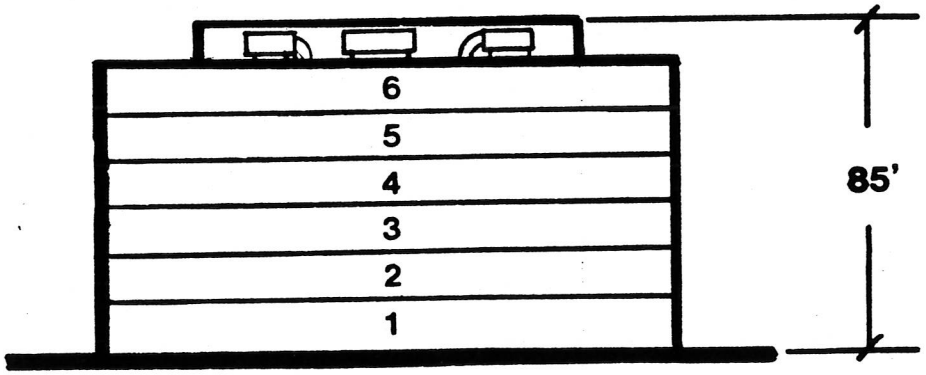
In order for the development to comply with the adopted floor area ratio, the hotel would have to be reduced to 320 rooms or the office/commercial area would have to be reduced to 330,915 sq. ft.

FIGURE 1: BUILDING HEIGHT INTERPRETATIONS

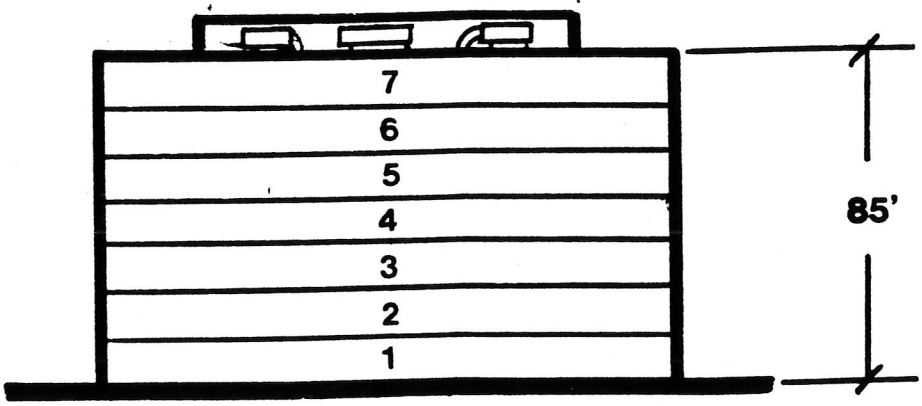
1A EXISTING CODE W/EQUIPMENT SCREEN



1B EXISTING CODE W/EQUIPMENT PENTHOUSE



1C PROPOSED SPECIFIC PLAN INTERPRETATION



As noted in the report for SP-82-01A, the traffic impacts of the original development plan are not anticipated to be significant if all of the suggested mitigation measures identified in the project EIR are implemented. Because of the revision to the plans and office area calculations, the impacts will be slightly less than identified in the draft EIR. Again, as no significant impacts are anticipated, the proposed amendment seems acceptable.

III. RECOMMENDATIONS

Based upon the information contained in this report, the draft EIR, and the revised plans for South Coast Corporate Center, Staff recommends:

1. Allow "building height" to be measured to the roof of the proposed buildings, exclusive of the mechanical/elevator penthouses.

2. Approval of the amendment to increase the maximum floor area from 0.80 FAR to 0.85 FAR.

Approval of the Staff recommendations will allow construction of the revised South Coast Corporate Center and will also allow modifications to the approved Bristol Plaza project to the north. The five-story Bristol Plaza project was approved based upon the more restrictive Code definition as illustrated in Figure 1B. The revised interpretation, coupled with the recommendation to increase the maximum floor area ratio, could permit an additional story and an additional 9,180 sq. ft. of office area to be added to the approved Bristol Plaza project.

RESOLUTION NO. 82-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING SPECIFIC PLAN SP-82-01A, WHICH AMENDS SPECIFIC PLAN SP-82-01.

WHEREAS, The City Council of the City of Costa Mesa adopted the Bristol Street Specific Plan, SP-82-01, for property located along Bristol Street between the San Diego and Corona del Mar Freeways on May 3, 1982, by the adoption of Resolution No. 82-38; and

WHEREAS, there has been presented to the Costa Mesa City Council certain amendments to the Bristol Street Specific Plan (Specific Plan SP-82-01A) for properties located north of Paularino Avenue and east of Bristol Street; and

WHEREAS, the Costa Mesa Planning Commission has recommended the adoption of said Specific Plan SP-82-01A; and

WHEREAS, a public hearing on the adoption of said Specific Plan has been duly held and conducted by the Costa Mesa City Council on November 15, 1982; and

WHEREAS, the City Council, after hearing all the evidence, deems it to be in the best interest of the City that said Specific Plan SP-82-01A be approved, ratified, and adopted as recommended by the Planning Commission as setforth below:

Specific Plan Amendments SP-82-01A

A. Amendment I: Building Height Interpretation

Mechanical penthouses which conform to the following guidelines shall be permitted to exceed the 85-foot height limit established for properties located east of Bristol Street, north of Paularino Avenue:

I. Mechanical penthouses shall not extend more than 15 feet above the roof of the building upon which it is located.

II. Mechanical penthouses shall not cover more than one-third of the total roof area of the building upon which it is located.

III. Mechanical penthouses shall not encroach into the adopted setback plane or the extension of the adopted setback plane to the height of the mechanical penthouse.

A. Amendment II: Floor Area Ratio

Increase the maximum permitted floor area ratio from 0.80 FAR to 0.85 FAR for properties located east of Bristol Street, north of Paularino Avenue.

PASSED AND ADOPTED this 15th day of November, 1982.

_____
Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

_____
City Clerk of the City of Costa Mesa

_____
City Attorney

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

I, EILEEN P. PHINNEY, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Resolution No. 82-80 was duly and regularly passed and adopted by said City Council at a regular meeting thereof held on the 1st day of November 1982.

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this_____day of_____1982.

_____
City Clerk and ex-officio Clerk of the
City Council of the City of Costa Mesa

APPROVED AS TO FORM:

_____
City Attorney of the
City of Costa Mesa

APPROVED AS TO CONTENT:

_____
Development Services Director

SP-84-01
SP-84-01A

East 17th Street
Specific Plan

R-84-09
R-84-10

adopted May 1984
(Resolution No. 84-67)

amended January 18, 1993
(Resolution No. 93-3)

I. INTRODUCTION

In response to concerns of residents in the area, the City Council has directed preparation of SP-84-01 for East 17th Street from Santa Ana Avenue to Irvine Avenue. The intent of the Specific Plan is to alleviate the problems generated by the proximity of the commercial and residential uses in the area.

II. AUTHORITY AND SCOPE

Section 65450 of the Government Code enables local governments to adopt Specific Plans for the systematic implementation of their General Plans. This Specific Plan pursues the attainment of various General Plan goals, and most directly relates to the following General Plan policies:

13. Require landscape plans for all public and private development to consider the retention and/or development of existing mature vegetation.

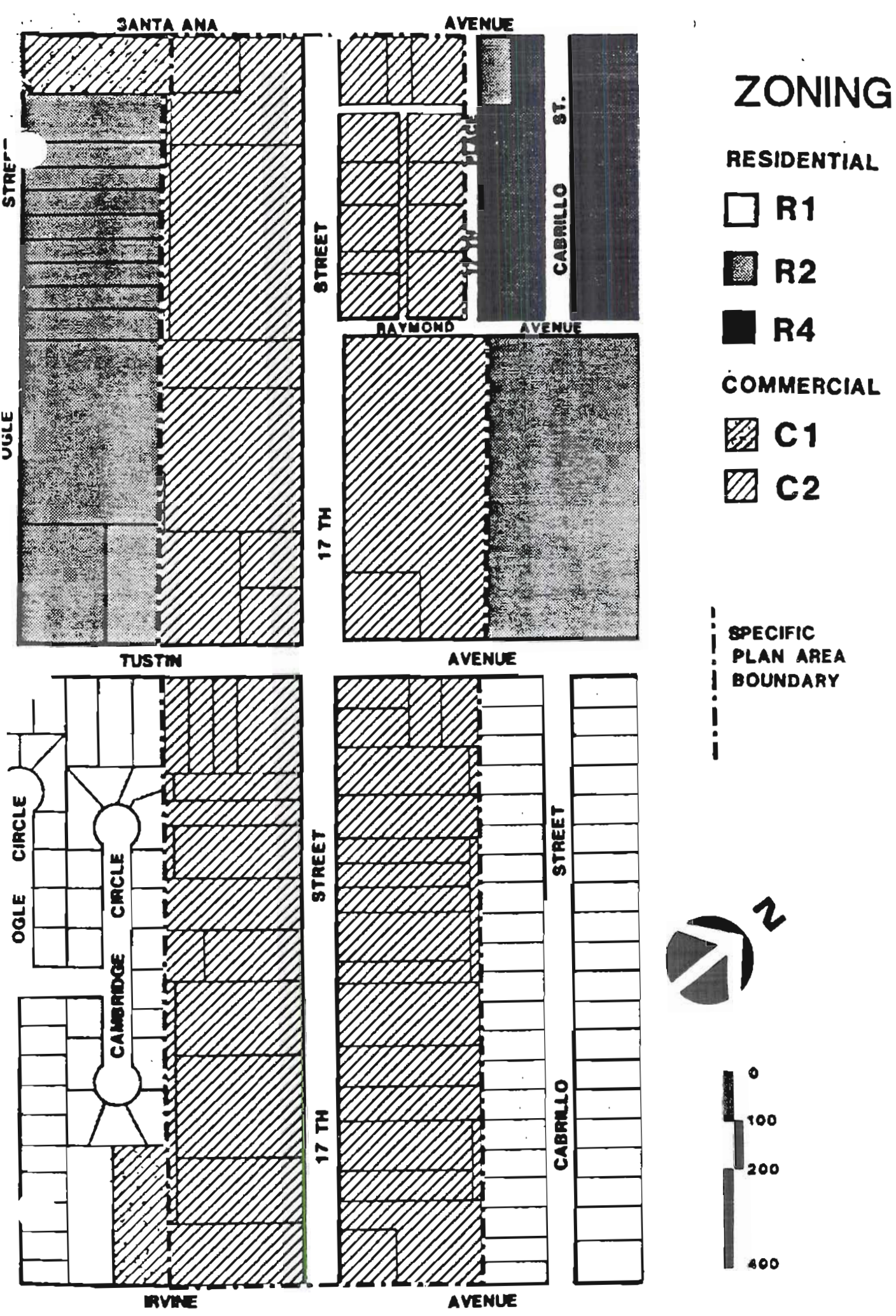
31. Consider effects of building height on adjacent parcels to ensure minimum interference with solar access in the vicinity of all new developments.

87. Develop appropriate mechanisms (development standards or zone exception procedures) to allow private construction of walls exceeding the 6-foot height limit for residential and other noise sensitive uses along or adjacent to major City streets.

111. Protect existing stabilized residential neighborhoods from the encroachment of incompatible or potentially disruptive land uses and/or activities.

227. Permit the construction of high-rise (over two stories or 30 feet) only when it can be shown that the construction of such structures will not adversely impact surrounding developments and deprive existing land uses of adequate light, air, and privacy.

232. Require building setbacks, structure orientation, and the placement of windows to consider the privacy of adjacent residential structures within the same project or adjacent existing residential structures.


SANTA ANA
AVENUE
STREET
STREET
CABRILLO ST.
RAYMOND
AVENUE
17 TH
TUSTIN
AVENUE
OGLE CIRCLE
CAMBRIDGE CIRCLE
STREET
STREET
17 TH
CABRILLO
IRVINE
AVENUE
ZONING
RESIDENTIAL
R1
R2
R4
COMMERCIAL
C1
C2
SPECIFIC PLAN AREA BOUNDARY
N
0
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III. AREA ANALYSIS

A. Area Description

The properties in the Specific Plan area total nearly 33 acres. All of the area is zoned C2 and designated for General Commercial use by the Land Use element of the General Plan. Properties fronting on Santa Ana Avenue, Tustin Avenue and Irvine Avenue, within 290' of East 17th Street, are also included in the Specific Plan area.

The area contains a mix of primarily office and commercial uses. In the block between Santa Ana Avenue and Tustin Avenue 57% of the land is developed with shopping centers. Other uses include a bank/office building, three free-standing restaurants, a fast food restaurant and four automotive service stations.

The block between Tustin Avenue and Irvine Avenue contains no shopping centers. There are six restaurants and five automotive businesses in the area. A six story office building has been constructed near the east end of this block. Commercial properties between Tustin and Irvine directly abut the back yards of single-family residences.

East 17th Street is designated as a Primary Highway by the Master Plan of Highways, and as such would ultimately be developed to 106' in width with three travel lanes in each direction. It is presently developed to 80 feet.

A plan is presently being prepared to improve the streetscape along East 17th Street. Its appearance is of particular concern because it functions as a gateway to the downtown redevelopment area.

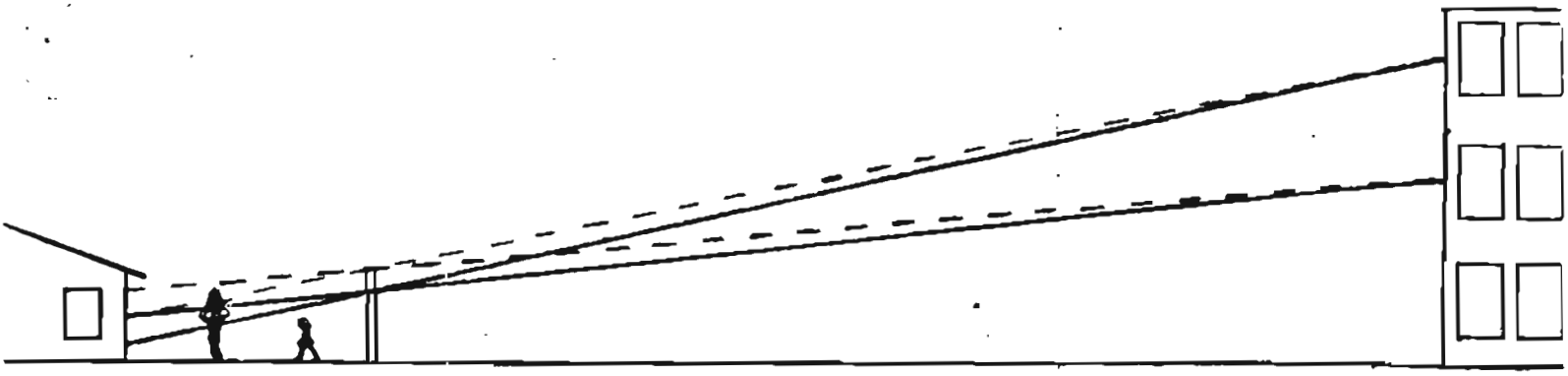
B. Major Issues/Concerns

Residents in the area have expressed particular concern over problems relating to noise and privacy. The causes and possible solutions to these problems are discussed below.

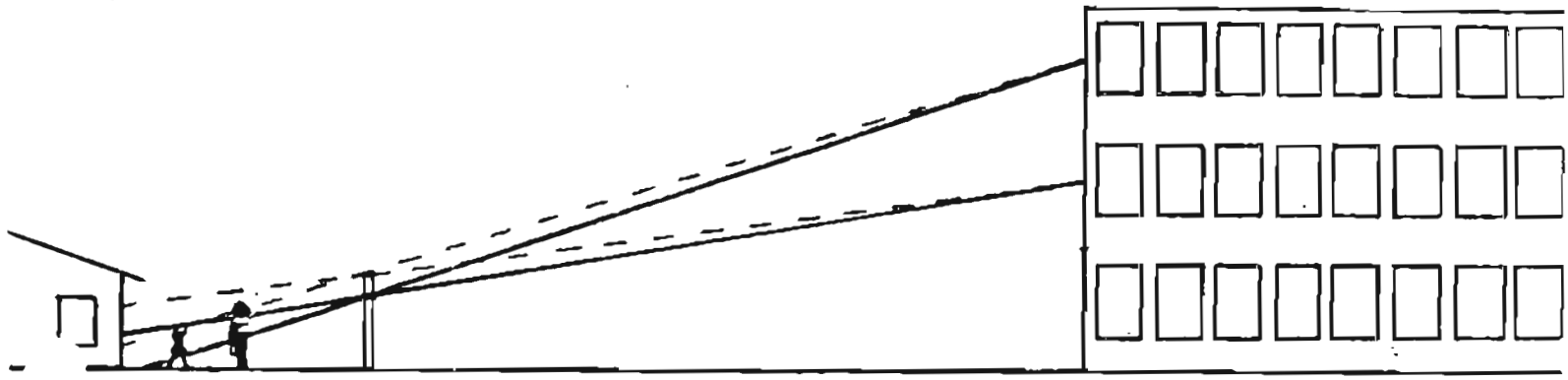
1. Privacy

Concerns about privacy relate mainly to visual intrusion into yard areas from multi-story buildings. Staff has examined possible solutions including landscape-buffering, increased setbacks and building height limitations. Line-of-sight studies were done which indicate that landscaping provides the greatest protection. Limiting building heights to no more than two stories also provides protection.

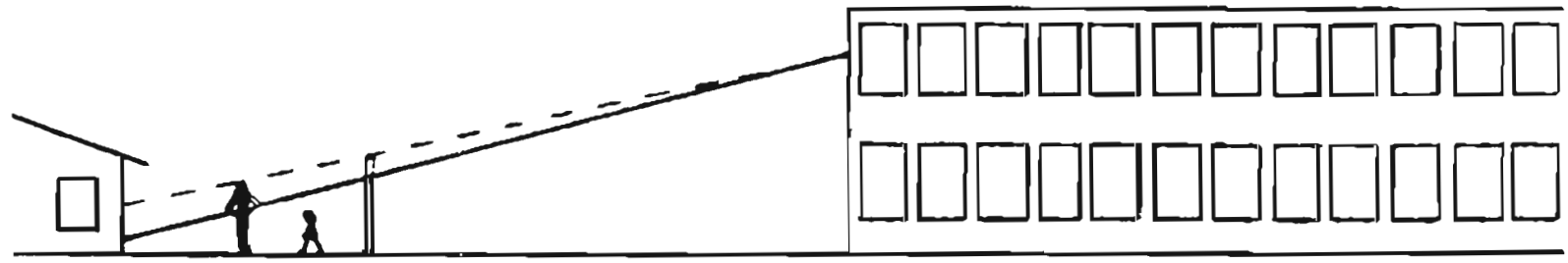
Staff presented these ideas to property owners from the area at a meeting in the Neighborhood Community Center on March 21. The residents were anxious that buildings be limited to no more than two stories. Since the commercial zone development standards limit building height to two-stories, except by Conditional Use Permit, this could be achieved by not approving Conditional Use Permits to exceed the height limit. Alternatively, a stronger position could be taken by placing an absolute two-story limit on development as a provision of the Specific Plan.



THREE STORY BUILDING WITH 90′ SETBACK



THREE STORY BUILDING WITH 60′ SETBACK



TWO STORY BUILDING WITH 40′ SETBACK

LINE OF SIGHT OVER 8′ WALL

LINE OF SIGHT OVER 6′ WALL

LINE OF SIGHT STUDY

WITHOUT LANDSCAPING

The City presently has right-of-way easements along the southern boundaries of several parcels on the south side of the block between Tustin and Irvine. There are several mature Eucalyptus trees in this right-of-way area which provide screening to protect residences from visual intrusion from offices in the six-story building. Since the City no longer intends to construct the alley for which the right-of-way was obtained, plans are underway to abandon the easements back to the original (commercial) property owners. Residential property owners are very concerned that the trees be protected. The best way to do this seems to be to require their retention as a provision of this specific plan.

2. Noise

Residents are also concerned about noise during evening hours and on weekends. They report being bothered by sounds of conversations, car doors, car engines, etc., in parking lots of restaurants. During public hearings for Naugles (which is now under construction) concern was expressed that the drive-thru order box would cause disturbance. Automotive service stations (including tire shops, car washes, etc.) also create noise problems - particularly those which are open evenings and weekends. Two types of solutions have been considered for these problems: buffering and use restriction.

a. Walls

The most effective sound barrier is a masonry wall. Present City Code requires new commercial developments to construct 6-foot opaque fences or walls along all property lines abutting residential zones. The Specific Plan could provide additional buffering by requiring that new development construct 8 foot masonry walls on residential property lines. Residents may wish to construct 8' walls other than in conjunction with development of adjacent commercial property. This could also be permitted under the Specific Plan. Masonry walls would be most effective in the block between Tustin and Irvine since there are alleys existing or proposed between Santa Ana Avenue and Tustin Avenue. The breaks in the walls which are necessary to allow access to the commercial properties from the alley would greatly diminish their effectiveness as sound barriers.

b. Use Restrictions

Another means of alleviating noise problems is to limit the establishment of potentially noisy businesses. This could be done by rezoning the land CL (which allows only office and retail uses) or by requiring a Conditional Use Permit for certain types of businesses (either city-wide by ordinance amendment or as part of the Specific Plan). Rezoning to Cl would eliminate some of the most intense uses but special measures (ordinance amendment or Specific Plan provision) would still be required in order to regulate restaurants. According to business license records, rezoning property in the Specific Plan area would result in the following non-conformities:

	Rezone to C1	Rezone to CL
Block from Santa Ana to Tustin	7 (7%)	37 (37%)
Block from Tustin to Irvine	9 (12%)	29 (39%)

Of the 29 businesses which would become non-conforming if the Tustin-Irvine block is rezoned CL, 7 are hairdressers. The City Council may wish to amend the Land Use Ordinance to make Barber and Beauty Shops a permitted use in the CL zone.

Performance standards could also be imposed which would guard against potential problems. Examples would be: limiting hours of operation, prohibiting (or regulating placement of) outdoor speaker boxes, regulating placement of doors, etc. These controls could be imposed City-wide through amendment to the Land Use Ordinance as Conditions of Approval of a Conditional Use Permit, or as requirements of the Specific Plan.

IV. PLAN ELEMENTS

A. Zoning

The General Commercial general plan land use designation is consistent with the present C2 zoning but would also be consistent with C1 or CL zoning.

If Conditional Use Permits are required for restaurants (they are already required for automotive uses in all commercial zones) and landscaping and walls are provided, C1 zoning may provide adequate protection for the R1 properties which abut commercial uses with no alley or structures to buffer them. However, C1 zoning would allow grocery stores which sometimes cause problems because of delivery trucks. Also, if several parcels were assembled, a theater which could generate parking lot noise problems could be built under C1 zoning. Therefore, it may be more effective to designate the properties between Tustin Avenue and Irvine Avenue CL.

The block between Santa Ana Avenue and Tustin Avenue abuts multi-family development, much of which has garages along the alley which provide some buffering. Therefore, the somewhat more intense C1 zone may be appropriate for this area. This would be consistent with good planning practice in that zoning allowing more intense uses would be nearer to the major highway (Newport Boulevard) and to "downtown".

Additional protection could be provided throughout the City by amending the Land Use Ordinance to require Conditional Use Permits throughout the City for restaurants which are less than 200 feet from residential properties. Conditional Use Permits are already required for gasoline service stations and automotive repair.

G. Construction of 8' masonry walls along property lines between residentially and commercially zoned parcels shall be allowed even when no development is taking place.

H. Existing trees in the rear 10' of commercial properties between Tustin Avenue and Irvine Avenue shall be properly maintained and shall not be removed except as required by a landscaping plan approved by the Development Services Department.

Staff was directed to:

Amend the Land Use Ordinance to require a Conditional Use Permit for all restaurants within 200 feet of residentially zoned property.

Amend the Land Use Ordinance to make Barber and Beauty Shops a permitted use in the CL zone.

SP-84-01A

East 17th Street
Specific Plan

amended January 18, 1993

ADDENDUM SPECIFIC PLAN AMENDMENT SP-84-01A

Under SP-84-01A, the following amendments to the development standards adopted under Specific Plan SP-84-01 are identified:

1. Properties on the south side of the 400 block of the Specific Plan area shall maintain a 10-foot deep landscape buffer. For properties on the north side of the 400 block of the Specific Plan area, a 5-foot deep landscape buffer shall be maintained as measured from the rear or northerly property line.

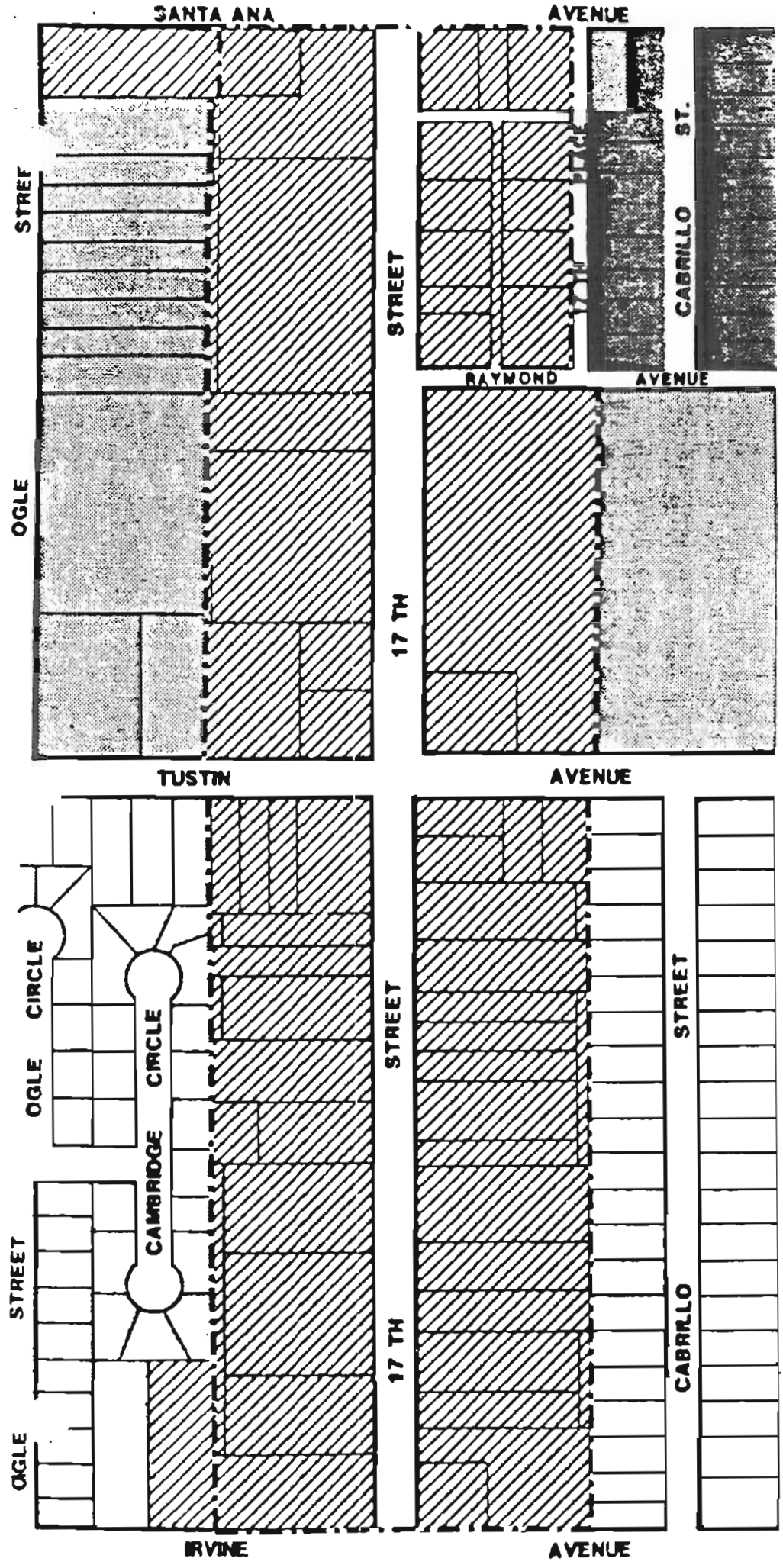
2. All properties in the Specific Plan are currently zoned C1.

3. Development over two (2) stories and 30 feet on any property in this Specific Plan shall be permitted only by Conditional Use Permit. The General Plan prohibits development in excess of four (4) stories.

4. Proposed restaurants and bars shall be reviewed under the guidelines outlined in the Zoning Code.

5. The Zoning Code was amended in 1984, allowing barber and beauty shops as permitted uses in the CL zone.

ADOPTED January 18, 1993, by City Council Resolution No. 93-03.



ZONING

RESIDENTIAL

- R1
- R2
- R4 (R2 pending

COMMERCIAL

- C1

SPECIFIC PLAN AREA BOUNDARY

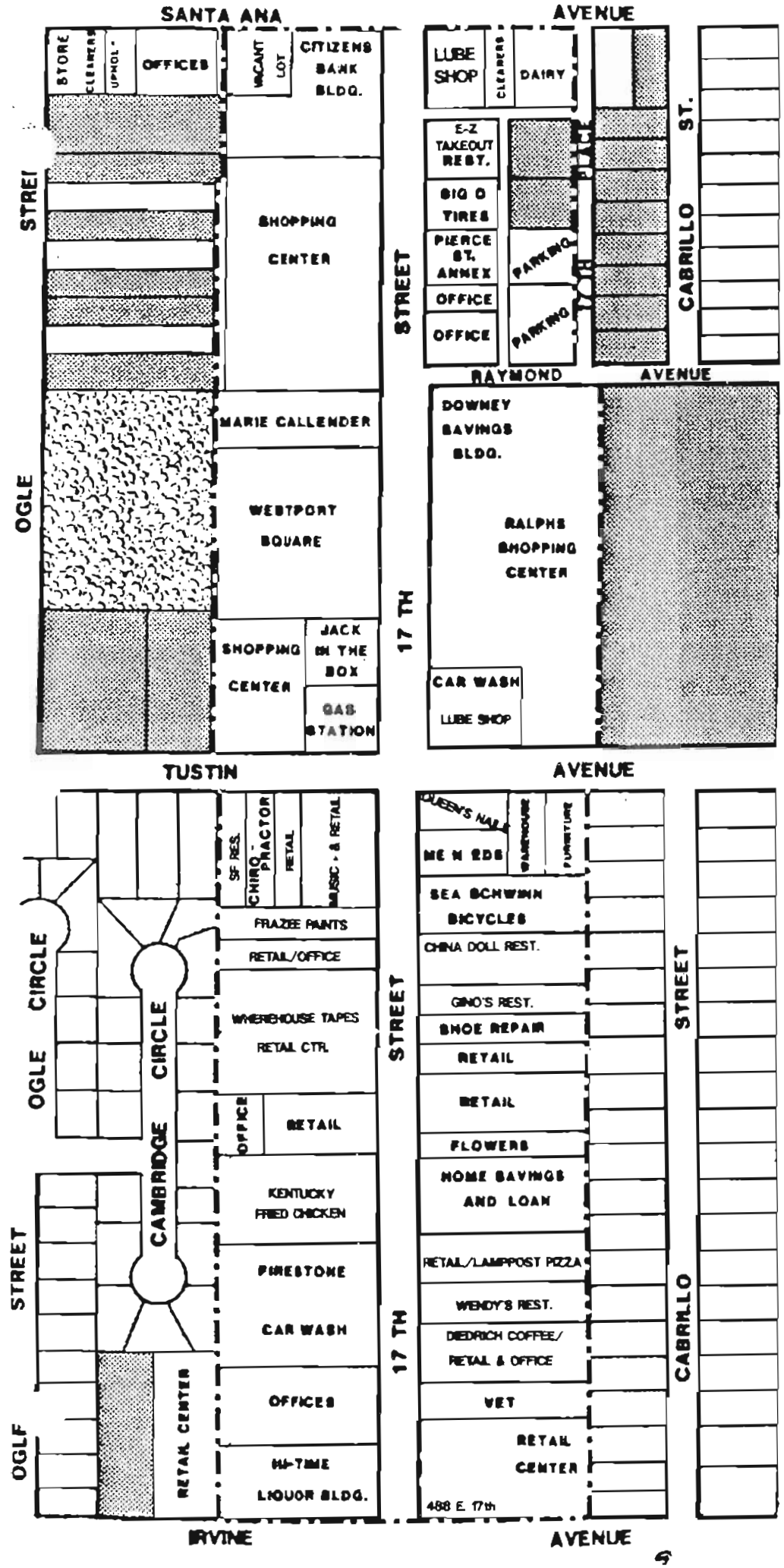
N

0
100
200
400

EXHIBIT A

SPECIFIC PLAN SP-84-01

DECEMBER 1992



EXISTING LAND USES

- SINGLE FAMILY RESIDENTIAL
- MULTI-FAMILY RESIDENTIAL
- PINKLEY PARK

SPECIFIC PLAN AREA BOUNDARY

N

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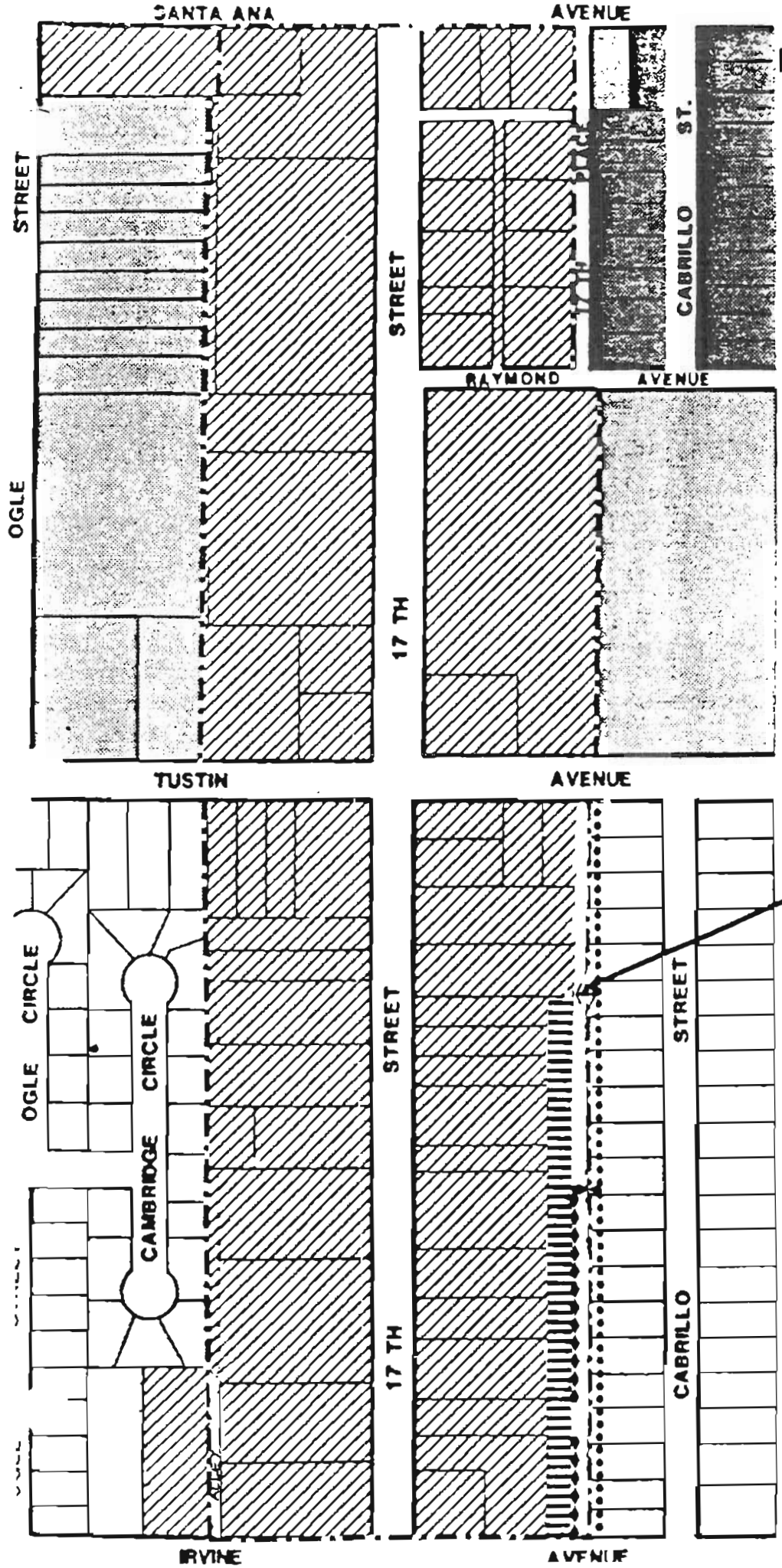
100
200
400

EXHIBIT B

SP-84-01A



EASEMENTS, WALLS/FENCE

400 Block (north side)

RESIDENTIAL

R1

R2

R4 (R2 pending

COMMERCIAL

C1

SPECIFIC PLAN AREA BOUNDARY

10' PUBLIC UTIL EASEMENT

RESIDENTIAL FENCES

MASONRY WALL (COMM.)

N

0 100 200 400

20' STORM DRAIN EASEMENT

EXHIBIT C

SPECIFIC PLAN SP-84-0

SP-84-02
SP-84-02A

Harbor/Bernard/Parsons/Ford
Specific Plan

adopted September 17, 1984
(Resolution No. 84-116)

amended July 6, 1993
(Resolution No. 93-59)

CITY OF COSTA MESA

INTER OFFICE MEMORANDUM

August 19, 1993

TO Planning Staff FROM Carol Proctor

RE: SP-79-01A3 (PLACENTIA/HAMILTON/POMONA/19TH)

This memo clarifies the implementation procedures listed under Section V of Specific Plan SP-79-01A3.

- If a project is proposed which meets Code and does not include a rezone or lot combination, procedures 1 through 3 apply.

- If a project is proposed which requires a Variance or Conditional Use Permit, the Planning Action process shall be initiated.

- If a proposed project includes a request for a higher density, (17.4 units/acre or 1 unit/2,500 sq. ft.; the "hybrid zone" OR up to 20 units/acre or 1 unit/2,178 sq. ft.; R3 zone), the following procedures shall apply:

  - An application for *subdivision*, (lot line adjustment or map), shall be processed if lot combination is involved; unless, as noted under procedure 4, the applicant chooses to employ the "*unified development concept*". See procedure 4 for details on this type of development.

  - A *Rezone* Petition shall be processed, requesting the applicable higher density zone. The rezone and subdivision applications may be processed concurrently.

  - A *Development Review* or *Planning Action* (whichever is applicable) shall be processed for the project itself. The project review may be processed after the rezone and subdivision reviews or concurrently.

Implementation procedure 5, which discusses accepting a Rezone Petition after the Development Review is erroneous. In the same paragraph, the last sentence regarding water facilities does not apply, as installation has occurred.

5(SP7901A3.mem)

SP-79-01A3

PLACENTIA/HAMILTON/POMONA/19TH
Specific Plan

Adopted May 21, 1979 (SP-79-01)
(City Council Resolution No. 79-61)

Amended July 18, 1988 (SP-79-01A2)
(City Council Ordinance No. 88-8)

Amended July 28,1993 (SP-79-01A3)
(City Council Resolution No. 93-63)

I. INTRODUCTION

Specific Plan SP-79-01 has been initiated by the Costa Mesa City Council to guide the future development of the area bound by Placentia Avenue, Hamilton Street, Pomona Avenue, and 19th Street. Within this 75 acres are a mixture of residential, industrial, commercial, and institutional uses. The directive for a Specific Plan came as a result of a residential rezone study conducted in 1977. This rezone study concluded that a majority of the properties in the study area should be rezoned to R2 and that a Specific Plan should be prepared to correct public improvement deficiencies and to consider higher density zoning in the area.

II. AUTHORITY AND SCOPE

Section 65450 of the Government Code enables local governments to adopt Specific Plans for the systematic implementation of their General Plans. This Specific Plan will be used to implement various goals and objectives contained in the Land Use, Housing, Circulation, and Environmental Management Elements of the City's General Plan. This will be accomplished through the application of a zoning plan to encourage the combination of residential parcels, development standards to insulate the interface between residential and industrial properties, and methods to provide for street and other public improvements.

III. AREA ANALYSIS

A. PRESENT STATUS

The Specific Plan area contains a variety of land uses and zoning categories (Map 1). The 19th Street properties are all zoned C1, Neighborhood Commercial (4.2 acres), and are developed with approximately 21 commercial businesses. The properties between Placentia Avenue and Palace Avenue are zoned MG, General Industrial. These 14.8 acres are occupied by 54 businesses, primarily industrial uses. The remaining area is designated for High Density Residential uses by the General Plan and is zoned accordingly. Of the 45.8 residentially designated acres, 31.4 are zoned R2, 7.5 are R3, and 6.9 are I & R-S. The residential portion of the Specific Plan area is developed with 645 residential units and the Pomona Elementary School.

B. HISTORY

The area was originally subdivided in 1923 as a portion of the "Costa Mesa Terrace" subdivision. All of the area was zoned County R4 except for the Placentia Avenue properties which were zoned M1, for manufacturing uses. In 1955, the newly formed City took its second rezoning action by rezoning the 19th Street properties to C1. It

was not until 1960 that the residential portion of the study area was rezoned from the County R4 zone to the comparable City R2 classification.

Inconsistent dedication requirements in the late 1950's and 1960's have resulted in Palace Avenue being 20, 30, 32, 40, and 50 feet wide in different sections. In 1971, a plan for Palace Avenue was adopted which established an ultimate right-of-way of thirty feet. Thus, the presently enforced dedication requirements promote the establishment of a 30-foot right-of-way for Palace Avenue and 60 feet for Sterling Avenue. The existing right-of-way meets these amounts in all but a few locations.

In March 1992, the City Council adopted the 1990 General Plan which lowered densities in residential land use designations. As a result, the R4 zone was deleted; all properties previously zoned R4 in the Specific Plan area were rezoned R3 in early 1993.

The policy of allowing a rezone to the next higher zoning density when a certain lot area and width (frontage) threshold is provided was deleted from the 1990 General Plan. Instead, the City Council elected to explore other incentives to encourage the combining of narrow, deep lots. One General Plan Policy (No. 243) suggests considering zoned which fall between zoning designations.

IV. PLAN ELEMENTS

A. GENERAL PLAN DESIGNATION

The General Plan designates the 19th Street commercially zoned properties for General Commercial use. The MG zoned properties between Placentia Avenue and Palace Avenue are designated for Light Industry. The remainder of the study area is indicated as High Density Residential. All the zoning in the area is in conformance with the General Plan. The residential zones consistent with the High Density Residential designation (R2, R3, and PDR-HD) permit from 8.0 to 20.0 units per acre.

B. ZONING PLAN

The Housing Element supports the development of methods to encourage the grouping of parcels in order to make possible improved living environments. The purpose of this policy is to avoid the development problems associated with lots resulting from an obsolete subdivision pattern. As a means of furthering this objective, this Specific Plan offers density incentives to encourage parcel combination. The zoning of the area shall remain as it is now designated, with higher density zoning available for the residential portion of the area if certain properties are combined for development purposes.

The maximum density zoning permitted will be influenced by the dimensions and area of the property. The original lot size in the area was 63.5 by 290 feet, an area of 18,415 square feet. Most of the properties retain these general dimensions although several have been shortened by dedication requirements. Most of the properties with frontage on the east/west streets have been reoriented towards these streets, forming smaller parcels with areas of approximately 9,000 square feet. The properties eligible for higher density zoning shall meet the criteria listed below.

An alternative to actual combination for the standard size parcels is available. Should owners of adjacent properties decide to coordinate the development on their properties, higher density zoning may be possible. This coordination shall be through the employment of the unified development concept, producing a development with the advantages of lot combination while retaining the separate status of the parcels. The unified development can be effectuated through the use of easements, deed restrictions, or other appropriate means in order to achieve shared driveways, walkways, parking, recreational areas, and architecturally compatible structures. The means for implementing the unified development concept are contained in the Implementation Section of this Plan.

If residential properties are combined in order to qualify for the highest density zoning possible, a maximum of 753 dwelling units is possible.

Lot Combination Criteria

Proposed lot combinations of R2-HD zoned parcels within the Plan area may qualify for higher density zoning up to 17.4 units per acre when the following requirements have been met:

(1) Combined lot shall have a minimum 125-foot frontage on a public street (Palace Avenue and Sterling Avenue Alleys do not qualify).

(2) Combined lot area shall be a minimum of 18,000 square feet.

Proposed lot combinations of R2-HD zoned parcels within the Plan area may qualify for higher density zoning up to 20 units per acre when the following requirements have been met:

(1) Combined lot shall have a minimum 180-foot frontage on a public street (Palace Avenue and Sterling Avenue Alleys do not qualify).

(2) Combined lot area shall be a minimum of 50,000 square feet.

Regarding lot combination incentives:

The intent of seeking higher density is to combine parcels and provide new development for the entire combined site, not to provide additional units to existing development.

Therefore, once an incentive rezone has been granted, building permits shall not be issued for additional units to an existing development.

The density bonus to be provided in the lot combination incentive would count towards State-required density bonuses.

The zoning of the industrial and commercial portions of the Specific Plan area are not affected by this Plan. Although the impacts of the developments in the Placentia Avenue MG zone on the adjacent residential area are recognized, these impacts are dealt with in the Development Standards section of this Plan, rather than through zoning.

C. HOUSING PLAN

The Specific Plan area contains 645 residential units: 9 single-family and 636 multiple-family. The major development period for the area occurred in 1956 through 1963. Fifty-five percent of the existing units were built in this eight year period. An estimated fourteen percent were built prior to this time.

The following nine years, 1964 through 1972, experienced very little development as only seven percent of the units were built in this period. As mentioned in the Area Analysis section, the area was rezoned to R4 in 1972 in order to stimulate new development. The success of this stimulation is evidenced by the fact that eighteen percent of the area's units were built in the following five years before the area was rezoned to R2 again.

The estimated population of the area in 1973 was 1,270 persons. The 1976 Special Census indicates that 13.3 percent of the households were comprised of minorities. This number was significantly higher than the City-wide average of 7.5 percent. Handicapped persons were found in 7.4 percent of the households. Income was found to be substantially lower than for the City as a whole. At the time of the census, two-thirds of households reported total incomes of less than $12,000 per year. For the entire City, less than half of all households had such incomes. Based on the above housing and population data, Costa Mesa's Housing and Community Development Committee identified the Specific Plan area as a potential target area for the investment of HCD Block Grant Funds. Thus,

included in the City's Fifth Year Community Development Block Grant Application was a request for funds to alleviate the public improvement deficiencies and to make available rehabilitation loans or grants to property owners in the area. The proposal submitted to HUD included funding requests for right-of-way acquisition, water facilities improvements, alley paving, and sidewalk installation. Additionally, funding was available for the construction of family housing in the area. The public improvements have been made; funding to improve/upgrade housing and assist with rehabilitation of buildings should still be pursued.

The following statistics have been taken from the 1990 Census, Block Group 9, Tract 637.00 (this Tract's boundaries are identical to those of SP-79-01):

1990 population: 1,063 persons
households: 330

	SPECIFIC PLAN AREA	CITY-WIDE
Aver. Population/Household	3.07	2.5
Household Median Income	$27,500	$40,313
Per Capita Income	$8,801	$18,750
Population by Race: - White (Non-Hispanic) - Hispanic - Black - Asian/Pacific Islander - Indian/Eskimo/Aleut	 35.2% 61.1 1.1 2.6 0.0	 72.4% 19.9 1.0 6.3 0.3
Percentage with Work Disability (pop. age 16+)	9.6%	7.5%
Percentage Below Poverty Level	18.5%	9.2%

Thirty-four percent of all households in this area have incomes of less than $25,000 (equates to very low income for an average-size [2.5] household).

D. DEVELOPMENT STANDARDS

Since the area contains a variety of zones and there is a different set of concerns for each zone, a different set of development standards has been prepared for each zoning category. The standards pertinent to residential, commercial, and industrial zoning are presented in the following subsections.

1. Residential Zones

The provisions of the zoning ordinance adequately deal with most of the concerns for residential development in the area. There are additional considerations for those properties which are proximate to the Placentia Avenue industrial area.

The applicable development standards for residential properties adjoining industrially zoned property are as follows:

1. Construction of at least a six-foot high, solid, opaque wall shall be required along the property line adjoining the alley, except for those areas to be used for access or occupied by accessory structure.

2. A five (5) foot wide planter shall be installed adjacent to the wall required in Standard 3. The planter shall be landscaped with vegetation capable of attaining sufficient height to provide visual screening from a second story level.

3. Park requirements shall be fulfilled through in-lieu fees collected from the developments. These fees will be applied to parkland acquisition in the same park district.

2. Commercial Zones

Housing Element Goal number six promotes the protection of residential areas from the encroachment of unrelated or incompatible uses. The 19th Street commercial properties pose a potential obstacle to achieving this goal. One existing commercial use, the convenience market at 1913 Pomona Avenue, fronts on what is predominately a residential street. Similar encroachments are possible if other C1 parcels are developed with orientations towards the adjacent residential neighborhood.

The additional development standards for commercial properties in the area are as follows:

1. Development on properties with frontage on 19th Street or Placentia Avenue shall be oriented towards these streets.

2. For properties adjoining residential zones, signing and exterior lighting shall be designed to minimize impacts on residential properties, and shall require approval of the Planning Director.

3. Industrial Zones

Certain of the uses permitted in the MG zone along Placentia Avenue have the potential for conflicting with the neighboring residential uses. The provisions of the zoning ordinance are by themselves insufficient to adequately mitigate these conflicts, although stricter enforcement of existing zoning regulations would alleviate some conflicts. The development standards for these properties are intended to minimize the impacts caused by the industrial operations and provide visual and acoustical buffering between the two uses.

The applicable development standards for industrial properties are as follows:

1. Section 13-420 of the Municipal Code requires a ten-foot landscaped setback from the alley. A solid, opaque wall at least six (6) feet in height shall be constructed along the setback line adjacent to the planter.

2. The required landscaped area shall be planted with trees and other vegetation. The type of trees shall be selected from the list provided in the Appendix. Consideration shall be given to the location of water mains, sewer lines, and other substructures when positioning the trees.

3. All compressors, generators, air conditioning/refrigeration units, and similar mechanical apparatus shall be acoustically shielded so as to be inaudible from the adjacent residential area. A licensed acoustical engineer shall certify the plans for the acoustical shielding, certifying that the machinery will be inaudible from the adjacent residential property.

4. No structure shall be oriented towards the residential properties.

5. In order to minimize noise from the industrial buildings escaping towards the residential area, no windows shall be permitted in the east facing walls, except nonopening windows at least six feet above the floor level, unless another building is between the window and rear property line.

6. No openings shall be permitted in any east facing wall, unless another building is between the opening and rear property line.

V. SPECIFIC PLAN IMPLEMENTATION

A. IMPLEMENTATION PROCEDURES

1. The developer of a project shall file an application for a Development Review or Preliminary Development Review to comply with the pertinent zoning requirements.

2. Planning Staff shall review the proposed project plan to determine compliance with the standards in the Specific Plan and applicable zoning requirements.

3. Planning Staff, or Planning Commission for condominium projects, shall approve, approve with conditions, or deny each application.

4. If a proposed project plan includes sufficient acreage to qualify for a higher density zone as outlined in Section IV B of this Specific Plan, Staff shall include a Condition of Approval as follows:

   > "Applicant shall legally combine the parcels included in the proposed project plan so as to create one parcel prior to the granting of building occupancy, or within 90 days of approval of the Development Review or Preliminary Development Review, whichever is sooner."

   or, if the applicant(s) choose to retain the individual status of the parcels and employ the unified development concept instead, conditions assuring necessary easements, restrictions, and agreements shall be specified in conjunction with the Development Review or Zone Exception.

5. Subsequent to approval of the Development Review and upon notification that the applicant has legally combined parcels, or taken sufficient other measures to assure a unified development, the City will accept a rezone petition to change the land use district designation to the appropriate zone. Building permits for new residential structures shall not be issued for any properties rezoned as per the Specific Plan until the water facilities discussed in Section IV.C.2. of this plan are installed.

B. IMPLEMENTATION FUNDING

The public improvements specified in Section IV C of this Specific Plan could be funded by a variety of methods. These are presented as Options in the following sections. Although funding has been applied for in the City's

Housing and Community Development Block Grant Application, the other alternatives should also be considered in the event that this funding is not available or not sufficient to cover all expenses.

1. Development Conditions

This alternative is basically a continuation of the City's present policy which requires dedication of all land within the ultimate right-of-way, deposition of funds to provide for the eventual paving and construction deposition of funds to provide for the eventual paving and construction of sidewalks. Construction of the complete public facilities system discussed in this Specific Plan would not occur until sufficient funds had been collected. Thus, the completion would not occur for several years. Additionally the deficiencies in the water supply system would not be fully corrected. Although the installation of dry standpipes on individual properties would aid fire protection, the inadequate water flow problems can only be corrected by the installation of new water mains.

2. Improvement District

An improvement district as permitted under the Improvement Act of 1911 or the Municipal Improvement Act of 1913 could be established. This method would enable the improvements to be constructed at one time with an assessment for the construction and administrative costs on the properties within the improvement district. The primary disadvantage is the additional administrative, engineering, and legal costs associated with establishing an assessment district. This source of funding could be used to augment the HCD Block Grant funds.

3. City Project

This approach is similar to the improvement district approach in that the improvements would be constructed at one time and the property owners would pay for the costs eventually. Initially, the City would fund the necessary improvements with reimbursement made by the property owners at the time the properties are redeveloped. This alternative has the advantage of correcting the public improvements deficiencies before high density development is attempted. It also avoids the additional costs to property owners associated with assessment districts. The main disadvantage is the amount of funding which the City would have to provide initially. A large portion of this initial

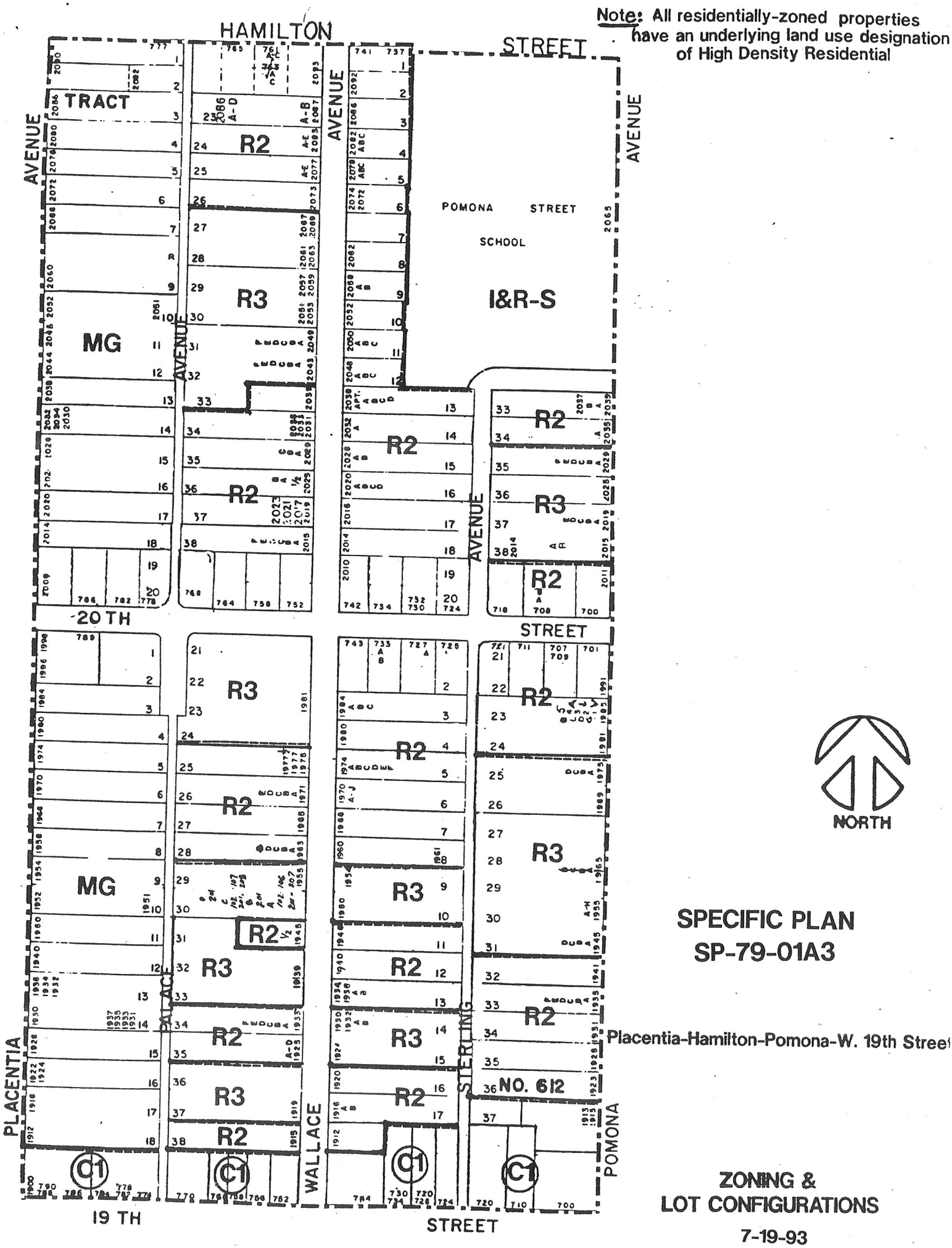
funding would not be recovered by the City within the foreseeable future.

4. Redevelopment Area

As was discussed at the time the area was rezoned to R2, a new redevelopment project area could be established. The needed public improvements could be funded through the sale of bonds which would be paid off by the tax increment funds acquired by the Redevelopment Agency. The tax increment would be dependent upon the amount of new construction and property transfers. If the density incentive discussed in Section IV B of this Specific Plan is successful in promoting new development in the area, the amount of tax increment from the residential portion of the area could be substantial. Because of the less frequent transfers of commercial and industrial properties, and the comparatively lower level of new development, it is anticipated that the amount of tax increment from these properties would be smaller than that from the residential portion.

5. Housing and Community Development Funds

As discussed in Section IV D of this Plan, the City has applied for funds in the Fifth Year Community Development Block Grant Application to provide the needed public improvements and housing rehabilitation loans and grants. This approach would enable the public improvements to be constructed at one time if sufficient funds are available. Alternatively, the improvements could be funded in phases with future Block Grant applications. Another possibility is to obtain funds through an improvement district to combine with HCD funds.



Note: All residentially-zoned properties have an underlying land use designation of High Density Residential

SPECIFIC PLAN SP-79-01A3

Placentia-Hamilton-Pomona-W. 19th Street

ZONING & LOT CONFIGURATIONS

7-19-93

TABLE A

COMPARISON OF "COMBINED PARCELS" WITH INCREASED DENSITY

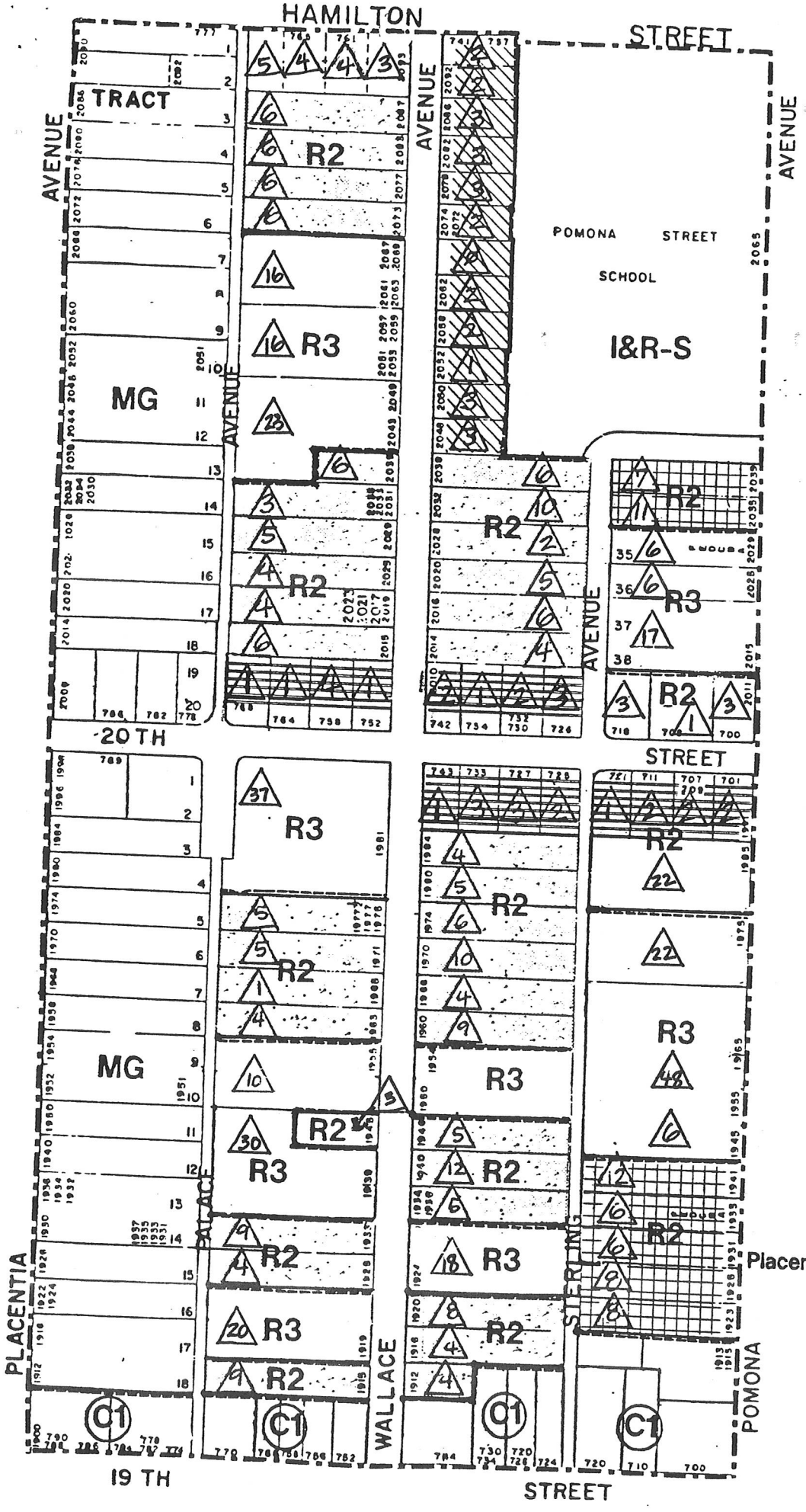
SPECIFIC PLAN AREA SP-79-01

Example	Lot "1" Area (sf)	Lot "2" Area (sf)	Combined Area (sf)	R2-HD Density[1] (# units)	R2-HD+ Density[2] (# units)	R3 Density[3] (# units)
A	8,540	9,150	17,690	5	7	8
B	9,207	9,207	18,414	6	7	8
C	18,224	18,224	36,448	12	14	16
D	18,415	18,415	36,830	12	14	16

[1] 1 dwelling unit/3,000 sq. ft.

[2] 1 dwelling unit/2,500 sq. ft.

[3] 1 dwelling unit/2,178 sq. ft.

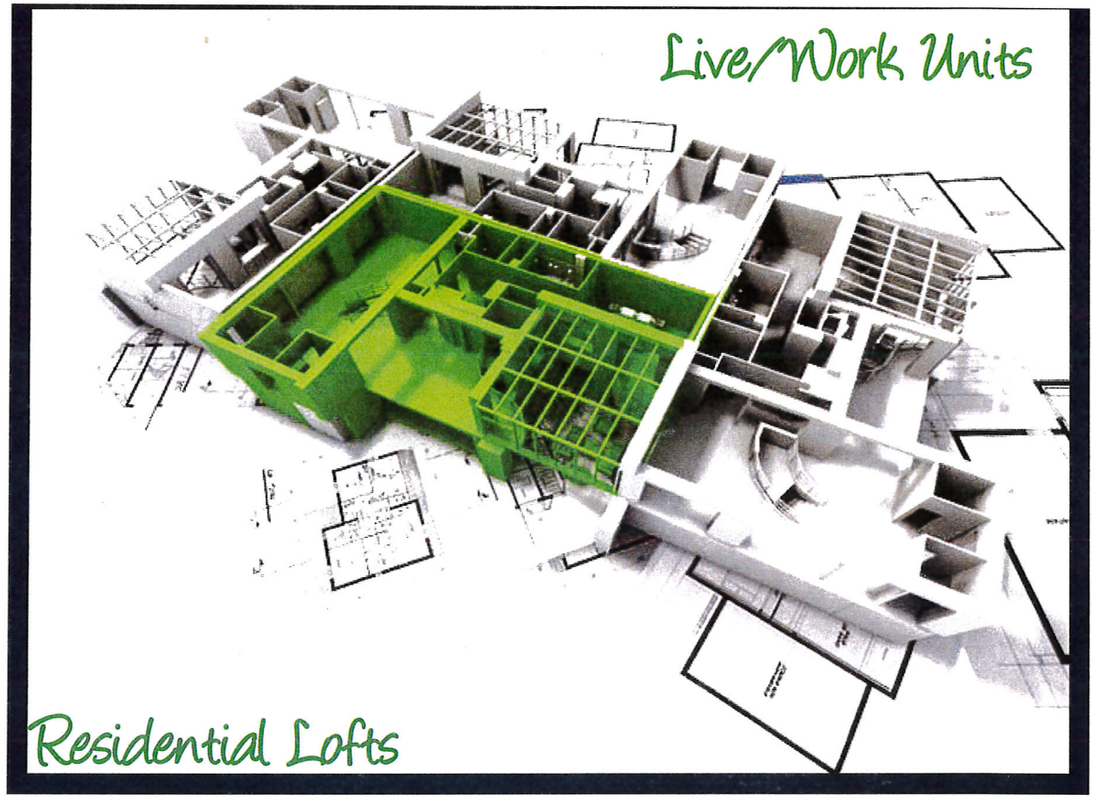

HAMILTON
STREET
TRACT
AVENUE
R2
R3
MG
I&R-S
POMONA
STREET
SCHOOL
20 TH
STREET
PLACENTIA
PALACE
WALLACE
STERLING
POMONA
19 TH
STREET
C1
645 total units as of 7-19-93
= number of units/parcel
Example A
Example B
Example C
Example D
NORTH
SPECIFIC PLAN
SP-79-01A3
Placentia-Hamilton-Pomona-W. 19th Stree
ZONING &
LOT CONFIGURATIONS
7-19-93

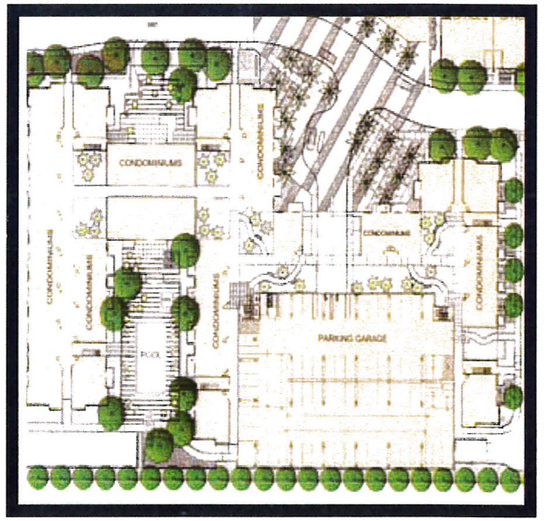
Mesa West Bluffs

Urban Plan

Development Services Dept.
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628
(714) 754-5245

Printed: August 2009





HISTORICAL CONTEXT

The City of Costa Mesa was incorporated in 1953. The Westside was among the earliest areas in the City to develop and is characterized by a diverse population, land uses, job opportunities, and housing choices. Some positive aspects of the Westside include its diverse land uses and convenient access to Fairview Park, beaches, and other recreation areas.

The Westside area is located as follows: Fairview Park and the Costa Mesa Golf Club to the north, the Santa Ana River to the west, the City of Newport Beach to the south, and Harbor Boulevard and Superior Avenue to the east. The area contains approximately 1,788 acres, or 2.8 square miles (see Figure 1).

The Westside Specific Plan was prepared in October, 2000. While this planning document was not formally adopted, some of the revitalization strategies in the plan have been used as a guide to stimulate area-wide improvement. In addition, the Westside Revitalization Oversight Committee (WROC) was convened to recommend revitalization strategies and identify specific areas for further improvement. The recommendations of the WROC assisted the City Council in identifying the Live/Work Overlay Zone and providing policy direction.

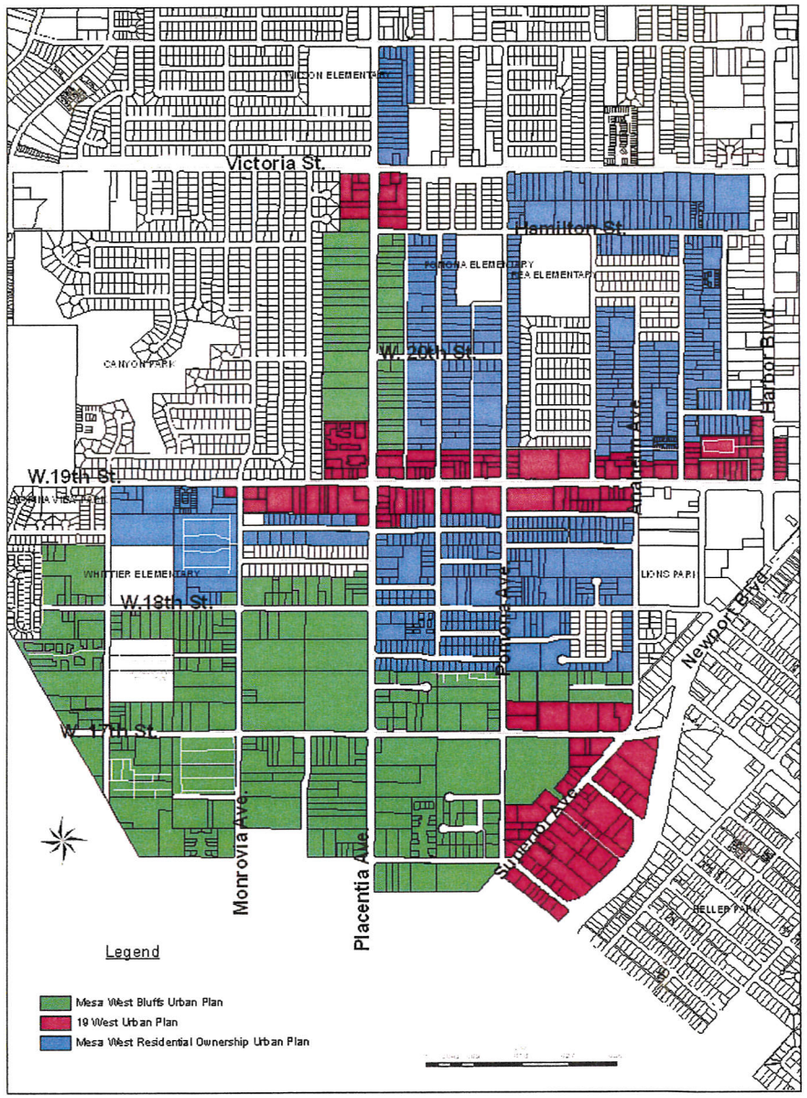
Relationship to Other Westside Urban Plans

The Westside Implementation Plan was adopted in March 2005. Three Urban Plans were created to establish overlay zones in specific areas of the Westside: (1) 19 West Village Urban Plan, (2) Mesa West Bluffs Urban Plan, and (3) Mesa West Residential Ownership Urban Plan (see Figure 2). Each Urban Plan provides guidance to property owners and Developers for new development and redevelopment. All together, these plans will provide a framework for major private market reinvestment and improvements for the Westside. However, the Urban Plans avoid being excessively restrictive by not dictating architectural design guidelines or establishing exterior building colors.

Figure 1: Vicinity Map of Westside

Figure 2: Identification of three separate Urban Plan areas for revitalization of Westside

WESTSIDE URBAN PLAN AREAS



WROC COMMITTEE

Many cities face similar situations where incompatible land uses are located side-by-side, and where public safety programs are consistently being impacted by a high demand for services from concentrated problem areas within the community. These problems often tend to spread, thus impacting adjoining neighborhoods or business areas. In August, 2003, the Redevelopment Agency appointed 40 members to the Westside Revitalization Oversight Committee (WROC). The WROC's objective was to build upon previous work completed by the Community Redevelopment Action Committee (CRAC). Through the efforts of an intense citizen participation program, the WROC assisted City Council/Redevelopment Agency in developing a long-term vision for the Westside.

Citizen participation was a critical part of the Westside Revitalization Program. The City wished to encourage all residents, especially those living adjacent to industrial properties, to participate in its planning process. In addition, other representatives from the business community were invited. The members of the Westside Revitalization Oversight Committee consisted of representatives of the following groups:

- Homeowners
- Industrial Business and Property Owners
- Rental Property Owners
- Commercial Business and Property Owners
- Residential Tenants
- Community Service Organizations

The public participation process was based on the premise that community planning begins with open communication and the exchange of information and ideas. With this exchange, a comprehensive revitalization plan could be developed which had both effective actions to implement in the short-term future and also broad public support.

The WROC provided all persons interested in the Westside with the opportunity to participate and provide feedback on what they envisioned for the future of the Westside. This concept was unusual because seldom is a committee encouraged to have a large membership. However, this committee of forty members proved that multiple diverse opinions and interest groups could come together to provide valuable input to its City leaders. This was demonstrated by the WROC through their intense commitment, a strong desire for change, diverse representation of the community, and numerous varying ideas and opinions. Compromise was not easily achieved, but when reached it was supported by a supermajority of the membership (Fig. 3). The WROC's final report and implementation plan are significant since both documents represent the consensus of this 40-member committee (Figure 4). The City of Costa Mesa's Redevelopment Agency and City Council used the WROC's findings and recommendations in their decision-making process to identify the Urban Plan areas and to apply General Plan land use policies for mixed-use development.

The primary difference between this urban plan and the WROC recommendations for the residential and live/work overlay zones lies in the scope of the overlay zones. The WROC recommendations identified three area specific areas where the overlay zones were "appropriate". These included a medium density (12 units per acre) residential overlay zone for the 30-acre area west of Whittier Avenue, and two live/work areas (one for approximately 20 parcels west of east of Whittier Avenue and a second for approximately 25 parcels north of W. 18th Street (from Placentia to Whittier Avenue). This Urban Plan area includes nearly the entire southwest industrial core and allows a residential overlay density at 13 units per acre, and live/work developments throughout the plan area.

Figure 3 Several Westside Revitalization Oversight Committee members making public comments at City Council meeting.

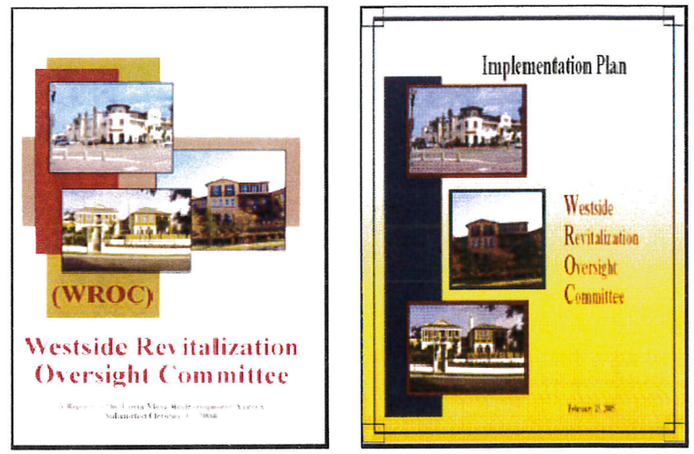


Figure 4 WROC Planning documents

IDENTIFICATION OF MESA WEST BLUFFS OVERLAY ZONE/URBANPLAN AREA

Mesa West Bluffs Urban Plan Area

On March 15, 2005, the Costa Mesa City Council unanimously approved several revitalization strategies aimed to improve the Westside. City Council identified the Mesa West Bluffs Urban Plan area as a live/work or residential overlay area. The Zoning Map was amended on [date pending] to reflect this overlay zone for the plan area.

The Mesa West Bluffs Urban Plan area is approximately 277 acres in size. Some major roadways in the plan area include West 17th Street, West 18th Street, Placentia Avenue, and Pomona Avenue. The Live/Work and Residential Overlay Zone in the Mesa West Bluffs area is identified in Figure 9.

Adoption of the Urban Plan

On February 13 and March 13, 2006, Planning Commission conducted public hearings on the three proposed Westside Urban Plans. The Planning Commission (Figure 5A) reviewed these plans at a total of five study sessions and two public hearings and unanimously recommended approval of the plan to City Council.

On April 4, 2006, City Council (Figure 5B) adopted the Mesa West Bluffs Urban Plan.

Chair Bill Perkins

Vice Chair Donn Hall

Commissioner Eleanor Egan

Commissioner James Fisler

Commissioner Bruce Garlich

PLANNING COMMISSION

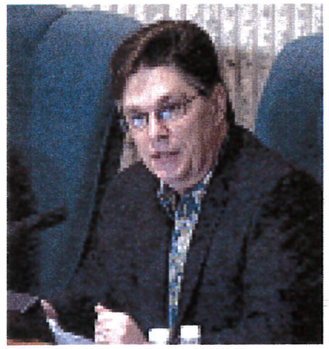
Figure 5A

Figure 5B

CITY COUNCIL

Mayor Allan Mansoor

Council member Linda Dixon



Mayor Pro Tem Eric Bever

Council member Katrina Foley

Council member Gary Monahan

OBJECTIVES OF URBAN PLAN

Purpose of Overlay Zoning

Overlay zoning is a useful tool in promoting the long-term goals of the Mesa West Bluffs Urban Plan. By giving a plan the weight of law, an overlay zoning district helps ensure successful implementation of the plan's strategies. The overlay zone applies zoning provisions to the Mesa West Bluffs Urban Plan area. When activated by an approved Master Plan, the underlying zoning district is superseded by the zoning regulations of the Mesa West Bluffs Urban Plan, unless otherwise indicated.

The Mesa West Bluffs Urban Plan does not propose any major intensification of land uses. The emphasis is on improving the Urban Plan area by providing visual enhancement and encouraging the development of live/work units or residential development within the plan area. Thus, future traffic will be supported by the General Plan roadway network.

With regard to the Live/Work Lofts or Residential Overlay Zone, the Mesa West Bluffs Urban Plan implements General Plan goals/objectives/policies for mixed-use development and new residential development by regulating allowable land uses and development standards.

The objectives of the Mesa West Bluffs Urban Plan include:

- ***Identify development regulations*** to realize the vision of the Urban Plan. These regulations address mixed-use development standards as well as public streetscapes and urban design improvements and amenities.

- ***Provide a Land Use Matrix of allowable uses*** for live/work development that recognizes the development potential of the plan area and need to sensitively integrate new development with the surrounding areas, and therefore, promote both resident and business community confidence in the long term.

- ***Encourage the construction of Live/Work Units*** that combine residential and nonresidential uses in the same unit **without exceeding** the development capacity of the General Plan transportation system.

- ***Attract more residents and merchants*** by allowing mixed-use development in the form of a live/work loft, which offers first floor retail/office uses and upper story living spaces in the same unit.

- ***Encourage adaptive reuse*** of existing industrial or commercial structures, which would result in rehabilitated buildings with unique architecture and a wider array of complementary uses.

- ***Stimulate improvement in the Mesa West Bluffs Urban Plan area*** through well-designed and integrated urban residential development that is nontraditional in form and design with flexible open floor plans and which complements the surrounding existing development.

- ***Meet demand for a new housing type*** to satisfy a diverse residential population comprised of artists, designers, craftspeople, professionals and small-business entrepreneurs.

- ***Promote new type of urban housing*** that would be target-marketed to people seeking alternative housing choices in an industrial area. An urban loft would be an alternative to a traditional single-family residence, tract home, or small-lot subdivision.

- ***Encourage the design and development of urban residential structures*** reflecting the urban character of the surrounding industrial context both in the interior and exterior areas.

- ***Encourage quality live/work development*** which promote business activity through work spaces and amenity areas and which are distinct from residential lofts/life-style lofts in design and function.

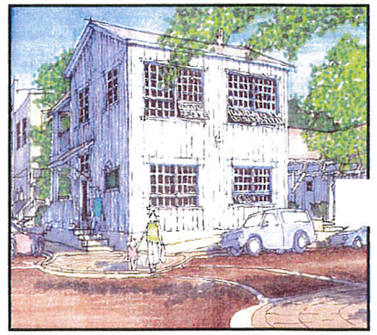


Figure 6: Artist Rendering of a Live/Work Unit

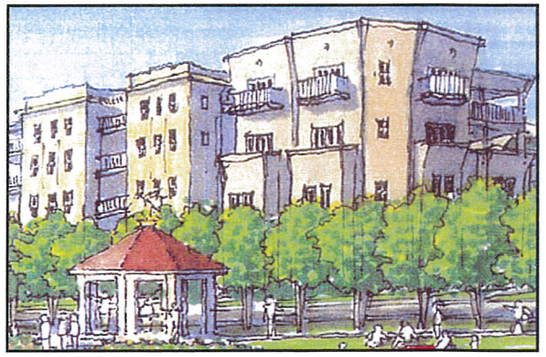


Figure 7: Artist Rendering of four-story residential building

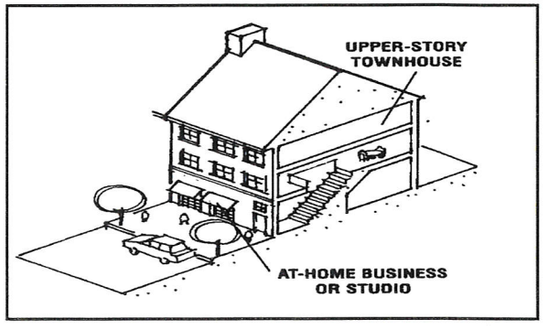


Figure 8: Section Drawing of a Live/Work Unit, showing at-home business on the ground floor and living area

(Amended by Council Reso. No. 09-53 on July 21, 2009)

GENERAL PLAN AND ZONING

The Mesa West Bluffs Urban Plan area is characterized by a wide variety of land uses. The plan area is composed of the Light Industry General Plan land use designation.

The plan area consists of the following zoning classifications:

- CL – Commercial Limited
- MG – General Industrial

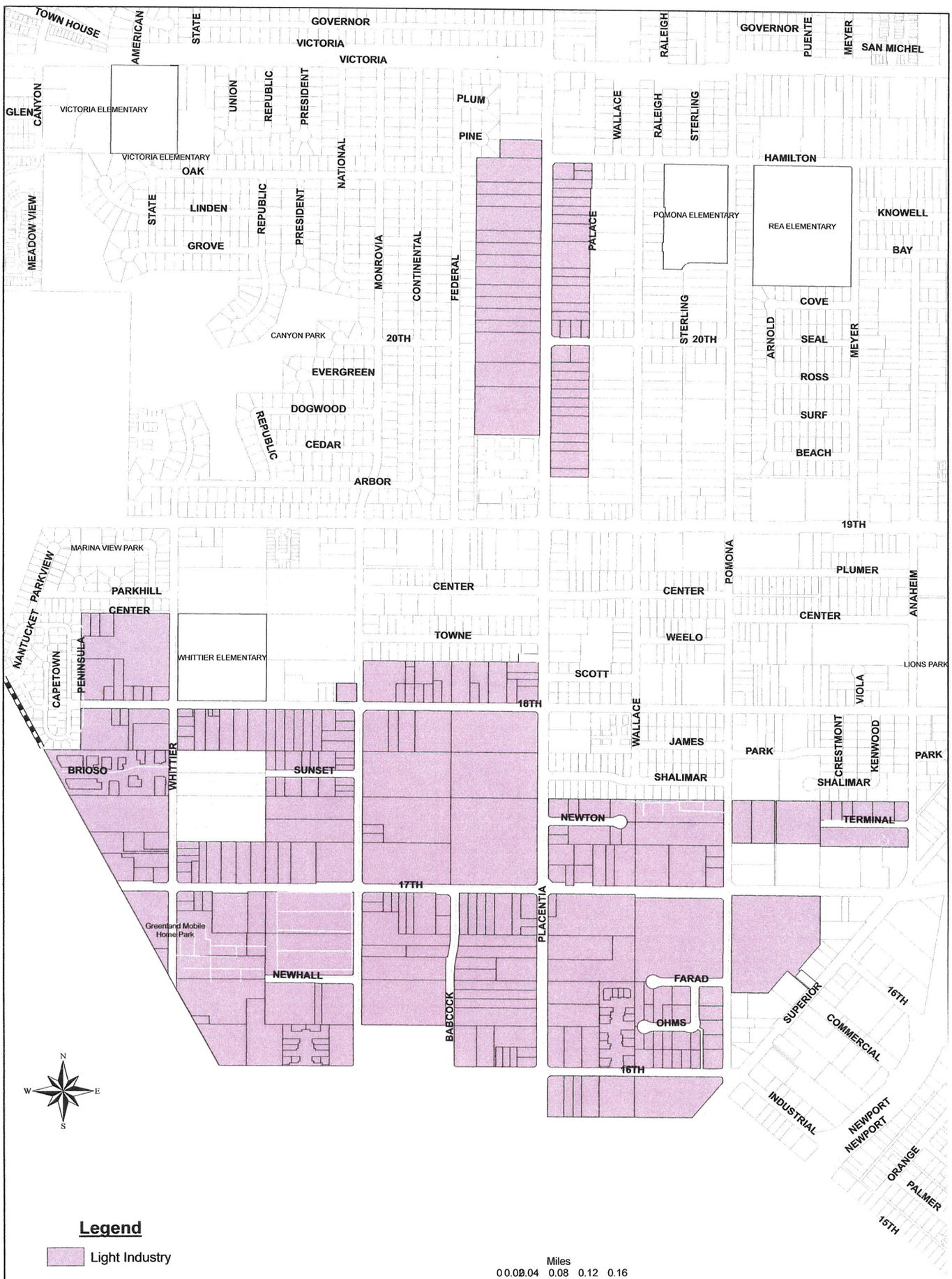
The General Plan land use designations (Figure 9A) and zoning classifications (Figure 9B) in the urban plan area are shown on the following pages.

EXISTING LAND USE CONTEXT

The Westside's primary uses are single- and multi-family neighborhoods, and industrial uses. The single-family neighborhoods are located north and south of 19th Street and, in some areas, are undergoing increased renovation activities. Multi-family neighborhoods are found throughout the Westside, with a substantial number of units both north and south of 19th Street. The industrial areas of the Westside are concentrated south of 19th Street and along Placentia, north of 19th Street. Industrial properties are experiencing low vacancy rates and strong property values.

The primary uses in the plan area include light industrial uses and some local businesses. There are approximately 400 nonconforming residential units (general estimate only) in the plan area. Some existing industrial businesses and residential uses in the urban plan area are shown in Figure 10.

Figure 10: Collection of site photos of residential structures and existing industrial businesses in Mesa West Bluffs Urban Plan area.



Mesa West Bluffs Urban Plan Area

General Plan Land Use Designations

FIGURE 9A

Mesa West Bluffs Mixed-Use Overlay District

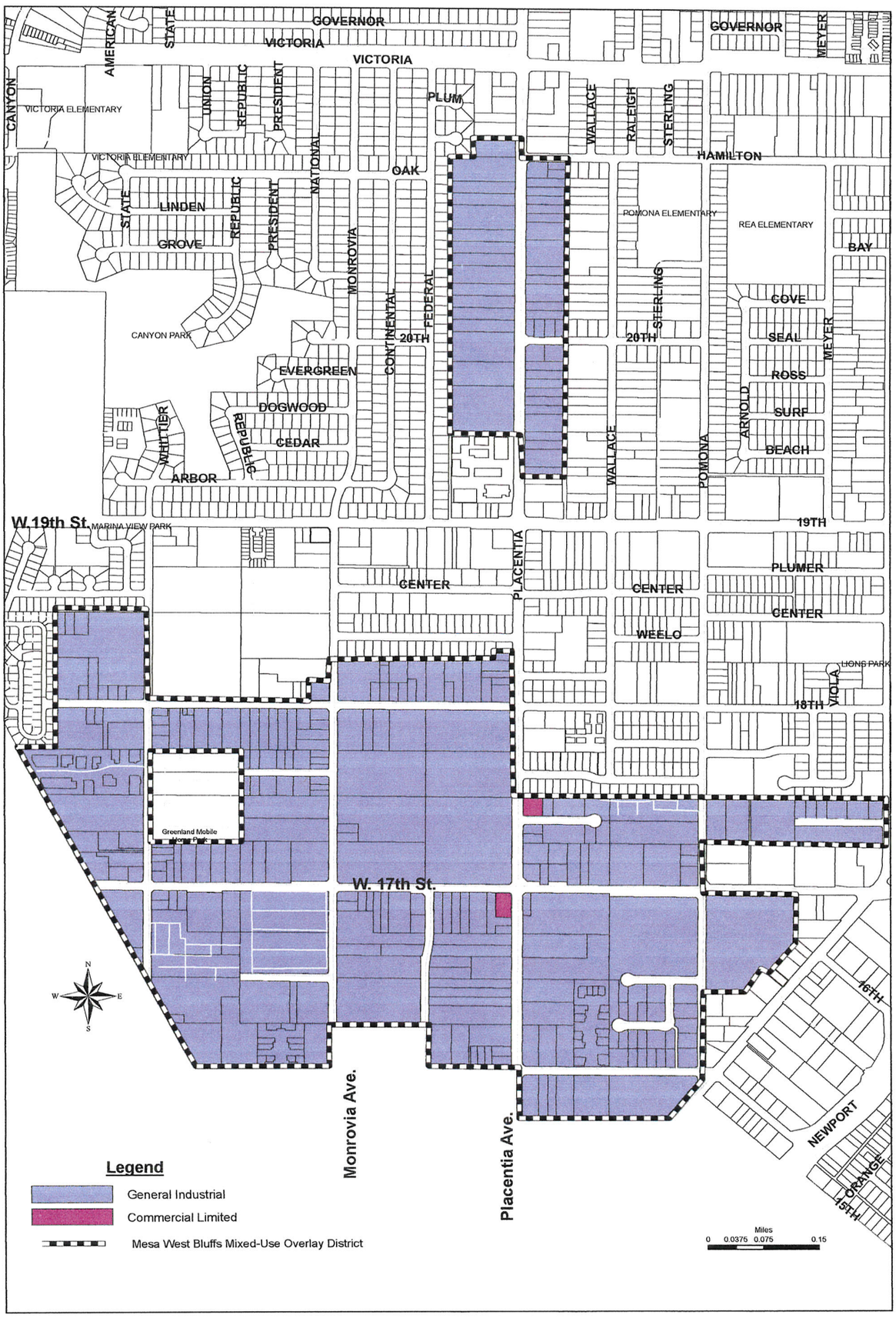


FIGURE 9B

Zoning Designations

PLANNING PROCESS

It is the express intent of the Mesa West Bluffs Urban Plan to allow existing industrial and commercial businesses to continue to operate and expand consistent with existing General Plan and zoning requirements. Opportunities for live/work or residential development in the Mesa West Bluffs Urban Plan area involve properties that may be redeveloped, rehabilitated, or adaptively re-used.

The land use regulations for allowable development may only be activated through an approved Master Plan (Figure 11). These specific development regulations supersede those of the underlying zoning district (e.g. commercial and industrial), unless otherwise indicated.

Live/work and residential development proposed in the Mesa West Bluffs Urban Plan area requires approval of a Master Plan pursuant to Title 13, Chapter II, Planning Applications, of the Costa Mesa Municipal Code. Applicants shall submit a screening application for consideration by City Council at a public meeting. No other concurrent application for development may be submitted for processing until City Council comments on the merits and appropriateness of the proposed development are received. Other than making comments, no other action on the screening application will be taken by City Council.

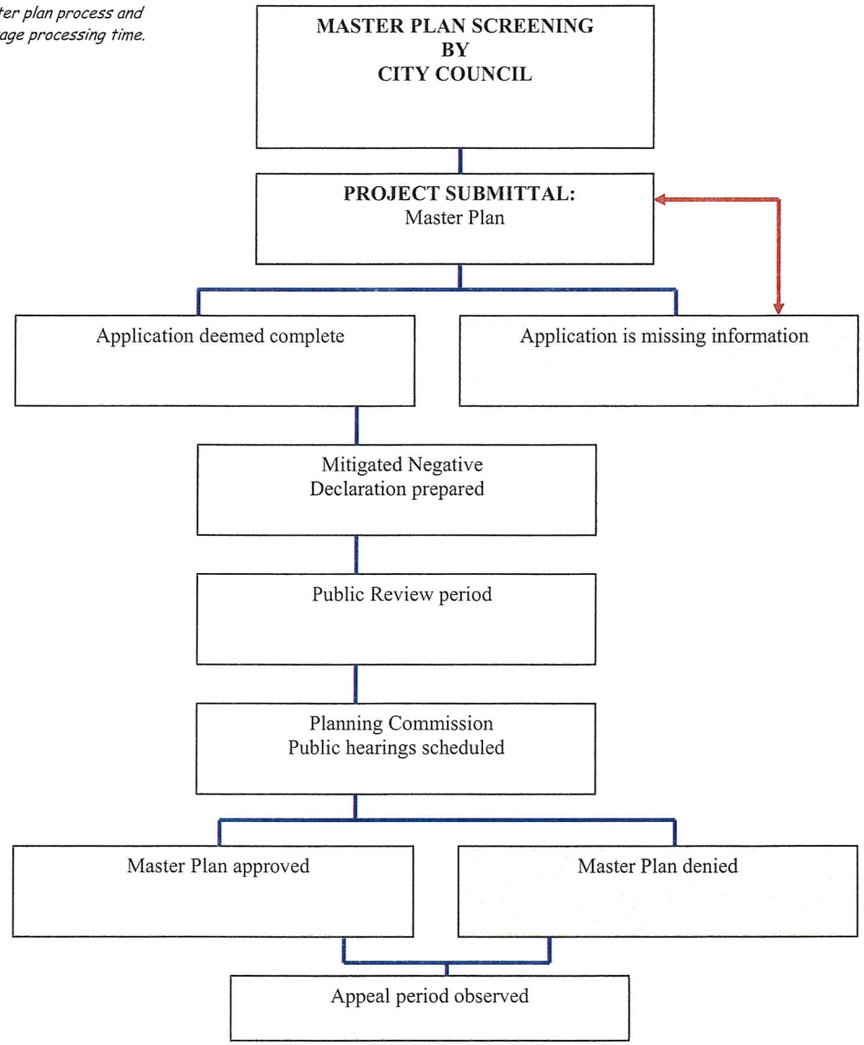
In accordance with City procedures, the Planning Commission reviews and considers Master Plans. Refer to Section 13-28(g), Master Plan, of the Zoning Code regarding the review process for preliminary Master Plans and amendments to the Master Plan.

Deviations from the Mesa West Bluffs district's development standards (as shown in Tables A1-A3 of the Mesa West Bluffs Urban Plan) may be approved through the Master Plan process provided that specific findings are made pursuant to the Zoning Code.

(Amended by Council Reso. No. 09-53 on July 21, 2009)

Figure 11: Flowchart of master plan process and average processing time.

Master Plan for Mixed-Use Overlay Project



Timeline:
About 4 months

PROJECT SUBMITTAL

Week 1

Week 4

Week 5-8

Week 9-11

Week 12-13

If denied, six months before similar application can be submitted

Week 14

DEFINITIONS

Live/Work Unit.* A mixed-use development composed of commercially- or industrially-oriented joint work and living quarters in the same building, where typically the primary use is a place of work and where there are separately-designated residential and work areas. A live/work unit consists of the following: (a) living/sleeping area, kitchen, and sanitary facilities in conformance with the Uniform Building Code and (b) adequate work space accessible from the living area, reserved for, and regularly used by the resident(s).

Master Plan. The overall development plan for a parcel or parcels, which is depicted in both a written and graphic format.

Mixed-use development - Horizontal. A type of mixed-use development where nonresidential and residential uses are located adjacent to one another on the same or adjoining lots of the same development site and are typically sited in separate buildings.

Mixed-use development - Vertical. A type of mixed-use development where nonresidential and residential uses are located in the same building and where the dwelling units are typically located on the upper levels and the nonresidential uses on the lower levels.

Mixed-use overlay zoning district. A zoning district superimposed over a base zoning district, which modifies the regulations of the base zoning district to allow mixed-use development. The provisions of the mixed-use overlay district shall be distinct from and supersede, in some instances, the zoning regulations of the base zoning district when activated through an approved Master Plan.

(Amended by Council Reso. No. 09-53 on July 21, 2009)

Nonresidential component. Areas of the mixed-use development including, but not limited to, commercial/industrial buildings, work spaces, storage areas, public spaces, and parking areas primarily or exclusively used by the tenants of the businesses.

Overlay Zone - Zoning district that applies another set of zoning provisions to a specified area within an existing zoning district. The overlay zone supersedes the zoning regulations of the base zoning district, unless otherwise indicated.

Residential component. Areas of the mixed-use development, including but not limited to, buildings, habitable spaces, common spaces, recreational facilities, and parking areas primarily or exclusively used by the residents of the dwelling units.

Residential Loft - A residential loft is a multiple-family residential dwelling unit with an open or flexible floor plan designed to accommodate a variety of activities, including a but not limited to living, sleeping, food preparation, entertaining, and work spaces in a single housekeeping unit. Residential lofts can include multi-level townhomes and single-level stacked flats. Residential lofts typically have floor-to-ceiling dimensions in excess of 10 feet and may have open ceilings with exposed duct work, overhead lighting, fire sprinklers, etc.

Urban Plan. An implementation document adopted by resolution by the City Council that sets forth development standards and land use regulations relating to the nature and extent of land uses and structures in compliance with the City's General Plan. An Urban Plan is designed to establish the vision, development framework, and historical/local context for a specified area.

*[Refer to additional distinctions between live/work units and residential lofts on following page.]

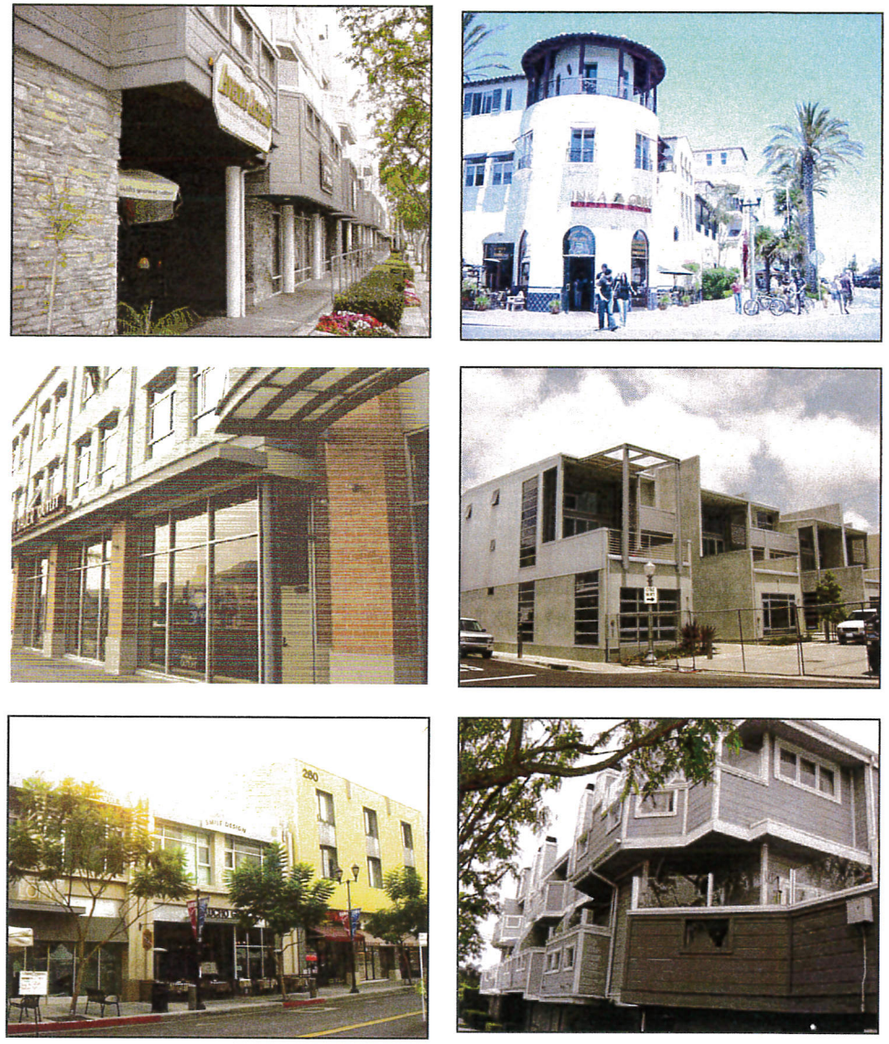


Figure 12: Photos of mixed-use development projects in other Orange County cities.

LIVE/WORK UNITS

Live/work units feature a building type that provides both employment and housing in an integrated unit. As a hybrid of living and working quarters, live/work development contributes to the diversity of land uses by spatially transitioning areas among industrial, commercial, and residential land uses.

There are many different forms of live/work units. The upstairs living/bedroom areas of a mom-and-pop store, the apartment of a lawyer next to his/her office, and the living quarters of an hair stylist above his/her salon are all examples of live/work units.

The Urban Plan offers flexible development standards and consideration of deviations from these requirements to encourage live/work units. To promote this new type of urban housing, live/work units **will typically not feature** the same extent of open space amenities (i.e. swimming pool areas, common meeting rooms, barbeque/picnic areas, and private balconies) as those amenities required in a residential development. In fact, in exchange for higher densities and development flexibility, the Urban Plan allows minimal open space amenities. Increased densities (i.e. 15-20 units per acre) and up to 1.0 FAR are promoted in live/work developments.

A fundamental challenge of creating viable live/work units is ensuring that the live/work unit does not become a purely residential use, lacking adequate common and open space amenities. In other words, there must be a reasonable expectation that business activities will occur within the work space, and therefore, the unit would not be exclusively used as a residence.

Live/work units are typically designed for one or two adults, not for families. Compared to residential uses, live/work units would therefore present a reduced demand for multiple cars, open space, and parking.

RESIDENTIAL REVERSION OF LIVE/WORK UNITS

Reversion of live/work units to residential lofts is expressly discouraged. Developers should consider and integrate the following elements into a live/work development:

- **WORK SPACE VIABILITY:** Does the project feature a work space for business?
- **LIVABILITY:** Does the live/work development create a small business community where social interaction through common areas, courtyards, pedestrian plazas, and common meeting facilities is promoted?
- **COMMERCIAL VISIBILITY:** Does the live/work development feature "garage-style" doors consisting of window panes that roll-up to reveal the interior work space, large view windows, or other design solutions which showcase business activity in the work space area?
- **FUNCTIONALITY:** Are work spaces and living spaces distinguishable, either through visibility by the general public, separate entrances/exits, or other means?
- **RESIDENTIAL REVERSION:** Is there a reasonable expectation that business activities would occur in the work space and that the live/work unit would not likely revert to a residential use in the future?

(Amended by Council Reso. No. 09-53 on July 21, 2009)

RESIDENTIAL LOFTS

Residential lofts in the Mesa West Urban Plan areas are limited to 13 dwelling units per acre. The primary purpose is to serve as living quarters and not for commerce.

Therefore, in contrast to a live/work unit, these residential lofts will provide greater opportunities for spontaneous interaction among residents as they come and go in "interactive spaces" such as common courtyards, atriums, swimming pool areas, and other amenity areas.

In summary, a residential loft will appeal to a traditional homebuyer without a small business. Oftentimes first-time homebuyers, young urban professionals, and couples without children gravitate towards residential lofts as their initial home purchase due to their pricepoint and lifestlye amenities.

IMPORTANT DISTINCTIONS BETWEEN LIVE/WORK LOFTS AND RESIDENTIAL LOFTS

DENSITY:

- Residential lofts are limited to a density of 13 dwelling units per acre.
- Live/work development may be constructed up to 1.0 FAR, provided that the proposed project is within the General Plan circulation system. This may result in 15-20 live/work units per acre.

OPEN SPACE:

- Residential lofts at 13 du/acre must include a minimum 200 square-foot open space area for each unit.
- Live/work units are not required to have the same level of open space amenities (i.e. swimming pool areas, common meeting rooms, barbeque/picnic areas, and private balconies) as those amenities required in a residential development.

ILLUSTRATIVE PERSPECTIVE

LIVE/WORK LOFTS

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ILLUSTRATIVE PERSPECTIVE

LIVE/ WORK LOFTS

M-BA

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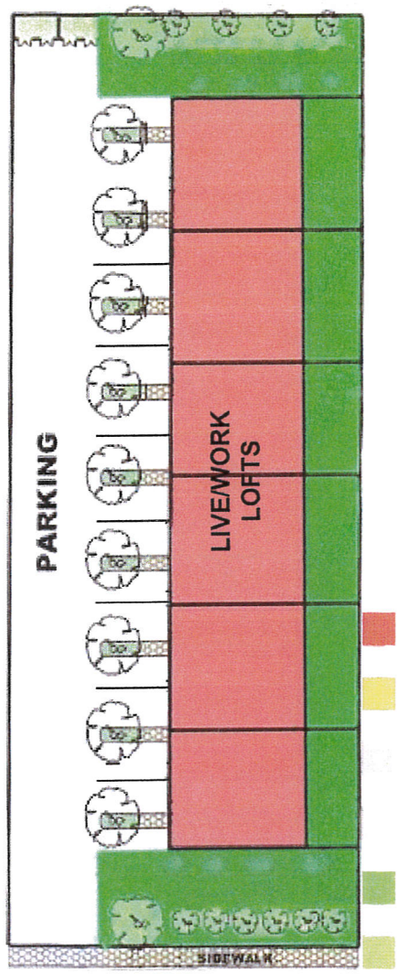
ILLUSTRATIVE PLAN
LIVE/ WORK LOFTS

SCALE: 1/32" = 1'-0"



PROJECT SITE: 1/2 ACRE SITE

PROJECT TYPE: 2,200 SQ.FT. LIVE / WORK LOFT

NO. OF STORIES: 3 STORIES

NO. OF UNITS: 6 LIVE / WORK LOFTS

650 SQ.FT. WORK SPACE (GROUND FLOOR)

1,550 SQFT. LIVING SPACE (UPPER FLOORS)

PARKING: 21 PARKING SPACES
(EACH UNIT HAS SINGLE CAR GARAGE)

MAX FAR: 1.0

RESIDENTIAL SPACE

CIRCULATION SPACE

PARKING CIRCULATION SPACE

PARKING SPACE

LANDSCAPE

MAINTENANCE SPACE

PUBLIC STREET

M-BA

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ILLUSTRATIVE EXHIBITS

The "Illustrative Perspectives" is an example of a live/work development project. These renderings are for illustrative purposes only and are not intended to represent a preferred or recommended design.

The illustrative provides an example of development that could theoretically be built, in conformance with the General Plan and the development standards/zoning regulations of the Zoning Code and Mesa West Bluffs Urban Plan.

LIVE/WORK UNITS

The live/work concept of mixed-use zoning has its roots in two ideas, which are applicable to the Mesa West Bluffs Urban Plan area.

The first was the creation of a "Main Street" shop front by an at-grade townhouse with the first floor designed for commercial purposes. In the shop front, separation between work and living is usually the first floor ceiling.

The second idea was the conversion of industrial uses into artist lofts. This may include construction of townhouse projects and courtyard lofts in industrial areas. Loft units usually have no physical separation between work and living areas.

A live/work unit is what most people imagine when they picture a typical "artist loft". The live/work concept meets the needs of those who feel that the proximity afforded by live/work is important, but who would nevertheless like some separation between living and working spaces. This separation can be met by locating residential uses above commercial/industrial uses, or in an entirely separate building located on the same property.

In a live/work unit, the living portion is typically located in the upper floors. The work space is separated by a wall (sometimes glazed or fire rated) or a floor. This separation minimizes exposure to hazardous materials or high -impact work activity.

LIVE/WORK ILLUSTRATIVE

The following live/work development (Figure 13) may be representative of live/work projects constructed in the plan area.

Project Site:	½ acre
Project Type:	live/work loft
No. of Stories:	3 stories
No. of Units:	6 live/work lofts
Unit Size:	650 sq.ft. Work Space 1,550 sq.ft. Living Space 2,200 sq.ft.
Parking:	21 parking spaces (Each unit has single-car garage)
FAR:	Max 1.0 FAR

Figure 13: Illustrative example of live/work units (6 units for 0.5 acre site) with working spaces and living areas contained within a single unit.

DEVELOPMENT STANDARDS

The land use regulations for allowable live/work and residential development are activated by a Master Plan. The development regulations of the base zoning district shall be superseded by those contained in the Mesa West Bluffs Urban Plan, unless otherwise noted (Tables A1-A3, Development Standards).

DEVIATIONS

A Master Plan is required to activate the zoning provisions of the Urban Plan. An approved Master Plan will allow new construction that does not fully meet all the applicable sections of the Zoning Code and Urban Plan requirements.

Through the review process, the applicant must demonstrate why strict compliance with current requirements is either infeasible or unnecessary for the proposed project.

Deviations from development standards may be granted through the master plan approval process with consideration to existing development configuration, compatibility of adjacent uses, inclusion of pedestrian-oriented space, and/or inclusion of amenities along the street side.

Pursuant to Section 13-83.52(d) of the Costa Mesa Municipal Code, a deviation from mixed-use development standards may be approved through the master plan process provided that the following findings be made:

1. The strict interpretation and application of the mixed-use overlay district's development standards would result in practical difficulty inconsistent with the purpose and intent of the General Plan and Urban Plan, while the deviation to the regulation allows for a development that better achieves the purpose and intent of the General Plan and Urban Plan.

2. The granting of the deviation results in a mixed-use development which exhibits excellence in design, site planning, integration of uses and structures and compatibility standards for residential development.

3. The granting of a deviation will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

(Amended by Council Reso. No. 09-53 on July 21, 2009)

Additional on-site and off-site amenities contributing to the project's overall design excellence may enable appropriate findings for approval of the requested deviations to be made.

In exchange for any deviation from any current standard, the project must provide quality environments and substantial amenities, which may include:

On-Site Amenities (Development Lot)

a. Pedestrian-oriented plazas, courtyards, atriums that provide "interactive spaces" for residents.
b. Common meeting room facilities in which business assistance/facilities would be provided in a live/work setting (i.e. Live/work incubators).
c. Shared garages instead of carports for greater security.
d. Compliance with the City's Energy Star Program for residential structures.
e. LEED Certification.
f. Green Technology features (green decks, green roofs, irrigation with reclaimed water, etc.)
g. Useable common open space with amenities, such as a tot lot, swimming pool, outdoor recreational facilities.
h. Community garden areas and meeting areas.
i. Additional landscape materials that exceed Zoning Code requirements in terms of number or size. For example, exchanging required 1-gallon plants for 5-gallon plants.
j. Provision of landscaping that consists primarily of California native species.
k. Upgraded windows and exterior doors for noise reduction and energy conservation.
l. Other amenities that enhance the project and the overall neighborhood.

Off-Site Amenities (Public Realm)

a. Undergrounding of utilities in public right-of-way.
b. Streetscape improvements including planting materials and street furnishings.
c. Decorative crosswalks consisting of stamped concrete, pavers, or brick.
d. Light standards with cohesive design theme.
e. Monument signage for community identity.
f. Landscaped medians and landscaped planters in public right-of-way.
g. Repair/replacement of sidewalks in immediate vicinity of project area.

Required Findings for Deviations from Development Standards for Live/Work Units

In addition to on-site and off-site amenities, the City will require a finding in support of requested deviations from the development standards for live/work units. Specifically, the finding will indicate that granting the requested deviation(s) will not make the live work unit(s) more suitable for use that is primarily residential.

Table A1: Live/Work and Residential Standards

TABLE A1: LIVE/WORK AND RESIDENTIAL DEVELOPMENT STANDARDS *(See also additional development standards specific to live/work developments [Table A2] and residential development [Table A3].)* MESA WEST BLUFFS URBAN PLAN	
DEVELOPMENT STANDARDS	
Overall Building Height	Maximum 4 stories/ 60 feet 1. Roof gardens/terraces shall not be considered a story. 2. Lofts, as defined in Section 13-6 of the Zoning Code, without exterior access and having only clerestory windows will not be regarded as a story.
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. Attics above the maximum number of stories shall be an integral part of the building roofline and not appear as an additional story on any building elevation. Windows in any attic space above the maximum number of stories shall be incidental and limited to a dormer style.
Bluff Top Setback	No building or structure closer than 10 feet from bluff crest (see Section 13-34 Bluff-Top Development)
Distance between main buildings	Minimum 10 foot distance between main buildings on the same site.
Distance between accessory structures.	Minimum 6 foot distance between accessory structures and main buildings.
POOLS AND SPAS	
Above-ground pools and spas shall not be located in the required front setback from a public street and are subject to rear and side yard setbacks for main structures. Additional setbacks may be applicable pursuant to Uniform Building Code requirements.	
PROJECTIONS (Maximum depth of projections given)	
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.	2 feet 6 inches into required setback area.
Chimneys	2 feet above maximum building height.
Fireplaces	2 feet into required setback or building separation area
ADDITIONAL DEVELOPMENT STANDARDS	
Common Interest Developments	Required for all residential or live/work developments.
Window Placement	Window placement should take into account surrounding land uses. Clerestory windows should be used in areas where there are privacy or view concerns.
Building Materials	A variety of building materials shall be incorporated into the design of the exterior elevations.

TABLE A1 (Continued) LIVE/WORK AND RESIDENTIAL DEVELOPMENT STANDARDS *(See also additional development standards specific to live/work developments [Table A2] and residential development [Table A3].)* MESA WEST BLUFFS URBAN PLAN	
Mechanical Ventilation	All units shall be mechanically ventilated.
Residential Noise Levels	1. Residential interior noise levels must be met for interior residential living spaces. Residential exterior noise levels must be met on all private patios, upper-story decks, and balconies. However, residential exterior noise levels do not need to be satisfied on roof-top decks/terraces or in common open space areas. 2. Noise study required with project application to document onsite noise levels from surrounding land uses.
Onsite Private Recreational Facilities	Provision of onsite private recreational facilities that are designed for the anticipated demographic profile of the residential development.
Garage	Garages are required to be used for vehicle storage.
Tandem Garage Parking	Minimum 10-foot wide x 38-foot long interior dimensions for garages containing two tandem parking spaces
Notice	In conjunction with the sale of any unit, adequate notice shall be given of the existing surrounding industrial land uses, including but not limited to, operational characteristics such as hours of operation, delivery schedules, outdoor activities, noise, and odor generation.
Other Mixed-Use Development	The Mesa West Bluffs Urban Plan emphasizes live/work units or residential development. If other types of mixed-use development is proposed (i.e. vertical mixed-use development with groundfloor retail and upperfloor residential units), refer to the 19 West Urban Plan or SoBECA Urban Plan for relevant mixed-use development standards.
DEVIATIONS	
	Deviations from development standards may be granted through the master plan approval process with consideration to the inclusion of on-site and off-site amenities which may justify the deviation. See Page 10 of Urban Plan.

(Amended by Council Reso. No. 09-53 on July 21, 2009)

Table A2: Live/Work Standards

TABLE A2: LIVE/WORK DEVELOPMENT STANDARDS MESA WEST BLUFFS URBAN PLAN DEVELOPMENT STANDARDS *(See also Table A1 for additional live/work development standards).*	
Minimum Lot Size	None
Minimum Size of Work Space	250 square feet *(Work space excludes bathroom, kitchen, balcony/mezzanines, and/or hallway areas.)
Maximum Floor Area Ratio for mixed-use development project (e.g. live/work units) • Commercial Base Zoning District • Industrial Base Zoning District	 1.0 FAR* 1.0 FAR* ***IMPORTANT NOTE:** The overall density/intensity of proposed development is dependent on many factors **and not solely** the maximum allowable FAR. For example, the FAR **and** vehicle trip generation work in concert to ensure that the proposed development does not exceed the capacity of the General Plan circulation system. Therefore, the maximum allowable FAR may be lower than 1.0 FAR, depending upon the capacity allowed by the General Plan circulation system. Additionally, site plan layout, parking requirements, and building design are other important variables. See page [#] for more discussion.
Development Lot Coverage	Maximum 90%
Open Space of Development Lot	Minimum 10% (This minimum open space requirement strictly applies to the overall development lot area and does not include areas above grade such as upperfloor balconies, patios, and roof decks)
FRONT BUILD-TO-LINE AND SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS Minimum distances given, unless otherwise noted. All setbacks from streets to development lots are measured from the ultimate property line shown on the Master Plan of Highways. Increased side and rear setbacks may be required pursuant to Uniform Building Code requirements.	
Front Build-To-Line • Abutting public street	Build-To-Line of 10 feet along all public streets
Side Setback • Interior • Abutting a public street • Abutting a publicly-dedicated alley • Abutting residential zone	 0 feet 10 feet along Whittier Ave., Wallace St., Placentia St., Pomona Ave., Anaheim Ave., W. 16th St., W. 17th St., W. 18th St., and W. 20th St. 5 feet for all other streets 5 feet 20 feet

TABLE A2 (continued) LIVE/WORK DEVELOPMENT STANDARDS MESA WEST BLUFFS URBAN PLAN DEVELOPMENT STANDARDS *(See also Table A1 for additional live/work development standards).*	
Rear Setback • Abutting a public street • Abutting residential zone • All other rear property lines	 10 feet along all public streets 20 feet 0 feet
PARKING 1. Vehicle parking is required either on-site or on another lot within a distance deemed acceptable by the Planning Commission. A reduction in the vehicle parking requirements shall be determined as outlined in "City of Costa Mesa Procedure for Determining Shared Parking Requirements." The parking reduction for the mixed-use development project and may be approved in conjunction with the master plan approval. 2. Parking spaces shall be specifically designated for tenants and guests of live/work units by the use of posting, pavement markings, and physical separation. The parking area design may include the use of alternative parking techniques such as mechanized stacked parking systems to satisfy parking requirements, subject to review and approval by the Planning Commission. Parking design shall also consider the use of separate entrances and exits, or a designated lane, for residents, so that residents are not waiting in line behind shoppers or moviegoers. Parking structures shall be architecturally integrated with the project design. 3. Parking structures shall be screened from view at street level and include architectural detailing, artwork, landscape, or similar visual features to enhance the street facade. Screening of parking structure levels above street grade is encouraged through the use of vines or architectural screening detail that is compatible with the project.	

(Amended by Council Reso. No. 09-53 on July 21, 2009)

TABLE A2 (continued)
LIVE/WORK DEVELOPMENT STANDARDS
MESA WEST BLUFFS URBAN PLAN
DEVELOPMENT STANDARDS

(See also Table A1 for additional live/work development standards).

Live/Work Units

1. Parking requirements for live/work units are based on the type of commercial/industrial activities conducted in the work space. Additional parking may be required for higher intensity live/work units compared to those units which function as home businesses. Transportation Services Division shall determine the appropriate parking rates to be applied to live/work development on a case-by-case basis, depending on the allowable uses.

Minimum parking requirements for live/work units (with similar function to home occupations) shall be applied as follows:

Live/Work Unit	Tenant Parking Space[(2a)]	Guest Parking Space
To 1,000 sq.ft.	1.0 space per unit	1.5 space per unit
To 2,000 sq.ft.	1.5 spaces per unit	1.5 space per unit
To 3,000 sq.ft.	2.0 spaces per unit	1.5 space per unit
Over 3,000 sq.ft.	2.5 spaces per unit	1.5 space per unit

i. *Assigned Tenant Parking*. No less than one covered, tenant assigned parking space provided for each unit.

ii. The application of these parking requirements apply to "permitted" uses in live/work units. Any conditionally permitted uses may be subject to additional parking requirements depending on the proposed business activities.

TABLE A2 (continued)
LIVE/WORK DEVELOPMENT STANDARDS
MESA WEST BLUFFS URBAN PLAN
DEVELOPMENT STANDARDS

(See also Table A1 for additional live/work development standards).

SIGNAGE

A Planned Signing Program is required. Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage pursuant to the City's Sign Ordinance.

Building Wall Sign	Wall signs shall not exceed one square foot of sign area for each linear foot of building frontage or portion thereof.
Freestanding Sign along Whittier Ave., Wallace St., Placentia St., Pomona Ave., Anaheim Ave., W. 16th St., W. 17th St., W. 18th St., and W. 20th St	Maximum 25 feet in height including the base.
Freestanding Sign along all other public streets	Maximum 7 feet in height including the base
	Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage pursuant to the City's Sign Ordinance.

(Amended by Council Reso. No. 09-53 on July 21, 2009)

Table A3: Residential Development Standards

TABLE A3: RESIDENTIAL DEVELOPMENT STANDARDS MESA WEST BLUFFS URBAN PLAN DEVELOPMENT STANDARDS *(Please see also Table A1 for additional residential development standards.)*	
Density	Maximum 13 units per acre
Development Lot Coverage	Maximum 60 percent of total lot area
Open Space Development Lot: Residential Open Space:	 Minimum 40 percent of total lot area Minimum 200 sq.ft. per dwelling unit of residential component (This requirement does not apply to live/work units) Residential open space may be any combination of private and common open space areas. Common open space may be distributed throughout the residential component of the mixed-use development and need not be in a single large area. Common open space areas may be satisfied by common roof gardens, common recreational/leisure areas, recreational facilities featuring swimming pools, decks, and court game facilities. Private open space may be provided for each dwelling unit above the first floor in the form of a private patio or balcony.
FRONT BUILD-TO-LINE AND SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS Minimum distances given, unless otherwise noted. All setbacks from streets to development lots are measured from the ultimate property line shown on the Master Plan of Highways. Increased side and rear setbacks may be required pursuant to Uniform Building Code requirements.	
Front Build-To-Line • Abutting public street	 Build-To-Line of 10 feet along all public streets
Side Setback • Interior • Abutting a public street • Abutting a publicly-dedicated alley • Abutting residential zone	 0-foot setback on interior property lines if structure is non habitable 10-foot setback if structure is habitable. 10 feet along Whittier Ave., Wallace St., Placentia St., Pomona Ave., Anaheim Ave., W. 16th St., W. 17th St., W. 18th St., and W. 20th St. 5 feet for all other streets 5 feet 10 feet
Rear Setback • Abutting a public street • Abutting residential zone • All other rear property lines	 10 feet along all public streets 10 feet 5 feet

TABLE A3 (continued) RESIDENTIAL DEVELOPMENT STANDARDS MESA WEST BLUFFS URBAN PLAN DEVELOPMENT STANDARDS *(Please see also Table A1 for additional residential development standards.)*	
Parking	Residential parking requirements shall be applied pursuant to Section 13-87, Chapter VI, Off-street Parking Requirements, of the Zoning Code. An exception is made for residential lofts where the following parking requirements are applied: <u>Residential Loft Parking Requirements</u>: 1. 1,000 square feet or less in size: 1 covered space and 0.5 guest space 2. More than 1,000 square feet in size: 2 covered spaces and 0.5 guest space
Location criteria	1. Residential projects should be located in proximity to existing residential neighborhoods. 2. For residential projects that are proposed in a predominantly industrial area, the following design considerations should be applied: i. Project design should be "urban loft" in character in both exterior and interior design. ii. Roof-top decks are encouraged. iii. Orientation of living areas including patios and decks from abutting industrial properties. iv. Units should be oriented towards an internal courtyard, amenities, and/or recreational area.
Design Guidelines	Compliance with Residential Design Guidelines

(Amended by Council Reso. No. 09-53 on July 21, 2009)

DENSITY AND INTENSITY OF LIVE/WORK DEVELOPMENT

Density and Intensity of Live/Work Development

The floor-area-ratio and vehicle trip generation work in concert to ensure that new live/work developments, as measured by average daily trip generation, do not exceed the capacity of the circulation system.

Maximum Allowable Intensity (Floor-Area-Ratio)

Intensity in mixed-use development is measured by floor-area-ratios, which determine the maximum amount of mixed-use development that is allowed on a lot or parcel. Intensity is therefore not exclusively measured by the number of dwelling units per acre of land.

For live/work units, any increase from the maximum 1.0 FAR (up to a maximum of 1.25 FAR) may be approved if appropriate findings can be made related to excellence in design, site planning, integration of uses and structures and protection of the integrity of the neighborhood. These findings are described in Article 11, Mixed-Use Overlay Developments, of the Costa Mesa Municipal Code.

Table B provides maximum FARs for live/work development in the plan area. Figure 15 is a prototypical illustration of a live/work unit featuring an at-home business or studio.

Table B
FARs for Live/Work Units

Development Standard	Commercial Base Zoning District	Industrial Base Zoning District
Maximum Floor-area-ratio for live/work development	1.0 FAR	1.0 FAR

Vehicle Trip Generation

Intensity refers to the magnitude of vehicle traffic activity generated by the mixed-use development. Successful mixed-use development requires a critical balance of building area (density) and vehicle traffic (intensity). The Urban Plan intends to stimulate live/work and residential development that both provide for the critical mass **without** exceeding the development capacity of the General Plan transportation system (Figure 14 and 15).

It is anticipated that as mixed-use projects develop over time in the plan area, overall vehicle trip generation will decrease when compared to more traditionally zoned and developed properties in Costa Mesa.

General Plan Conformance

The Mesa West Bluffs Urban Plan is consistent with the following 2000 General Plan circulation policies:

CIR-1A.8 *Encourage the integration of compatible land uses and housing into major development projects to reduce vehicle use.*

CIR-1A.9 *Encourage General Plan land uses which generate high traffic volumes to be located near major transportation corridors and public transit facilities to minimize vehicle use, congestion, and delay.*

CIR-1A.16 *Maintain balance between land use and circulation systems by phasing new development to levels that can be accommodate by roadways existing or planned to exist at the time of completion of each phase of development.*

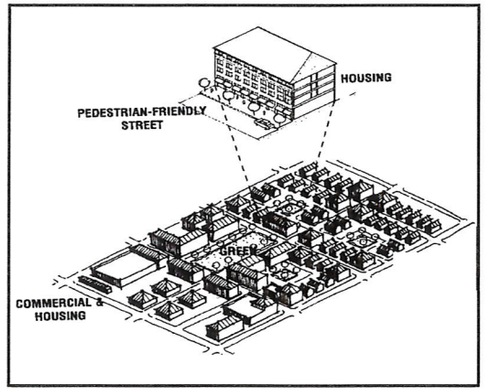


Figure 14: Subdivision patterns of mixed-use development, which promotes pedestrian-friendly streets and varying lot sizes to reduce vehicle traffic.

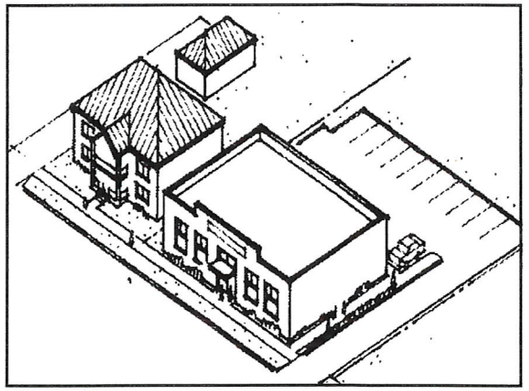


Figure 15: Example of structures in mixed-use district that are located along the 10-foot "build-to-line" with parking areas sited behind the buildings.

Project Traffic Analysis & Annual Traffic Monitoring

In conjunction with each Master Plan submittal, Transportation Services staff will analyze the following: (a) the proposed development project's anticipated traffic/circulation impacts on the surrounding circulation system; (b) the project's consistency with the City's traffic model for the affected traffic analysis zone (TAZ), (c) trip generation characteristics of other land uses in the TAZ, and (d) any appropriate mitigation measures for significant traffic impacts that are identified. If needed, Transportation Services staff may require the applicant to provide a supplemental traffic analysis.

Additionally, through the City's annual Development Phasing and Performance Monitoring Program, Transportation Services staff will monitor traffic conditions of the affected traffic analysis zones for the plan area to ensure that traffic generation assumptions are correct and that the circulation system is operating consistent with adopted Master Plan of Highways and General Plan goals and policies.

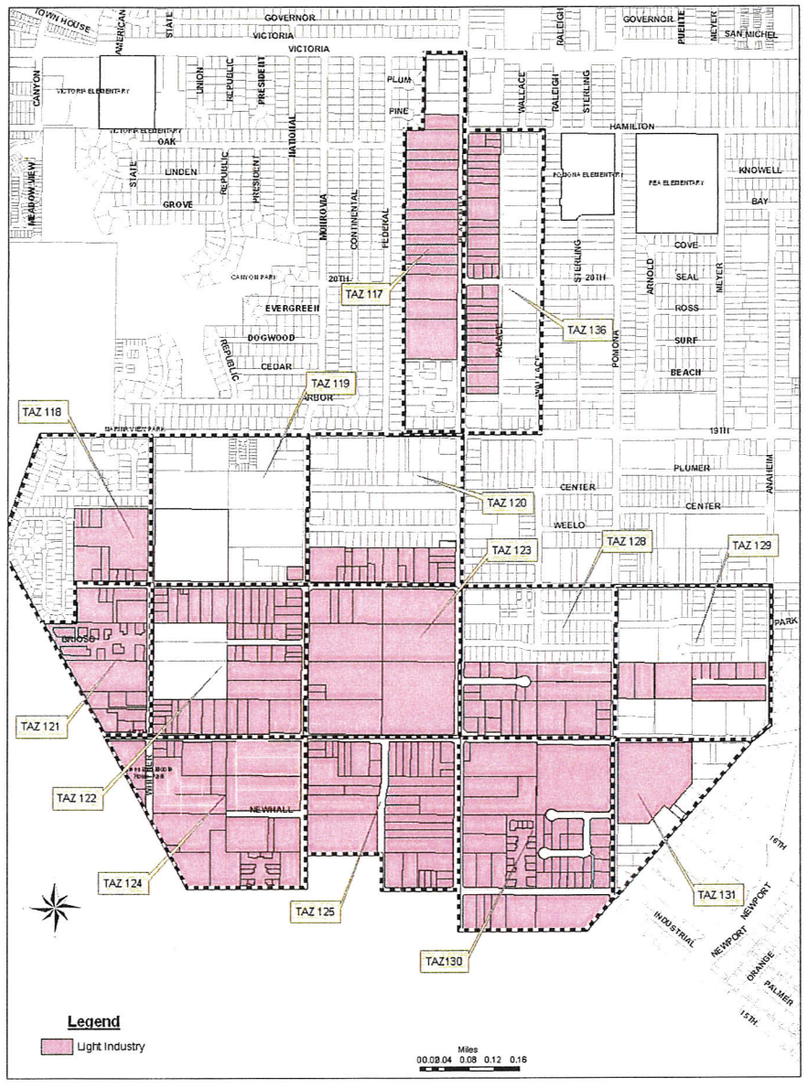


Figure 16: Traffic analysis zones.

ALLOWABLE USES

A variety of small-scale services are encouraged with limited larger offices and commercial uses being permitted in ground-level units. No proposed nonresidential uses shall be designed or operated so as to expose residents to offensive odors, dust, electrical interference, and/ or vibration. Proposed new development will be required to provide onsite mitigation of impacts associated with surrounding nonresidential land uses.

The land use matrix shown in Table C provides a list of permitted and conditionally permitted in mixed-use development, including live/work units. Similar to the role of a land use matrix in Planned Development Commercial (PDC) and Planned Development Industrial (PDI) zoning districts, the Urban Plan land use matrix provides a distinct listing of allowable uses that is customized for mixed-use development projects.

For example, uses permitted by right in a mixed-use development are considered compatible with residential uses on the same development site. These permitted uses may include artist studios, retail stores, neighborhood grocery stores, coffee/sandwich shops, and neighborhood dry cleaners. Conditionally permitted uses may include photography studios, physical fitness facilities, dance studios, or movie theaters.

Given that the overlay zone provides for development of live/work units and residential projects, any other type of mixed-use development (e.g. horizontal and vertical mixed-use development without a live/work component) requires a conditional use permit in the plan area.

LAND USE MATRIX

P= Permitted, MC = Minor Conditional Use Permit, C= Conditional Use Permit

LIVE/WORK UNITS	
• Artists, craftspersons, sculpture studios (woodworking, furniture restoration, painting, ceramics, etc.)	P
• Barber and beauty shops	P
• Catering	P
• Commercial art, graphic design, website designers	P
• Computer and data processing	P
• Legal, Engineering; Architectural; and Surveying services	P
• Offices: Professional, central admin., general, services to business	P
• Photocopying; Blueprinting and related services; photo finishing	P
• Printing and publishing	P
• Offices: medical/dental	MC
• Photography: Commercial	MC
• Photography: Portrait Studio	MC
• Recording studios	MC
• Studios: Dance; Martial arts; Music, Yoga, etc.	MC
• Retail Store	C
• Furniture repair and refinishing with incidental sales	C

VERTICAL/HORIZONTAL MIXED-USE DEVELOPMENT WITHOUT A LIVE/WORK COMPONENT REQUIRE A **CONDITIONAL USE PERMIT** IN THE MESA BLUFFS URBAN PLAN AREA

1. Pursuant to an approved master plan which specifies these operational characteristics and/or location of the business.
2. All other uses not specified in this table are either prohibited or may require a Conditional Use Permit, as deemed by the Development Services Director.
3. All other zoning classifications not specified in this table are not compatible with overlay district.

Figure 17: Examples of businesses that may be established as live/work units.

Notes: Laundry/dry cleaners allowed in a mixed-use development refer to neighborhood drycleaners and not commercial drycleaning plants involving large scale hazardous solvents storage and chemical use.

Master Plan Land Use Matrix

A Master Plan is required to be approved for all development projects proposed in the overlay zone. As part of the Master Plan approval, a project-specific land use matrix of permitted, conditionally permitted, and prohibited land uses will be identified by refining the listing shown in the Urban Plan land use matrix.

A developer may choose to refine this Urban Plan land use matrix by identifying certain permitted and conditionally permitted uses for the specific Master Plan proposal. This "Master Plan" land use matrix will be approved by the Planning Commission in conjunction with the overall approval of the development project, and it will supersede the land use matrix in this Urban Plan. If the Master Plan approval does not include such a matrix, the land use matrix in this Urban Plan shall be applied.

Thus, the purpose of a separate land use matrix in this Urban Plan is to supersede the more generalized matrix currently provided in the Zoning Code and thereby allow further specification of uses for a mixed-use planned development.

Only the conditionally approved land uses would require subsequent review and action by the Planning Commission, at the time the land use is proposed. Parking requirements, lease space size restrictions, hours of operations, and other related conditions of approval would be stipulated for these conditional uses.

After a Master Plan is approved, a conditional use permit would be referred to the Planning Commission for review and action, if: (1) an applicant seeks approval of a land use designated in the Master Plan land use matrix as requiring a conditional use permit, or (2) an applicant seeks approval of land use that requires a conditional use permit pursuant to the Urban Plan land use matrix, because it is not listed in the applicable Master Plan land use matrix.

Additional Uses

Other than residential uses and those uses identified in this Land Use Matrix, uses that are prohibited in the base zoning district shall also be prohibited in overlay district. All other uses not specified in the Land Use Matrix may be considered by the Development Services Director.

Depending upon the project location and/or site and building design, additional permitted and conditionally permitted uses may be appropriate. These additional uses shall be considered on a project-specific basis as a part of the mater plan review process. If deemed appropriate, the master plan approval shall list the additional uses allowed within the project. Conversely, additional prohibited uses could also be identified though this same process.

LAND USE COMPATIBILITY

New development in the mixed-use overlay district shall be evaluated for compatibility with existing development on a case by case basis.

The following considerations incorporated into the proposed project:

- Standard Condition of Approval: For proposed development adjacent to residentially-zoned properties that exceeds two stories, developer shall submit a shade/shadow analysis prepared by a professional aesthetic consultant. The conclusions of the aesthetic analysis shall specifically demonstrate that adequate daylight plane requirements for the abutting residential uses are provided.

- Land use compatibility studies are required in the form of a Health Risk Assessment Study and Phase 1 Environmental Assessment Study for all mixed-use development projects. Other equivalent compatibility analysis may be approved by the Development Services Director. The studies should recommended mitigation measures to reduce any environmental concerns to below a level of significance. These measures or project design features should be incorporated into the proposed project and disclosed in the environmental document.

At the discretion of the Development Services Director and in consideration of specific site characteristics, additional or modified development standards and conditions of approval may be added to include, but not be limited to, increased setbacks, increased wall height, enhanced landscaping, and other appropriate edge treatments aimed at enhancing the compatibility of urban infill projects.

DISCLOSURES

As part of the Master Plan approval, a condition of approval may require that the Covenants, Conditions, and Restrictions (CC&Rs) disclose the existing noise environment and any odor-generating uses within and surrounding the mixed-use development.

The provision of the CC&Rs that relates to disclosures will be reviewed/approved by the City Attorney's office prior to recordation. A provision to the CC&Rs will also stipulate that any subsequent revisions to the CC&Rs related to this issue must be approved by the City Attorney's office.

A condition of approval may be included which would require that written notice of the then-existing noise environment and any odor generating uses within the mixed-use development and within a specific radius of the mixed use development be distributed 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 City Attorney's office shall determine the legal mechanism employed to ensure disclosure of noise and odor generating uses. For example, if this disclosure were required as a deed restriction, it would not need to be included in the CC&Rs.

DEVELOPMENT INCENTIVES FOR INDUSTRIAL PROPERTY OWNERS

The following development incentives may be offered to industrial property owners in the mixed-use overlay district.

1. Existing industrial properties that are currently developed at a floor area ratio that exceeds the maximum allowable floor area ratio stated in the Zoning Code may be voluntarily demolished and redeveloped at the same floor area ratio. However, the redevelopment of the site should result in an equal or lesser degree of nonconformity with current City standards.

2. An industrial-based improvement program similar to the Residential Remodeling Incentive Program (RRIP) that would waive permit and plan check fees for improvements to industrial properties.

3. Public streetscape improvements similar to those along West 19th Street.

4. Development incentives to replace small "incubator" space lost through loft or live/work conversions or encourage ownership of incubator spaces. Such an incentive may involve an FAR "density bonus" for projects that include smaller multi-tenant spaces. This may be fashioned similar to the currently proposed FAR increase for mixed use projects that meet certain criteria or findings (i.e. excellence in design, integration into neighborhood, provision of replacement "incubator" space, etc.).

ON-SITE LANDSCAPING

A detailed landscape plan shall be approved by the Planning Division prior to issuance of any building permits. Chapter VII, Landscaping Standards, of the City's Zoning Code provides on-site landscaping requirements for mixed-use development.

Developers should include extensive on-site landscaping, plazas and courts, art, fountains, seating, and shade shelters for shoppers and pedestrians. Consistent rows of street trees, ground landscape, pedestrian-oriented lighting fixtures, well-designed signage, distinctive paving, and public art should be used to enhance the aesthetic quality and distinguish the area.

Streetscape elements should be linked with the higher intensity improvements planned for the Mesa West Bluffs Urban Plan. The streetscape improvements should also contribute to the enhancement of the visual quality and value of the mix of commercial, residential, and community service uses located along major public streets.

LANDSCAPE

The amount of required on-site landscaping is prescribed in Title 13, Chapter VII, Landscaping Standards, of the Municipal Code. All required landscaped areas, including landscaped areas within parking lots, shall consist of predominately California native plants. Following is the recommended landscape palette for the plan area. Other landscape materials that meet the intent of this plan may be approved by the Planning Division.

LARGE DECIDUOUS TREES

Platanus racemosa (California Sycamore)

- Fast growing deciduous tree 50+ feet tall.
- Nice naturalized look with arching branches.
- Good tree for wildlife/birds.

Cercidium floridum (Palo Verde Blue)

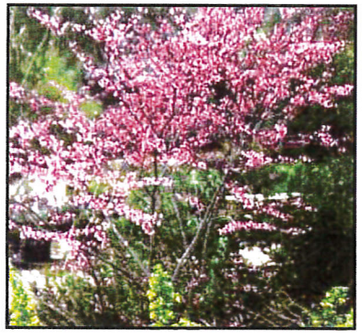
- Deciduous tree grows up to 20-30 feet tall.
- Yellow flowers in spring March or April.
- Bare much of the year, but seems to have nice blue-green branches.
- Takes heavy soil.

Figure 18: Palo Verde Blue

Cercis occidentalis (Western Redbud)

- Nice small, single or multitrunked tree, deciduous, grows to 20 feet tall.
- Very nice magenta flowers along branches in spring (more when mature).
- Loses leaves in winter, but very graceful branching when mature and will allow for more sun below tree for shrubs, ground cover.

Figure 19: Western Red Bud



Arctostaphylos refugioensis (Manzanita)

- Evergreen tree reaching 15 feet tall and 10 feet wide.
- Showy white flowers in spring and nice reddish/brown bark.
- Nice specimen tree – nice arching branches.
- Good companion plant is Rhamnus. Hummingbird attractant.
- Needs only monthly irrigation once established.

Figure 20: Manzanita

SMALL TREE (UNDER 20' IN HEIGHT)

Chilopsis linearis (Desert Willow)

- Deciduous, fast-growing tree that grows to about 20 feet tall.
- Needs summer water (twice monthly).
- Main appeal is the large pink blossoms.

Figure 21: Desert Willow

LARGE EVERGREENS

Pinus torreyana (Torrey Pine)

- Fast growing evergreen to 40-60 feet tall.
- Open habit in coastal area and more symmetrical inland.
- Nice pine in right conditions – seems to prefer coastal climate.
- Resistant to oak root fungus.

SHRUBS

Arctostaphylos 'Sunset' (Sunset Manzanita)

- Evergreen shrub that grows to about 3' by 6'.
- Dark red bark with white flowers.
- Considered one of cleaner/neater manzanitas and compact.
- Tolerates clay soil and drought tolerant.

Figure 22: Sunset Manzanita

Ceanothus (Skylark)

- Evergreen shrub 3-6' x 5' tall, but can be kept at 3'x3'.
- Glossy dark green leaves with bright blue flowers in spring.
- Tolerant to summer and garden watering. Blooms over long season.

Rhamnus californica 'Eve Case' and 'Mound San Bruno' (Coffeeberry)

- Nice evergreen mounding shrub that grows to about 4-6'x6'.
- Adaptable to most soils and can be shaped.
- Mound San Bruno is a little smaller than Eve Case.
- Good replacements for Indian Hawthorn, Photinia, Pittosporum, etc.

Figure 23: Sky Lark

GROUNDCOVERS

Ceanothus gloriosus (Anchor Bay)

- Grows to 1-1 ½' tall and 6-8' wide. Very dense
- Nice blue flowers in spring and good at holding down weeds.

Figure 24: Anchor Bay

Ceanothus griseus horizontalis (Yankee Point)

- Mounding ground cover or very small shrub that grows 2-3'x10'.
- Dark green glossy leaves with blue flowers in spring.

Figure 25: Yankee Point

Baccharis 'Pigeon Point' (Dwarf Coyote Brush)

- Grows 1-foot tall and about 12 feet wide dark green ground cover.
- Stays low and clean. Tolerates bad soil.

REQUIRED STUDIES

The following studies shall be submitted with the project application.

Noise Study (Required)

In the Noise Study, a qualified acoustical engineer shall certify that the proposed construction shall meet the City's Noise Ordinance requirements. Specifically, residential interior noise levels shall be 45 CNEL or less, and residential exterior noise levels in private open space areas shall be 65 CNEL or less.

The General Plan describes the indoor environment as inclusive of bathrooms, closets, corridors, and living/sleeping areas of the dwelling unit. The residential area of a live/work unit is subject to the interior residential noise requirements.

The exterior noise standards of the City's Noise Ordinance shall not apply to the following exterior areas of multi-family residential development or live/work units located within a Mixed-Use Overlay District, approved pursuant to a Master Plan, and subject to the land use regulations of the Urban Plan,

(1) Private balconies or patios regardless of size;

(2) Private or community roof decks/roof terraces;

(3) Internal courtyards and landscaped walkways that do not include resident-serving, active recreational uses such as community pool, spa, tennis courts, barbeque, and picnic areas.

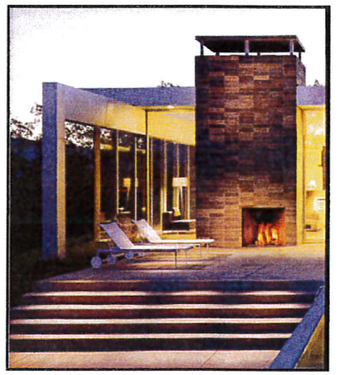
Proper design may include, but shall not be limited to, building orientation, double pane or extra-strength windows, wall and ceiling insulation, and orientation and insulation of vents. Where it is necessary that windows be closed in order to achieve the required level, adequate means shall be provided for ventilation/cooling to provide a habitable environment. Commercial uses shall be designed and operated, and hours of operation limited, where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic, routine deliveries, or late night activity. No use shall produce continual loading or unloading or heavy trucks at the site.

Phase I Environmental Assessment (Required)

In the Phase 1 Environment Assessment, disclosure of and measures to remediate onsite hazardous wastes/substances shall be provided. Where applicable, a letter of case closure is required from the County of Orange Health Care Agency for development sites, as applicable.

Traffic Study (Required as determined by Transportation Services Division)

The primary objective of new development, redevelopment and adaptive reuse of the properties in the Mesa West Bluffs Urban Plan area is to revitalize the area **without exceeding** the development capacity of the General Plan transportation system. Independent traffic studies may be required by Transportation Services Division if there is a potential that the proposed Master Plan would adversely affect roadway conditions.



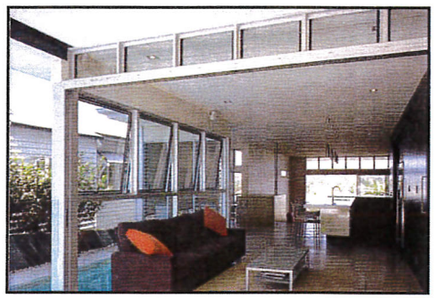


Figure 26: Collection of photos showing outdoor and indoor living spaces of live/work units in the United States.

THE PUBLIC REALM

Improvements to both public and private property will enhance the overall plan area and make it more attractive to potential Developers and users. Development in the overlay zone may need to provide for enhancements in the public realm. To establish a clearly defined and visually attractive entry into the Mesa West Bluffs Urban Plan area, the City may study and implement, where feasible and practicable, the following:

- Public right-of-way and streetscape elements such as street trees, street furniture, pedestrian-scaled lighting that illuminate the pedestrian walks, bollards, banners, public art, and decorative crosswalk paving in this area.

- Streetscape improvements along West 17th and West 18th Street to visually indicate the transition from the large-scale, suburban development at Newport and Harbor Boulevards, to the urban village scale development of the Mesa West Bluffs Urban Plan area.

Public realm improvements also could be jointly implemented by the City and the Developer of live/work or residential development. The Developer's level of participation in public realm improvements will be determined on a case-by-case basis during the Master Plan approval process. These improvements are intended to accomplish the following objectives:

- Reinforce the identity of the Mesa West Bluffs Urban Plan area through the creation of an aesthetically pleasing pedestrian network and public spaces.

- Create a mixed-use district focus through the provision of human-scale features such as landscape and streetscape.

Landscape in Public Right-of-Way

Landscape materials have been identified for use because they do well in the area, are drought tolerant California native plants, and require low maintenance. Following is the suggested landscape palette in the public right-of-way in the Mesa West Bluffs Urban Plan area *with the exception* of any Council-approved plant palette for medians, such as medians at West 19th and Placentia.

Street Tree:
Platanus racemosa (California Sycamore)

Groundcover:
Ceanothus gloriosus (Anchor Bay)

Shrubs:
Arctostaphylos Sunset (Sunset Manzanita)

Streetscape

Streetscape improvements include planting materials (i.e. trees, vines, shrubs, and groundcover in landscaped parkways) and street furnishings (i.e. seating, paving, lighting, and trash receptacles). Following are some suggested streetscape improvements that may be implemented by the City and funded by the Developer in conjunction with mixed-use development:

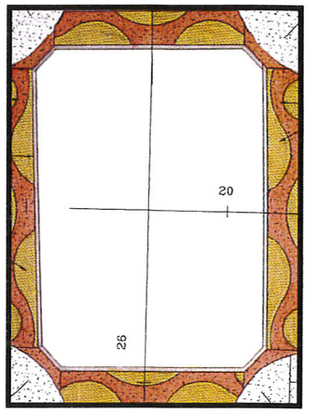
Decorative Crosswalks

- Decorative paving of crosswalks (Figure 27), either a continuation of the existing pattern that is used at the intersection of 19th Street and Harbor Boulevard or a new, bolder pattern and color may be installed at this signalized intersection to make it safer and easier for pedestrians to cross. The decorative pattern should be in the crosswalks only (not in the center of the intersection) to emphasize the crosswalks.

- Priority may be given to installation of decorative crosswalks at the following intersections with West 17th and West 18th Street.

- Decorative crosswalks along Superior Avenue at W. 17th Street and 16th Street will be studied. One potential location is the intersection of Superior Ave. and W. 16th Street.

Figure 27: Examples of crosswalk treatments and decorative paving.



Street Furnishings for Major and Secondary Street Furnishings for Major and Secondary Streets in Urban Plan Area

To provide continuity within in the plan area and to comply with Citywide standards, a complementary collection of street furnishings will be used. The proposed street furniture on this page are provided for informational purposes only and serve as illustrative examples of what types of furnishings may be used in the plan area. The Planning Commission may exercise creativity and flexibility in departing from any of these suggested examples. The Planning Commission may allow different types of street furniture that complement the mixed-use development projects in conjunction with Master Plan approval.

- The City's adopted "Downtown Bench" (Dwg. No. DS.104), Timberform "Renaissance" or approved equal, color Ameron #2103 or approved equal should be used along sidewalks and in public spaces. (Figure 29)

- The City's adopted trash container (Dwg. No. DS.105) should be used, with a minimum of one trash container for each 300 feet of street frontage and should be maintained (regular trash pickup and cleaning) by the City. (Figure 31)

- The City may design or select a standard news rack system to complete the family of approved street furnishings. The news rack system should permit the grouping of up to five news racks.

- Criteria for the placement of news racks should be developed. In developing those criteria, it is recommended that at least the existing number of news rack be permitted. Placement criteria may include:

    - To avoid visual obstructions that may create safety and security hazards, not more than five individual news racks should be grouped in one location and news racks should not be stacked above a height of 3'-6".

    - News racks should be located in front of businesses with high volumes of pedestrian activity, including restaurants and grocery stores.

    - Groups of news racks should be placed at least 300 feet apart where feasible.

- New bus shelters shall exhibit the same design and color palette as those shelters recently installed along West 19th Street. (Figure 30).

Following is a comprehensive list of suggested parkway improvements or public right-of-way improvements that may be required in the Mesa West Bluffs Urban Plan area.

Since all projects shall include specific, mandatory base elements to create a unifying theme, these elements are identified in the list below. ADA compliance is required where applicable.

Required Base Elements

- Various landscaping & irrigation improvements in public right-of-way
- Street Trees per Urban Plan
- Grated tree wells
- Benches & trash receptacles
- Standard & ornamental street light poles
- Enhanced color & textured treated sidewalks
- Decorative crosswalks
- Increased sidewalk widths or sidewalk re-alignments

Other Suggested Elements

- Architectural retaining walls (outside public right-of-way)
- Undergrounding of utilities
- Repair of adjacent parkway, curb & gutter
- Entry node monuments

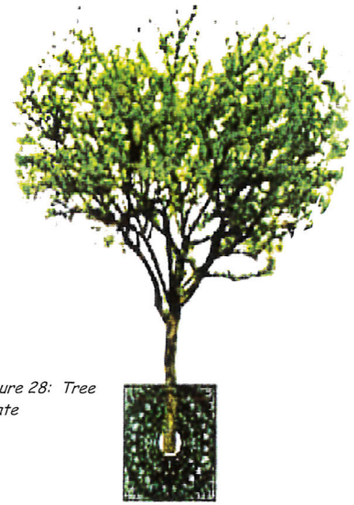


Figure 28: Tree Grate

Figure 30: Bus shelter on 19th Street

Figure 29: City's adopted "Downtown Bench" (Dwg. No. DS.104),

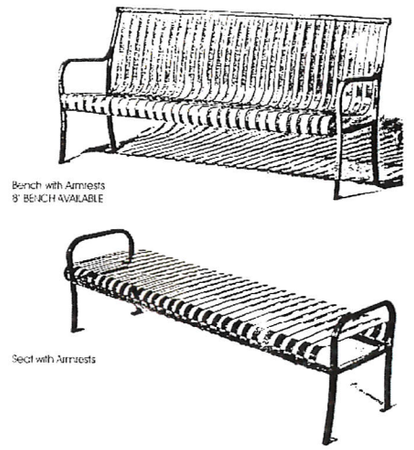
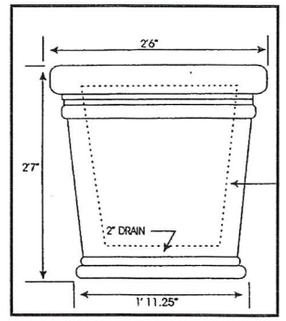


Figure 31: City's adopted trash container (Dwg. No. DS.105)



PUBLIC NODES

The Mesa West Bluffs Urban Plan will largely be developed with separate architectural identities. The best way to achieve cohesiveness and identity is through use of general physical elements that can be used consistently, or in some cases, complementarily throughout the mixed-use district. Unique gateway and street signage will create an appealing and consistent design/color theme throughout the district.

Gateway Monument Signs

The entry monuments will identify gateways to the Westside and enhance visibility of this area. The community identification signage will hopefully encourage property owners to redevelop their properties into mixed-use development, construct new residential development, or adaptively reuse existing buildings. The entry signage will reinforce a sense of community and value for a successful revitalization. A monument sign, designed as a smaller scale version of the approved City entry monument sign may be installed at the following locations. The exact sign dimensions and locations will be determined by the City's Planning and Transportation Services Divisions as mixed-use development is proposed.

Suggested Entry Signage Locations

- Victoria St. and Placentia Ave. (Figures 32 and 33)

Two potential sign locations have been chosen for the above intersection. The first location is inside the median on Victoria St., just west of Placentia Ave. The second location is to the south of the bike trail off the northwestern portion of the intersections.

Figure 32 and 33: Illustrative examples of suggested monument sign at Victoria Street, west of Placentia Avenue. Note: Not to Scale

- Victoria St. and Pomona Ave. (Figures 34 and 35)

Two potential sign locations have been chosen for the above intersection. The first location is on the south side of Victoria St, west of Pomona Ave, and north of the bike trail. The second location is on the north side of Victoria St., east of Pomona Ave., and south of the bike trail.

- Placentia Ave. and W. 16th St. (Figure 36)

The potential entry sign location for the above intersection depends on a possible future median project along Placentia Ave.

- W. 16th St., Pomona Ave., and Superior Ave. (Figure 37)

One potential entry sign location has been chosen for the above intersection. The median is located to the northwest of Superior Ave., south of Pomona Ave and W. 16th St., and west of Industrial Way. These intersections border Costa Mesa and Newport Beach and would be a key identifier of entry into the Westside.

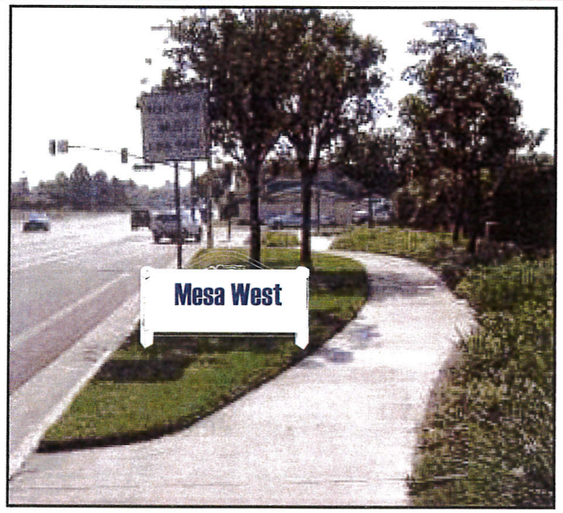


Figure 34: Illustrative examples of suggested monument sign at Victoria Street, west of Pomona Avenue.
Note: Not to Scale

Figure 35: Illustrative examples of suggested monument sign at Victoria Street, west of Pomona Avenue.
Note: Not to Scale

Figure 36: Illustrative examples of suggested monument sign at a potential future median location at Placentia Avenue and West 16th Street.
Note: Not to Scale

Figure 37: Illustrative examples of suggested monument sign at potential landscaped median at West 16th Street/Superior Avenue,/Pomona Avenue
Note: Not to Scale

Banner Signs

As major mixed-use development occurs in the Mesa West Bluffs Urban Plan area and properties are redeveloped, a banner signage program is suggested for the area. Banners on private property may be displayed only in conjunction with current or pending cultural events in the district, in conjunction with existing permanent structures in the district, or as free-standing display of original works of artistic merit. Banners on private property shall not be displayed for any reasons other than furtherance of broad cultural goals. The banners throughout the district will make visitors aware that they have entered the Mesa West Bluffs Urban Plan area. An illustrative example of a banner design is provided in Figure 39.

Streetlights

A mix of different streetlight types are found throughout the City. The most common along the majority of arterials are the concrete "Marbelite" poles with cobra head light fixtures, providing either single or dual mast-arms (Figure 40). Within the Downtown area, surrounding the Triangle Square development are the "Triangle Square" streetlights, which are owned and maintained by Triangle Square Development (Figure 41).

The nostalgic streetlights were installed along West 19th Street. For continuity with the SoBECA Urban Plan, 19 West Village Urban Plan, and the East 17th Street Lighting Plan, the "Carpinteria" ornamental street light is also recommended for the Mesa West Bluffs Urban Plan area (Figure 38).

A uniform citywide plan is needed to designate areas for special decorative streetlights in conjunction with new development projects. For example, the following street lighting plan is proposed for the Mesa West Bluffs Urban Plan area:

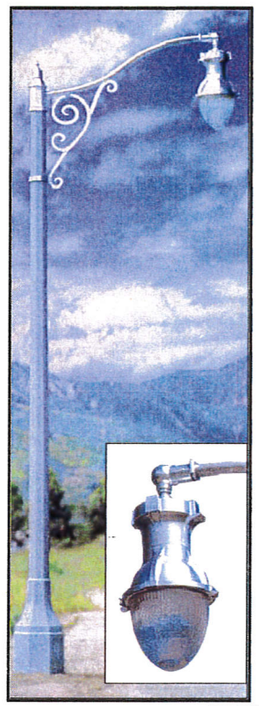
Street Lighting for West 18th and West 17th Street

- Install ornamental pedestrian lighting on 12-foot poles 50 feet on center

The decorative streetlights may be the same style and color used at the along E. 17th Street or another complementary style to be specified by the City.

Figure 39: Illustration of potential banners on light standards in Mesa West Bluffs Urban Plan area

Figure 38: Carpinteria-style light standard currently being used on E. 17th Street

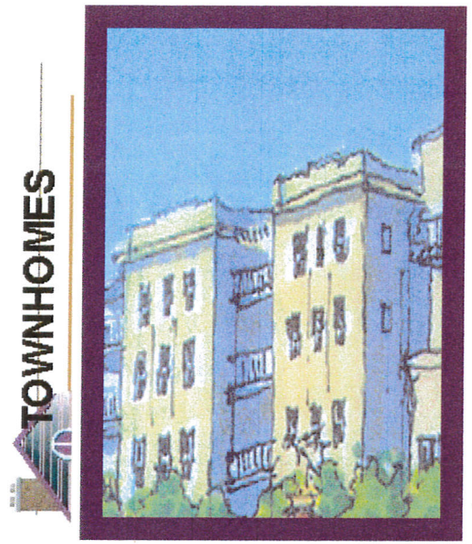


Figures 40 and 41: Marbelite and nostalgic style light standards.

Mesa West Residential Ownership URBAN PLAN

Development Services Dept.
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628
(714) 754-5245

Costa Mesa



RESIDENTIAL OWNERSHIP INCENTIVES

August 2006

HISTORICAL CONTEXT

In March 2005, City Council approved several strategies aimed at revitalizing the City's Westside (Figure 1). These strategies were based on the Westside Revitalization Oversight Committee's (WROC) Final Report and Implementation Plan that were presented to Council in early 2005 (Figure 2).

Included in Council's overall approval were two strategies that encourage the redevelopment or conversion of existing rental multiple family units to a development of ownership units.

These strategies are as follows:

- **Strategy D1 – Residential Ownership Incentives Overlay Zone**

  Encourage development of new owner-occupied condominium and clustered homes by creating an overlay zone for high-density residences in areas that are currently zoned R-2 medium density (12 units per acre), R-2 high density (14.5 units per acre) and R-3 (20 units per acre), to allow R-3 high density (20 units per acre).

- **Strategy D3 – Flexible Development Standards Ordinance**

  This represents an additional incentive to promote ownership housing in the multiple-family zones. It is intended to encourage appealing exterior design themes and avoid solid massing, by allowing flexibility in height, setbacks, and alley usage consistent with City codes, but not allowing variances to current City parking standards.

The Mesa West Residential Ownership Urban Plan implements both of these strategies by specifying the plan area and identifying various development standards to encourage residential homeownership in the Mesa West Residential Ownership Urban Plan area. The purpose of the urban plan is to inform landowners and the general public of the residential ownership incentives available in the plan area. Opportunities for condominium conversions or new ownership housing in the Urban Plan area involve properties that may be redeveloped or rehabilitated.

The Mesa West Residential Ownership Urban Plan does not propose any major intensification of land uses. The emphasis is on distributing high density residential land uses throughout the area, providing visual enhancement through conventional architecture, and encouraging the development of ownership housing along major streets such as: W. 18th Street, W. 19th Street, Victoria Street, Anaheim Avenue, and Wallace Avenue.

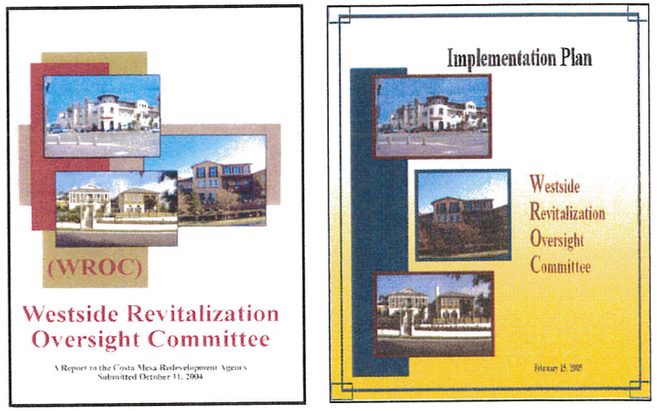
Thus, future volumes of traffic will be supported by the roadway network change and should not change significantly from the existing/projected traffic volumes in the plan area. In this regard, it should be emphasized that the Mesa West Residential Ownership Urban Plan should not adversely impact levels of services on streets in the area and should essentially maintains the existing traffic patterns.

Relationship to Other Westside Urban Plans

The Westside Implementation Plan was adopted in March 2005. Three Urban Plans were created to establish overlay zones in specific areas of the Westside: (1) 19 West Village Urban Plan, (2) Mesa West Bluffs Urban Plan, and (3) Mesa West Residential Ownership Urban Plan. Each Urban Plan provides guidance to property owners and Developers for new development and redevelopment. All together, these plans will provide a framework for major private market reinvestment and improvements for the Westside. However, the Urban Plans avoid being excessively restrictive by not dictating architectural design guidelines or establishing exterior building colors.

Figure 1: Vicinity Map of Westside

Figure 2: WROC Planning documents



WROC COMMITTEE

Many cities face similar situations where incompatible land uses are located side-by-side, and where public safety programs are consistently being impacted by a high demand for services from concentrated problem areas within the community. These problems often tend to spread, thus impacting adjoining neighborhoods or business areas. In August, 2003, the Redevelopment Agency appointed 40 members to the Westside Revitalization Oversight Committee (WROC). The WROC's objective was to build upon previous work completed by the Community Redevelopment Action Committee (CRAC). Through the efforts of an intense citizen participation program, the WROC assisted City Council/Redevelopment Agency in developing a long-term vision for the Westside.

Citizen participation was a critical part of the Westside Revitalization Program. The City wished to encourage all residents, especially those living adjacent to industrial properties, to participate in its planning process. In addition, other representatives from the business community were invited. The members of the Westside Revitalization Oversight Committee consisted of representatives of the following groups:

- Homeowners
- Industrial Business and Property Owners
- Rental Property Owners
- Commercial Business and Property Owners
- Residential Tenants
- Community Service Organizations

The public participation process was based on the premise that community planning begins with open communication and the exchange of information and ideas. With this exchange, a comprehensive revitalization plan could be developed which had both effective actions to implement in the short-term future and also broad public support. The WROC provided all persons interested in the Westside with the opportunity to participate and provide feedback on what they envisioned for the future of the Westside. This concept was unusual because seldom is a committee encouraged to have a large membership. However, this committee of forty members proved that multiple diverse opinions and interest groups could come together to provide valuable input to its City leaders. This was demonstrated by the WROC through their intense commitment, a strong desire for change, diverse representation of the community, and numerous varying ideas and opinions. Compromise was not easily achieved, but when reached it was supported by a supermajority of the membership (Fig. 3A). The WROC's final report and implementation plan are significant since both documents represent the consensus of this 40-member committee. The City of Costa Mesa's Redevelopment Agency and City Council used the WROC's findings and recommendations in their decision-making process to identify the Urban Plan areas and to apply General Plan land use policies for mixed-use development.

The primary difference between this urban plan and the WROC recommendations for the residential ownership incentives is the scope of the overlay zone. The WROC recommendations were limited to the area bounded by Hamilton Street to the north, 18th Street to the south, Placentia Avenue to the west, and Maple/Bernard/Charle Streets to the east. Single-family areas were excluded from the overlay area. This urban plan expands the overlay zone to high-density residential areas north of Hamilton Street, west of Placentia Avenue, and south of 18th Street. These added areas also include Medium Density Residential as shown on page 4A. This urban plan also includes a minimum lot size of 1 acre for a density bonus, while the WROC recommendation was a minimum lot size of 1.5 or 2.0 acres. The WROC also recommended that all parcels currently zoned R2-Medium Density that abut R1 properties remain R2-Medium Density to act as a buffer to the R1 homes. In this urban plan, there is one R2-Medium Density property (773 West Wilson) that abuts existing R1 properties on Wallace Avenue.

Figure 3A: Several Westside Revitalization Oversight Committee members making public comments at City Council meeting.

LOCATION

The 238-acre plan area is depicted in Figure 3B. As can be noted, the plan area includes several multi-family neighborhoods south of West 19th Street in proximity to Whittier Elementary School and Lions Park. Additional residential areas north of West 19th Street include portions of neighborhoods that are located near Wilson Elementary School, Pomona Elementary School, and Rea Center.

OBJECTIVES

The objectives of the Mesa West Residential Ownership Urban Plan include the following:

- *Promote economic viability*. Promote economic viability in existing medium-density residential areas by encouraging the construction of residential condominium projects that will add vitality to the neighborhood.

- *Encourage owner-occupied housing*. The Costa Mesa 2000 General Plan strongly encourages the development of owner-occupied housing where feasible to improve the balance between rental and ownership opportunities in the City (General Plan Policy LU-1A.4).

- *Revise Development Standards*. The overlay district codifies a number of development provisions that may facilitate condominium conversion or new construction of ownership housing to realize the vision of the Urban Plan.

PURPOSE OF OVERLAY ZONING

Overlay zoning is a useful tool in promoting the revitalization and ownership housing in the Residential Ownership Incentives Overlay Zone. By giving a plan the weight of law, an overlay zoning district helps ensure successful implementation of the plan's strategies.

In this case, the Mesa West Residential Ownership Urban Plan encourages owner-occupied housing in the plan area, and/or rehabilitation of deteriorated neighborhoods.

Overlay zoning applies another set of zoning provisions to a specified area within an existing zoning district. When activated by an approved Master Plan, the underlying zoning district is superseded by the regulations of the Mesa West Residential Ownership Urban Plan, unless otherwise indicated.

WESTSIDE URBAN PLAN AREAS

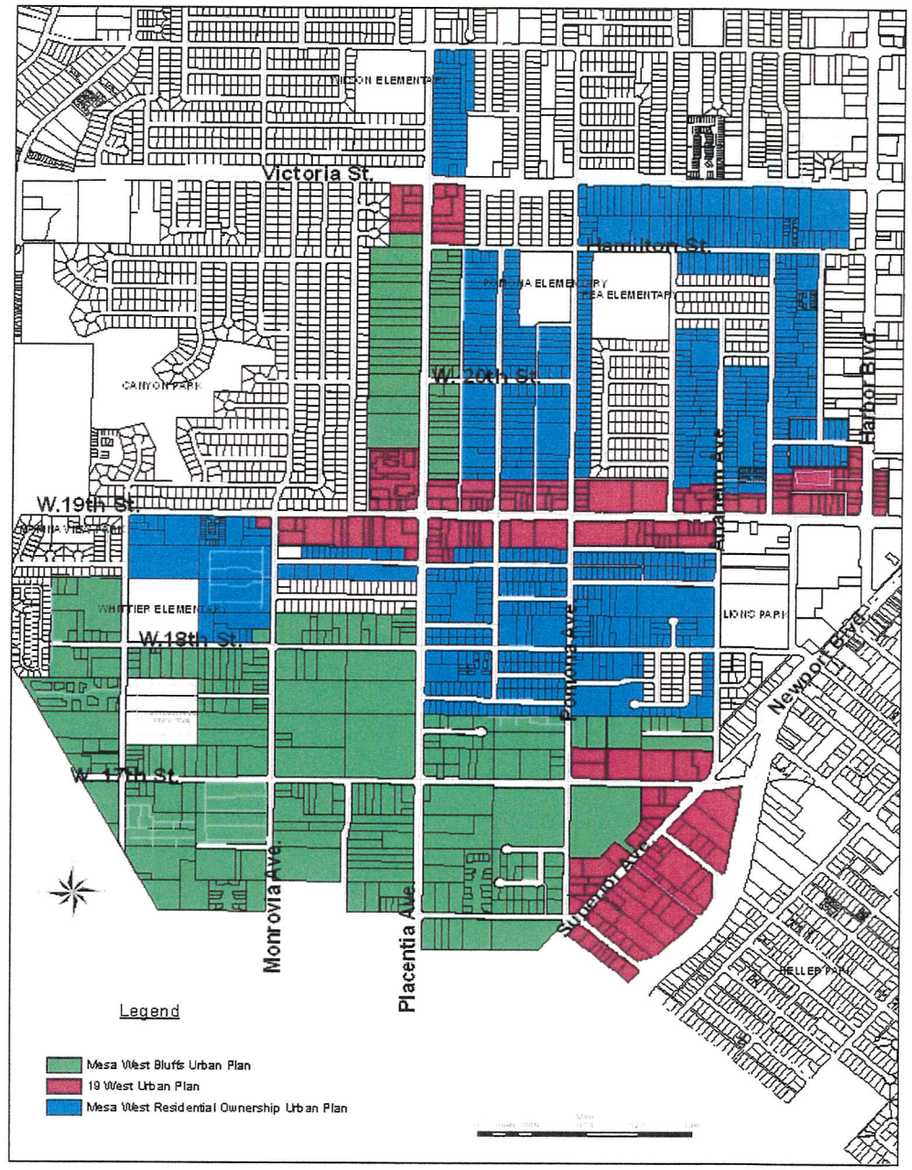


Figure 3B: Westside Urban Plan Areas

EXISTING LAND USES

General Plan and Zoning

The plan area is designated on the General Plan Land Use Map as Medium Density Residential and High Density Residential and is zoned R2-MD, R2-HD, and R-3. See Figure 5 for General Plan land use designations in the plan area.

Housing Inventory

Currently, there are approximately 3,900 dwelling units in the plan area, and they are primarily multiple-family units. Construction of many buildings mainly occurred between the 1950s and the 1990s, with the majority of the units being constructed in the 1960s.

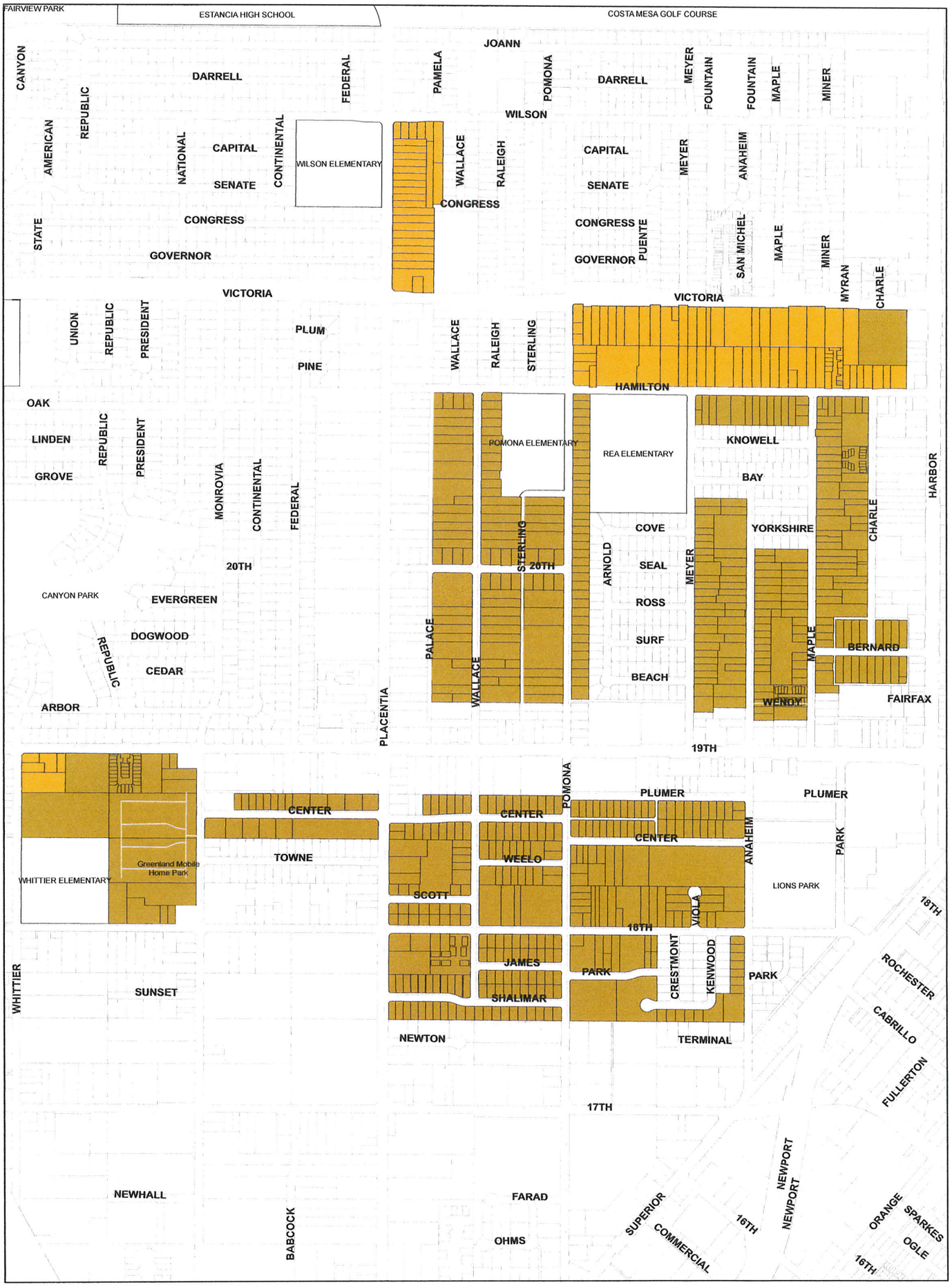
Renter Versus Owner-Occupied Units

Costa Mesa has a disproportionate number of rental versus owner-occupied units compared to countywide and national statistics. According to the 2000 U.S. Federal Census, the number of rental units in Costa Mesa is about 60 percent while the number of owner-occupied units is around 40 percent. In contrast, the countywide average is approximately 39 percent renter-occupied units and about 61 percent owner-occupied units. The national average is approximately 34 percent renter-occupied units and about 66 percent owner-occupied units.

In the Mesa West Residential Ownership Urban Plan area, the percentage of renter versus owner-occupied units greatly increases. According to the 2000 U.S., approximately 81% of the units are being rented compared to about 19% listed as owner-occupied. This shows a rental versus ownership ratio of about 4 to 1 in the overlay zone area.

Figure 4: Collection of site photographs of residential structures in the plan area.

Mesa West Residential Ownership Urban Plan
General Plan Land Use Designations



Legend

- High Density Residential
- Medium Density Residential

N W E S

Miles
0 0.12 0.18 0.24

FIGURE 5A

Mesa West Residential Ownership Overlay District

Legend

- Single Family Residential
- Multiple Family Residential (Medium Density)
- Multiple Family Residential (High Density)
- Multiple Family Residential
- Planned Development Residential - High Density
- Mesa West Residential Ownership Overlay District

N
W E
S

Miles
0 0.0375 0.075 0.15

FIGURE 5B

Residential Subdivision Pattern

The subdivision pattern of the properties in the plan area represents conventional suburban development. This pattern is characterized by the separation of land uses and dispersion of these uses through minimum lot size requirements.

While there is a wide range of lot size and configuration in the Urban Plan area, some generalizations regarding the subdivision pattern can be made. Figure 6 show representative multi-family residential lots in the Urban Plan area.

The parcels in the Urban Plan consist of narrow lots that are greater than 150 long. The smaller lots can be found along Center Street, James Street, Shalimar, and Park. These 6,000 to 8,000 square foot lots are generally 50 to 60 feet wide and greater than 102 feet long. Lots greater than 17,000 square feet are located throughout the Urban Plan area, including along Victoria Street, Hamilton Street, and Palace.

The Zoning Code requires that minimum lot sizes for new subdivisions in the multi-family residential zones be 12,000 square feet. The historic subdivision pattern on the overlay zone consists of nonconforming lot sizes.

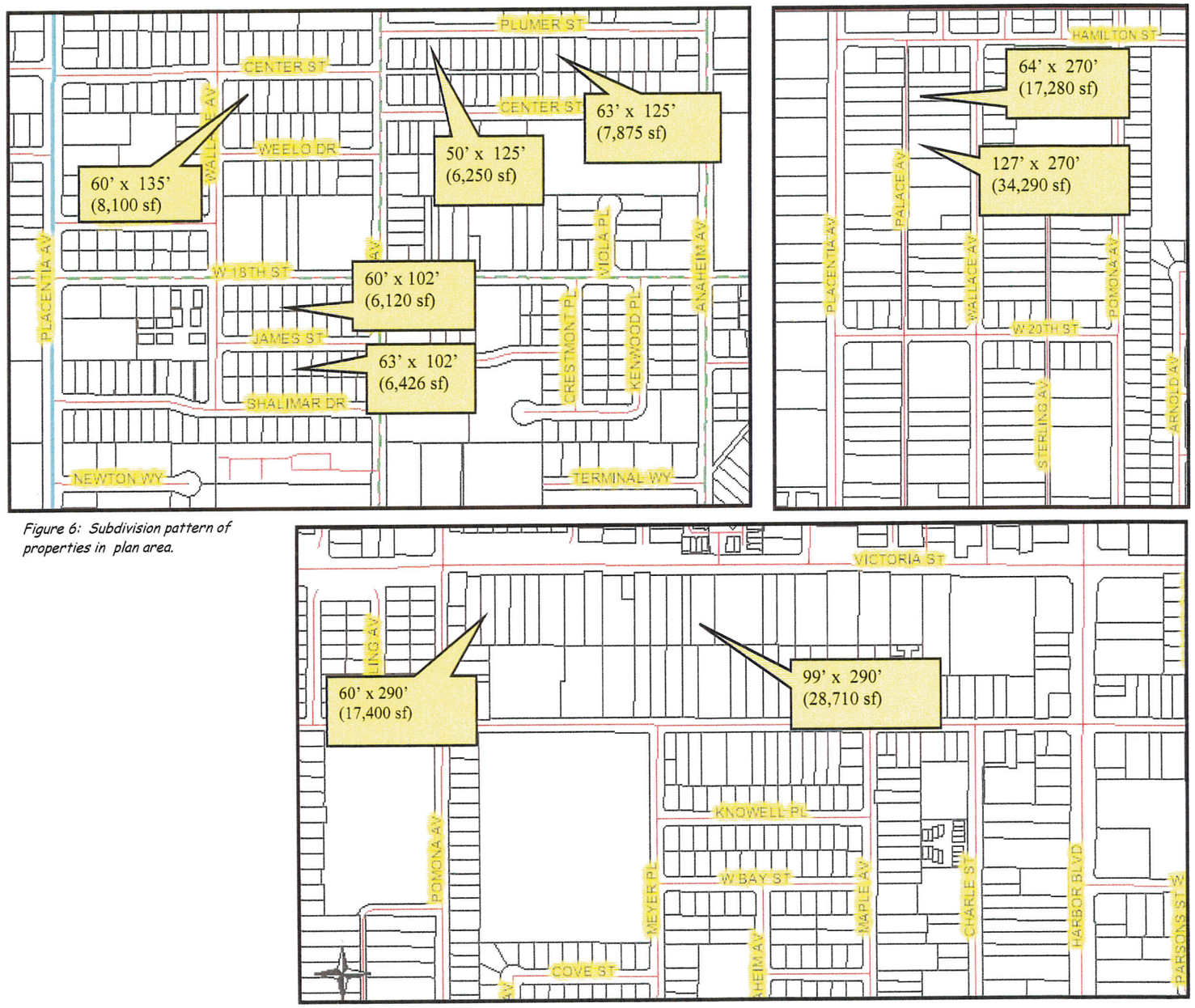


Figure 6: Subdivision pattern of properties in plan area.

OWNERSHIP INCENTIVE PROVISIONS

Within the plan area, an applicant may apply for a density bonus in conjunction with an application to develop ownership housing pursuant to the following:

1. **Minimum Lot Size Required**: If a property is zoned either **R2-MD** or **R2-HD**, a minimum lot size of 1.0 acre is required to receive any density bonus to a maximum of 20 units per acre. The intent of this standard is to encourage lot consolidation and to improve the overall design quality of the project.

2. **Rebuilding of Existing Units**:

   a. **R2-MD or R2-HD Properties:** If the minimum lot size cannot be met **AND** the existing number of units on the lot is 3 or more, then the existing number of units can be rebuilt even if it exceeds the current zoning allowance.

   b. **R3 Properties:** If the existing density exceeds 20 units per acre **AND** the existing number of the lot is 3 or more, then the existing number of units can be rebuilt.

PLANNING PROCESS

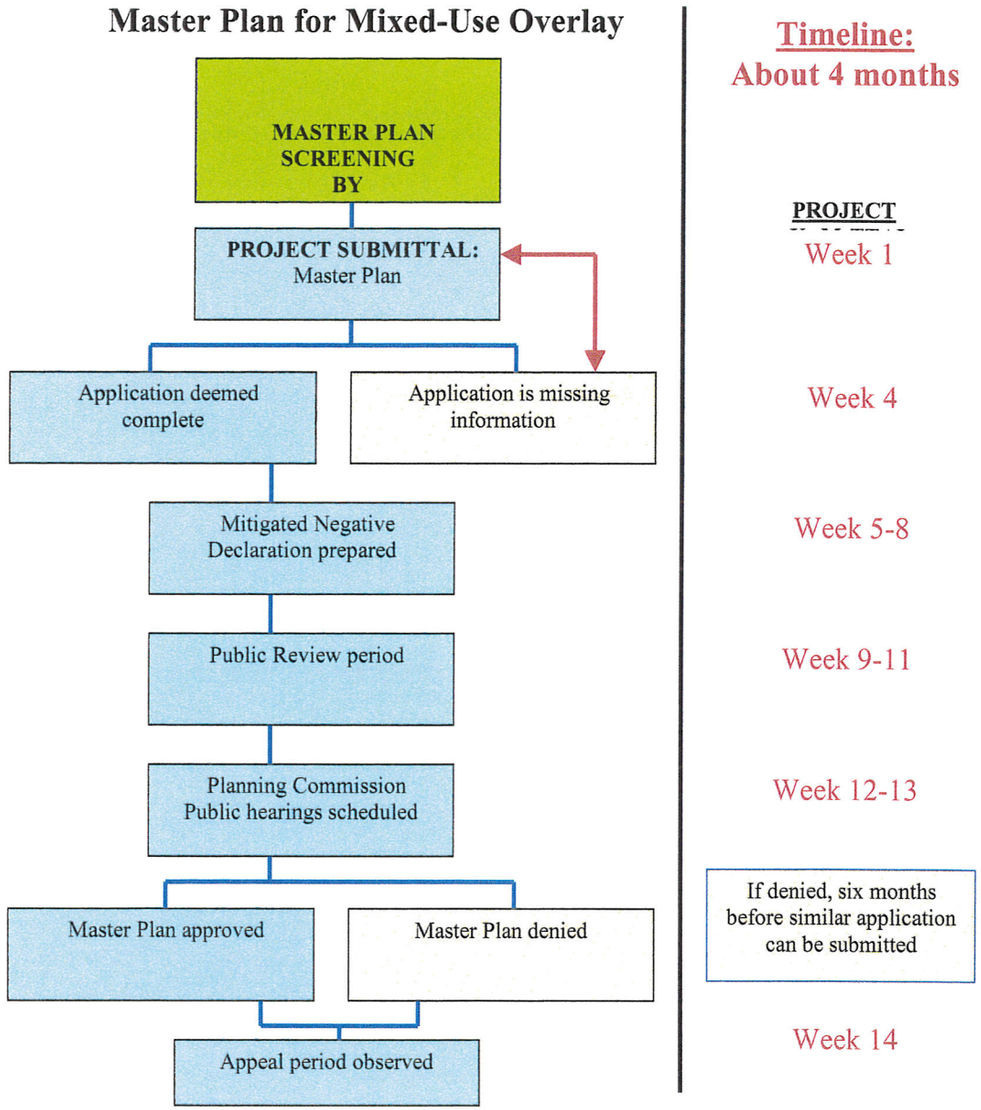
The land use regulations contained in this Urban Plan encourages the following: (1) the conversion of existing apartments to residential common interest developments or (2) for the construction of new common interest developments. These development projects may only be activated through an approved Master Plan. The master plan process is described in Figure 7.

Specific zoning regulations of the Urban Plan supersede those of the underlying zoning district (e.g. medium-density residential zone), unless otherwise indicated.

Proposed development in the Mesa West Residential Ownership Urban Plan area requires approval of a master plan pursuant to Title 13, Chapter II, Planning Applications, of the Costa Mesa Municipal Code. In accordance with City procedures, the Planning Commission reviews and considers master plans. Refer to Section 13-28(g), master plan, of the Zoning Code regarding the review process for preliminary master plans and amendments to the master plan.

A deviation from the Mesa West Residential Ownership Urban Plan development standards may be approved through the master plan subject to specific findings as described in Title 13, Article 11, of the Costa Mesa Zoning Code.

Figure 7: Timeline/flow chart of Master Plan process



FLEXIBLE DEVELOPMENT STANDARDS

Within the plan area, an applicant may apply the following development standards in conjunction with a Master Plan application to develop ownership-housing units. These development standards replace the corresponding development standards contained in the Costa Mesa Zoning Code for the R2-MD, R2-HD, and R-3 districts. All other applicable development standards contained in the Zoning Code shall be applied.

1. Building Height: The maximum building height is 3 stories/45 feet. Chimneys may project 2 feet above the maximum building height.

2. Building Setbacks Abutting Single-Family Residential Property: When new construction is proposed, the buildings shall be setback from property lines that are shared with single-family residential properties as follows:

Interior Side Property Lines:
1 story and/or 15 feet or less: 5 feet
2 stories and/or 15-30 feet: 10 feet
3 stories and/or greater than 30 feet: 15 feet

Rear Property Lines:
1 story and/or 15 feet or less: 10 feet
2 stories and/or 15-30 feet: 20 feet
3 stories and/or greater than 30 feet: 25 feet

3. Critical Vacancy Rate: In conjunction with an application to convert an existing apartment complex to a residential common interest subdivision, the City's critical vacancy rate (3%) for apartments shall not be applied.

4. Parking:

a. *Application of Current Parking Standards*: The Zoning Code parking standards shall only be applied to new construction when additional units and/or bedrooms are being added to the development, when compared to existing conditions of the property.

b. *Residential Common Interest Conversions*: The proposed conversion of existing apartments shall not require compliance with current parking standards, provided that no additional units or bedrooms are being added to the development.

c. *Tandem Parking*: Permitted for "covered" tenant parking requirements in carports or shared garages.

d. *Mechanical Lift Parking*: Permitted for "covered" tenant parking requirements in carports or shared garages.

5. Deviation from Zoning Code Development Standards: A Master Plan is required to activate the zoning provisions of Mesa West Residential Ownership Urban Plan. An approved Master Plan will allow new construction that does not fully meet all the applicable sections of the Zoning Code and other code standards. Through the review process, the applicant must demonstrate why strict compliance with a current Zoning Code standard is either infeasible or unnecessary for the proposed project. See "Planning Process" of this Urban Plan for more information.

In exchange for any deviation from any current standard, the project must provide additional amenities such as those listed below:

a. Shared garages instead of carports for greater security.
b. Compliance with the City's Energy Star Program for residential structures.
c. Useable open space with amenities, such as a tot lot.
d. Turf areas of sufficient size to create useable recreation areas.
e. Community garden areas.
f. Masonry planters, potted flowers and shrubs on decks and balcony flower boxes.
g. Additional landscape materials that exceed Zoning Code requirements in terms of number or size. For example, exchanging required 1-gallon plants for 5-gallon plants.
h. Provision of landscaping that consists primarily of California native species.
i. CC&Rs that require garages to be used for vehicle storage only.
j. Awnings, especially along the front elevations for color and product definition, and a better facade.
k. Stamped concrete or decorative paving at entrances and driveway intersections.
l. Meandering rather than straight sidewalks.
m. Upgraded windows and exterior doors for noise reduction and energy conservation.
n. Onsite trash enclosures for projects of 4 units or less.
o. Concrete slab adjacent to trash enclosure, or contract for roll-off trash service so that the trash truck does not come on site.
p. Orientation of units away from the street toward interior courtyards.
q. Adequate lighting for security (beyond parking and driveway lighting required by code).
r. Gates and intercom system for security.
s. Other amenities that enhance the project and the overall neighborhood.

LAND USE COMPATIBILITY

New development in the mixed-use overlay district shall be evaluated for compatibility with existing development on a case by case basis.

The following considerations shall be incorporated into the proposed project:

· Standard Condition of Approval: For proposed development adjacent to residentially-zoned properties that exceeds two stories, developer shall submit a shade/shadow analysis prepared by a professional aesthetic consultant. The conclusions of the aesthetic analysis shall specifically demonstrate that adequate daylight plane requirements for the abutting residential uses are provided.

At the discretion of the Development Services Director and in consideration of specific site characteristics, additional or modified development standards and conditions of approval may be added to include, but not be limited to, increased setbacks, increased wall height, enhanced landscaping, and other appropriate edge treatments aimed at enhancing the compatibility of urban infill projects.

DISCLOSURES

As part of the Master Plan approval, a condition of approval may require that the Covenants, Conditions, and Restrictions (CC&Rs) disclose the existing noise environment and any odor-generating uses within and surrounding the development.

The provision of the CC&Rs that relates to disclosures will be reviewed/approved by the City Attorney's office prior to recordation. A provision to the CC&Rs will also stipulate that any subsequent revisions to the CC&Rs related to this issue must be approved by the City Attorney's office.

A condition of approval may be included which would require that written notice of the then-existing noise environment and any odor generating uses within the mixed-use development and within a specific radius of the mixed use development be distributed 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 City Attorney's office shall determine the legal mechanism employed to ensure disclosure of noise and odor generating uses. For example, if this disclosure is required as a deed restriction, it would not need to be included in the CC&Rs.

Newport Boulevard Specific Plan

SP-96-01

July 1996

Costa Mesa

NEWPORT BOULEVARD SPECIFIC PLAN
SP-96-01

JULY 1996

Adopted by Resolution #96-69

SUMMARY OF NEWPORT BOULEVARD SPECIFIC PLAN AMENDMENTS

The Newport Boulevard Specific Plan was adopted by the Costa Mesa City Council in July 1996. Since adoption, the plan has been amended. The following table provides a list and a brief description of the amendment(s).

AMENDMENT #	DATE OF ADOPTION	DESCRIPTION OF AMENDMENT
SP-98-03	March 1, 1999	Prohibition of mini-warehouses in the specific plan area.

NEWPORT BOULEVARD SPECIFIC PLAN

NOTE TO THE READER

SUBJECT: REZONE OF PROPERTIES IN THE SPECIFIC PLAN AREA

This Newport Boulevard Specific Plan includes an implementation program (2.3 Rezone Proposals p. 39) that resulted in the rezone of several properties in the plan area. The rezones were adopted in 1997. The following properties were affected:

Newport Boulevard Specific Plan Rezones	
ADDRESS	**NEW ZONING**
2060 Newport	R2-HD
2070 Newport	R2-MD
2072 Newport	R2-MD
2080 Newport	R2-HD
2250 Newport	R2-HD
2274 Newport	R2-HD
2278 Newport	R2-MD
2280 Newport	R2-MD
118 Albert Pl.	R2-MD
109& 109 ½ 23rd St.	R2-MD
113 23rd St.	R2-MD
120 Virginia Pl.	C1

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1.0 INTRODUCTION

Authority and Scope

This specific plan has been prepared for the east side of Newport Boulevard in accordance with California Government Code Section 65450 et seq.. The plan area encompasses those properties fronting the east side of Newport Boulevard between Mesa Drive and 19th Street and generally consists of commercial properties, although there is some residential property.

The Costa Mesa 1990 General Plan authorizes the preparation of this specific plan to address the development issues resulting from the changed circulation patterns due to the recent completion of the Costa Mesa Freeway between Del Mar Avenue and 19th Street and its future extension to 15th Street. Policy #113 of the General Plan reads as follows:

> 113. Prepare a specific plan to ensure that the portion of the Route 55 extension from 19th Street through the Redevelopment Area is compatible with the Redevelopment Area and to review development related issues on the remainder of the alignment.

The area south of 19th Street includes the City's Redevelopment Project Area, however, this Plan shall only address that area north of 19th Street. Development issues with the long-range plan for the extension of the freeway through the Redevelopment Project Area will be addressed in a separate planning document. Specific issues that are addressed in this plan are as follows:

- Newport Boulevard's Identity
- Changing Land Use Patterns
- Motels
- Social/Crime
- Economics
- Lighting
- Signage
- Circulation/Access

Purpose

The purpose of this specific plan is to provide the long-term vision for this important area of the community. Upon its adoption, the plan shall represent the culmination of many hours of citizen and City Staff involvement through an advisory committee, workshops and public hearings. It is the intent of this plan to encourage viable commercial businesses to continue and prosper along the boulevard, as well as to encourage marginal uses to redevelop. It is also the intent of this specific plan to

ensure land use compatibility and viability in the plan area and to reattract traffic back to the boulevard. This shall be accomplished by providing various programs and incentives which allow the private market the capability of developing projects which will stimulate vibrant economic activity in the plan area.

This plan is the framework which can be used proactively in implementing appropriate changes along the boulevard. Implementation of this plan will occur over a period of time, as private interests take advantage of the incentives in this plan which encourage redevelopment and upgrades of private property.

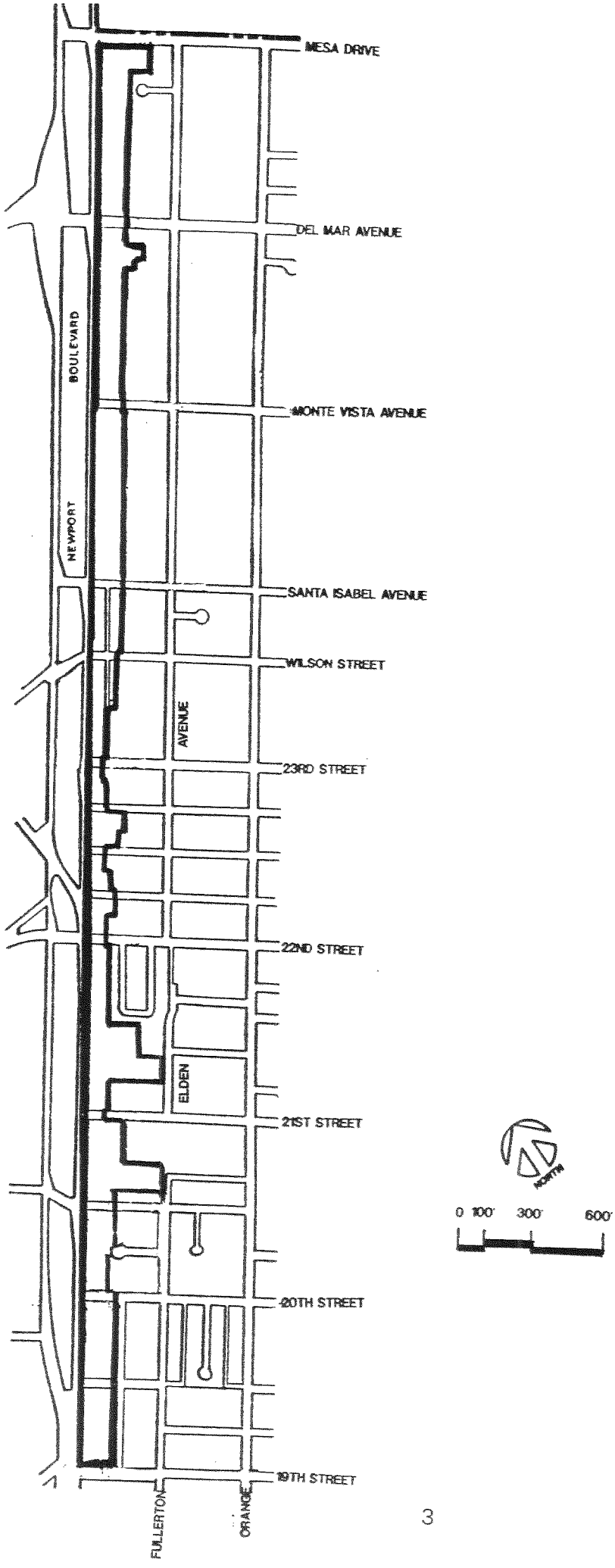
2.0 DEVELOPMENT SETTING

Location

Costa Mesa's surrounding cities include Fountain Valley and Huntington Beach to the west, Santa Ana to the north and east, Irvine to the east, and Newport Beach to the south. John Wayne Airport is to the east of the city.

The plan area encompasses those properties fronting or adjacent to the east side of Newport Boulevard (northbound) between Mesa Drive and 19th Street; Newport Boulevard has been an historic thoroughfare in the City providing north/south access from the surrounding cities to the beach areas. The northbound and southbound lanes of Newport Boulevard are separated by the Costa Mesa Freeway (SR-55) from Bristol Street to approximately 19th Street. The Costa Mesa Freeway is depressed below grade by approximately 25 feet adjacent to the plan area.

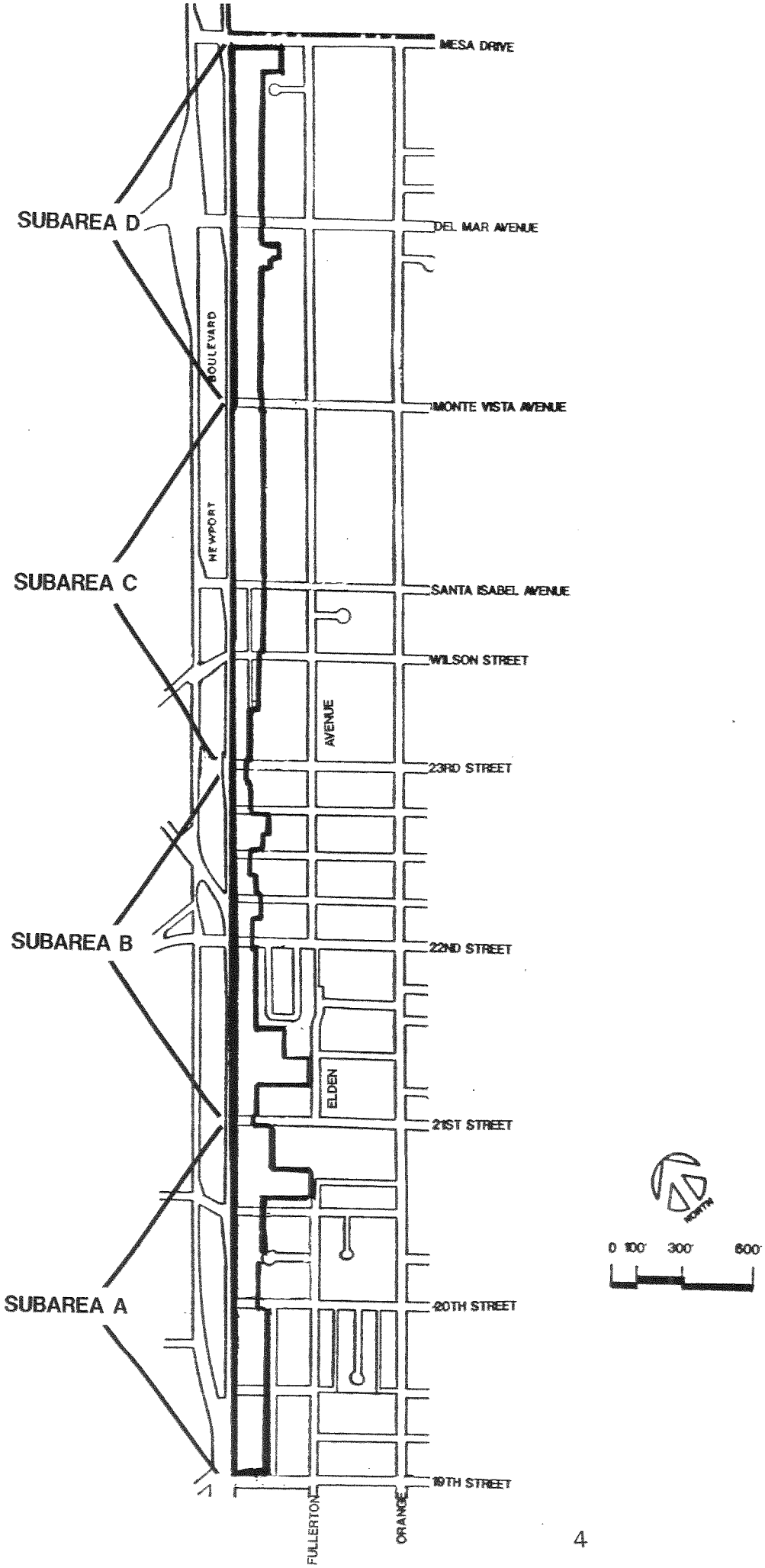
Figure 1 indicates the boundaries of the plan area. Due to the size of the plan area, it has been divided into four subareas, as shown in Figure 2.



NEWPORT BOULEVARD SPECIFIC PLAN

PLAN AREA

FIGURE 1



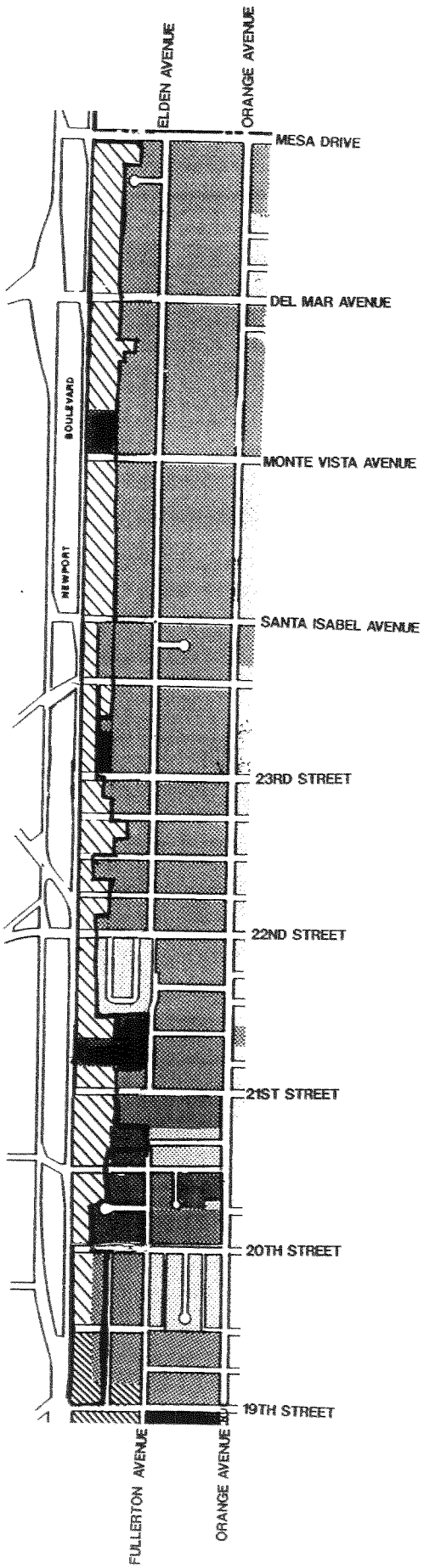
SUBAREAS

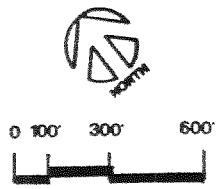
FIGURE 2

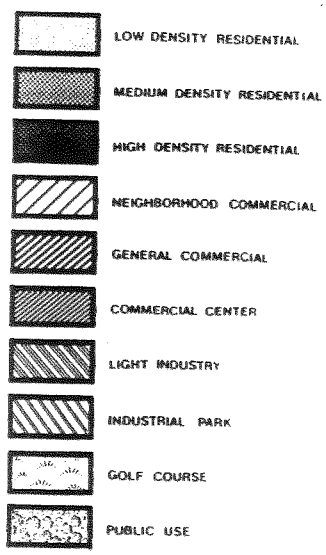
Existing General Plan and Zoning Designations

Figure 3 indicates the General Plan designations for the plan area and Figure 4 indicates the accompanying zoning designations. The four land use designations that comprise the plan area are General Commercial, Neighborhood Commercial, Medium Density Residential and High Density Residential. Zoning includes AP, C1, C2, CL, PDC, R2-MD, R2-HD, R3, and PDR-MD.

Table 1 summarizes the development parameters of the General Plan designations, and the compatible zoning districts. The Floor Area Ratio (FAR) is established by the General Plan and is used to determine the maximum amount of building that is allowed on a lot or parcel. The FARs in many categories are stepped based on the traffic characteristics of the proposed land use. The General Plan does not allow the established FAR to be exceeded in any instance.



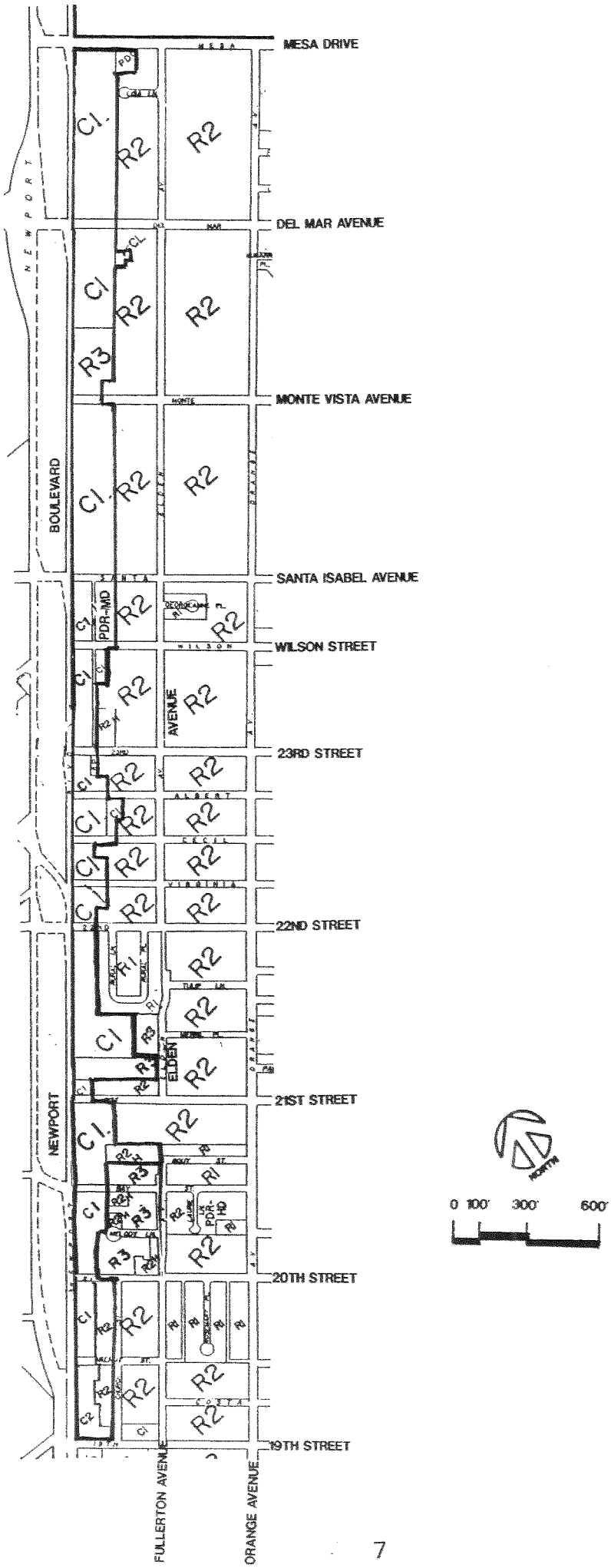




NEWPORT BOULEVARD SPECIFIC PLAN

GENERAL PLAN

FIGURE 3



NEWPORT BOULEVARD SPECIFIC PLAN

ZONING

FIGURE 4

Table 1- 1990 GENERAL PLAN DESIGNATIONS Newport Boulevard Specific Plan				
DESIGNATION	TYPICAL USES	RESIDENTIAL DENSITY	NON-RESIDENTIAL FLOOR AREA RATIO	COMPATIBLE ZONING
Medium Density Residential	Single family attached units, multiple family units, senior congregate care facilities, convalescent hospitals, and group residential homes	Less than or equal to 12 units/acre	0.15 high traffic 0.25 moderate traffic 0.35 low traffic	R1, R2-MD, PDR-MD, I&R
High Density Residential	Multiple family units, senior congregate care facilities, convalescent hospitals, and group residential homes	Less than or equal to 20 units/acre	0.15 high traffic 0.25 moderate traffic 0.35 low traffic	R2-MD,R2-HD, R3, PDR-HD, PDR-NCM, I&R
Neighborhood Commercial	Markets, drug stores, retail shops, financial institutions, service establishments and support office uses	--	0.15 high traffic 0.25 moderate traffic 0.35 low traffic	CL, C1, PDC, AP, P
General Commercial	Uses found in Neighborhood Commercial, jr. department stores and specialty clothing stores, theaters, restaurants, hotels and motels, and automobile sales and service establishments	--	0.20 high traffic 0.30 moderate traffic 0.40 low traffic	CL, C1, C1-S, C2, PDC, AP, P

Existing Land Uses

Table 2 provides a summary of a land use survey that was recently conducted for the plan area. As can be noted in the table, the plan area contains a wide variety of commercial, as well as some residential land uses. Most of the buildings in the plan area are in average condition with some in notably poor condition, as well as some buildings in good condition. The age of the structures generally range from the 1950's to the 1980's, and the parcels are generally small. As a result of the small parcels, there are many different property owners.

The Downtown Redevelopment Project Area directly to the south of the plan area has a distinct Mediterranean theme; however, there is not a unifying theme in architecture or landscaping north of 19th Street. There are a myriad of styles evident and many structures lack architectural interest of any sort.

Table 2- BLOCK PROFILE Newport Boulevard Specific Plan			
BLOCK	**LAND USES**	**AGE OF BUILDINGS**	**CONDITION OF PROPERTIES**
1900	This block contains 6 auto service related businesses, miscellaneous retail uses, a senior citizen center, school, 34 apartments and 4 single family units.	Buildings were constructed between the late 1950's and the late 1980's.	Conditions range from average to poor. Minimal landscaping at many of the businesses. The newer buildings have adequate onsite parking and landscaping.
2000	This block is dominated by quasi residential uses. There are 2 motels, 1 mobile home park (55 units), one apartment complex (8 units). There is also 1 auto repair use and several retail uses.	Buildings were primarily constructed in the 1950's and the 1960's. One motel was constructed in 1988; it is the most recent construction.	The majority of the businesses are in average condition. Landscaping is limited in a few areas; offstreet parking for some businesses is not up to code.
2100	This block contains a variety of uses: motels, 2 apartment complexes (120 apartments), auto repair (2), retail, mini storage and a supermarket.	Building construction occurred between the 1950's and the 1980's.	Overall this block is in average condition.
2200	There are 3 motels in this block as well as a variety of retail uses.	Building construction occurred between the 1950's and the 1980's.	Building conditions range from poor to average. All three motels are in poor condition.
2300	This block has a variety of uses including 3 auto accessory businesses, medical office, 1 motel and misc. retail.	Building construction occurred between the 1950's and the 1980's.	Building conditions range from very poor to good. Older buildings lack adequate landscaping and parking.
2400	This block includes 1 motel, 1 Single Room Occupancy (SRO) motel, 2 houses, and a variety of retail uses.	Many buildings do not contain original permits to determine date of construction. Remainder of buildings were constructed between 1950's and the 1980's. The SRO hotel was just recently remodelled.	Building conditions range from very poor to good. Older buildings lack adequate landscaping and parking.
2500	This block includes a section of residential and quasi-residential uses including a condo tract (63 units), a motel, a mobile home park (22 units) and a convalescent hospital. Other uses include misc. retail and a mini storage.	Building construction occurred from the late 1950's to the mid 1980's.	With the exception of the condo tract which is in good condition, this block is in average to very poor condition.
2600	This block contains two motels, offices, mini storage and misc. retail.	Building construction occurred from the early 1950's to the late 1980's.	Overall this block is in poor to average condition. The motel (2642) is in good condition.

Circulation System

The Costa Mesa Freeway and Newport Boulevard provide essential north/south access between inland cities and the coast as well as serving as vital links in the City's internal circulation. The Costa Mesa Freeway has been a subject of controversy for many years. Originally adopted in 1944, the freeway was to have followed the present alignment of Newport Boulevard. In 1969, the adopted route was modified to travel west of Costa Mesa's traditional downtown from a point just south of Bay Street to the Pacific Coast Freeway (Route 1). When the Route 1 Freeway plans were abandoned in 1975, an alternate terminus was proposed, but not adopted, which would have reconnected the Route 55 Freeway with Newport Boulevard in the vicinity of 15th Street. Although excavations were made for the depressed portion of the freeway as far south as 23rd Street, construction was halted just south of Bristol Street. In 1982, the City endorsed an easterly alignment for the Route 55 Freeway between 19th and 15th Streets. Environmental documentation was completed in 1984. This alignment is indicated on the City's Master Plan of Highways. Extension of the freeway to 19th Street was completed in 1993. Caltrans does not have a construction date for the last leg of the freeway, i.e, to 15th Street.

The recent completion of the Costa Mesa Freeway has resulted in a shift of through traffic from Newport Boulevard to the freeway. Recent traffic counts indicate that traffic volumes have decreased by approximately 80% in some locations; see following table.

Table 3- NEWPORT BLVD. TRAFFIC COMPARISONS
(Northbound Only)
Newport Boulevard Specific Plan

STREET LINK	1991 COUNTS	1994 COUNTS	PERCENT DECREASE
20th St.-Bay St.	21,930	8,790	-59%
Bay St.-21st St	21,930	10,760	-50%
21st St.-22nd St.	21,930	12,850	-41%
22nd. St.-23rd St.	26,040	19,910	-23%
23rd St.-Wilson St.	26,040	7,280	-72%
Wilson St.-Santa Isabel	26,040	11,200	-56%
Santa Isabel-Monte Vista	31,430	14,460	-53%
Monte Vista-Fair Dr.	31,430	20,540	-34%
Fair Dr.-Mesa Dr.	38,445	7,890	-79%
Mesa Dr.-Bristol St.	44,015	7,765	-82%

There are a total of 15 streets which intersect Newport Boulevard in the plan area. All of these streets are part of the circulation grid for the east side of Costa Mesa. The primary streets which provide a link to the west side of Costa Mesa are Fair/Del Mar, Victoria Street/22nd Street, and 19th Street.

Northbound freeway on-ramps are located at 19th Street, 22nd Street and Fair Drive/Del Mar Avenue. Northbound off-ramps are located at 22nd Street and Fair Drive/Del Mar Avenue.

3.0 ISSUE IDENTIFICATION

Newport Boulevard's Identity

Newport Boulevard has traditionally been a wide, divided street from its initial development. The Santa Ana and Newport Railroad Company ran a rail line which connected Santa Ana and Newport Beach in the late 1800's. Southern Pacific Railroad bought the railroad in 1899 and it continued to bring rail service to and through the area until 1933 when the line was abandoned. The tracks were removed two years later.[1] In 1944, the State adopted the alignment of the freeway to coincide with Newport Boulevard.

Newport Boulevard has always served as the main thoroughfare in Costa Mesa's traditional downtown area. The area's first commercial buildings were constructed along the boulevard, and by the late 1920's, a thriving commercial downtown district existed south of 19th Street. Many of the original buildings still stand today, particularly in the 1800 block.

However, north of 19th Street, the commercial uses have always had more limited exposure and visibility due to the one way traffic flow of the street and wide separation from land uses to the west. Although, the high regional traffic volumes along the boulevard supported motels and the local serving commercial businesses as well.

Landscaping treatments and plant materials are also inconsistent along the boulevard. Some properties have little to no landscaping either within the street setback or within the interior of the property. This adds to the street's lack of identity.

In summary, the boulevard's linear nature, one way traffic flow, diversity of ownership patterns and random mix of land uses contribute to its lack of unity and identity which in turn makes it difficult to attract new patrons and/or compatible businesses.

Changing Land Use Patterns

The recent completion of the Costa Mesa Freeway from Del Mar/Fair to 19th Street has permanently reduced traffic volumes on Newport Boulevard, north of 19th Street. (See Table 3). The overall decrease in traffic has the most profound impact on marginal commercial uses. There are several buildings in this area that are vacant or in very poor condition. Commercial uses such as restaurants, nightclubs and bars are further constrained by the residential uses that are developed directly behind the commercial areas. It is important to note the existing subdivision and land use

[1] A Slice of Orange, The History of Costa Mesa. Edrick Miller 1976.

patterns that are evident in the plan area were primarily established in the early part of this century, and these patterns were reflective of a rural community. As the City approaches the close of this century, it is prudent to evaluate what changes can be made to meet the needs of the community in the next century.

The 1990 General Plan encourages the conversion of existing marginal or vacant commercial land to residential (Policy #285), since vacant land that is suitable for residential development in the City is extremely limited. Therefore, the replacement of marginal commercial development along Newport Boulevard with residential uses is an option that may be appropriate for some portions of the plan area. Provided below is a list of the pros and cons of encouraging marginal commercial property to convert to a residential use.

PROS

1. Reduced traffic volumes on Newport Blvd. increase practicality of residential uses.
2. Costa Mesa Freeway is depressed 25 feet below grade, thereby providing noise attenuation.
3. Improves overall Jobs/Housing balance in the City.
4. Existing residential uses directly behind plan area, therefore increasing land use compatibility.
5. Easy access to major circulation routes and commercial services.

CONS

1. Multiple property owners and relatively small parcels makes land assembly difficult.
2. Requires General Plan Amendment and Rezone.
3. Marginal commercial uses are interspersed with successful commercial development which would also make land assembly difficult.
4. Lack of incentives to encourage the conversion to residential.

Motels

Motels are the most prevalent land use along the boulevard, consisting of 12 facilities and 527 units. While two of the motels pre-date the City's incorporation, the largest number (five) was built in the 1980's when traffic volumes along Newport Boulevard were at their peak. Given the high volume of drive-by traffic, proximity and accessibility to local tourist destinations and reasonable room rates, the area's motels were successful in attracting family vacationers.

However, completion of the Costa Mesa Freeway extension drastically changed the ability of local motels to attract new guests by severely restricting their visibility and accessibility. With the lack of exposure and restricted accessibility, many motels have turned to long-term occupancies as a means of survival. Also, lower occupancy and room rates have resulted in deferred maintenance and reduced managerial support/supervision. The combination of these factors have created an environment that attracts "undesirable" clientele who create adverse impacts on neighboring commercial uses and adjacent residential areas. Typical problems range from nuisances such as panhandling and loitering to more serious offenses such as prostitution and drug dealing.

In a 1995 study of police service calls to motels and hotels throughout the city, eight of the boulevard's motels ranked in the top 15 in terms of average calls for service per room ratios. The average annual calls-per-room ratio of the motels was 1.35, nearly 2½ times the city-wide average of 0.52. At the conclusion of the study, all motels and hotels were ranked in terms of their potential for problem situations based on a number of factors including age of facility, number and ratio of police service calls, affiliation with national or regional motel chains and Automobile Club ratings. Six of the area's motels were included in the list of eight motels designated as a "very high" priority and one as "high" priority for monitoring and possible enforcement action. Only two of the boulevard's motels were ranked as a "low" priority and three were ranked as a "moderate" priority.

Because of their large number, physical appearance and extent of problems associated with most of the motels, they have been identified as the most influential factor affecting the viability and image of the boulevard. While a few of the well maintained and managed facilities do provide positive reinforcement for the viability of the area, the majority of the motels are an unsettling and potentially dangerous influence on the long-term future of the boulevard if not addressed as a part of this specific plan or other enforcement actions.

Social/Crime

While serious crime is not a widespread problem along the boulevard, the amount of criminal activity and social problems do detract from its image. As indicated above, there are pockets of crime in the area, largely associated with occupants of problem motels. Typical concerns in this area include those often associated with the city's homeless population such as trespassing, loitering, sleeping on private property and aggressive panhandling to the more serious problems linked to problem motels such as prostitution and drug dealing.

There has also been concern expressed regarding newspaper racks in the public right-of-way which contain adult newspapers and/or materials. A recent court case enables cities to regulate the content of newsracks through the adoption of an ordinance.

Economics

Businesses along Newport Boulevard have suffered the double effects of the recent economic recession and loss of business because of construction and detours associated with the extension of the Costa Mesa Freeway through the study area. A comparison of City business revenue from the area illustrates these effects. Since the 1989-90 fiscal year, business revenues (combination of business license fees, sales tax and transient occupancy tax) have steadily declined from $500,726 to $401,393. This is a drop of nearly 20 percent. Information from a local commercial real estate broker indicate that land values and lease rates for Newport Boulevard properties is about half that of the more desirable commercial districts in the community.

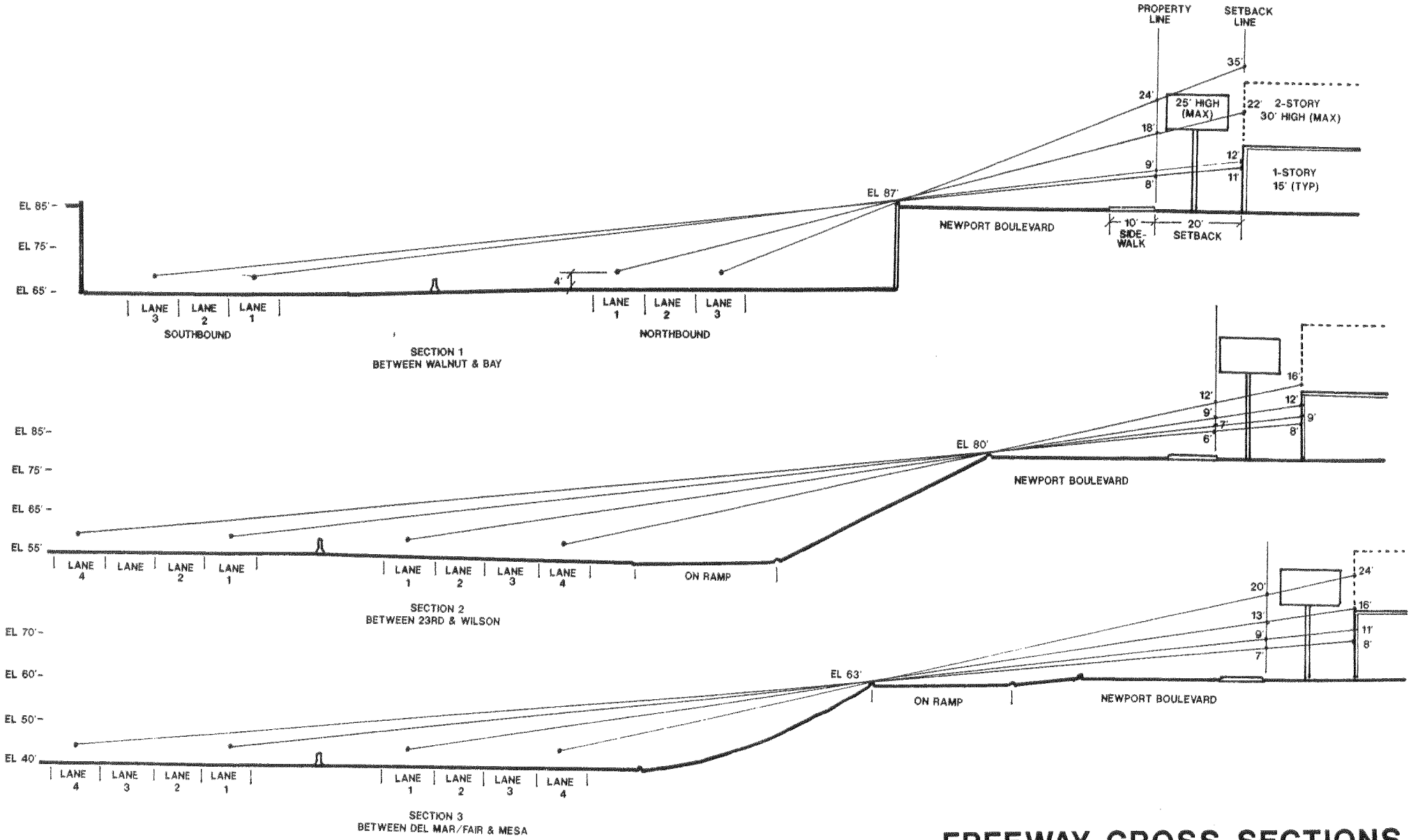
With an improved economic climate and stabilized traffic patterns, conditions along Newport Boulevard can likewise expect to improve, but, the average daily traffic volumes of 30,000 vehicles cannot be expected to fully return to pre-freeway extension conditions. However, with aggressive economic development efforts, substantial attraction of traffic back to Newport Boulevard is likely to occur. These efforts can be initiated by either the public or private sector or a combination of both sectors. A major goal of this specific plan is to provide a framework to accomplish and/or support these efforts.

Signage

Signs are a major concern for all commercial businesses. This is especially true for those located along Newport Boulevard because of the depressed nature of the freeway through the plan area. Businesses south of Wilson Street have no visibility to freeway motorists because of the proximity of retaining walls to the travel lanes. North of Wilson Street, visibility is improved because of the sloped bank of freeway, but still is marginal when compared to other strip commercial districts. Figure 5 illustrates the lines of sight through 3 cross sections of the depressed freeway and adjacent private properties.

Although the City's Sign Ordinance was recently amended to liberalize regulations relative to total allowable sign area and sign height, these changes may have limited benefit to business owners along the boulevard. Reasons supporting this judgement include the narrow and deep configuration of a majority of the parcels which: 1) restricts the amount of building frontage on which signs can be mounted, and 2) can limit the amount of front setback landscaping. Limited landscaping restricts the business owner's ability to install larger pole signs, since freestanding signs must be located in a landscaped planter twice the size of the sign face. For example, a 100 square foot ground or pole sign is required to be located in a minimum 200 square foot landscaped planter. For these reasons, additional consideration is warranted for the special needs of Newport Boulevard businesses.

Another issue relates to directional sign alternatives which direct traffic to the boulevard from the freeway or promote the boulevard as a whole. This can be accomplished by a combination of freeway direction signs indicating "lodging next exit" or "local business district" and banners or other means (i.e. gateway arches over the street) to establish an identity for the Newport Boulevard business area.



FREEWAY CROSS-SECTIONS & SIGHT LINES

FIGURE 5

Lighting

Lighting within the plan area involves two issues; public street lighting and private, on-site lighting. With regard to public street lights, the length of the boulevard appears to be adequately lit throughout the plan area. However, lighting in some of the alleys which separate the Newport Boulevard commercial properties from the adjacent residential neighborhoods is inconsistent. Another area of large concern is the lack of consistency in the light standards; some standards are wood, some metal and some concrete.

On-site lighting is of particular concern to business owners as a means of securing their property from vandals and other criminal activity. It is also a concern shared by the community at large in terms of providing a potential deterrent for transient occupancy of the rear portions of some commercial properties, and alleys at the rear of the commercial properties. Additionally, photo sensitive light fixtures, as opposed to timing systems, are a more efficient way to ensure adequate lighting of private property.

Access

Because of the one way nature of Newport Boulevard, access is a major issue. This is especially true just north of 19th street where traffic entering the freeway often conflicts with traffic heading northbound on Newport Boulevard. A similar but less significant problem exists just north of the Victoria/22nd Street intersection.

Other access issues relate to the number of side streets which intersect with Newport Boulevard and the public alleys which separate the commercial and residential properties. As will be explored in the Land Use Option section, thought has been given to abandoning alleys or installing cul-de-sacs at a few locations to provide incentives for redevelopment and/or to protect adjacent residential neighborhoods from encroaching commercial traffic.

4.0 LAND USE OPTIONS

General Overview

Given the changes along the boulevard due to changing traffic patterns and related development, it is appropriate to consider policy changes that would encourage or stimulate private redevelopment in the plan area. Redevelopment could take the form of either compatible commercial uses or ownership type residential development. Based on the proximity of residential development that abuts the rear of many of the parcels along Newport Boulevard, neighborhood serving commercial and/or residential development are the most compatible land uses.

Proposed in this specific plan are several policy changes that are intended to encourage redevelopment in the plan area, as well as to set the course for appropriate land uses in the future (see Figure 6):

General Plan Amendment

Concurrent with the adoption of this specific plan, an amendment to the 1990 Costa Mesa General Plan Land Use Element is proposed which would include a new land use designation of "Commercial-Residential". This designation would allow a complementary mix of residential and commercial zoning, unlike any other land use designation in the General Plan. It is anticipated that individual parcels would be developed as either a commercial or residential use. A mix of both commercial and residential on one parcel would only occur in a Planned Development zoning district. Residential development would be encouraged provided that certain development standards are met pursuant to the adopted Newport Boulevard Specific Plan. Density would range from 12 units per acre to 17.4 units per acre.

It would furthermore be the intent of this land use designation to allow commercial uses which serve and complement the residential neighborhoods to the east and within the Specific Plan area. Appropriate uses include markets, drug stores, retail shops, financial institutions, service establishments and support office uses. Restaurants and residency hotels such as single room occupancy (SRO) hotels may be appropriate if properly located to avoid adverse impacts to the surrounding residential areas. The establishment of such uses in various areas near to residential neighborhoods can reduce the need for longer vehicle trips to areas of more intense commercial activity in order to obtain goods or services which may be required on a frequent basis.

Development within this designation will accommodate a wide variety of retail uses, offices and service establishments housed in one-story commercial buildings. Two-story buildings should only be permitted where it can be shown that they will not adversely impact adjacent uses.

Figure 6- PROPOSED LAND USE CHANGES AND POLICIES

STEP 1

GENERAL PLAN AMENDMENTS

- Amend Land Use Element to include a new land use designation of **Commercial-Residential** which allows a complementary mix of residential and commercial zoning:
  - Residential densities would range from 12 to 17.4 units per acre.
  - The allowable Floor Area Ratios for commercial development would be 0.20, 0.30 and 0.40 for high, moderate and low traffic generating uses, respectively.
- Amend the Land Use Map to redesignate property from Neighborhood Commercial to Commercial-Residential in the plan area.

STEP 2
(To occur concurrently or immediately following Step 1.)

SPECIFIC PLAN DEVELOPMENT STANDARDS

- Adopt development standards which restrict certain uses in the plan area, such as motels and hotels, adult entertainment businesses.
- Adopt a development standard which encourages lot consolidation prior to rezoning to either a residential or planned development zoning district. The base density would be set at 12 units/acre and can be increased incrementally to either 14.5 or 17.4 units/acre depending on the size of the combined lots and street frontage.

STEP 3
(To occur 2-3 months following Step 2.)

REZONE OF PROPERTIES

- Identify areas in the plan area which are suited for future residential development, and subsequent to the adoption of the specific plan, the City of Costa Mesa will pursue the rezoning of these areas. This would not preclude a private interest from initiating a rezone on other properties in the plan area.

The allowable floor area ratios (FAR) are 0.20 for high traffic generating uses, 0.30 for moderate traffic generating uses, and 0.40 for low traffic generating uses. This is an increase of 0.05 FAR for each category compared to the current Neighborhood Commercial land use designation. An analysis of the commercial properties along the boulevard indicated that over 50% were overbuilt in terms of the current allowable FAR. On a block by block basis, the percentage of overbuilt sites ranges from a low of 27% in the 2600 block to a high of 88% in the 2200 block.

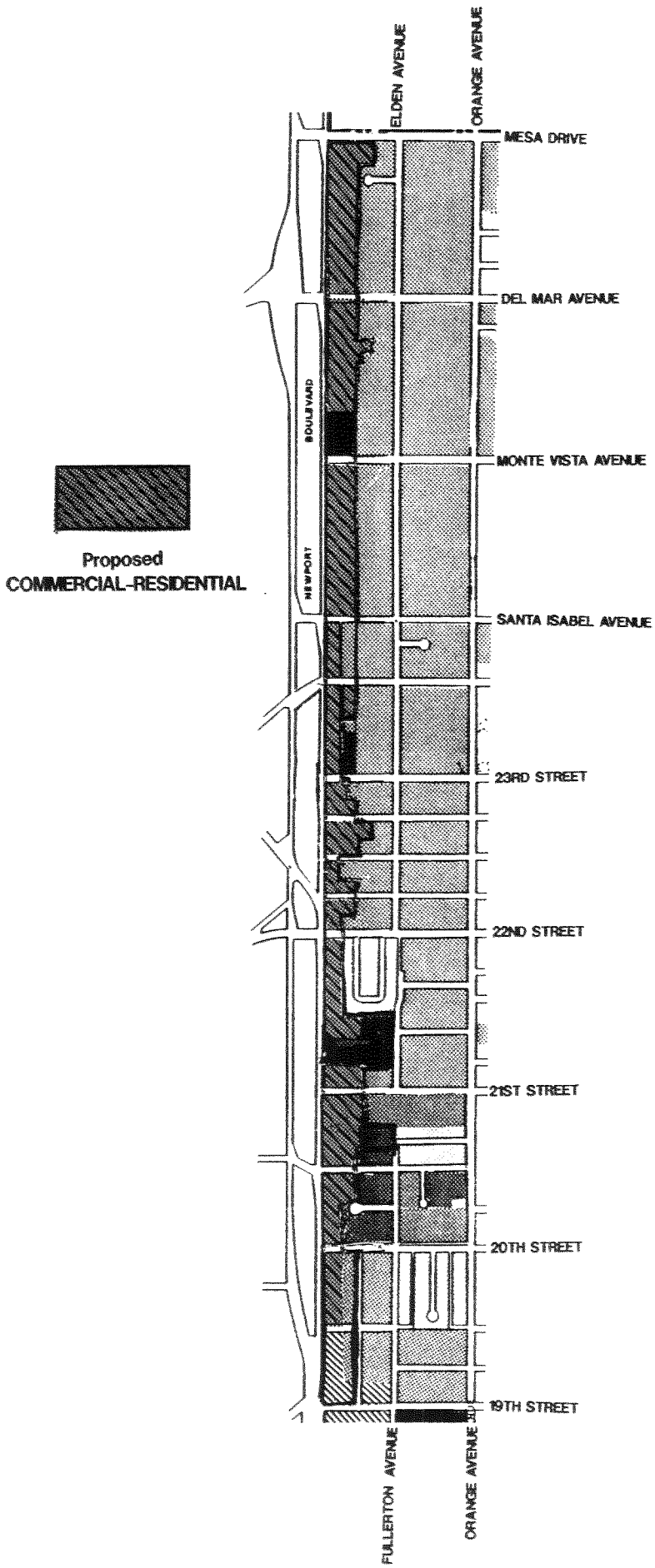
This higher FAR limit should act to encourage private commercial redevelopment. With these increased FARs, the percent of properties that are currently overbuilt would decline from 54% to 35%. Clearly additional properties can benefit from the added development potential.

Along with the added development potential comes added employment generation, traffic generation and related impacts. Assuming moderate traffic uses, this general plan amendment could result in a possible increase of 53,500 square feet of commercial building in the plan area.

Residential, commercial and noncommercial uses may be integrated into a single development through the Planned Development process. Residential densities in planned development projects are not to exceed 17.4 units per acre pursuant to the development standards in the adopted Newport Boulevard Specific Plan. Noncommercial uses would be subject to the same floor area standards as commercial uses in this designation. Individual components of mixed use projects which include separate commercial and residential uses shall comply with the floor area ratio, density and all other development standards for the portion of the lot on which they are located. Parking between mixed uses may be permitted according to the provisions of the Municipal Code. Mixed use projects which combine complementary commercial and residential uses within a single structure shall not exceed the applicable floor area ratio and density standards and shall not be developed at an intensity that would exceed the traffic generation of the site if it was developed at the moderate trip generation rate.

Compatible zones for this new general plan designation would include AP, CL, C1, P, PDC, R2-MD, R2-HD, PDR-MD AND PDR-HD.

Concurrent with the adoption of this specific plan, it also proposed that within the plan area the General Plan land use map be amended to change the "Neighborhood Commercial" land use designation to "Commercial-Residential". See Figure 7.



NEWPORT BOULEVARD SPECIFIC PLAN

PROPOSED GENERAL PLAN LAND USE MAP AMENDMENT

FIGURE 7

Adopt Specific Plan Development Standards

In order to ensure compatibility with surrounding residential neighborhoods and residential uses that may be developed in the plan area, it is necessary to identify land uses which are not consistent with the long-range intent of this plan. The development standards in this plan would prohibit certain uses within the plan area from establishing as a new use or prohibit the expansion of an existing use; the limitation may be for the whole plan area or be applied to a certain block. Provided below is a list of uses which are either prohibited and/or restricted from expanding in the plan area pursuant to the development standards in Section 6.0.

RESTRICTED USES

1. Motels and hotels
2. Adult entertainment businesses
3. Automotive, motorcycle and boat dealerships (including sales and service)
4. Automotive repair, automotive paint and body
5. Tire sales and installation
6. Mini-warehouses

It is also the intent of the plan to prohibit the approval of land uses and/or site designs that are detrimental to the purpose of this plan as stated in Section 1.0, Purpose. New commercial land uses should stimulate economic activity along the boulevard while considering compatibility issues with existing and future adjacent residential land uses, when applicable.

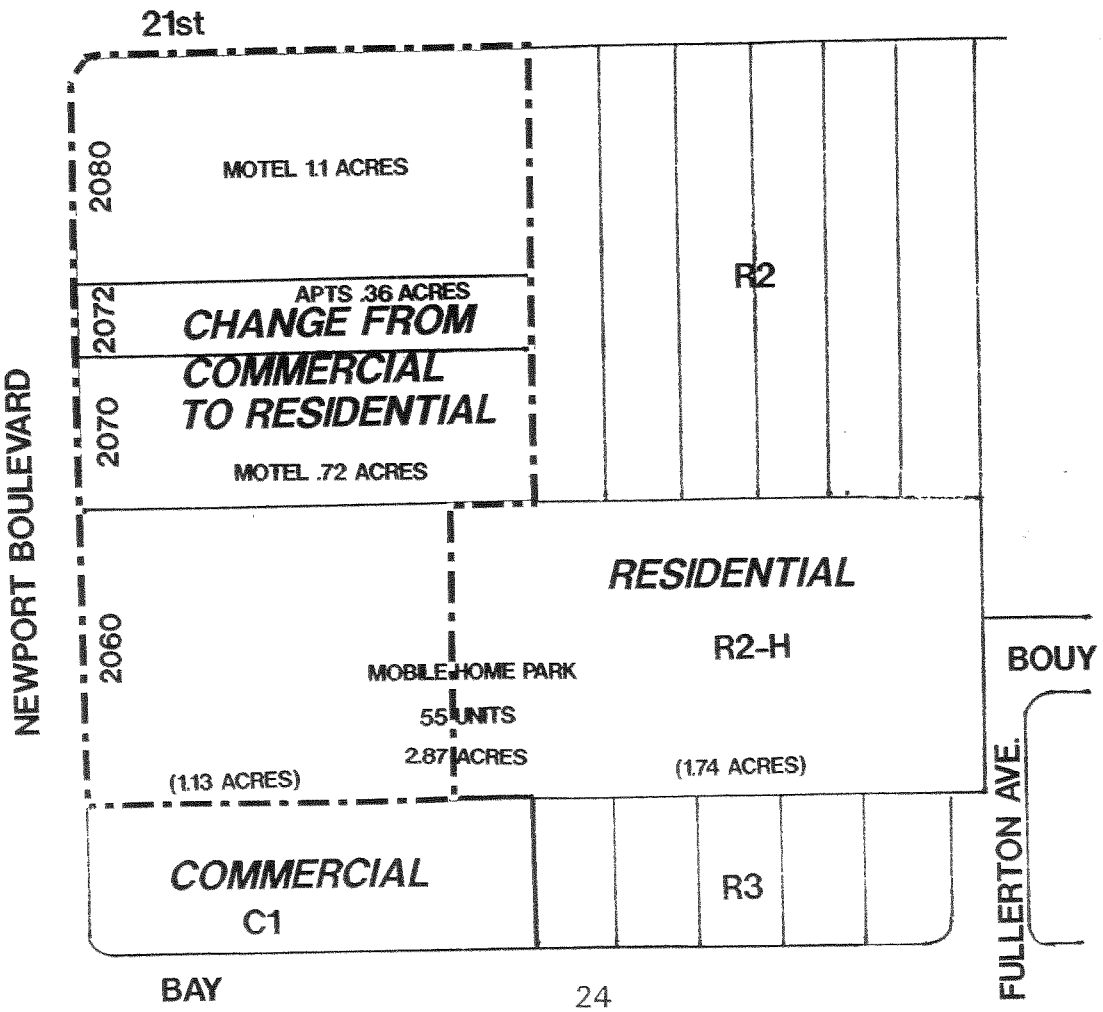
Additionally, it is the intent of this plan to encourage the consolidation of smaller lots for redevelopment to residential uses. Included in this plan is a development standard which encourages lot consolidation prior to rezoning to either a residential or planned development residential zoning district. The base density would be set at 12 units per acre and can be increased incrementally to either 14.5 units per acre or 17.4 units per acre depending on the size of the combined lots and street frontage.

Rezone of Certain Properties

Two areas in the plan area are proposed for future residential redevelopment. Subsequent to the adoption of this specific plan, it is proposed that the City of Costa Mesa pursue the rezoning of these areas. This would not preclude a private interest from initiating a rezone on other properties in the plan area.

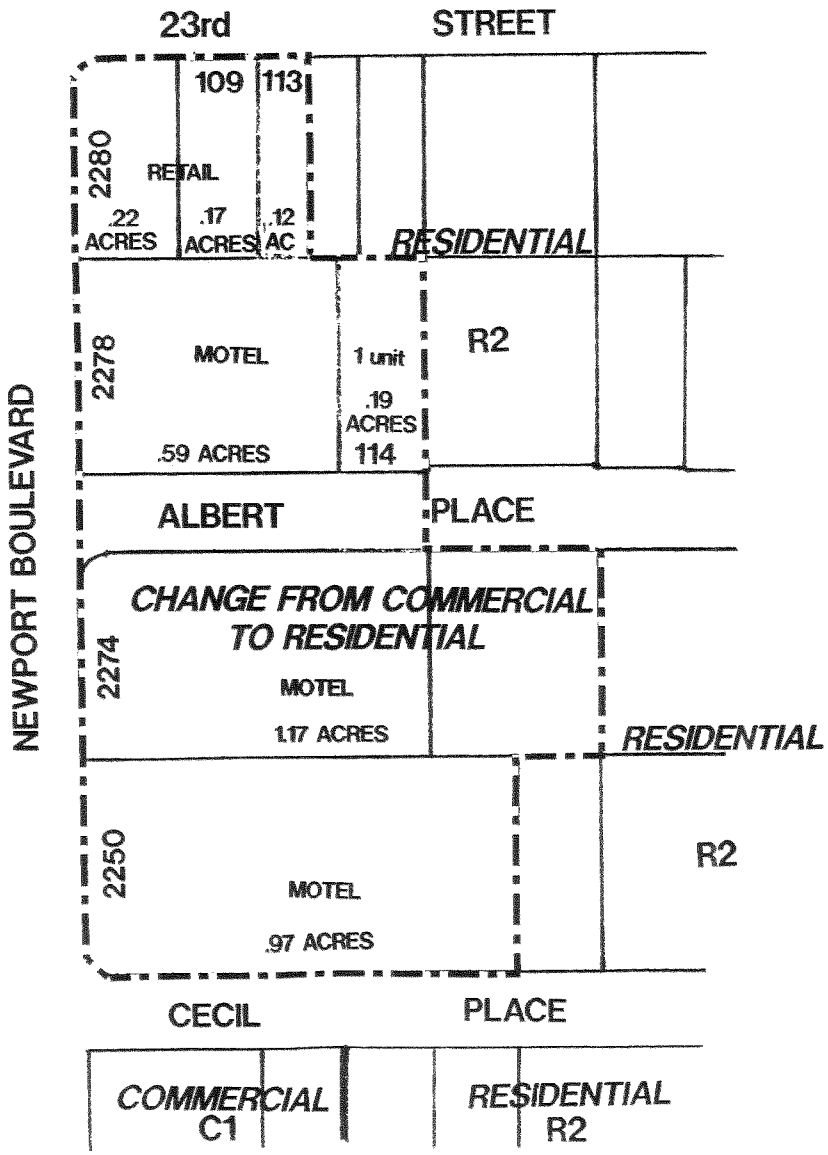
Subarea A Rezone Proposal: Redesignate the properties at 2060 - 2080 Newport Boulevard consisting of two motels, an apartment building and a mobile home park for residential land use. As indicated, the primary use is already quasi-residential with at least one motel that serves more as permanent living quarters. The proposed land use change would allow redevelopment of permanent residential development. The motels sites are both fairly large (.72 acres and 1.1 acres) and could accommodate viable residential development, particularly if combined with the adjacent lot (.36 acres), or if all the lots were combined together. Shown below is a map of the proposed land use change. It is also recommended that in conjunction with the redevelopment of this area to residential uses that alternative locations for a pocket park be explored in this general area.

Figure 8- SUBAREA A REZONE PROPOSAL



Subarea B Rezone Proposal: Redesignate the properties located between Cecil Place and 23rd Street consisting of three motels, three businesses and one dwelling unit for residential land use. As indicated, the primary use is already quasi-residential with at least one motel that serves more as permanent living quarters. The proposed land use change would allow redevelopment to more permanent residential development. Two of the three motel sites are fairly large (.97 acres, and 1.17 acres) and could accommodate viable residential development, particularly if combined, or if all the lots were combined together. (See page 28 which discusses a cul-de-sac of Albert Place and Cecil Place). Shown below is a map of the proposed land use change.

Figure 9- SUBAREA B REZONE PROPOSAL



Other Land Use Recommendations

There is one other specific land use recommendation for the plan area:

1. 125 Mesa Drive: This 0.89 acre site is presently used as an animal hospital and is zoned PDC (Planned Development Commercial). Should the animal hospital use be discontinued at this site, it is recommended that the property be rezoned to R2. This property is suitable for residential since it does not front or take access from Newport Boulevard and it abuts residential property on two sides. Approximately 10 units could be accommodated on this site.

Other Potential Land Use Opportunities

Other potential land use opportunities within the plan area include:

1. 2180 Newport Boulevard: This property is presently underdeveloped with a supermarket (Stater Brothers) which needs refurbishing, and there is the opportunity to upgrade the market. Additionally, the site is not built out to its maximum FAR, and the site could be furthered developed with an additional commercial pad at the corner (possibly a restaurant use).

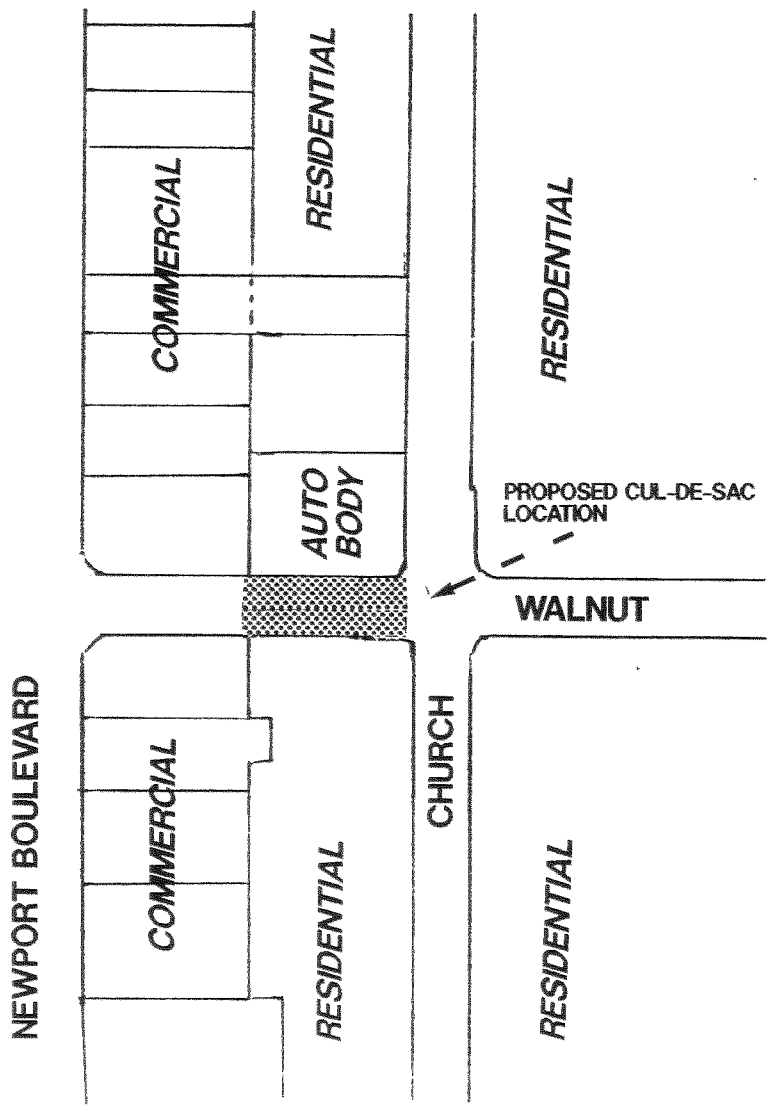
2. 2028-2040 Newport Boulevard: This 1.45 acre property encompasses three parcels and is currently developed with a nursery and related small commercial buildings. Should the site transition to another use, a single use is encouraged rather than creating new parcels which are smaller than 40,000 square feet in size. The existing parcels range from 13,250 to 29,700 square feet in size.

5.0 CIRCULATION OPTIONS

In addition to the land use changes proposed in Section 4.0, a number of traffic circulation changes area also proposed to assist with the stabilization of both the commercial and residential areas.

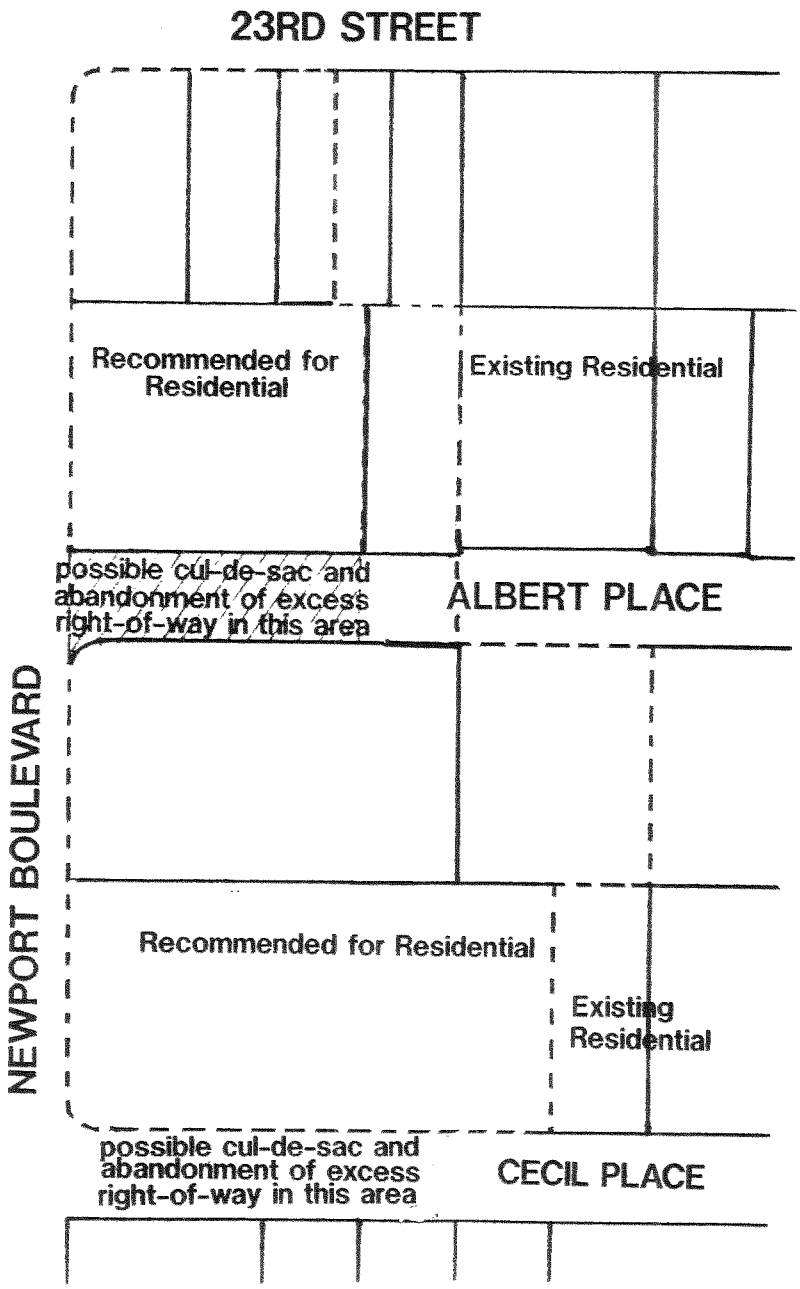
Within Subarea A, consideration should be given to creating a cul-de-sac along Walnut Street between Church Street and Newport Boulevard. A cul-de-sac in this area would minimize cut-through traffic along Church and Walnut which is a residential area. A legal nonconforming auto body shop is located within the residential zone at the northeast corner of Walnut and Church Street. This commercial use is nonconforming and an intrusion into the residential neighborhood along Church Street.

Figure 10- WALNUT STREET CUL-DE-SAC PROPOSAL



Within Subarea B, the option of abandoning part of Albert Place and/or Cecil Place and creating a cul-de-sac should be pursued. Depending upon the location of the cul-de-sac, abandoned street right-of-way could result that would then be available for other purposes. The following map shows the general location for the cul-de-sacs.

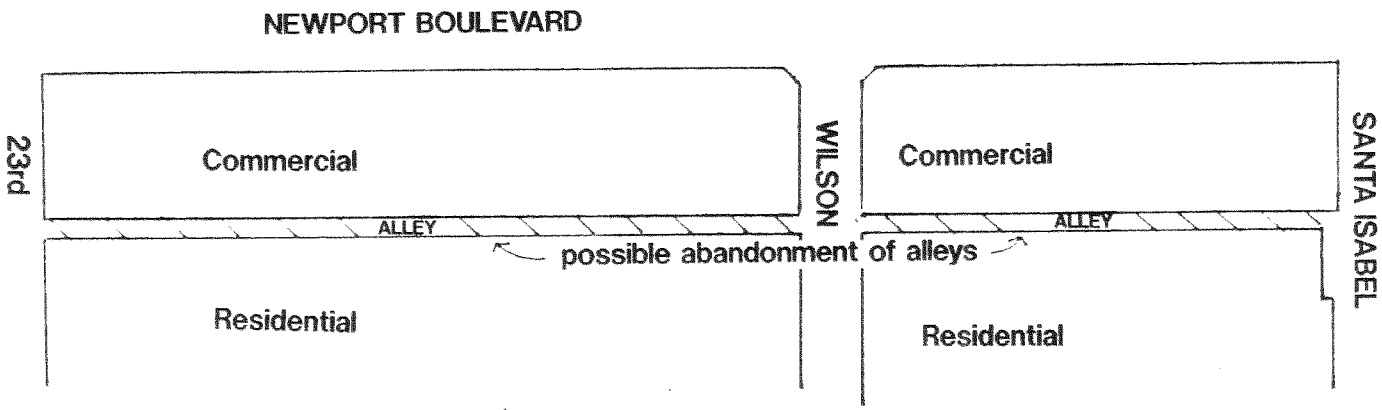
Figure 11- ALBERT PLACE AND CECIL PLACE CUL-DE-SAC PROPOSAL



Within Subarea C, the option of abandoning the alleys that run parallel to the boulevard should be considered. While serving a number of commercial businesses that front the boulevard and some residential developments to the east, the alleys may not be essential for access and could detract from the area by creating a gathering place for criminals. In some cases, abandonment of the alleys may facilitate redevelopment of adjacent properties.

It is recognized that there are several properties which have direct access from this alley, in addition to the utility services which exist there (such as sewer lines and fire hydrants). Any abandonment of the alley is considered a long-term possibility that requires further study and satisfactory alternative access and utility service arrangements. In the meantime, new developments should be designed to not be dependent upon alley access.

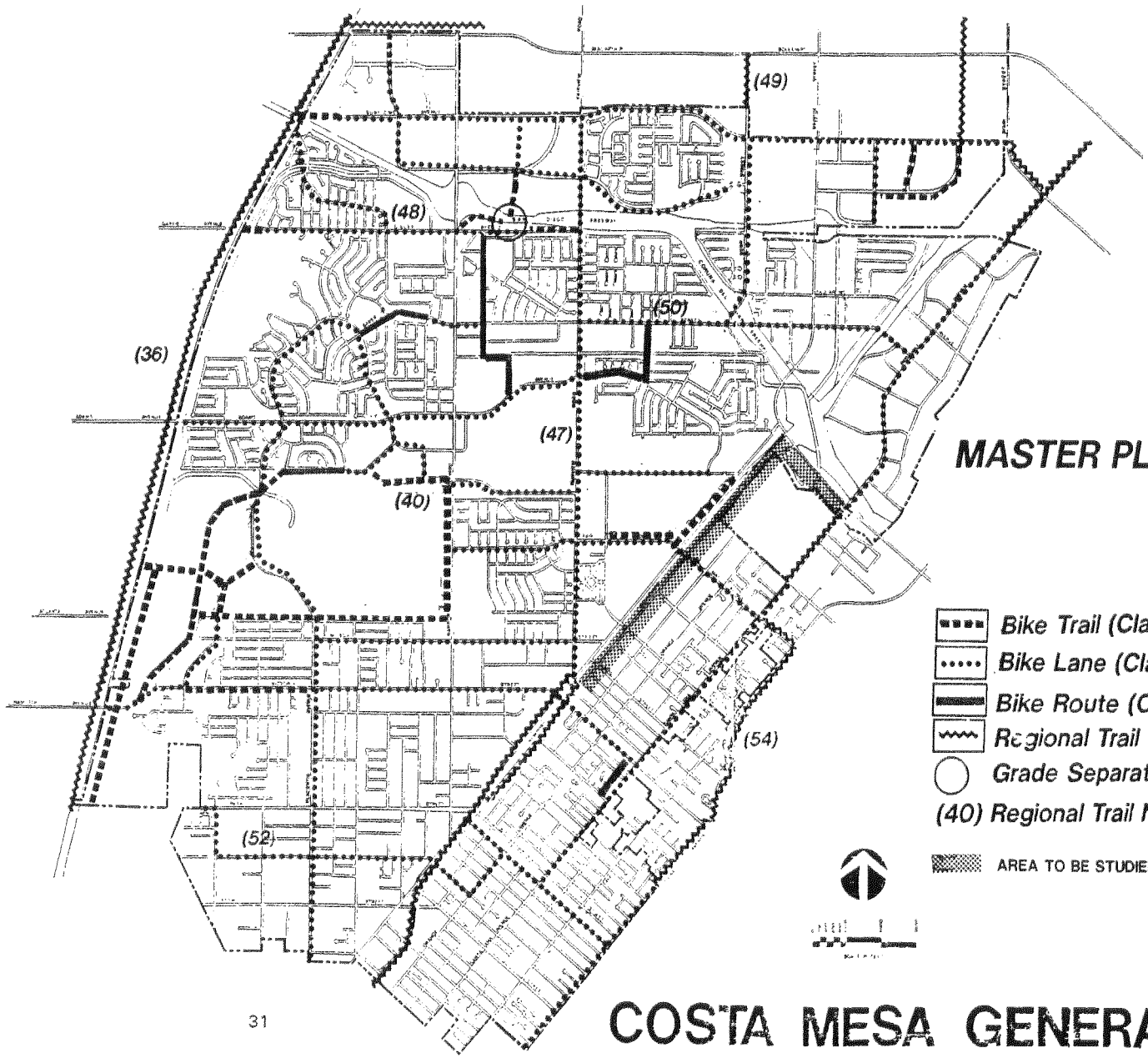
Figure 12- ALLEY ABANDONMENT PROPOSAL



Bicycle Trails

As shown in Figure 13, the 1990 General Plan's Master Plan of Bikeways indicates a future regional bike trail (#47) which follows the east side of Newport Boulevard between Walnut Street and Fairview Road, at which point the trail continues north on Fairview Road. No other bike trail is indicated on northbound Newport Boulevard beyond Fairview Road. No bike trails currently exist within the plan area.

Consideration should be given to amending the Master Plan of Bikeways to include a Class II bike lane on Newport Boulevard north of Fairview Road to Bristol Street, at which point a connection to Red Hill Avenue would also be required. This bike lane would provide additional northbound access to employment areas and other regional bike trails.



MASTER PLAN OF BIKEWAYS

- Bike Trail (Class 1)
- Bike Lane (Class 2)
- Bike Route (Class 3)
- Regional Trail
- Grade Separated Crossing
- (40) Regional Trail Numbers
- AREA TO BE STUDIED

FIGURE 13

6.0 DEVELOPMENT STANDARDS

The following development standards shall be applied, as appropriate, to new development and new uses or expansion of uses requiring discretionary review and permits. Figure 14, at the end of this document, provides an overview of the entire plan area and depicts development standards and implementation programs that can be shown graphically. It should be noted that the information is intended to be illustrative and is not to be interpreted as the precise locations for future land uses or structures.

1.0 GENERAL

1.1 Additional development standards not specified in this Specific Plan shall be applied pursuant to the requirements of the underlying zoning district. Where there is a conflict, the provisions of this Specific Plan shall supersede the Municipal Code.

1.2 Land uses and/or site designs which are determined to be detrimental to the purpose of this Specific Plan, as specified in Section 1.0, shall be prohibited. New commercial land uses should stimulate economic activity along the boulevard while considering compatibility issues with existing and future adjacent residential land uses, when applicable.

2.0 COMMERCIAL USES

2.1 The Floor Area Ratio (FAR) limit of 0.20 high traffic, 0.30 moderate traffic and 0.40 low traffic shall be applied to commercial and institutional uses in the plan area.

2.2 Allowable land uses for commercially zoned property shall be governed by the Costa Mesa Municipal Code provisions for the applicable zoning district, with the following exceptions:

Table 4- COMMERCIAL USES
Newport Boulevard Specific Plan

NEW USES PROHIBITED FROM ESTABLISHING IN THE PLAN AREA	EXISTING USES PROHIBITED FROM EXPANDING IN THE PLAN AREA
Pursuant to the provisions of the applicable zoning district with the following additions: 1. Motels and hotels 2. Adult entertainment 3. Mini-warehouses **Exception:** The following new uses are prohibited in that portion of the plan area between **20th Street and Mesa Drive:** 4. Automotive, motorcycle, and boat dealerships (including sales and service)* 5. Automotive repair, automotive paint and body 6. Tire sales and installation * Note: Pag Bros. Cycles is allowed to re-establish at 2380 Newport Boulevard pursuant to the	Pursuant to the provisions of the applicable zoning district with the following addition: 1. Adult entertainment businesses 2. Mini-warehouses **Exception:** The following uses are prohibited from expanding in that portion of the plan area between **22nd Street and Mesa Drive:** 3. Automotive, motorcycle, and boat dealerships (including sales and service) 4. Automotive repair, automotive paint and body 5. Tire sales and installation.

2.3 For any commercial use requiring a Conditional Use Permit, limitations on hours of operation, late night and early morning deliveries, and provision of an adequate buffer from adjacent residential shall be additional criteria for approval.

2.4 Neighborhood serving offices and retail businesses shall be encouraged within the Commercial-Residential designated areas. Where possible, complimentary or supporting commercial uses should be clustered or located in proximity to each other (i.e., veterinarian offices near existing animal feed and supply store or the concentration of existing auto-related uses in the 1900 block).

2.5 Automotive parts retail uses (with no service or installation) is a permitted use in the plan area. Automotive parts retail uses with service or installation shall require a conditional use permit.

2.6 Regarding the southeast corner of Newport Boulevard and Bay Street, encourage the future development of this property as a single use, and discourage the creation of any parcels that are less than 40,000 square feet in size.

2.7 Regarding 2180 Newport Boulevard (Stater Brothers), encourage the upgrade of this grocery store (including landscaping, signage, etc.) and the maximizing of the FAR with the addition of a commercial pad at the corner (possibly a restaurant use).

2.8 In conjunction with any discretionary project approvals, building setbacks and required landscaping for commercial uses fronting on Newport Boulevard may be reduced, without requiring a variance, to a minimum of 10 feet provided that a landscaped planter area, a minimum of 5 feet of width, is provided along the rear property line as an additional buffer to adjacent residential uses. The planter area shall contain appropriate plant materials to provide an immediate and effective screen. The plant materials shall meet with the approval of the Planning Division. The buffer planter area shall not be counted towards the interior landscaping requirements of the site.

2.9 In conjunction with new commercial development, deviations from required building setbacks on rear and side property lines may be approved by the Planning Commission without a variance, provided that the reduced setbacks improve the proposed development's compatibility with surrounding uses, particularly residential uses.

3.0 RESIDENTIAL USES

3.1 Lot consolidation for any residential development is a goal of this Specific Plan. To encourage/reward lot consolidation, the following table presents guidelines for determining the maximum allowable residential density. These are not mandatory specifications, and variations from these guidelines shall be based on the merits of a proposed project through the discretionary review process.

Table 5- RESIDENTIAL DENSITY GUIDELINES
Newport Boulevard Specific Plan

LOT SIZE	STREET FRONTAGE	ALLOWABLE DENSITY
40,000 sq. ft.	120 feet	1 unit/3,630 sq. ft. (Medium density at 12 units per acre)
60,000 sq. ft.	150 feet	1 unit/3,000 sq. ft. (High density at 14.5 units per acre)
80,000 sq. ft.	180 feet	1 unit/2,500 sq. ft. (High density at 17.4 units per acre)

3.2 The desired product type for residential redevelopment in the specific plan area is ownership housing; therefore for parcels zoned PDR, density increments above the base density established in the Costa Mesa Municipal Code will only be granted for ownership type housing development.

3.3 Acoustical analysis shall be required for new residential development to ensure that neither traffic noise nor noise from adjacent commercial uses impacts the proposed residential project.

3.4 Where a solid, opaque wall is needed to mitigate traffic noise impacts along a street frontage, a minimum 10 foot deep landscaped setback between the property line and wall shall be provided. An off-set of at least 2 feet shall be provided for every 75 linear feet of perimeter wall.

3.5 Residential projects located on corner parcels should, to the extent feasible, use side streets for primary access and should limit direct access onto Newport Boulevard.

3.6 In addition to meeting the required minimum lot size and width requirements, the site design shall include buffering of the proposed residential development from incompatible uses.

3.7 Proposed rezones from a commercial zone to a residential zone shall include an analysis of the interface and compatibility between the residential and adjacent nonresidential uses.

3.8 Regarding the block between Bay Street and 21st Street, explore alternative locations for a pocket park in the general area, in conjunction with the redevelopment of this block to residential land uses.

4.0 CIRCULATION

4.1 To facilitate the eventual closure of alleys, new development and new uses requiring discretionary permits shall eliminate alley access, whenever feasible.

4.2 Development of property in the vicinity of Walnut Street between Newport Boulevard and Church Street shall consider the possible placement of a cul-de-sac of Walnut. Therefore, development of lots not fronting on Newport Boulevard shall be reviewed in regard to dependency upon Newport Boulevard access.

4.3 Development of property in the vicinity of either Albert Place or Cecil Place at Newport Boulevard shall consider the possible placement of a cul-de-sac of Albert Place and/or Cecil Place. Therefore, development of lots which currently have access from Albert Place and Cecil Place shall be reviewed in regard to dependency upon Newport Boulevard access.

7.0 IMPLEMENTATION PROGRAMS

Implementation programs are necessary to respond to the issues identified in the previous sections of this plan. Generally, implementation programs fall into three categories. The first type are those which involve the expansion or refinement of an existing City program, policy or ordinance, and the second type are those which require the establishment of a new City program, policy or ordinance. The last type of program requires action on behalf of the business community to initiate and move forward.

Each of the following programs have been formatted to provide a project description, and to identify the responsible agency/party, the time frame for implementation and the anticipated funding source. Also, the programs have been organized under the major issue headings discussed in Section 3.0.

1.0 NEWPORT BOULEVARD'S IDENTITY

1.1 Create a Newport Boulevard Organization

Establish a formal organization of property owners, business owners and concerned residents to represent the interests of the plan area. This organization could be a sub-chapter of the Chamber of Commerce or an independent association. The organization would serve as an important link between the City and the plan area, and would also help implement many of the programs identified in this plan.

Responsible Parties: Private property, concerned residents and business owners and the Chamber of Commerce
Schedule: No set timing; dependent on the business and property owners
Funding: Self-funded through Membership fees

1.2 Create a Business Improvement District

Establish a Business Improvement District (BID) to fund programs and improvements of interest to businesses along the boulevard. BIDs are special assessment districts in which the business owners themselves establish an annual assessment to be collected by the City to finance activities, services and improvements which would not be possible on an individual basis. These could include private security patrols, special promotions such as a bicycle race or street fair or specialized improvements such as lighting, directional and promotional signage or

street landscaping. The BID could also be used as a marketing tool or promotional arm to bring both businesses and customers to the boulevard.

Responsible Parties: Private business owners, Newport Boulevard Organization and the City of Costa Mesa- Planning Division and Finance Department
Schedule: No set timing; dependent on the business owners.
Funding: City staff budget for implementation; BID's programs are self-funded.

1.3 Improve Business/City Communications

Meet regularly (i.e. quarterly) with key representatives of City, business/property owners, Newport Boulevard Organization, and the Chamber of Commerce to discuss issues of common interest/concerns.

Responsible Parties: Private business and property owners, Newport Boulevard Organization, the Chamber of Commerce and City of Costa Mesa.
Schedule: Immediate after Specific Plan adoption
Funding: None necessary

1.4 Identification Signage

Work with businesses to design and place street banners on existing street light standards or a unique street sign for the east side of the boulevard. Banners should include a colorful design and could include copy such as "Welcome to Newport Boulevard", "Shop the Boulevard", "Dine along the Boulevard" or other appropriate messages. Unique street signs could include special colors and typeface or a logo to establish a special identity. Another alternative could be arched gateway signs over Newport Boulevard just north of 19th and 22nd Streets.

Responsible Parties: Private business and property owners, the Chamber of Commerce and City of Costa Mesa- Planning Division.
Schedule: Dependent on formation of Business Improvement District
Funding: Business Improvement District

See also Section 6.0 SIGNAGE for additional programs.

1.5 Uniform Landscape Program

Seek a professional consultant to develop a consistent landscape palette of plant materials for the east side of Newport Boulevard to further establish the area's identity. Include such organizations as ReLeaf Costa Mesa in formulating and implementing this program.

Responsible Parties: City of Costa Mesa - Planning Division, business and property owners, ReLeaf Costa Mesa
Schedule: 1997
Funding: Department Budget, Business Improvement District

2.0 CHANGING LAND USE AND CIRCULATION PATTERNS

2.1 "Commercial-Residential" General Plan Amendment

Amend the 1990 General Plan to create the "Commercial-Residential" land use designation. This designation would allow a complementary mix of residential and commercial zoning along the boulevard, unlike any other land use designation in the General Plan. It is anticipated that individual parcels would be developed as either a commercial or residential use. A mix of both commercial and residential on one parcel would only occur in a Planned Development zoning district. Residential development would be encouraged provided that certain development standards are met pursuant to this adopted Newport Boulevard Specific Plan. Density would range from 12 units per acre to 17.4 units per acre. Commercial uses would be allowed at the FAR limits of 0.20 high traffic, 0.30 moderate traffic and 0.40 low traffic.

Responsible Party: City of Costa Mesa - Planning Division
Schedule: Concurrent with adoption of Specific Plan
Funding: Department budget

2.2 General Plan Land Use Map Amendment

Amendment of the 1990 General Plan to redesignate property from the existing Neighborhood Commercial designation to the proposed Commercial-Residential designation in the plan area.

Responsible Party: City of Costa Mesa - Planning Division
Schedule: Concurrent with adoption of Specific Plan
Funding: Department budget

2.3 Rezone Proposals

Implement zone changes in the two areas identified in this specific plan, from commercial zoning to residential zoning. The appropriate residential zone and density shall depend on the size of the resulting lots, although the minimum density shall be 1 unit per 3,630 square feet of parcel area.

Regarding 125 Mesa Drive, consider a rezone to R2 should the existing animal hospital use be discontinued.

Responsible Party: City of Costa Mesa - Planning Division
Schedule: 2 to 3 months after Specific Plan adoption
Funding: Department budget

2.4 Cul-de-sac and Alley Abandonment Study

Study the possible creation of cul-de-sacs and abandonment of portions of existing streets and the abandonment of alleys. Part of the study would entail evaluation of impacts on the circulation system, access to surrounding sites, utility services and public safety access. Through this evaluation, precise locations for the cul-de-sacs and abandonments would be determined.

Responsible Parties: City of Costa Mesa - Planning Division and Public Services Department
Schedule: 1996/1997
Funding: Department budgets

3.0 MOTELS

3.1 Prohibit new motels and hotels

Pursuant to the development standards of this Specific Plan prohibit new motels and hotels. Expansion of any existing motel or hotel shall require discretionary review (a conditional use permit). Review of the proposed expansion shall include an analysis of its compatibility with the surrounding uses (both commercial and residential). The motel's past history of problems related to crime, life safety, health and property maintenance shall also be reviewed.

Responsible Party: City of Costa Mesa - Planning Division
Schedule: Concurrent with adoption of the Specific Plan
Funding: None required

3.2 Continue Motel Strike Teams

The motel strike teams are designed to address crime, life safety, health and property maintenance problems or violations in a concentrated and comprehensive manner.

Responsible Parties: City of Costa Mesa - Police and Development Services Departments and the County of Orange Health Agency.
Schedule: Ongoing
Funding: Department Budgets

3.3 Motel Occupancy/Operational Regulations

Work with the Police Department to develop occupancy/operation regulations (require full-time on-site manager, enforce occupancy limits, require 2 forms of identification prior to renting rooms, require maid service at least every 2 days, cross-check problem guests, limit accumulation of personal goods/unit modifications, on-site security, etc.) to address problems associated with improper occupancy of motel rooms. The Fair Housing Council of Orange County should be consulted in the drafting of these regulations.

Responsible Parties: City of Costa Mesa - Police Department and Planning Division and Motel owners and managers
Schedule: 1996/1997
Funding: Department Budgets

4.0 SOCIAL/CRIME

4.1 Targeted Police Enforcement

Work with Police Area Commander to develop targeted or concentrated Police patrols and enforcement programs for businesses along the boulevard. Also, the concentrated or targeted enforcement could be used in conjunction with motel strike team operations (see Program 3.2). Since the current criminal and nuisance activities are often associated with transients occupying motels along the boulevard, the combined programs can complement each other.

Responsible Parties: City of Costa Mesa - Police Department and Planning Division and Motel owners and managers
Schedule: 1996/1997
Funding: Department Budgets

4.2 Concentrated Code Enforcement

Work with City Code Enforcement personnel to establish a concentrated code enforcement program to ensure continued maintenance of properties and compliance with adopted development standards along Newport Boulevard, including the residential areas directly adjacent to the boulevard. Specific areas of concern would be overall property appearance, front landscaped setbacks, outdoor storage, occupancy limits in apartments, etc.. It is envisioned that local businesses would work in tandem with City Code Enforcement staff to encourage other business and property owners to take pride in their investments for the overall benefit of the boulevard.

Responsible Parties: City of Costa Mesa - Planning Division, Newport Boulevard Organization
Schedule: 1996/1997
Funding: Department Budgets

4.3 Cooperative Security

Investigate use of cooperative Police and private security patrols for Newport Boulevard businesses. City Council Community Objective A-9 (Study of Feasibility of Private Patrol) seeks to develop a police-business alliance for the South Coast Metro Area as a model plan for private patrols. Initial steps would include a survey of existing business owners to determine level of interest in such a service and development of a specific work program, including costs and funding sources. One funding source may be a Business Improvement District as discussed in Program 1.2.

Responsible Parties: City of Costa Mesa - Police Department, Newport Boulevard Organization, and property and business owners.
Schedule: 1996/1997
Funding: Business Improvement District

4.4 Excessive Police Call Ordinance

The Municipal Code currently has provisions relating to fees for second calls for Police services to control large parties and gatherings on private property and for false fire and burglar alarms. This program entails adoption of a similar ordinance for repeated or excessive Police calls for service for businesses, especially motels with higher than average calls/room ratios. Since Police often recommend that motel managers/owners call when problems arise, provisions are needed to

respond to these types of instances without financial penalty. As such, it may be necessary to limit the applicability of such an ordinance to calls from third parties (i.e. residential neighbors, surrounding business owners, etc.) for bona fide code violations/disruptions.

Responsible Party: City of Costa Mesa - Planning Division and Police Department
Schedule: 1996/1997
Funding: Department Budget

4.5 Business-to-Business Cooperative

Establish a formal Business-to-Business cooperative network to address problems or issues unique to businesses along Newport Boulevard. This could be similar to neighborhood watch programs which have been successfully used in residential neighborhoods. A model for such a program is a Motel Watch Program established for many of the motels along Harbor Boulevard. As a part of this cooperative network, the Police department could provide training or written guidelines to businesses to deal with common problems associated with the area's transient population (trespassing, loitering, aggressive panhandling, etc.) and provide information of the variety of referral and support services that are available.

Responsible Parties: City of Costa Mesa Police Department, Newport Boulevard Organization, and the Chamber of Commerce
Schedule: 1996/1997
Funding: Department Budget

4.6 Newsracks with Adult Publications

In accordance with recent case law, adopt a city ordinance which prohibits newsracks located in the public right-of-way of the plan area from containing materials which are harmful to minors.

Responsible Parties: City of Costa Mesa - Planning Division
Schedule: 1996/1997
Funding: Department Budget

5.0 ECONOMICS

5.1 Economic Impact Consideration

Consider the impacts of City actions on property values along Newport

Boulevard. An example of the type of action which would trigger this analyses would be the rezone from C2 to C1 which occurred after the adoption of the 1990 General Plan. This action reduced the attractiveness of properties along the boulevard because of the reduced development potential and range of uses which would be permitted in the area.

Responsible Party: City of Costa Mesa - Planning Division
Schedule: Ongoing
Funding: Department Budget

5.2 Development Incentives

Adopt a City Policy which allows the reduction or waiver of fees that are applied to businesses and developments in the specific plan area. These fees could include processing and traffic impact fees for new developments or uses. For the citywide traffic fee, it is recommended that the fee be reduced to the legal minimum for an initial period of 5 years. After 5 years, the City Council will evaluate the effectiveness of this incentive and determine whether it is appropriate to continue with the traffic fee reduction. The fee reductions are recommended to provide an incentive to encourage private redevelopment or to attract new commercial ventures within the study area. These reductions could be permanent or limited to a specific time period. Other incentives include the increase in allowable building intensity floor area ratios, as discussed in Program 2.1.

Responsible Party: City of Costa Mesa - Planning Division
Schedule: 1996/1997
Funding: Department Budget

5.3 Low Interest Loans for Business Owners

Investigate funding sources, such as Community Development Block Grant Funds, for low interest loans for business owners in the plan area.

Responsible Party: City of Costa Mesa - Planning Division, Community Development Division.
Schedule: 1997
Funding: Department Budget

6.0 SIGNAGE

6.1 Freeway Directional Signage

Provide directional signage to identify business opportunities along Newport Boulevard. These include two types of signs. The first type would be directional signage for northbound traffic at or just beyond the Newport/19th Street and 22nd Street intersections to direct motorists to the business opportunities along east Newport Boulevard. This should be implemented in conjunction with proposed freeway on-ramp improvements at both 19th and 22nd Streets. (See also Program 8.1).

The second type of sign would be installed on the freeway at the Fair Drive/Del Mar Avenue and 22nd/Victoria Street off-ramps directing traffic to business and lodging opportunities on both sides of Newport Boulevard. These would be standard Caltrans signs reading "Local Business District" or "Lodging".

Responsible Parties: City of Costa Mesa - Planning Division, CALTRANS, business and property owners
Schedule: 1996/1997
Funding: Department Budgets, Business Improvement District

6.2 Uniform Sign Standards

Seek a professional consultant to investigate uniform sign criteria and standards for businesses and properties along the east side of Newport Boulevard to establish the area's special identity. Such a program could include standards for common sign typefaces, colors, placement, and type (sign cans or channel letters; pole or monument, etc.). Because of the number of long and narrow lots, the option of clustered signs for 3 to 4 adjacent lots may also be something to consider.

Responsible Parties: City of Costa Mesa - Planning Division, business and property owners
Schedule: 1996/1997
Funding: Department Budget, Business Improvement District

See also Program 1.4.

6.3 Special Sign Provisions

Develop special sign regulations for business along Newport Boulevard, possibly in conjunction with Program 6.2. This would involve

amendments to the City's Sign Ordinance to provide special consideration for uses within the study area. These special provisions (additional sign height or area) could be justified because of the reduced visibility of businesses due to the depressed nature of the Costa Mesa Freeway extension. While the visibility of all businesses has been affected, those south of Wilson Street have been most adversely affected because of the narrowness of the freeway right-of-way and the extent of concrete retaining walls adjacent to the freeway. Placement of signs in the right-of-way between the freeway and the boulevard shall also be considered.

Responsible Parties: City of Costa Mesa - Planning Division, business and property owners
Schedule: 1997/1998
Funding: Department Budget, Business Improvement District

7.0 LIGHTING

7.1 Street lighting

Survey and inventory the various types of light standards that are located along the east side of Newport Boulevard. Also, the standards are served by overhead lines. The undergrounding of the service lines and the use of a consistent light standard would provide a more appealing and less cluttered streetscape to further enhance the image of the boulevard.

Responsible Parties: City of Costa Mesa - Public Services Department, Southern California Edison
Schedule: 1997/1998
Funding: Department Budget, Southern California Edison, Business Improvement District

7.2 On-Site Security Lighting

This program would be a cooperative effort to improve security lighting on the individual businesses and properties within the study area. Working with the Police Department or qualified lighting/security consultants, the owners could identify appropriate type of lighting to fit their needs and property. Increased security lighting would make the properties less inviting to transient or other criminal activities.

As nearly all of the properties along the east side of Newport Boulevard are served by utilities along the rear property line or along the alleys

separating the business and residential neighborhoods, this provides an excellent opportunity for additional on-site security lighting. The Edison Company will work with property owners to select and install lighting as long as the lighting does not adversely affect adjacent residential areas. Private property owners would also be encouraged to use photo sensitive light fixtures as opposed to timing systems to ensure proper illumination of their property.

Responsible Parties: City of Costa Mesa - Police Department, Southern California Edison
Schedule: 1996/1997
Funding: Department Budget, Southern California Edison, Business Improvement District

8.0 ACCESS

8.1 Freeway Ramp Improvements

Widen and restripe Newport Boulevard immediately north of the 19th Street intersection to provide free access to northbound Newport Boulevard. This will provide greater separation of freeway-bound traffic from traffic wishing to proceed north on Newport Boulevard. This project has been approved and should be started in mid 1996.

This project should also be tied to the recommendations for improved access signage to direct traffic to the business opportunities along the boulevard. (See also Program 6.1).

Responsible Party: City of Costa Mesa - Public Services Department
Schedule: 1996
Funding: Department Budget

8.2 Review Traffic Flow Modifications

Prior to any changes in traffic control devices or street modifications, the property and businesses owners shall be notified/consulted.

Responsible Party: City of Costa Mesa - Public Services Department
Schedule: Ongoing
Funding: Department Budget

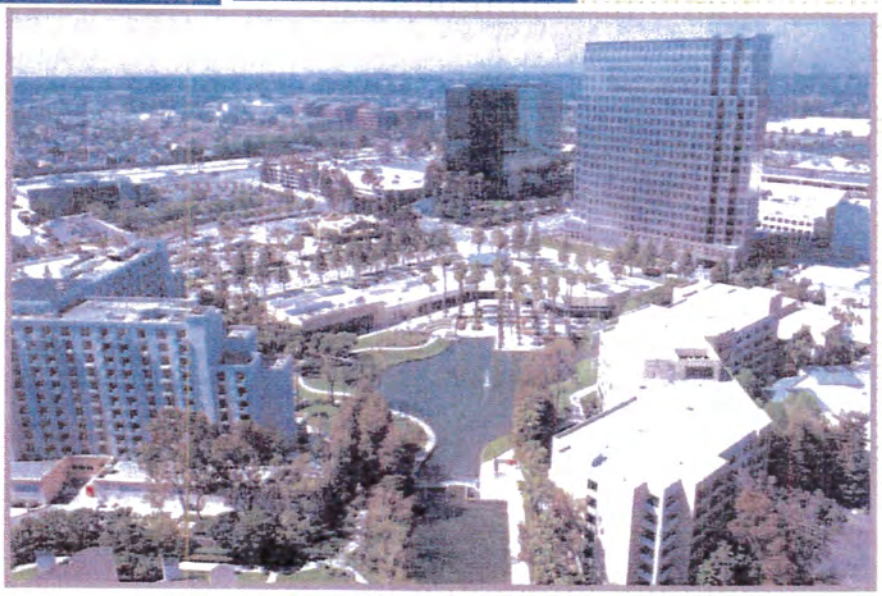
8.3 Master Plan of Bikeways Amendment

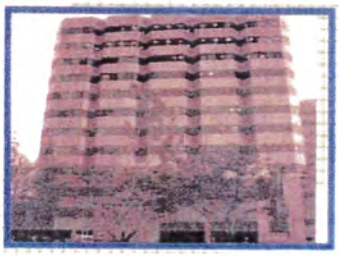
Consideration should be given to amending the Master Plan of Bikeways to include a Class II bike lane on Newport Boulevard north of Fairview Road to Bristol Street, at which point a connection to Red Hill Avenue would also be required. This bike lane would provide additional northbound access to employment areas and other regional bike trails.

Responsible Party: City of Costa Mesa - Public Services Department
Schedule: 1996/1997
Funding: Department Budget

North Costa Mesa Specific Plan

Adopted July 1994





City of Costa Mesa
Development Services Dept.
77 Fair Drive
Costa Mesa, CA 92628

UPDATED OCT 2015

SUMMARY OF NORTH COSTA MESA SPECIFIC PLAN AMENDMENTS

The North Costa Mesa Specific Plan was adopted by the Costa Mesa City Council in July 1994. Since adoption, the plan has been amended. The following table provides a list and a brief description of the amendment(s).

AMENDMENT #	DATE OF ADOPTION	DESCRIPTION OF AMENDMENT
SP-98-04	April 19, 1999	Created a site-specific FAR of 0.72 for South Coast Metro Center (Area 6).
SP-99-02	July 3, 2000	Increased the site-specific FAR to 0.79 for South Coast Metro Center (Area 6).
SP-00-01	February 5, 2001	Created a new Cultural Arts Center designation and corresponding FAR of 1.77 for South Coast Plaza Town Center (Area 4).
SP-00-02	November 19, 2001	Increased the size of Area 1, and amended land use designations, floor area ratio, and trip budgets for Segerstrom Home Ranch (Area 1)
SP-02-01	July 1, 2002	Updated regulations to be consistent with 2000 General Plan.
SP-03-02	November 17, 2003	Amended acreage and building square footage allocation in Area 1 sub-areas.
SP-03-01	February 2, 2004	Incorporated the Theater and Arts District Plan into the plan.
SP-06-01	March 27, 2006	Amendment to the Theater and Arts District Plan regarding financing.
SP-06-02	January 16, 2007	Amendment to allow high-rise residential development in Sub-areas 4, 5, and 6 in this specific plan.
SP-07-01	November 20, 2007	Amendment to allow high-rise residential development for Wyndham Boutique Hotel / High-Rise residential project at 3350 Avenue of Arts, Area 5.
SP-11-01	September 20, 2011	Amendment to Sakioka Lot 2
SP-15-01	October 20, 2015	Clarifying language to South Coast Plaza Town Center

SP-94-01

NORTH COSTA MESA

SPECIFIC PLAN

PREPARED BY:

City of Costa Mesa Planning Division

July 1994

Adopted by Resolution #94-67
Amended April 1999
Amended July 2000
Amended February 2001
Amended November 2001
Amended July 2002
Amended November 2003
Amended February 2004
Amended March 2006
Amended January 2007
Amended November 2007
Amended September 2011
Amended October 2015

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1.0 INTRODUCTION

Authority and Scope

This specific plan has been prepared for a portion of North Costa Mesa in accordance with the California Government Code Section 65450 et seq. The plan area encompasses 423 acres and is an established area of the City with many identifiable and diversified components, including the urban mixed use development of South Coast Plaza Town Center. There is still, however, a considerable amount of undeveloped land within the plan area that prompts the need for this specific plan.

The 1990 General Plan, adopted on March 16, 1992, specifies the land use designations and accompanying residential densities and commercial and industrial intensities for the plan area, as well as numerous policies that are relevant or specific to North Costa Mesa. In 2001, the City of Costa Mesa 2000 General Plan was adopted, which was primarily a technical update of the 1990 General Plan. (See Appendix C for a listing of relevant General Plan policies). It is the intent of this specific plan to implement the policies of the General Plan through the adoption of development standards. These standards recognize the development potential of the plan area and the need to sensitively integrate new development with the surrounding areas, and, therefore, promote both resident and business community confidence in the long-term vision for the plan area.

Specific issues that are addressed in this plan are as follows:

- Land Use Compatibility/Integration
- Building Heights
- Nonconformity
- Density Bonuses
- Circulation
- Urban Rail Transit
- Parks and Recreation
- Fire Protection Services

Specific Plan Contents

This specific plan provides a comprehensive review and analysis of the plan area. Section 2 provides an overview of the plan area's development setting. In Section 3, the development issues that will present a challenge to future development of each subarea are identified, and Section 4 provides the development standards which address these issues. Finally, Section 5 discusses the specific plan's implementation timing.

2.0 DEVELOPMENT SETTING

Location

The North Costa Mesa plan area comprises the northernmost portion of the City of Costa Mesa, i. e., that area north of the San Diego Freeway (I-405) and generally east of Harbor Boulevard. South Coast Drive and Sunflower Avenue generally form the northern boundary of the plan area and the Costa Mesa Freeway (SR-55) is the eastern border. Costa Mesa's surrounding cities include Fountain Valley and Huntington Beach to the west, Santa Ana to the north and east, Irvine to the east, and Newport Beach to the south. Major regional facilities include John Wayne Airport to the southeast of the plan area. See Figure 1.

Figure 2 indicates the existing land uses as well as the eight subareas the plan area has been divided into for analysis purposes.

Location Map

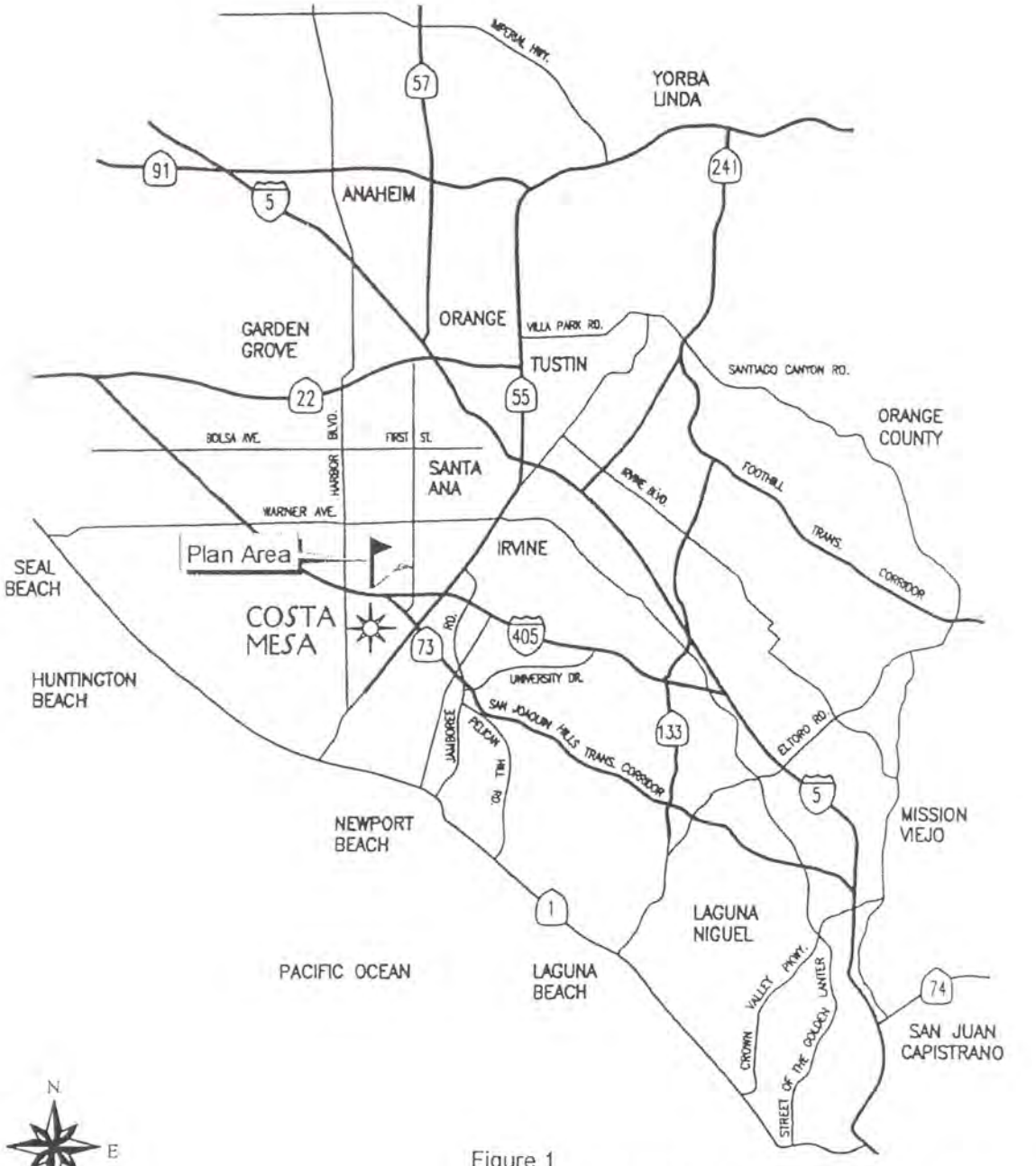


Figure 1
NORTH COSTA MESA SPECIFIC PLAN

8

LEGEND

- Vacant Land Parcels
- North Costa Mesa Specific Plan Area

Note: All maps and figures in the North Costa Mesa Specific Plan are not to scale and are provided for illustrative purposes only.

1 - Home Ranch
2 - Metro Pointe
3 - South Coast Plaza
4 - South Coast Plaza Town Center
5 - The Lakes
6 - South Coast Metro Center / Experian
7 - Sakioka Lot 1
8 - Sakioka Lot 2

N

Existing Land Uses

Figure 2

Existing General Plan and Zoning Designations

Figure 3 indicates the General Plan land use designations for the area of the City north of the I-405, and Figure 4 indicates the accompanying zoning designations. Table 1 summarizes the development parameters of the General Plan land use designations, and the compatible zoning districts.

As shown in Table 1, the General Plan establishes Floor Area Ratios (FARs) for all non-residential land use designations. The FAR is used to determine the maximum amount of building that is allowed on a lot or parcel. Several land use categories in the plan area contain stepped FARs which are tied to the traffic characteristics of the proposed land use. Residential density is measured in dwelling units per acre. Trip budgets have also been established for properties in the plan area designated as Urban Center Commercial, Cultural Arts Center, or Regional Commercial in the plan area. The industrial portion of Home Ranch also has a trip budget. When applicable, the FAR, or in the case of residential, dwelling units per acre, and trip budget work in concert to ensure that building intensity and trip generation do not exceed the capacity of the circulation system in the plan area. The trip budget for individual properties is given in Section 3.

The lowest FARs are found in the Neighborhood Commercial designation as well as in the residential, industrial and public-semi public land use designations. The highest FARs are allowed in the Regional Commercial, Cultural Arts Center, and Urban Center Commercial land use designations. The General Plan does not allow the established floor area ratio to be exceeded in any instance.

Trip budgets are calculated on a square footage basis for commercial, industrial, residential, and institutional land uses. As with FARs, trip budgets cannot be exceeded. The General Plan, however, does allow for the transfer of trip budgets in the plan area in the following circumstances:

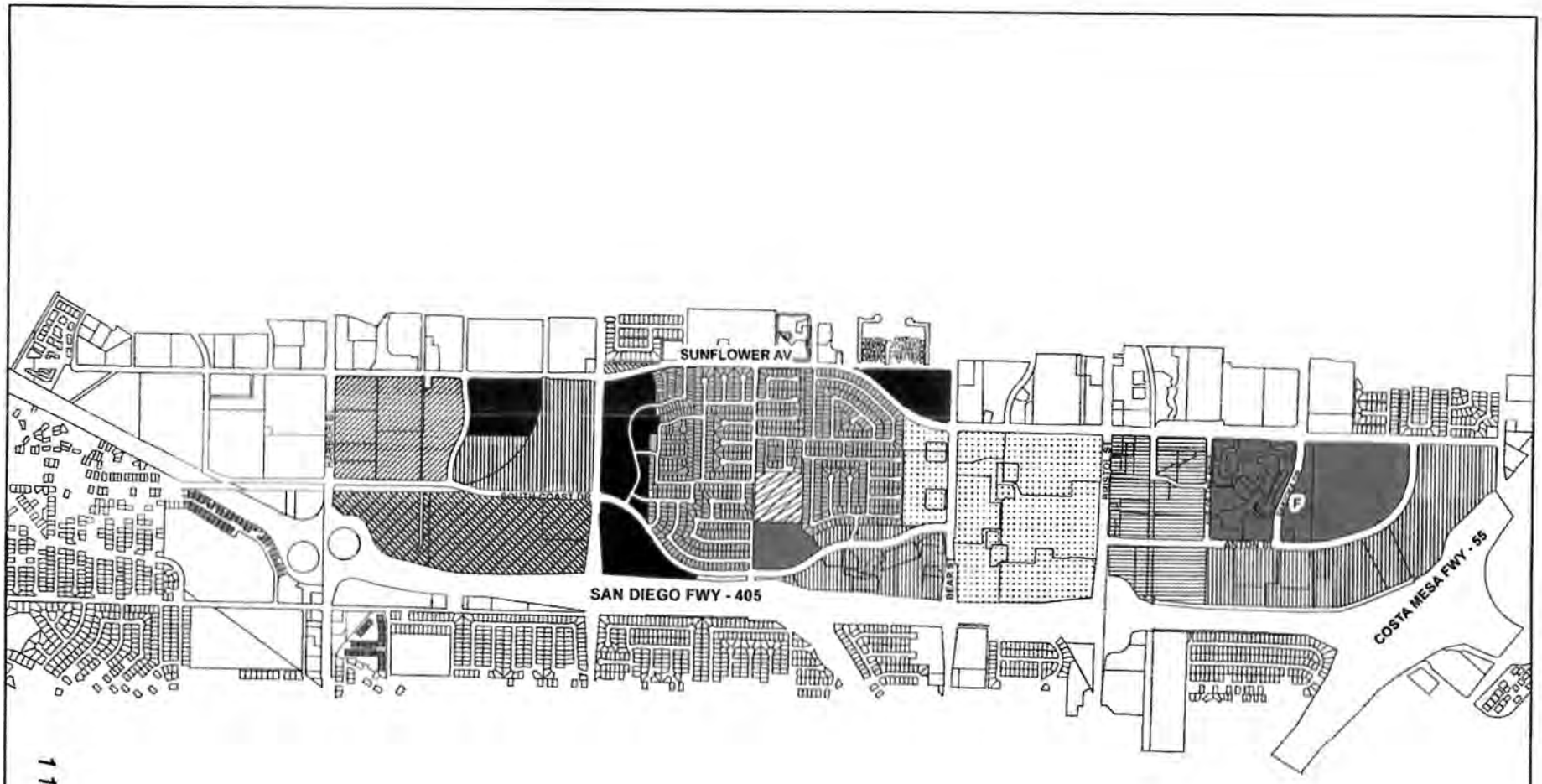
1. The combination and/or transfer of trips shall only be allowed in the area of the City that is north of the I-405 and east of Harbor Boulevard, and shall be limited to parcels within a one-mile radius of each other.
2. Trip budget transfers shall be evaluated in the review and approval of a planned development or master plan project. Sufficient conditions of approval shall be applied to the master plan or development plan to ensure long-range control over subsequent phases of development.
3. The combination and/or transfer of trips shall not result in any greater impacts on the surrounding circulation system then would occur if each Traffic Analysis Zone (TAZ) was developed independently. (Consult with the Planning Division for a figure depicting TAZs)
4. For the combination and/or transfer of trips between TAZs, such combination and/or transfer of trips shall not exceed the total trip budget of all parcels involved if each were developed independently according to the FAR and trip generation rates provided herein.
5. The combination and/or transfer of trips shall not allow development intensities which result in abrupt changes in scale or intensity within the project or between the project and surrounding land uses.

6. Approval of the master plan or development plan shall be conditioned to ensure compliance with the above criteria and to preclude future overdevelopment on portions of the project or properties from which trip budgets were transferred.

7. Trip budget transfers shall be recorded against the properties.

Therefore, if a property is underdeveloped in terms of its trip budget, there is the possibility that the "excess" trips could be transferred to another parcel to augment its trip budget.

It should be noted that all the Planned Development (PD), Town Center (TC), and Shopping Center (C1-S) zones require Planning Commission review and approval of the land use mix and building location.



11

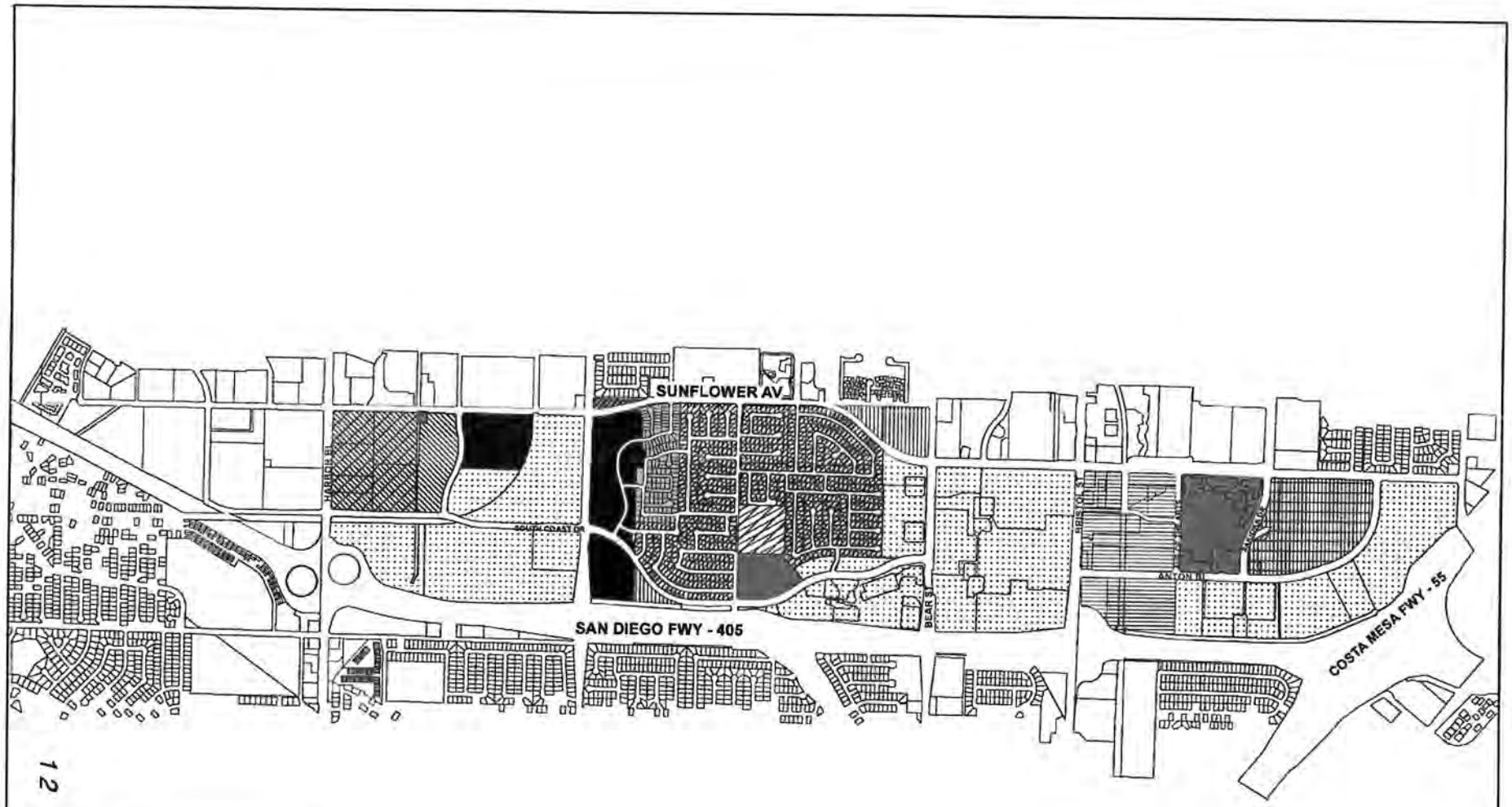
LEGEND

- High-Density Residential
- Low-Density Residential
- Regional Commercial
- Medium-Density Residential
- Industrial Park
- Commercial Center
- Urban Center Commercial
- Neighborhood Commercial
- F Fire Station
- Cultural Arts Center
- Public Park

N

General Land Use Designations

Figure 3



Zoning

Figure 4

Table 1- General Plan Designations
North Costa Mesa Specific Plan

GENERAL PLAN DESIGNATION	TYPICAL USES	RESIDENTIAL DENSITY	FLOOR AREA RATIO	COMPATIBLE ZONING
Low Density Residential	Single family detached and attached units, granny units, accessory apartments, family day care	Less than or equal to 8 units per acre.	0.15 high traffic 0.25 moderate traffic 0.35 low traffic	R1, PDR-LD, I&R
Medium Density Residential	Single-family attached units, multiple family units, senior congregate care facilities, convalescent hospitals, and group residential homes. Ancillary commercial uses are permitted in the planned development zone.	Less than or equal to 12 units per acre	0.15 high traffic 0.25 moderate traffic 0.35 low traffic	R1, R2-MD, PDR-MD, MU, I&R
High Density Residential	Multiple family units, senior congregate care facilities, convalescent hospitals, and group residential homes. Ancillary commercial uses are permitted in the planned development zones.	Less than or equal to 20 units per acre; except the density in the PDR-NCM zone is 25 to 35 units per acre. See also The Lakes for site-specific density.	0.15 high traffic 0.25 moderate traffic 0.35 low traffic	R2-HD, R3. PDR-HD, PDR-NCM, MU, I&R
Commercial Center	Major shopping, service, and office facilities designed to serve city-wide and regional markets.	Less than or equal to 20 units/acre	0.25 high traffic 0.35 moderate traffic 0.45 low traffic 0.75 very low traffic *Except that Home Ranch has a site-specific FAR 0.41 for the IKEA portion of the project.*	C1, C2, C1-S, PDC, AP, P, CL
Regional Commercial	Regional scale uses including major department stores, specialty retail outlets, restaurants, offices, and hotels.	Less than or equal to 20 units/acre	0.652 South Coast Plaza (east of Bear Street) 0.89 South Coast Plaza (west of Bear Street)	PDC
Urban Center Commercial	Intensively developed mixed commercial including offices, retail shops, restaurants, and hotels. Residential uses are also permitted pursuant to the North Costa Mesa Specific Plan	Less than or equal to 20 units/acre. Exceptions: South Coast Metro Center (Area 6) has a site specific density of 100 units per acre; Sakioka Lot 2 may be up to 28 units/ac for mixed-use development.	South Coast Metro Center (Area 6) has a site-specific FAR of 0.79 Sakioka Lot 2 (Area 8) has a maximum site-specific FAR of 1.0.	PDC, TC
Cultural Arts Center	Mixed commercial, residential, office, and cultural uses.	–	1.77 See also the South Coast Plaza Town Center discussion regarding the FAR.	TC
Industrial Park	Wide variety of industrial and compatible office and support commercial uses.	Less than or equal to 20 units/acre	0.20 high traffic 0.30 moderate traffic 0.40 low traffic 0.75 very low traffic	MP, PDI, CL
Public and Semi-Public	Parks, hospitals, schools, religious facilities, fairgrounds, and public facilities.	–	0.25	I & R, I&R-S, P

Land Use Compatibility/Integration

The plan area and its immediate surroundings contain a variety of land uses that range from single family residential homes to high-rise offices which provide a good mix of housing opportunities, commercial goods and services, entertainment, and employment opportunities in a relatively small geographical area. This mix allows people the opportunity to live near their jobs, and gives residents and employees a full range of commercial services near their homes or jobs. This reduces traffic congestion and improves air quality. Mass transit opportunities are also more easily developed in this type of community setting.

Several General Plan policies support the development of mixed-use projects along or near transit routes as a means to improve air quality and reduce traffic congestion.[1] Mixed use projects also add variety and interest to an area by supporting day and evening activities. The South Coast Plaza Town Center, South Coast Metro Center, and The Lakes projects currently provide the opportunity to live, work, shop and be entertained within a compact and pleasant urban environment.

The benefits of having a mix of land uses in an area can quickly be lost if there is not enough forethought in the design and location of diverse uses. Common problems include tall buildings overshadowing adjacent buildings and outdoor areas, late night commercial uses affecting residential areas, heavy truck or automobile traffic affecting access to residential areas, inadequate parking availability, and incompatible land uses being located adjacent to one another. Residential areas are particularly sensitive land uses, but commercial and/or industrial uses may also be impacted by inappropriate siting of land uses. Figure 5 highlights the location of existing and future residential areas. In 2006, this specific plan was amended to allow high-rise residential development in Areas 4, 5, and 6. See Section 3.0 for additional discussion.

It should also be noted that a residential component could be incorporated into any Planned Development Zone in the plan area (see Figure 4 for Zoning). New commercial and industrial developments anticipated by the General Plan are also shown in Figure 5.

Noise

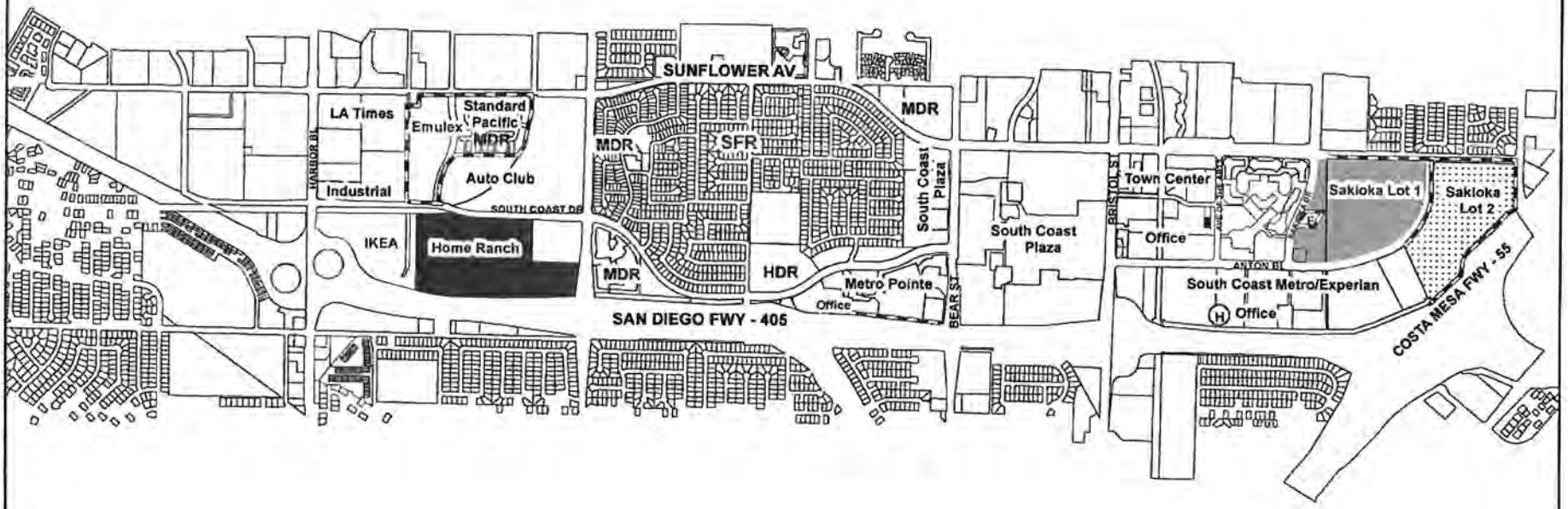
A major concern related to land use compatibility is noise. The City of Costa Mesa uses the Community Noise Equivalent Level (CNEL) to measure and regulate noise. The City's maximum acceptable exterior noise level for residential areas is 65 CNEL. The plan area's primary source of noise is vehicular, and two major sources are the I-405 to the south and the Costa Mesa Freeway to the east. Likewise, the plan area's major streets are another source of noise. Appendix A provides a list of the existing and General Plan build-out CNEL levels in the plan area.

New residential development as well as other sensitive land uses shall be required to comply with the General Plan and zoning ordinance standard of 65 CNEL for exterior recreation areas and 45 CNEL for interior areas. However, for high-rise residential

[1] See Policies LU-1A.1, LU-1F.5, and CIR 1A.9 in Appendix C.

developments, the exterior standard of 65 CNEL only applies to common outdoor recreation/amenity areas that are located at the ground level. Recreation/amenity areas located above the ground floor and private patios and balconies are exempt from the 65 CNEL requirement due to the urbanized nature of the overall setting. Mitigation measures may be used in order to achieve these noise levels.

John Wayne Airport is located to the east of the plan area. Although the 60 CNEL contour encompasses the area generally east of Avenue of the Arts, the 65 CNEL contour is outside of the plan area, and therefore does not impact existing or future land uses. One heliport is located in the plan area in South Coast Metro Center atop the building located at 555 Anton Boulevard.



LEGEND

- Vacant Residential
- Vacant Industrial
- Vacant Commercial/Office

- (H) Heliport
- [F] Fire Station
- Sensitive Interface
- SFR - Single Family Residential
- MDR - Medium Density Residential
- HDR - High Density Residential

N

Land Use Integration Figure 5

Building Heights

Existing building heights in the plan area vary from single story single family homes to twenty-one story office buildings. Generally, the high-rise office buildings are located in the South Coast Plaza Town Center and South Coast Metro Center areas; the Metro Pointe area has approval for additional buildings that include two fifteen story buildings. The buildings at South Coast Plaza and Crystal Court vary from one to three stories in height.

The General Plan does not establish a general limit on building heights north of the I-405 but rather contains two policies that provide guidelines for determining the appropriate building height. Policy LU-1C.1 permits the construction of buildings over two stories or 30 feet only when it can be shown that the building height will not impact surrounding developments. Policy LU-1C.3 prohibits the construction of buildings that present a hazard to air navigation at John Wayne Airport as determined by the Federal Aviation Agency.[2]

Policy LU-1C.3 is particularly relevant to the plan area, since the portion of the plan area generally east of the Metro Pointe property is within the imaginary horizontal surface of John Wayne Airport. Beyond the horizontal surface for another 4,000 feet is the imaginary conical surface. See Figure 6. These imaginary surfaces are the trigger for requiring special studies and review by the Airport Land Use Commission for Orange County and the FAA. It should be noted that a number of existing buildings in South Coast Plaza Town Center encroach within the imaginary horizontal surface; however each was determined not to pose a hazard to the airport's operations and were required to install obstruction lighting.

Building heights in North Costa Mesa have created public controversy in the past, especially in the Home Ranch area where high-rise development approvals were overturned by the voters in 1988. Table 2 specifies the maximum building heights for the plan area; these building height standards recognized existing patterns and surrounding land uses. Any new building proposed at 3 stories or more should require a shade and shadow impact analysis in relation to surrounding land uses.

It should be noted that Home Ranch has a specific height limitation of five stories and only in the center of the property. Any additional height above five stories (75 feet) would require a General Plan amendment. Exhibit 11b depicts the height limitations for Home Ranch.

---

[2] See Appendix C for full text of Policies LU-1C.1 and LU-1C.3.

IMAGINARY SURFACES FOR JWA
NORTH COSTA MESA SPECIFIC PLAN
FIGURE 6
ISOMETRIC VIEW OF IMAGINARY SURFACE CROSS SECTIONS
PLAN AREA
203.68
403.68
1090
1270
550
LEGEND
APPROACH SURFACES
SLOPE
50:1
40:1
TRANSITIONAL SURFACE
7:1
HORIZONTAL SURFACE
CONICAL SURFACE
20:1
HELIPORTS
SAMPLE ALTITUDES
550
AIRPORT GROUND ELEVATION REFERENCE POINT
53.68
SPECIFIC PLAN STUDY AREA
ALL REFERECE MARKS ARE RELATIVE TO SEA LEVEL
SOURCES: FEDERAL AVIATION ADMINISTRATION

Table 2- Maximum Building Heights North Costa Mesa Specific Plan		
SUB-AREA	**MAXIMUM BUILDING HEIGHT[1]**	**NOTES**
AREA 1 Home Ranch	Varies	See Exhibit 11b.
AREA 2 Metro Pointe	30 feet-north of South Coast Drive (approx. 2 stories) 90 feet-south of South Coast Drive (approx. 6 stories)	Current development agreement allows buildings up to 15 stories. Buildings above 173 feet in height will require a determination of no hazard by the FAA.
AREA 3 South Coast Plaza and Crystal Court	85 feet (approx. 4 stories)	None
AREA 4 SCP Town Center	315 feet (approx. 25 stories)	Buildings above 173 feet in height will require a determination of no hazard by the FAA.
AREA 5 The Lakes	Mid-rise Residential-90 feet (approx. 6 stories) High-rise Residential – 280 feet (approximately 26 stories) Commercial-110 feet (approximately 11 stories)	Buildings above 173 feet in height will require a determination of no hazard by the FAA.
AREA 6 South Coast Metro	Varies—See Table 6B.	Buildings above 173 feet in height will require a determination of no hazard by the FAA. Buildings which encroach into the setback for Anton cannot exceed 30 feet (approx. 2 stories) within the setback area.
AREA 7 Sakioka Lot 1	60 feet (approx. 4 stories)	Buildings which encroach into the setback for Anton Blvd. and/or Sakioka Dr. cannot exceed 30 feet (approx. 2 stories) within the setback area.
AREA 8 Sakioka Lot 2	North of collector street-60 feet (approx. 4 stories) South of collector street-180 feet (approx. 12 stories)	Buildings above 173 feet in height will require a determination of no hazard by the FAA. Buildings which encroach into the setback for Anton cannot exceed 30 feet (approx. 2 stories) within the setback area.
1. All building height measurements reference the height above grade- not mean sea level.		

Circulation

The circulation system for the plan area is comprised of three components: vehicular, bikeways, and urban rail transit.

Vehicular

The Master Plan of Highways (MPH) in the General Plan depicts the ultimate circulation system for the plan area and the City as a whole. Figure 7 depicts the MPH north of the I-405. Two new streets are shown north of the I-405 as well as two on-ramps and two off-ramps for the I-405. Susan Street will serve as a new connection between Sunflower Avenue and South Coast Drive north of the Home Ranch site (Area 1), and the unnamed street from Anton Boulevard will provide a connection to Main Street within the Sakioka Farms Lot 2 (Area 8). An on-ramp is proposed from South Coast Drive and Hyland Avenue and an off-ramp is proposed at South Coast Drive at the west end of the Metro Pointe project. This off-ramp is currently under construction and is anticipated to be complete at the end of 1994. Another on-ramp and off-ramp are proposed for Anton Boulevard at Avenue of the Arts and at the east end of the Metro Center project. Widenings and improvements are also either under construction or design for the Fairview Road and Bristol Street ramps. Table 3 lists the Master Plan of Highways improvements that are not yet constructed north of the I-405. Funding sources to finance these improvements are discussed in Section 5.0.

Project specific environmental analyses and traffic studies will determine what, if any, street or freeway improvements are necessary for each new development. Circulation improvements can be required south, as well as, north of the I-405. The new roadways and on- and off-ramps should be designed in concert with site development plans so as to minimize impacts to surrounding land uses.

Two major regional transportation projects will also impact the plan area. These projects involve the addition of transit way connectors between the carpool lanes of the I-405 and SR-73 freeways and the I-405 and SR-55 freeways. The second project may require acquisition of additional freeway right-of-way from both Sakioka Lot 2 and South Coast Metro Center. The project could also include an exclusive High Occupancy Vehicle access ramp to the I-405 Freeway at Bear Street; this project is currently the subject of a supplemental environmental impact report under a cooperative agreement with the Orange County Transportation Authority. The first project may require additional right-of-way from the Segerstrom Home Ranch site and may also include further improvements to the I-405 beyond Harbor Boulevard.

There are a variety of funding mechanisms the City utilizes to fund the Master Plan of Highways improvements including development impact fees and state and local programs; these are discussed further in Section 5.0 Implementation.

In order to reduce vehicular traffic on City streets, the City encourages that Transportation Demand Management (TDM) be promoted in large businesses.

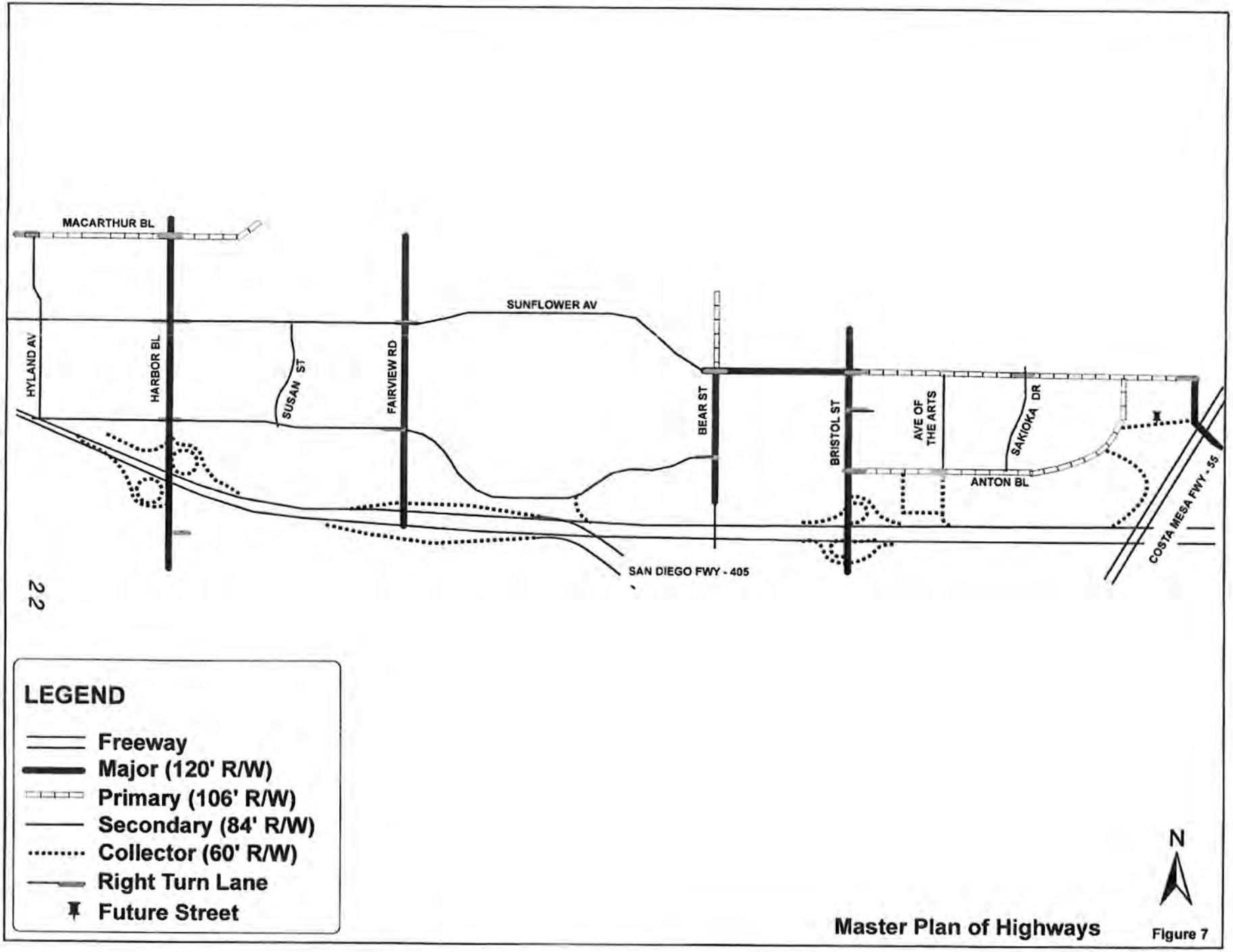
TDM includes a variety of methods including staggered work hours, reduced work days, car and van pooling, etc. Establishment of a TDM Program and a yearly monitoring report is now required as environmental mitigation measures on new projects.

Bikeways

Bike lanes in the plan area currently exist on Anton Boulevard, Sakioka Drive, South Coast Drive, Bear Street, and Fairview Road. Figure 8 depicts the location of existing and future bikeways north of the I-405.

General Plan amendment GP-94-03A deleted the bike undercrossing proposed at Avenue of the Arts, and GP-00-05 included the deletion of the I-405 bike undercrossing in the vicinity of Home Ranch and related linkages to South Coast Drive and Gisler Avenue, due to the I-405 and SR-73 confluence improvements.

New development will be required to construct linkages in the City's bikeway master plan in some instances. Consideration should also be given to bicycle storage areas for the larger employment centers to encourage bicycle riding as a form of commuting.

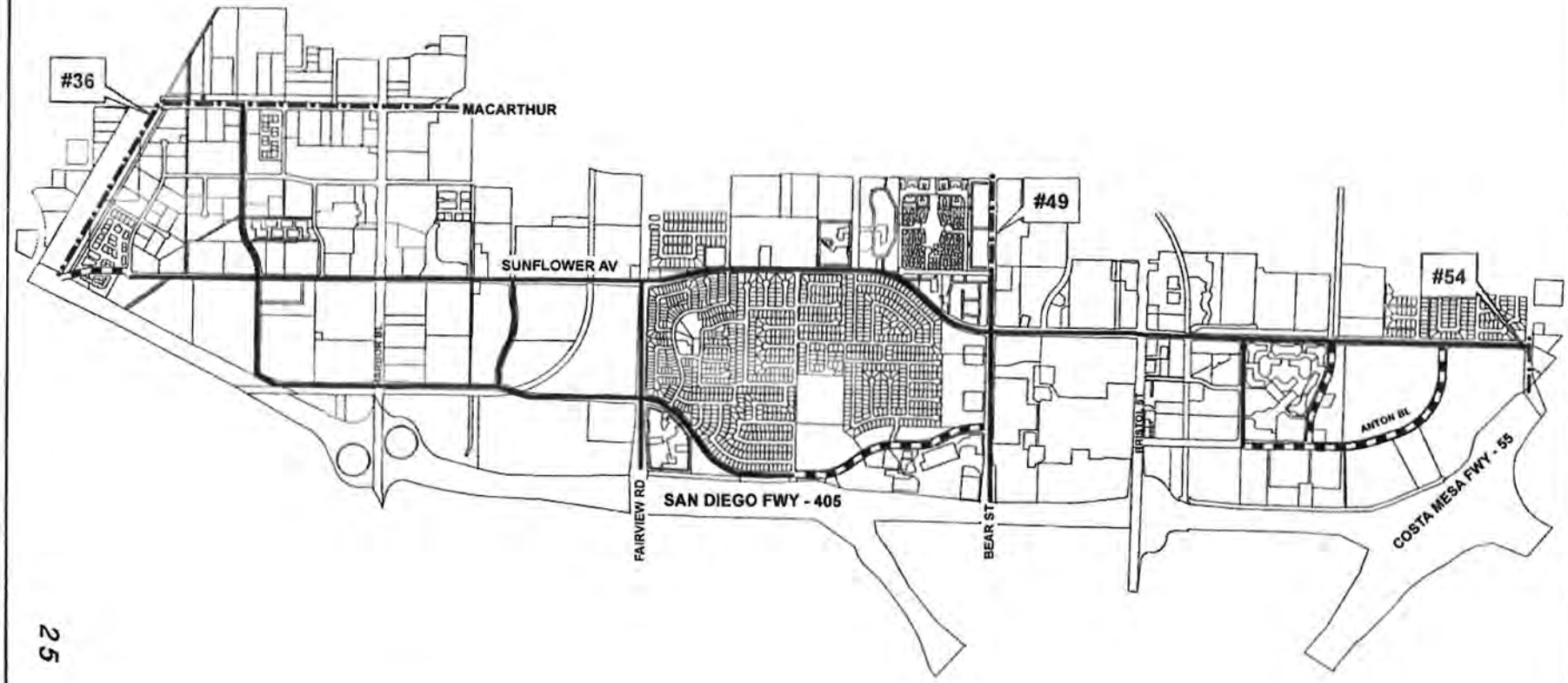


Master Plan of Highways

Figure 7

Table 3- Master Plan Of Highways Improvements North Costa Mesa Specific Plan		
LOCATION	**MASTER PLAN IMPROVEMENT**	**ESTIMATED COST**
	INTERSECTIONS	
Bristol Street and Sunflower Avenue	Add westbound right turn lane.	$550,000
Sakioka Drive and Sunflower Avenue	Add southbound right turn lane.	$229,000
Anton Boulevard and Sunflower Avenue	Add 2nd westbound left turn lane.	$205,000
Bristol Street and Town Center Drive	Add 2nd westbound left turn lane and provide free eastbound right turn lane.	$515,000
Bear Street and South Coast Plaza (south)	Construct west leg to Metro Pointe development site-add eastbound left turn, eastbound through, eastbound right turn and northbound left turn lanes.	To be constructed by developer since it is an on-site improvement.
Bristol Street and I-405 northbound offramp	Add 4th northbound through, 5th southbound through, 2nd eastbound right, optional westbound left/westbound through, and provide free westbound right turn lanes.	$4,289,299
Bristol Street and I-405 southbound ramp	Add 4th northbound through and free eastbound right turn lanes.	
Harbor Boulevard and Sunflower Avenue	Add northbound, eastbound and westbound right turn lanes.	$700,000
Fairview Road and Sunflower Avenue	Add southbound and eastbound right turn lanes.	$597,000
Harbor Boulevard and South Coast Drive	Add northbound right, southbound right westbound right, 2nd westbound left, and 4th southbound through lanes.	$7,191,100
Harbor Boulevard and I-405 northbound ramps	Add 4th northbound through and optional westbound left/westbound right turn lanes.	
Harbor Boulevard and I-405 southbound ramps	Add 4th northbound through and 4th southbound through lanes and optional eastbound left/eastbound right turn lanes.	
Harbor Boulevard and MacArthur Boulevard	Add 2nd left turn lane and exclusive right turn lane on all approaches.	$550,000
Fairview Road and I-405 northbound ramps	Convert optional westbound left/westbound right to 2nd westbound left turn lane and add 2nd westbound right turn lane.	$791,666
Fairview Road and I-405 southbound ramps	Convert optional eastbound left/eastbound right turn lane to 2nd eastbound left turn lane and add 2nd eastbound right turn lane.	$434,849
I-405 northbound on-ramps and South Coast Drive/Hyland Avenue	New intersection due to added I-405 on-ramp.	$3,109,895
Susan Street and South Coast Drive	New intersection due to Susan Street extension.	$864,828 (To be constructed by developer)
I-405 northbound off-ramp and South Coast Drive	New intersection (east of Fairview) added with I-405/Fairview off-ramp improvement.	$1,877,295
	STREET IMPROVEMENTS	
Anton Boulevard, Sunflower to Park Center	Restripe for six lanes.	$10,000
Sunflower Avenue, Harbor Boulevard to Susan Street	Widen to secondary highway standards	$956,425
Main Street, from Sunflower to 55 Freeway	Provide six through lanes.	To be constructed and funded by the City of Irvine

Table 3- Master Plan Of Highways Improvements North Costa Mesa Specific Plan		
LOCATION	**MASTER PLAN IMPROVEMENT**	**ESTIMATED COST**
	FREEWAY IMPROVEMENTS	
I-405/northbound Avenue of the Arts off-ramp	Provide new off-ramp.	$2,458,020
I-405/Anton Boulevard on-ramp	Provide new on-ramp	$6,708,200
Southbound I-405/Bristol Street on-ramp/SR-55 Connector Braid	Provide grade separation of the SB I-405 Bristol Street on-ramp with the SB-I-405 to NB SR-55 connector.	$15,845,009
NB I-405 Bristol Street off-ramp/SB SR-55 to NB I-405 Connector Braid	Provide grade separation of the NB I-405 Bristol Street off-ramp with the SB-SR-55 to the NB I-405 connector.	$22,075,707
I-405 Southbound widening - Harbor off-ramp to Harbor on-ramp	Add general purpose lane on SB I-405 from the Harbor Blvd off-ramp to the Harbor Blvd slip on-ramp.	$4,769,792
I-405 SB widening - Fairview to Bristol	Provide auxiliary lane on SB I-405 from the Fairview on-ramp to the Bristol Street off-ramp.	$618,726
I-405 NB widening - Bristol to Fairview	Provide auxiliary lane on the NB I-405 from the Bristol Street on-ramp to exit at the Fairview off-ramp.	$4,359,684
NB I-405 Fairview off-ramp to SR-73 connector	Provide auxiliary lane on NB I-405 from Fairview Road off-ramp to the SR-73 connector.	$611,032
I-405 NB widening - SR-73 to Harbor	Provide auxiliary lane on NB I-405 from the SR-73 connector to the Harbor Blvd off-ramp.	$741,160
Widen SB I-405 - Harbor to Fairview	Add general purpose lane to SB I-405 from Harbor Blvd slip on-ramp to Fairview Road on-ramp.	$2,149,926
I-405 NB widening - Fairview to Harbor	Provide grade separation of the NB I-405 Fairview on-ramp with the Harbor Blvd off-ramp.	$12,535,562



LEGEND

- Regional Trail
- Bike Trail (Class 1)
- Bike Lane
- # Regional Trail Number

N

Bike Paths Figure 8

Urban Rail Transit

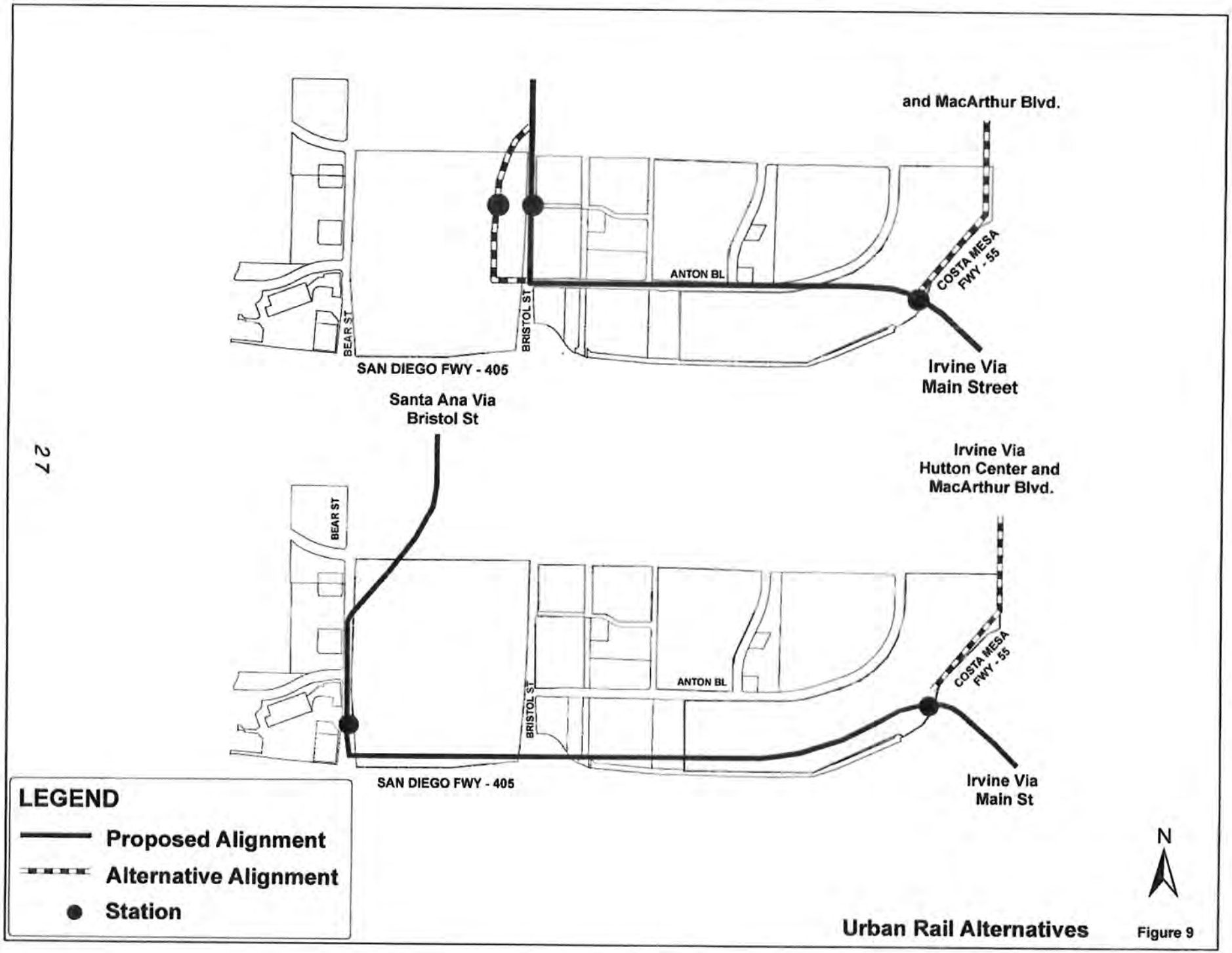
The County of Orange and the Central Orange County Fixed Guideway Joint Powers Authority are currently studying alternative alignments for a county-wide rail system which will pass through the eastern portion of the plan area. The system is expected to consist of an elevated light rail facility. Two primary alignments through Costa Mesa are under review. These alignments and alternatives are illustrated in Figure 9.

The primary routes are proposed along Bristol Street in Santa Ana and Main Street in Irvine. As the system moves through Costa Mesa, the alignment could stay on Bristol Street and continue along Anton Avenue or shift to Bear Street and continue adjacent to the San Diego Freeway. Each alternative proposes two Costa Mesa stations. One station could be located on either Bear or Bristol Street within existing street right-of-way or in the parking lot of South Coast Plaza. The second could be located on the Sakioka Farms property, near the Costa Mesa Freeway.

The obvious benefit of urban rail transit is the enhancement of the overall transportation system by providing alternative means for employees, shoppers and visitors to access this portion of the community. However, issues regarding route alignment and station locations have significant urban design and land use planning implications. Major policy issues which must be addressed are:

- visual impacts of elevated guideway and stations;
- provision of adequate pedestrian linkages to stations and destinations;
- appropriate mix and density of land uses surrounding station locations; and
- demand for parking around station locations.

The combination of these concerns may pose practical difficulties for the extension of the urban rail system through the highly developed portion of the plan area as currently proposed. It has been suggested that the route alignment not be extended south of Sunflower Avenue. While this additional alternative would avoid the design interface problems, it may not provide adequate service to this major employment and activity center. Additional concerns include development timing in proximity to route and station locations, density transfer of development potential for areas designated for station locations and/or rail routes, and increased density and building intensity beyond the current General Plan. Because of these concerns, a detailed route alignment and station location study for that portion of the system which will be located in Costa Mesa should be undertaken in advance of the final alignment adoption.



Urban Rail Alternatives Figure 9

Nonconformity

The 1990 General Plan resulted in the establishment of new lower FARs and density limits on development citywide. The General Plan recognized that the new FARs for commercial and industrial uses would be lower than existing development in many cases, therefore Policy LU-2A.4 was included. This policy states that in the event of unintentional damage or destruction, the City would allow any legal conforming use in existence at the time of adoption of the 1990 General Plan in a nonconforming development to be rebuilt to its original building intensity as long as such rebuilding would not increase the development's nonconformity. This policy was then codified in the zoning code to state that reconstruction of development destroyed to more than 50% of the market value may occur to its original FAR if all other development standards (setbacks, lot coverage, height, parking, open space, etc.) are met. The City's zoning code also states that in cases of unintentional destruction of up to and including 50% reconstruction could occur without meeting current development standards.

In terms of residential uses, the General Plan recognizes development legally built at higher densities. Such existing units may be rebuilt to the same density subject to other standards of the zoning code. In the High Density Residential designation in the plan area (i.e., The Lakes), the allowable density or number of units to be redeveloped would be limited to the General Plan density plus a 50% density incentive bonus or the existing number of units, whichever is less.

The following table identifies existing commercial and hotel development in the plan area that is nonconforming due to its existing FAR.

Table 4- Floor Area Ratio Nonconformities

North Costa Mesa Specific Plan

PROJECT NAME	TAZ(s)	GP FAR LIMITS	EXISTING FAR	NOTES
Metro Pointe Phases 2 & 3	8 and 11	.50 retail .60 office	Only partially developed to date	The Development Agreement allows 1.01 FAR for Phases 2 & 3, if built-out it will become nonconforming but it will be protected by the Development Agreement for the remainder of the agreement's term.
The Lakes	27	.25 retail .35 office	Wyndham Garden Hotel- 2.08 (3350 Ave. of the Arts) Marriott Hotel- 1.3 (500 Anton)	The intensity of the two hotels exceeds the allowable levels.

The other major developments in the plan area are within the allowable FAR and would not be considered nonconforming.

There are two different redevelopment scenarios to consider in regards to FAR nonconformity, i.e., reconstruction after unintentional destruction and reconstruction after voluntary destruction.

Unintentional Destruction

As shown in Table 4, the nonconformity is limited to one major project in the plan area. For the newer high-rise buildings in North Costa Mesa, it should not be difficult to meet the current standards and reconstruct in case of unintentional destruction, and the General Plan and zoning code have adequate protection for rebuilding nonconforming development that is unintentionally destroyed.

Voluntary Destruction

A major concern for The Lakes is that if a property owner chooses to demolish a building to redevelop, the new development would need to meet the FAR limit and current development code standards. In most cases this would mean considerably less development than what exists. Therefore, it is the intent of this plan to indicate how to calculate the amount of new development that would be allowed if a building is voluntarily demolished.

The General Plan states that the FAR is determined on a project-planning basis rather than a parcel-specific basis. Therefore, a strict interpretation of the General Plan in regards to rebuilding after voluntary destruction requires that the FAR be calculated over the entire acreage of the master planned project. But, if such a project were evaluated on a master planned basis in the instance of The Lakes, it is very likely that it would result in the inability to reconstruct anything, since on a project-wide basis both developments would most likely still exceed the General Plan FAR limits even with the removal of an existing building.

However, the General Plan also states that development could be evaluated at a parcel-specific level if the project is or can be developed on a single lot and not subdivided at a later date. So although The Lakes is a large planned development, the FAR for the new development can be based on the size of the individual lot. It is reasonable to allow redevelopment either up to the General Plan intensity level for the land use designation or up to the pre-existing development level, whichever is less, in cases where a development on a single parcel is voluntarily demolished. The Lakes has been subdivided so that the apartment complex, two hotels and retail center each occupy their own parcel. Restrictions should be made that indicate that the major open space features of this planned development shall always remain as open space, and that the individual parcels may not be further subdivided.

Parks and Recreation

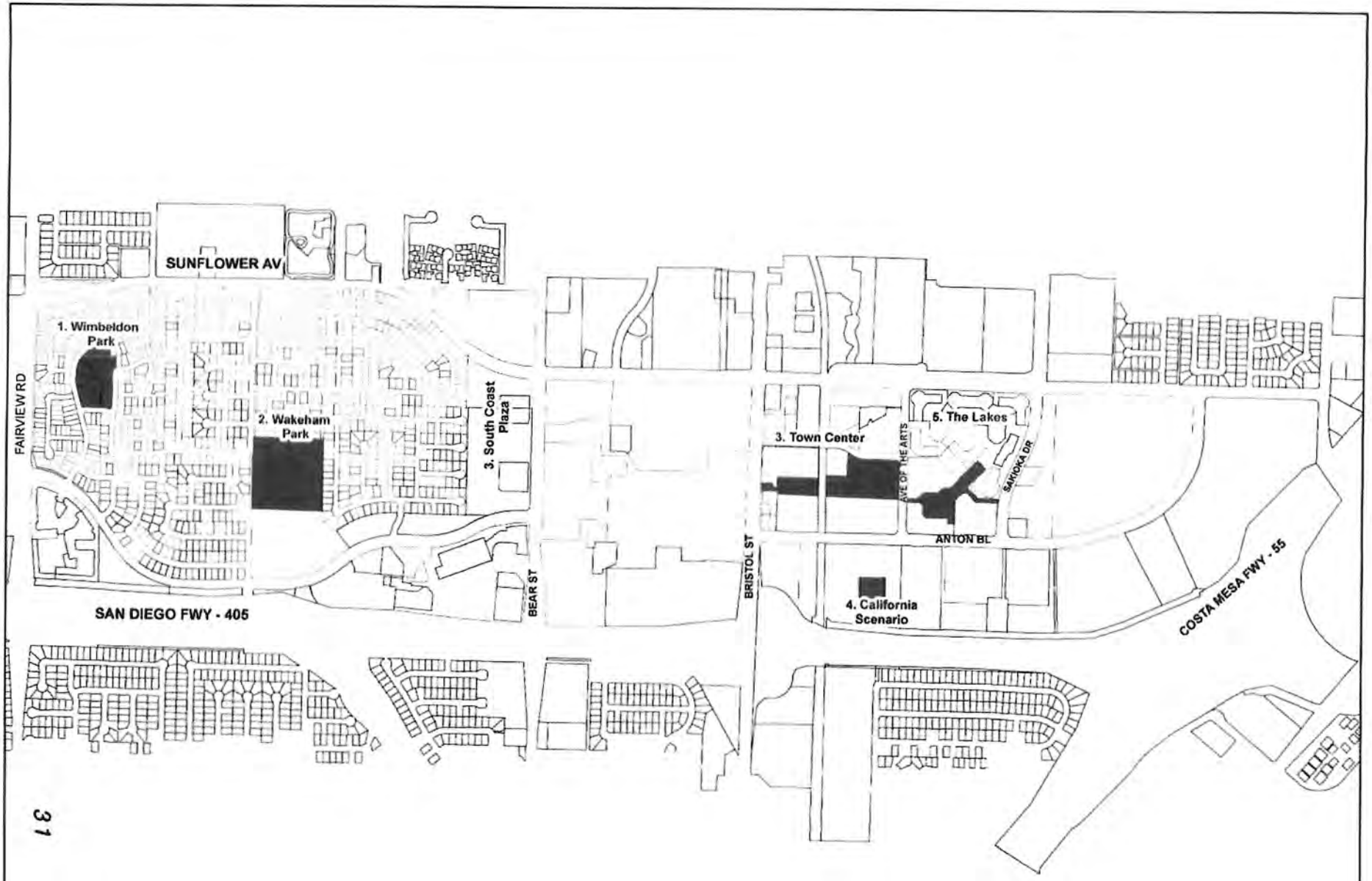
As shown on Figure 10, north of the I-405 and east of Harbor Boulevard there are two publicly owned parks and three privately owned and maintained open space areas. They are Wakeham and Wimbledon Parks and the California Scenario, Town Center, and The Lakes sites. There are no school sites, community centers or golf courses in the plan area and none are planned.

Wakeham Park is 9.91 acres in size and Wimbledon Park is 3.36 acres. Both are located inside residential tracts. Located south of Anton Boulevard and east of Bristol Street, California Scenario sculpture garden is a 1.6-acre private plaza, which consists of a blend of hardscape, landscaping, sculptures and water features. It is open to the public and is used for passive recreation, gatherings, summer concerts, and as a backdrop for photography and commercials. It occupies an area between high-rise office buildings, retail establishments and parking structures. In conjunction with the approval of GP-00-02 for South Coast Plaza Town Center, the property owner is to preserve and maintain the California Scenario sculpture garden substantially in accordance with its existing configurations and function, commencing immediately and continuing for the useful life of the existing office buildings adjacent to the garden. The 3-acre Town Center site is an open space easement located between the South Coast Plaza Hotel, South Coast Repertory Theater and Town Center high-rise buildings. It, too, is open to the public and is used for concerts, various promotions for the arts, seasonal gatherings, passive recreation and as pedestrian access between the buildings. The easement area boundaries were slightly modified in 2001, but were not decreased in size. Located within a mixed-use project east of Avenue of the Arts, The Lakes development contains a large apartment complex, two high-rise hotels and retail buildings. Central to these uses is a 3.3-acre permanent public open space easement, which includes a lake, walkways, plaza area and landscaping. The walkways connect to public pathways at Avenue of the Arts, the various uses in the block and the public sidewalk on Sakioka Drive.

Planning Area 5, as defined in the City's Parks, Recreation and Open Space Master Plan (January 1996), is the entire area of the City that is located north of the I-405. Although the boundaries of the plan area do not coincide directly with Planning Area 5, information is provided regarding Sakioka Farms Lot 1 and Home Ranch. A detailed summary of the findings of the study is included in Appendix B.

The study concluded that the plan area has adequate parkland currently; however, the anticipated residential development of Sakioka Lot 1 will create additional demand for a neighborhood park. Additionally, the parkland needs cannot be easily met in the surrounding area. As can be noted on Figure 10, there is not a public park located east of Bristol Street which could serve the Sakioka property. The subdivision of this residential area will require dedication of parkland or the payment of in lieu fees; therefore, if a subdivision is proposed, then the project should meet its neighborhood park dedication requirement onsite. Consideration should also be given to locating the private recreational areas of this planned development in proximity to the public park area. It should be noted that the City's Park and Recreation Dedication ordinance does allow privately developed, owned and maintained open space to be credited against the parkland dedication requirement.

In respect to Home Ranch, the development agreement approved in 2001 specified that the property owner would pay the full amount of park dedication in-lieu fees associated with residential development. The 1.5-acre parcel that is to be dedicated for historical resource preservation shall not be used as a credit against applicable in-lieu fees or parkland dedication requirements.



Parks

Figure 10

Fire Protection Services

The need for fire services increases as population and development grow. The Fire Department operates from the City Hall (Administration) and from six fire stations. Station #6, Metro Station, is located in the plan area (on Sakioka Drive) and serves the northeasterly portion of the City. One other fire station is proposed in the General Plan to serve north Costa Mesa as a result of land use intensification. This station is tentatively proposed in the vicinity of Harbor Boulevard near South Coast Drive; it would be the seventh station for the city.

The City of Costa Mesa Fire Department participates in a "Central Net" program with the cities of Newport Beach, Santa Ana, Fountain Valley, Huntington Beach, Westminster, and Orange County. The Central Net program provides for quick, mutual aide dispatch of fire apparatus across city boundaries during major and minor emergencies.

A fire protection system impact fee was adopted in January 1989 to fund future fire protection needs in North Costa Mesa. The fee is levied only against the four remaining landowners of five vacant land areas when development occurs. The future development identified as impacting the City's fire protection system includes Home Ranch, South Coast Plaza Town Center, South Coast Metro Center and Sakioka Farms' Lots 1 and 2, and Metro Pointe. However, the fire impact fee was based on development assumptions that are no longer valid since the adoption of the 2000 General Plan.

Update of the fire impact fee could possibly include consideration of joint use and funding of Fire Station #7 with surrounding Central Net cities. This would reduce the overall cost to the city and ultimately the cost to new development in each city. A study could also reexamine the need/demand for the seventh station.

In conjunction with adoption of GP-00-05, it was determined that the Home Ranch project (Area 1) increased the demand for City fire suppression services in the City's northwest area. The Segerstrom Home Ranch development agreement includes provisions for the necessary land acquisition, building design, and construction costs. The City of Costa Mesa Fire Department is responsible for determining the timing of land acquisition and fire station construction. If the fire station is ultimately located on Segerstrom Home Ranch, the development agreement allows for transfer of development rights (building square footage and trip budget) to the balance of the Home Ranch project.

In conjunction with the adoption of GP-06-02 and GP-06-03, it was determined that an additional paramedic fire engine was needed. Each of the contributing high-rise residential projects was required to participate in the funding of the new vehicle on a pro-rata basis.

3.0 SUBAREA ANALYSIS

The plan area is composed of eight unique subareas that are analyzed individually as well as in consideration of surrounding land uses.

AREA 1-HOME RANCH

Existing Land Uses

This 93-acre site is presently in agricultural production. Onsite structures include a single-family residence, guesthouse, barn, related farm buildings, and an office building located on Fairview Road. This site is owned by C.J. Segerstrom and Sons. The single family home and barn are identified in the 2000 General Plan in the Historical and Cultural Resources Element. The Segerstrom family, who continue to maintain the house, constructed the farmhouse in 1915. The barn was constructed in 1928. Several farm related structures are located near the house.

General Plan and Zoning

This site is designated as Industrial Park by the General Plan and is zoned PDI. The maximum Floor Area Ratio (FAR) is 0.40, which equals 961,060 square feet of building area. The trip budget is 827 a.m. peak hour trips and 855 p.m. peak hour trips.

In 2001, GP-00-05 was approved for Home Ranch to allow residential, commercial, office, and industrial uses. The overall allowable square footage was increased to 1,351,698 square feet and trip budget adjusted accordingly. In respect to this specific plan, the Home Ranch area was expanded to include the 30.5 acres located north of South Coast Drive. See following Sub-areas discussion.

In 2003, SP-03-02 was approved that reallocated a 2.074-acre portion of Sub-area B to Sub-area A. This reallocation of acreage reduced the overall allowable square footage to 1,351,698; the overall trip budget remained unchanged. Table 4A was modified to reflect this change.

Sub-areas

The Segerstrom Home Ranch is divided into four sub-areas. Table 4A provides a statistical summary of the maximum number of dwelling units, floor area ratio, building square footage, and the trip budgets for each sub-area. Figure 11 illustrates the boundaries of the sub-areas.

To facilitate flexibility for Sub-areas B and C, building square footages and trip budgets may be transferred, provided that the total building square footage, floor area ratio, and trip budget for the combined two sub-areas are not exceeded as delineated in Table 4A. Transfers affecting Sub-areas A and D are not permitted. Future development in Sub-area B shall be limited to high quality office, office-related uses, and corporate office/headquarters with subsidiary support functions that may include research and design, minor assembly, light manufacturing, and storage. Retail uses in Sub-area B shall be limited to those that are ancillary to the office development

Shown below are the development parameters for each distinct sub area.

Table 4A- Segerstrom Home Ranch Sub-areas Statistical Summary

North Costa Mesa Specific Plan

Land Use	Acreage	Floor Area Ratio/Density	Maximum Units/ Square Footage	Maximum Stories/Height	A.M. Peak Hour Trips	P.M. Peak Hour Trips
A. IKEA	19.27	0.37 FAR	308,000 sf	2 stories/45 feet	43	431
B. Office and Office-related uses	43.57	0.40 FAR	759,165 sf	2-5 stories/36 - 75 feet See Figure 11b	1,593	1,569
C. Industrial Park	14.5	0.40 FAR	252,648 sf	1-5 stories/45-60 feet See Figure 11b		
D. Medium Density Residential	16.0	12 units/acre	136 single-family attached units[1] 56 single-family detached units[1] Total Maximum: 192 units	3 stories/ 50 feet 2 stories/27 feet	102	130
TOTAL:	**93.34**	**NA**	**192 units 1,319,813 sf**		**1,738**	**2,130**

1. **Note: The mix of units is for illustrative purposes only; the precise mix of product types will be determined during master plan review; in no instance shall the 192-unit maximum and/or the morning and evening peak hour trip budget be exceeded.**

Updated November 17, 2003 per SP-03-02

Land Use Compatibility/Integration

The Segerstrom farmhouse provides a unique opportunity for preservation of a small piece of the City's agricultural heritage. This two-story home and accompanying barn are familiar sights in the area and stand as a reminder of the farming community that was evident here in the early 1900's. Although the Segerstrom home and barn are designated as Commercial Center on the General Plan Land Use Map, it would be in keeping with Policy HCR-1A.5 of the General Plan to preserve these historical structures.

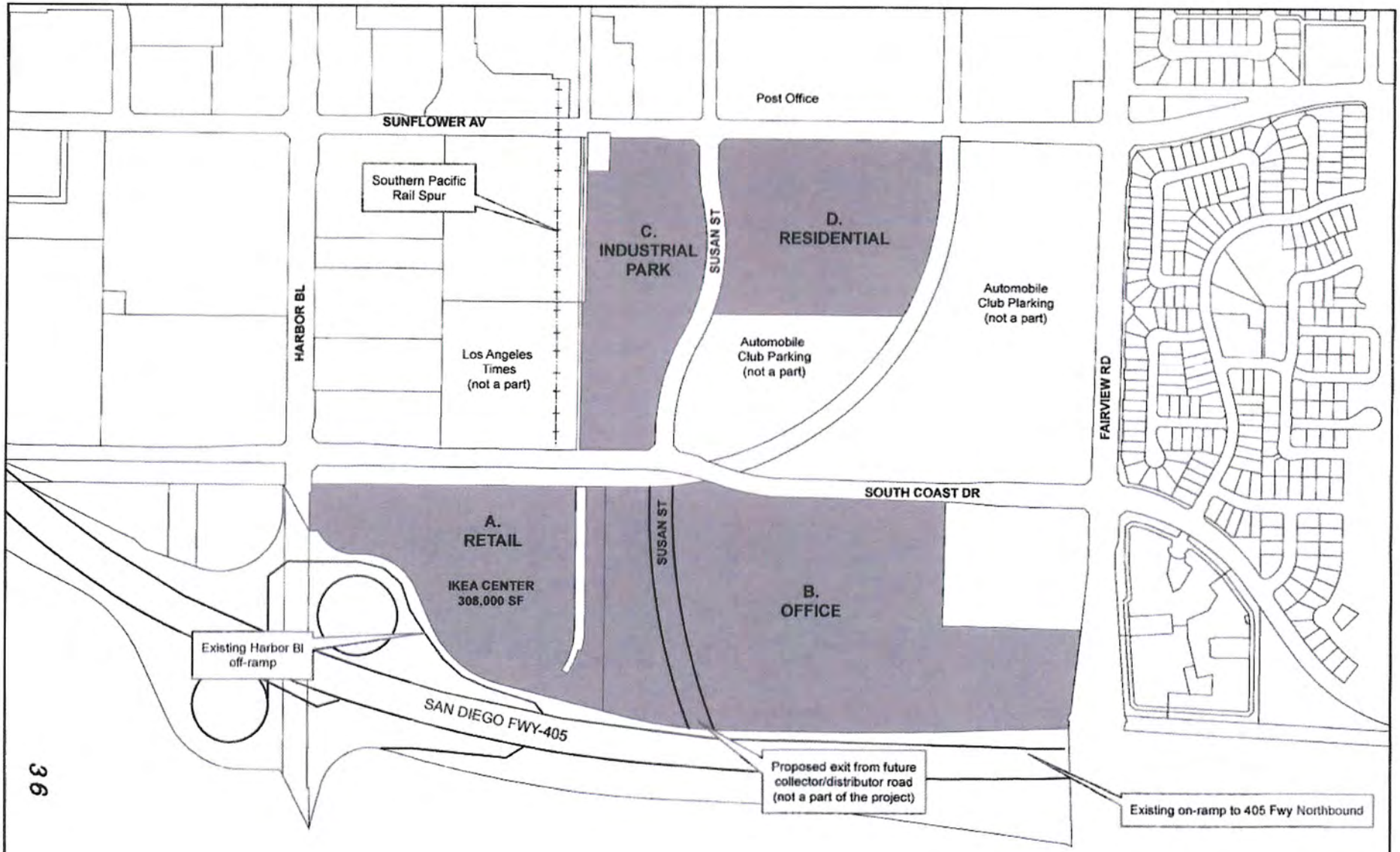
Preservation of these structures in their current location could be accomplished by transferring the development potential of the area to be preserved to the remainder of the Industrial Park area. At that time, the General Plan would be amended to an appropriate land use designation (e.g., Public-Semi Public) and a land use restriction recorded for the property which recognizes the long-term preservation of these buildings as historical resources. Ownership of the property could remain with the Segerstrom family until such time they wished to sell the property. At that time, the City, another public agency, or private organization should be given the first right of refusal to purchase the site.

The retention of the farmhouse results in a site design consideration. Non-residential buildings should be set back from the farmhouse site so as to not visually encroach into this area. Buffering could include walls/fencing, landscaping, and/or parking areas. Consideration should be given to physically linking the adjacent development to the farmhouse site with pedestrian paths.

In conjunction with approval of GP-00-05, a historical preservation area was identified on Home Ranch, as shown in Exhibit 11a. The barn is to be relocated into the preservation area. The Segerstrom Home Ranch development agreement includes provisions for the land dedication, building preservation, and long-term management of this valuable community resource. Mesa Consolidated Water District has also expressed an interest in obtaining land from the property owner in order to place an underground reservoir adjacent to the preservation area. Should this occur, the anticipated office development could not occur over the reservoir site; it would be necessary for it to remain as open space. The development agreement specifies that development potential (square footage and trip budget) of the 1.5-acre site and any future reservoir site can be transferred to the portion of the Home Ranch site located south of South Coast Drive and east of the proposed Susan Street.

Building Heights

The General Plan specifically limits building heights to a maximum of five stories (and only in the project's center) for this site. Five stories approximate a 75-foot height limitation. Exhibit 11b indicates the various height limits for Home Ranch. The actual siting of future buildings shall take into account surrounding development in order to minimize visual impacts. The use of low-reflective materials for the building's exteriors will minimize glare impacts. In Building Height Area 1 adjacent to Fairview Road, the City of Costa Mesa shall also require a shade/shadow analysis for any building proposed to exceed 30 feet in height in order to ensure that building's shade or shadow does not extend beyond the project site or public rights-of-way.



LEGEND

Area 1 - Segerstrom Home Ranch

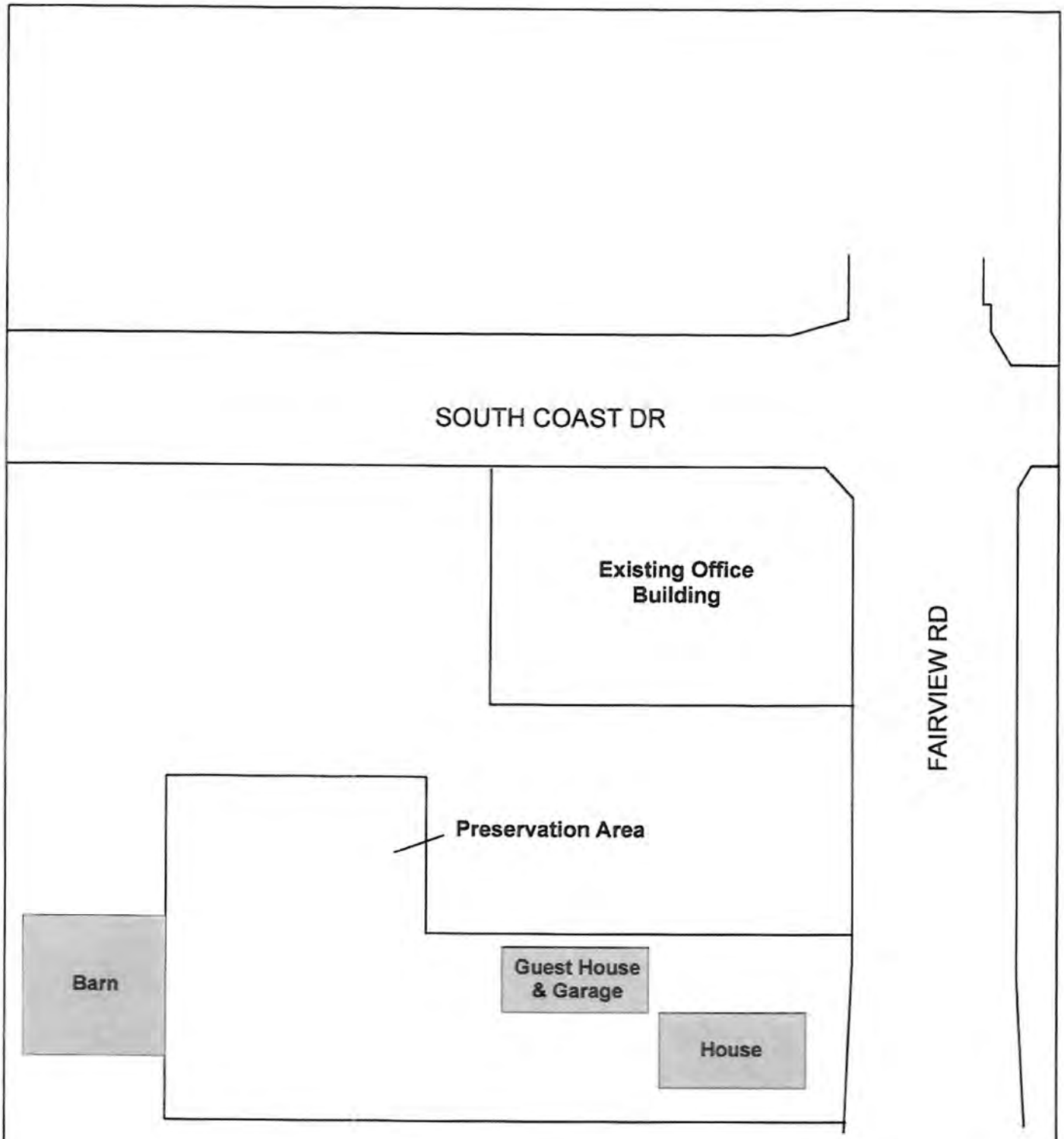
new_parcel-above NorthCMSpecificPlan selection selection 2

N

See Table 4A for development summary

Area 1 - Segerstrom Home Ranch

Figure 11



Note:
Segerstrom Barn to be relocated into Preservation Area.
Boundaries shown are conceptual

Conceptual Historic Preservation Area Figure 11a

LEGEND

- 1 — 2 Stories - 36 ft Building Height
- 2 — 2 Stories - 45 ft Building Height
- 3 — 3 Stories - 45 ft Building Height
- 4 — 4 Stories - 60 ft Building Height
- 5 — 5 Stories - 75 ft Building Height
- 6 — Single-Family Detached: 2 stories/27 feet; Single-Family Attached: 3 stories/50 feet

N

Maximum Building Heights Figure 11b

Circulation

The primary project access/egress points should be aligned with Susan Street and the existing Automobile Club entry to the north. Access to the farmhouse preservation site should be considered from within this area so as to minimize the number of driveways on South Coast Drive.

Freeway access improvements in the immediate area include the widening of the Fairview Road off-ramps, both northbound and southbound, and the construction of the new South Coast Drive off-ramp. Both are completed.

Final Program Environmental Impact Report No. 1048 for Home Ranch included a preliminary analysis of a Susan Street exit from the new South Coast Drive-Fairview Road- Harbor Boulevard collector road included in the I-405/SR-73 confluence project. Prior to approval of this additional exit by CalTrans, additional environmental documentation would be required. The Susan Street exit is not required for the Home Ranch project.

A future bikeway was shown on the Master Plan of Bikeways traversing this site to South Coast Drive from the I-405 bikeway undercrossing. However, in conjunction with GP-00-05, this bike trail undercrossing and related linkages were deleted from the Master Plan of Bikeways. This deletion was necessitated by the CalTrans/FHWA freeway improvements in the general area.

Parks and Recreation

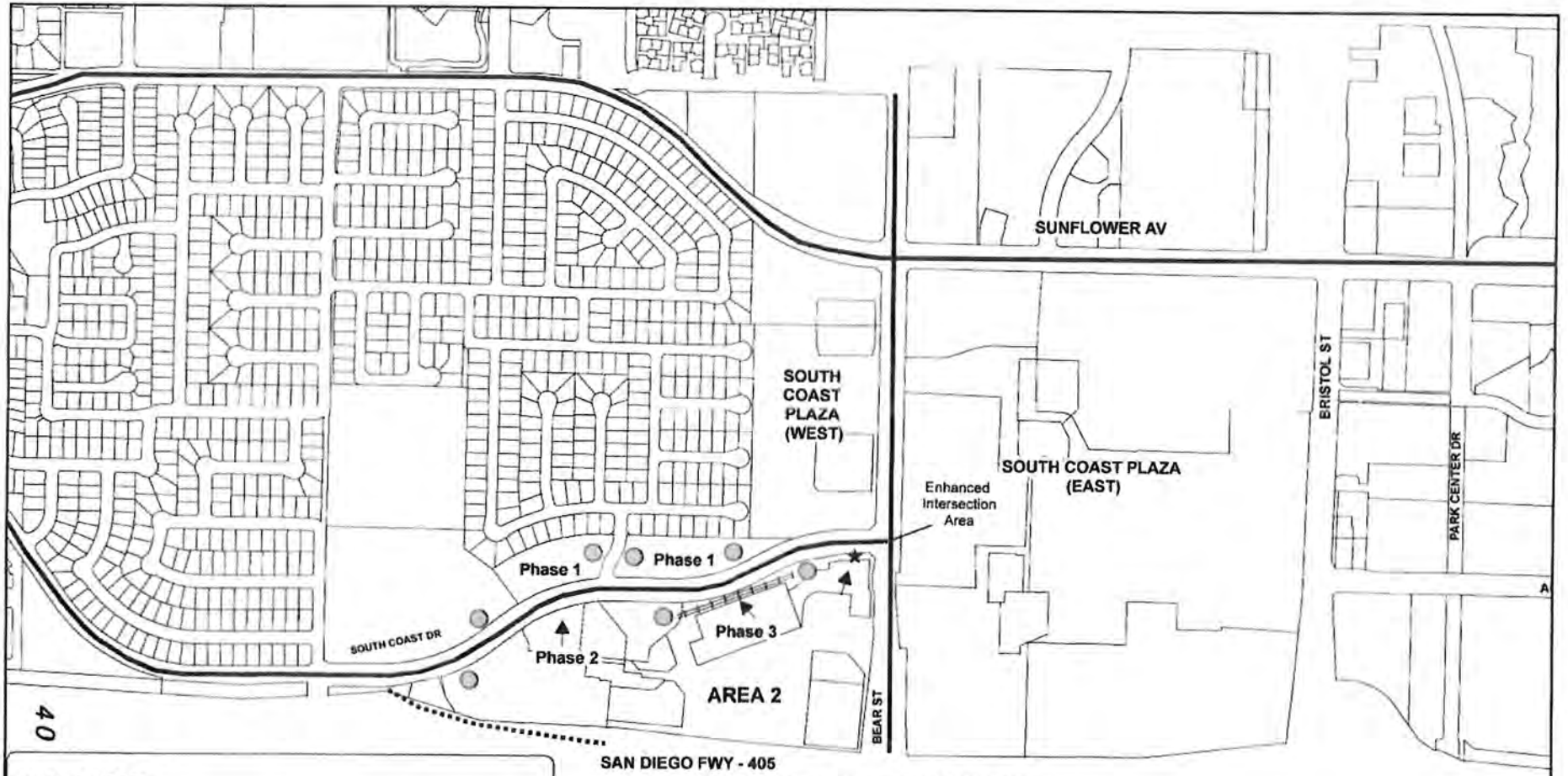
The Segerstrom family house and barn may also be considered as meeting a portion of the future park needs for any future residential development north of South Coast Drive. It would not meet any active recreational needs, but serve rather as a cultural/historical center.

In conjunction with GP-00-05, the historical reservation area was established. See previous Land Use Compatibility/Integration discussion.

Fire Protection Services

Future development plans and environmental analyses for this site need to assess the future fire station in the North Harbor area; i.e.; location and timing of construction.

In conjunction with adoption of GP-00-05, it was determined that Segerstrom Home Ranch (Area 1) increased the demand for City fire suppression services in the City's northwest area. The Segerstrom Home Ranch development agreement includes provisions for the necessary land acquisition, building design, and construction costs. The City of Costa Mesa Fire Department is responsible for determining the timing of land acquisition and fire station construction. If the fire station is ultimately located on Segerstrom Home Ranch, the development agreement allows for transfer of development rights (building square footage and trip budget) to the balance of the Home Ranch project.



LEGEND

- Project Entry
- ★ Pedestrian Directional Signage
- → Pedestrian Linkage
- Bikeway
- ..... Freeway Ramp
- Enhanced Pedestrian Walkway

Note: The information provided in graphic form is intended to be illustrative and is not intended to be interpreted as the precise location for future land uses or structures, unless so specified in Section 4.0 Development Standards.

AREA 2 - METRO POINTE
Development Summary

Total Area: 34 Acres
General Plan: Urban Center Commercial
Zoning: PDC

Maximum Intensity: 0.50 Retail/0.60 Office
(Development Agreement allows 0.48 for Phases 2 & 3)

Maximum Square Footage: Phase 1 - 80,000 sf of office
Phases 2 & 3 - 592,287 sf

Trip Budget: Phase 1 - 98 a.m. peak hour trips
131 p.m. peak hour trips
Phases 2 & 3 - 729 a.m. peak hour trips
965 p.m. peak hour trips

Maximum Building Height: 2 stories/30 feet (north of South Coast Drive)
6 stories/90 feet (south of South Coast Drive)

N

Figure 12

AREA 2- METRO POINTE

Existing Land Uses

This 34-acre site contains the Metro Pointe development, which is owned by one property owner and leased on a long-term basis to Arnel Development Company. Existing land uses of this phased development include four office buildings with a total of 289,000 square feet of floor area. This development is composed of four phases, of which Phase 1 is completed and Phase 2 is partially completed. A development agreement governs the development of Phases 2 and 3 only. The agreement allows the construction of 1.285 million square feet of office and commercial development. Approximately 7 acres (Phase 4) are vacant and not governed by the development agreement. If Phase 4 were developed as retail, the maximum square footage would be 153,000; if it were developed as office, approximately 183,000 square feet would be allowed by the General Plan.

In 1994, City Council approved a revised development plan and development agreement for Metro Pointe that resulted in a significant decrease in the amount of development that was anticipated for the property south of South Coast Drive. Phases 2, 3, and 4 were reconfigured into Phases 2 and 3. The overall floor area ratio for the project, south of South Coast Drive, was established at 0.48. The master plan for this area allows 196,687 square feet of office buildings and 395,600 square feet of retail uses. As of June 2002, all but 12,000 square feet of restaurant uses had been developed.

General Plan and Zoning

This site is designated Urban Center Commercial by the General Plan and is zoned PDC. The 2000 General Plan established the following trip budget for Metro Pointe:

Phase 1	98 a.m. peak hour trips
	131 p.m. peak hour trips
Phases 2 and 3	729 a.m. peak hour trips
	965 p.m. peak hour trips

Land Use Compatibility/Integration

The remaining undeveloped portion of Metro Pointe is anticipated for office and commercial development, which are suitable for this area due to the proximity of the I-405 and Bear Street.

A key asset to this location is the proximity of South Coast Plaza and Crystal Court. Pedestrian linkages to both of these areas are essential to the integration of these major and complementary land uses, therefore internal pedestrian paths should connect with the public sidewalks on South Coast Drive. Enhanced public sidewalk design along South Coast Drive as it approaches Bear Street could include wider sidewalks that are tree lined. Improvements to the intersection area of Bear Street and South Coast Drive currently include enlarged and enhanced pavement treatment, and entry monument signing coupled with landscaping for Metro Pointe. Pedestrian oriented directional signage should be added to this intersection area. This signage should provide direction and identification of Metro Pointe, Crystal Court and South Coast Plaza.

Building Heights

Building heights shall be a maximum of 30 feet (approximately 2 stories) north of South Coast Drive, and 90 feet (approximately 6 stories) south of South Coast Drive.

Circulation

The Master Plan of Highways includes a new off-ramp from the I-405 to South Coast Drive. In addition, Figure 9 indicates the potential for an urban rail station and route alignment along Bear Street in the vicinity of the I-405. The new off-ramp at South Coast Drive is now complete and operational.

AREA 3- SOUTH COAST PLAZA

Existing Land Uses

This 115-acre area contains two large regional shopping centers, South Coast Plaza. The primary property owner is C.J. Segerstrom and Sons.

General Plan and Zoning

South Coast Plaza is designated as Regional Commercial by the General Plan and is zoned PDC. The maximum FAR for South Coast Plaza (east) is 0.652 with a corresponding square footage of 2.75 million square feet of building; the trip budget is 1,166 a.m. peak hour trips and 5,036 p.m. peak hour trips. The portion of South Coast Plaza located west of Bear Street has a maximum FAR of 0.89 and a trip budget of 293 a.m. peak hour trips and 1,264 p.m. peak hour trips.

Land Use Compatibility/Zoning

Any future expansion of South Coast Plaza should be of a scale and character that is similar to what currently exists and should be physically linked to the shopping mall.

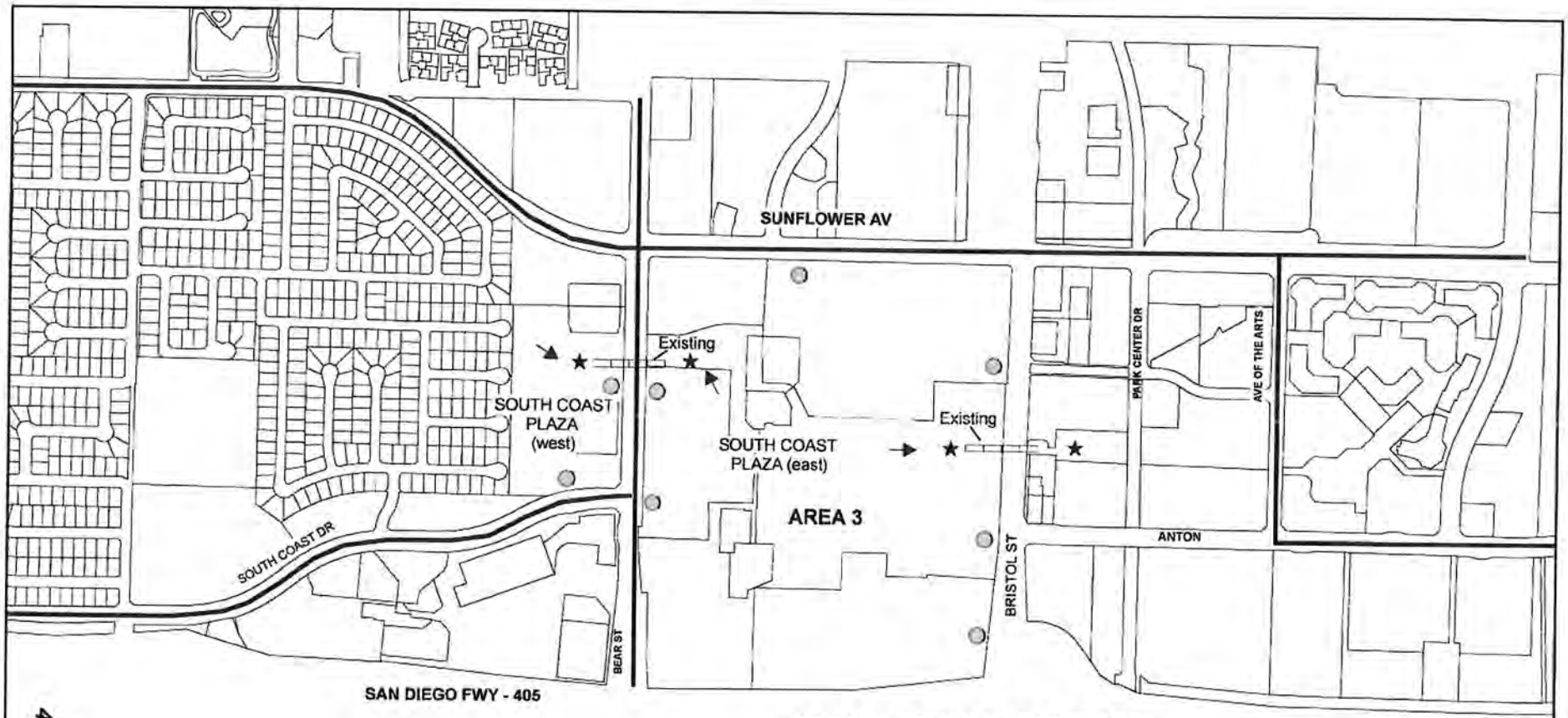
The pedestrian bridge constructed across Bear Street links the two sides of the shopping plaza, and encourages walking between Metro Pointe and South Coast Plaza. This pedestrian bridge also serves to enhance the physical tie with SCP Town Center. Pedestrian-oriented directional signage should be placed at both the bridge on the east side of South Coast Plaza, as well as at this bridge.

Building Heights

Building heights shall be limited to 85 feet (approximately 4 stories).

Circulation

Located at South Coast Plaza (west) is a park-and-ride. Caltrans leases 50 parking spaces on the top deck of the parking structure. The Master Plan of Bikeways includes a new bikeway along Sunflower Avenue. Figure 9 indicates two urban rail alternatives that include route alignments and potential station locations that would affect this subarea.



AREA 3 - SOUTH COAST PLAZA
Development Summary

Total Area: 115 Acres
(97 acres - South Coast Plaza East
18 acres - South Coast Plaza West)
General Plan: Regional Commercial
Zoning: PDC

Maximum Intensity: 0.652 FAR - South Coast Plaza (east)
0.89 FAR - South Coast Plaza (west)

Maximum Square Footage: 2,750,000 sf - South Coast Plaza (east)
690,350 st - South Coast Plaza (west)

Trip Budget:
South Coast Plaza (east) - 1,166 a.m. peak hour trips
5,036 p.m. peak hour trips
South Coast Plaza (west) - 293 a.m. peak hour trips
1,264 p.m. peak hour trips

Maximum Building Height: 4 stories/85 feet

LEGEND

- Project Entry
- Pedestrian Directional Signage
- Pedestrian Linkage
- Bikeway
- Pedestrian Overpass

Note: The information provided in graphic form is intended to be illustrative and is not intended to be interpreted as the precise location for future land uses or structures, unless so specified in Section 4.0 Development Standards.

N

Figure 13

AREA 4- SOUTH COAST PLAZA TOWN CENTER

Existing Land Uses

This 54-acre area is commonly referred to as South Coast Plaza Town Center (SCPTC), and it contains a variety of commercial, entertainment, and high-rise office uses, including the Segerstrom Center for the Arts. The approval of GP-00-02 resulted in a maximum non-residential building intensity of 4,161,813 square feet.

The primary entry street into SCPTC is Anton Boulevard, which also serves as the circulation backbone. Many of the existing developments along Anton Blvd. between Bristol Street and Sakioka Drive are oriented to the pedestrian, thereby encouraging walking. An extensive greenbelt/pathway system within the SCPTC's core also links the various buildings and uses. In order to facilitate foot traffic to and from South Coast Plaza, the Unity Bridge has been constructed across Bristol Street.

General Plan and Zoning

This site is designated Cultural Arts Center by the General Plan and the corresponding zoning is TC. The maximum FAR is 1.77 for the entire project area; this corresponds to a maximum non-residential building square footage of 4,161,813. The non-residential trip budget for this area is 5,180 a.m. peak hour trips and 6,632 p.m. peak hour trips. The FAR for specific non-residential developments or ownership parcels may exceed the maximum of 1.77, provided that the maximum allowable FARs shown in Table 5A for each sub-area are not exceeded.

In 2007, General Plan Amendment (GP-06-02) was approved to allow 535 high-rise/high-density residential units in specific locations in South Coast Plaza Town Center. Table 5A indicates the maximum number of units for each sub-area and the corresponding trip budget associated with the residential uses. See following sub-areas discussion for additional discussion.

Sub-Areas

The SCPTC was divided into three sub-areas in conjunction with the approval of GP-00-02. These three sub-areas are under separate ownership. Provided in Table 5A is a statistical summary of the maximum floor area ratio, building square footage, and trip budgets for each sub-area. Figures 14A & 14B illustrates the boundaries of the sub-areas.

To facilitate flexibility within a sub-area, building square footages may be transferred, provided that the total building square footage, floor area ratio, and trip budget for the affected sub-area are not exceeded as delineated in Table 5A. Transfers between any of the sub-areas are not permitted.

Table 5A- South Coast Plaza Town Center Sub-Area Statistics North Costa Mesa Specific Plan					
	Maximum Allowable Non-Residential FAR	**Maximum Non-Residential Building Square Footage**	**Maximum Allowable Number of High-Rise Residential Units**	**Maximum A.M. Peak Hour Trip Budget**	**Maximum P.M. Peak Hour Trip Budget**
Pacific Arts Plaza Sub-Area 1 (18.19 acres)					
Option 1	1.46[1,2]	1,160,528 sq. ft.[2]	180	2,111[3]	2,150
Option 2	1.55[1]	1,227,978 sq. ft.	0	2,133	2,150
Segerstrom Center for the Arts Sub-Area 2 (11.21 acres)					
	1.67[5]	815,285 sq. ft.	80	283	1,029
Segerstrom Town Center Sub-Area 3 (24.5 acres)					
Option 1	1.88[2]	2,015,195 sq. ft.[2]	275	2,729[3]	3,453
Option 2	1.98	2,118,550 sq. ft.	0	2,764	3,453
TOTAL SOUTH COAST PLAZA TOWN CENTER					
Option 1	1.70[2]	3,991,008 sq. ft.[2]	535	5,123[3]	6,632
Option 2[4]	1.77[5]	4,161,813 sq. ft.	80	5,180	6,632

1. Maximum floor area ratio calculation includes land dedicated or reserved for right-of-way for the Avenue of the Arts off-ramp and associated flood control improvements.
2. This maximum FAR and building square footage may be increased to no more than the Option 2 FAR and building square footage in direct relation to the decrease in the maximum number of high-rise residential units.
3. This maximum peak hour trip budget may be increased to no more than the Option 2 peak hour trip budget in direct relation to the decrease in the maximum number of high-rise residential units.
4. This alternative includes the 80 high-rise residential units associated with the museum site in Segerstrom Center for the Arts Sub-Area 2.
5. This maximum FAR may not be increased if the 80-unit residential component is not constructed in conjunction with art museum/art academy in Sub-Area 2.

Pacific Arts Plaza Sub-Area 1: GP-06-02 amended the 2000 General Plan to allow high-rise/high-density residential units in the Cultural Arts Center land use designation. In this sub-area, 180 residential high-rise residential units may be constructed at the southwest corner of Park Center Drive and Anton Boulevard in conjunction with the demolition of the existing office building. This would result in a maximum non-residential floor area ratio of 1.46 with a maximum number of 180 high-rise residential units on 1.3 acres that equals 138 units per acre (Option 1 shown in Table 5A). This maximum non-residential FAR and building square footage may be increased to no more than the Option 2 non-residential FAR of 1.55 and associated building square footage in direct relation to the decrease in the maximum allowable number of high-rise residential units.

Should the property owner determine not to develop the high-rise residential option, the maximum allowable non-residential square footage for this sub-area is 1,227,978 square feet with a corresponding FAR of 1.55; see Option 2 in Table 5A.

For both Options 1 and 2, Table 5A indicates the a.m. and p.m. trip budgets, maximum number of dwelling units, maximum non-residential building square footage and associated floor area ratio.

As shown in Table 5A, the Option 1 a.m. trip budget may be adjusted to be no more than the Option 2 a.m. trip budget in direct relation to the decrease in the maximum allowable number of dwelling units. Unbuilt entitlements for this sub-area are shown in Table 5B and Figure 14A & 14B.

Segerstrom Center for the Arts Sub-Area 2: GP-06-02 amended the 2000 General Plan to allow high-rise/high-density residential units in the Cultural Arts Center land use designation. In this sub-area, 80 residential high-rise residential units may be constructed at the vacant southwest corner of Avenue of the Arts and the Pedestrian Plaza in conjunction with the new art museum/academy building. For this sub-area, the maximum allowable floor area ratio is 1.67 and the maximum allowable number of dwelling units is 80 units. Unlike, Sub-Areas 1 and 3, if the 80-unit residential component is not constructed in conjunction with the art museum/academy or fewer than 80 units are constructed, than the maximum allowable non-residential floor area ratio for this sub-area will not increase proportionately. The trip budget for this sub-area is 283 a.m. peak hour trips and 1,029 p.m. peak hour trips. Unbuilt entitlements for this sub-area are shown in Table 5B and Figure 14A & 14B.

Segerstrom Town Center Sub-Area 3: GP-06-02 amended the 2000 General Plan to allow high-rise/high-density residential units in the Cultural Arts Center land use designation. In this sub-area on 3.3 acres, the following unbuilt entitlements have been approved.

- 200-key hotel (220,000 sq. ft.) and 50 residential units at 3400 Bristol Street.
- Office high rise building (336,525 square feet) at 3420 Bristol Street (OR) mixed-use development of office uses (233,170 square feet) in addition to residential units (225 units) at 3420 Bristol Street.

In order to be fully implemented, these entitlements require the demolition of the former theater uses (31,500 square feet) which have been demolished and the existing offices uses of 84,025 square feet. This would result in a maximum non-residential FAR of 1.88 with a maximum number of 275 high-rise residential units (Option 1 in Table 5A) in this sub-area. This maximum non-residential FAR and building square footage may be increased to no more than the Option 2 non-residential FAR of 1.98 and associated building square footage in direct relation to the decrease in the maximum allowable number of high-rise residential units.

Should the property owner determine not to develop the high-rise residential option in any form, the maximum allowable non-residential building square footage for this sub-area would be 2,118,550 square feet with a corresponding FAR of 1.98, AM Peak Hour trip budget (2,764 trips), PM Peak Hour trip budget (3,453 trips). This is the Option 2 development scenario shown in Table 5A. Table 5A/Option 2 describes the maximum buildout potential for the Segerstrom Town Center for commercial development. The existing buildings may be demolished, and the property may be redeveloped provided that the specified maximum allowable standards for nonresidential development, as shown in Table 5A, are not exceeded. For example, the single-story (with mezzanine) Park Tower annex building (32,316 square feet) on Town Center Drive may be demolished, and new construction may occur within the Segerstrom Town Center area as described in Table 5A.

For both Options 1 and 2, Table 5A indicates the a.m. and p.m. trip budgets, maximum number of dwelling units, maximum non-residential building square footage, and associated floor area ratio.

As with the maximum FAR and building square footage, the Option 1 a.m. trip budget may be adjusted to be no more than the Option 2 a.m. trip budget in direct relation to the decrease in the maximum allowable number of dwelling units.

Table 5B and Figure 14A & 14B provide further detail and illustrations of the p development within each of the three sub-areas. Precise building uses, locations, and square footages will be determined in conjunction with final master plan approvals for the SCPTC.

Preliminary and Final Master Plan

Title 13 of the Costa Mesa Municipal Code sets forth the processing procedures for preliminary and final master plans. Unbuilt entitlements and other proposed development shall require approval of a final master plan by the Planning Commission, or other final review authority as indicated in the Zoning Code. Proposed development may be constructed in a variety of mixed-use or residential development scenarios subject to master plan approval and conformance with the North Costa Mesa Specific Plan.

Land Use Compatibility/Integration

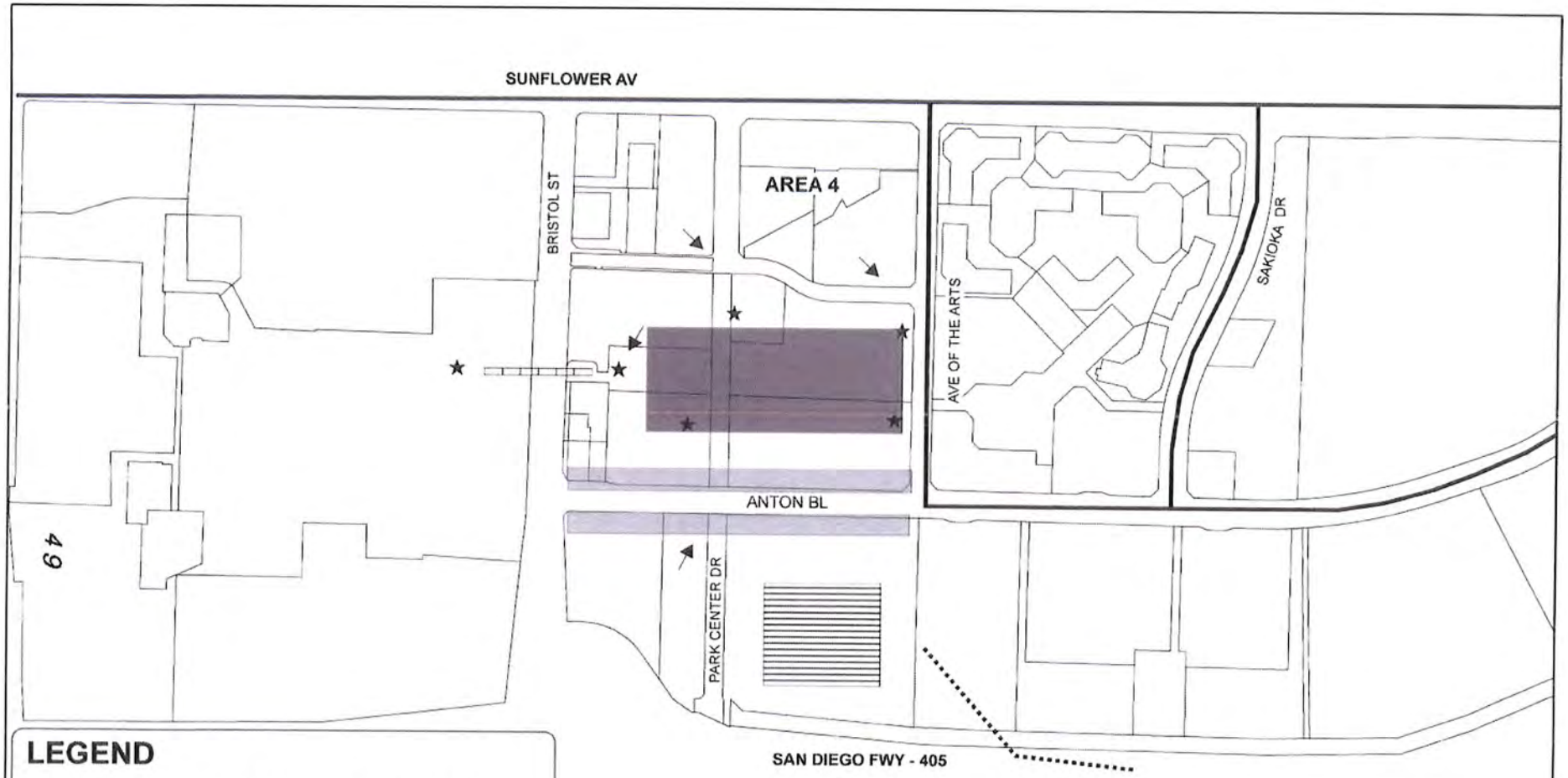
The remaining 1.64-acre parcel located adjacent to the Renèe and Henry Segerstrom

Concert Hall on Avenue of the Arts is in a well-defined urban area. A 140,000 square-foot museum and 80 high-rise residential units are approved for this site. Segerstrom Hall, South Coast Repertory, Samueli Theater, and Plaza Tower are also in the immediate vicinity. Future development of the museum site should be complementary to these surrounding developments, and where possible, linked physically by sidewalks and open space/greenbelts. Anticipated development for this area is detailed in Table 5B and Figure 14A & 14B. Street level and pedestrian appeal should also be taken into account during site design. The site design should also consider The Lakes apartments located across Avenue of the Arts, so as to not cause significant shade or shadow impacts.

Pedestrian-oriented directional signage should be added within the existing 3-acre open space easement in Town Center. Signage should be placed at key entry points, particularly adjacent to the hotel, to guide pedestrians to the various attractions.

Building Heights

Building heights shall be limited to 315 feet above grade level. Buildings above 173 feet above grade level in height will require a Federal Aviation Agency (FAA) determination of no hazard.



LEGEND

- California Scenario Plaza
- Pedestrian Zone
- Park/Greenbelt
- Pedestrian Linkage
- Pedestrian Directional Signage
- Freeway Ramp
- Bikeway
- Pedestrian Overpass

Note: See Figure 9 for Urban Rail information.

AREA 4 - SOUTH COAST PLAZA TOWN CENTER
Development Summary

Total Area: 54 Acres
General Plan: Cultural Arts Center
Zoning: TC

Maximum Intensity: 1.77 Floor Area Ratio

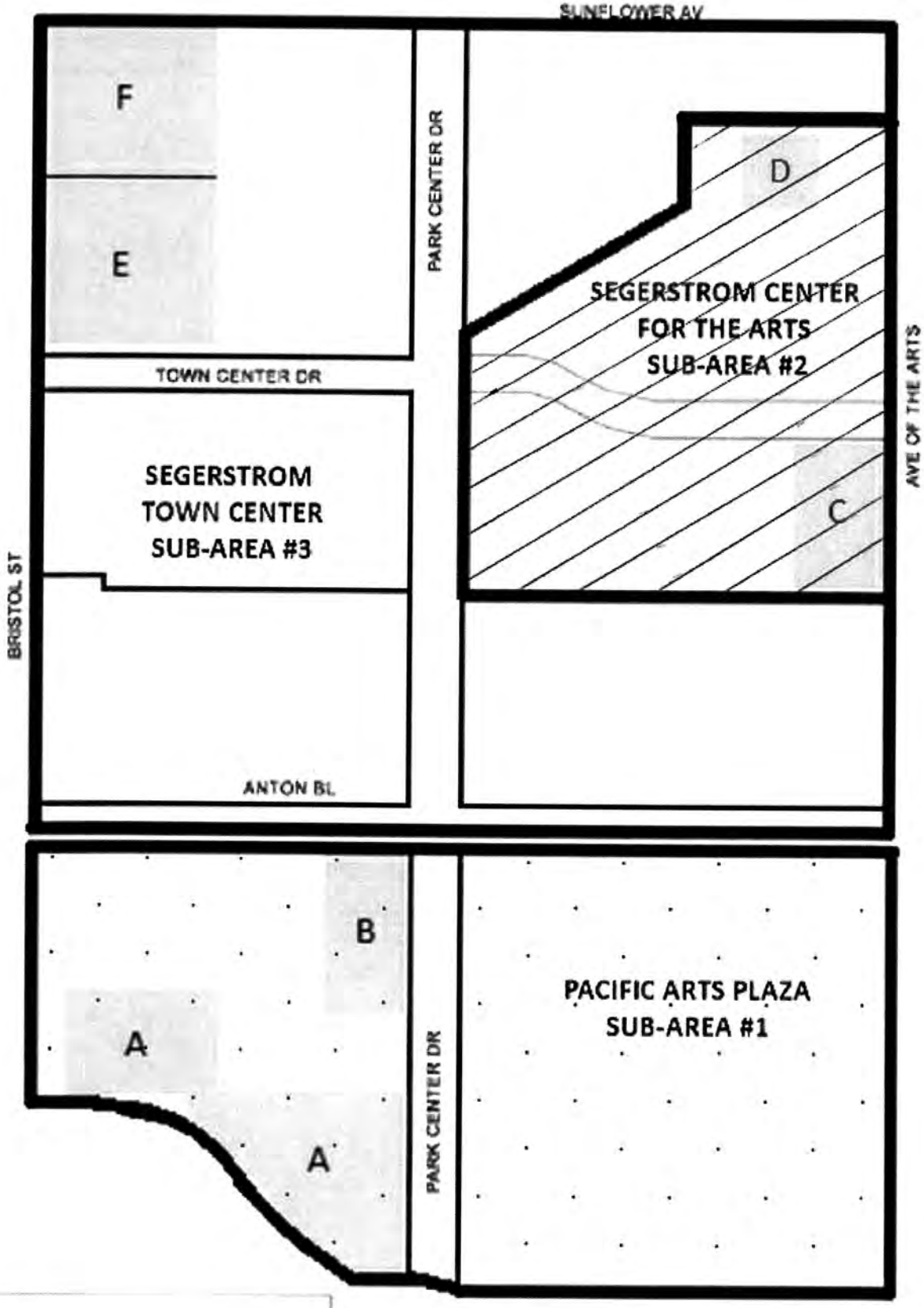
Maximum Square Footage: see text

Trip Budget: see text

Maximum Building Height: 315 feet above grade level

N

Figure 14



Note: See Table 5B for project information.

South Coast Plaza Town Center
Conceptual Location of Future Projects

Figure 14A

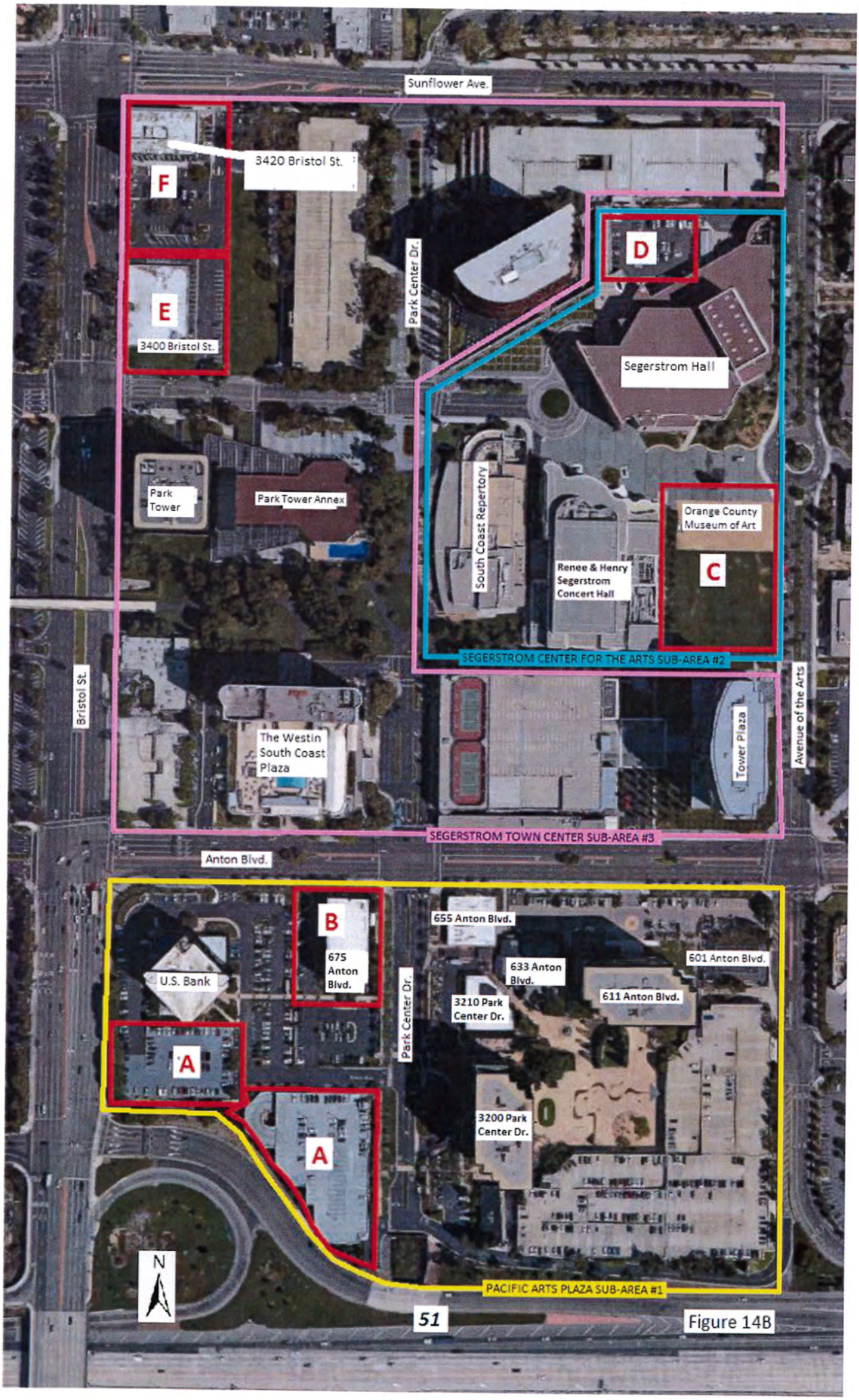

Sunflower Ave.
3420 Bristol St.
F
E
3400 Bristol St.
Park Center Dr.
D
Segerstrom Hall
Park Tower
Park Tower Annex
South Coast Repertory
Renee & Henry Segerstrom Concert Hall
Orange County Museum of Art
C
SEGERSTROM CENTER FOR THE ARTS SUB-AREA #2
Bristol St.
The Westin South Coast Plaza
Tower Plaza
Avenue of the Arts
SEGERSTROM TOWN CENTER SUB-AREA #3
Anton Blvd.
B
675 Anton Blvd.
655 Anton Blvd.
633 Anton Blvd.
601 Anton Blvd.
611 Anton Blvd.
U.S. Bank
3210 Park Center Dr.
Park Center Dr.
A
A
3200 Park Center Dr.
N
PACIFIC ARTS PLAZA SUB-AREA #1

Figure 14B

Table 5B- Statistical Summary of Unbuilt SCPTC Components as of 2006 North Costa Mesa Specific Plan				
Map Key	**Unbuilt Entitlements Approved prior to 2006**	**Slated for Demolition (sq. ft.)**	**New Construction Approved in 2006 (GP-06-02)**	**Maximum Building Height (above grade level)**
Pacific Arts Plaza Sub-Area 1				
A.	400,000 sq. ft./18-story office and associated parking structure	1 theater (19,200 sq. ft.) and parking structure	400,000 sq. ft of office and associated parking structure	315 ft. agl
B.	None	67,450 sq. ft. office	180 high-rise residential units	315 ft. agl
Segerstrom Center for Arts Sub-Area 2				
C.	Art Museum/Academy 140,000 sq. ft.	None	Art Museum/Academy 140,000 sq. ft. and 80 high-rise residential units in a mixed-use development	315 ft. agl
D.	OCPAC Expansion	None	65,000 sq.ft. (1,000 seats)	315 ft. agl
Segerstrom Town Center Sub-Area 3				
E.	Hotel-200-key (220,000 sq. ft.)	2 theaters (31,500 square feet)	200-key hotel (220,000 sq. ft.) and a maximum of 50 high-rise residential units in a mixed-use development	315 ft. agl
F.	Office 336,525 sq. ft.	84,025 sq. ft. office building	A. 336,525 sq. ft. office **OR** B. No less than 233,170 sq. ft. office and no more than 225 residential high-rise units in a mixed-use development.	315 ft. agl
Source: City of Costa Mesa May 2006				

Circulation

The street network for this sub-area is in place. However, the Master Plan of Bikeways indicates a new bikeway on Avenue of the Arts and Sakioka Drive. The widening of the Bristol Street interchange with the I-405 is completed. Figure 9 indicates one urban rail alignment to the east of the project site.

Parks and Recreation

As stated in Section 2, Development Setting, the 3-acre open space/greenbelt easement boundaries were reconfigured and slightly expanded in 2001. In addition, it was secured as part of GP-00-02, as a permanent private open space area in Segerstrom Town Center and Segerstrom Center for the Arts. Also, in conjunction with the Pacific Arts Plaza approval of GP-00-02, the property owner is to preserve and maintain the California Scenario sculpture garden substantially in accordance with its existing configurations and function, commencing immediately and continuing for the useful life of the existing office buildings adjacent to the garden.

In conjunction with high-rise residential projects, private on-site recreational amenities shall be provided to serve the high-rise residents. These amenities may be located on the ground level, rooftop, and/or on a podium.

Theater and Arts District Plan

A Theater and Arts District (TAD) Plan was prepared in conjunction with the development of Town Center. The TAD Plan details the strategy to foster and enhance a unified look and feel for the area. Entry and monument signs, and other signs identifying the Theater and Arts District prominently include the name of the City. The plan addresses public access and parking fee restrictions for SCPTC parking structures for patrons of the cultural arts facilities, and the financing mechanisms for public street amenities. The TAD Plan is included as Appendix D.

Parking

Although the project area is composed of multiple ownerships, the parking demand analysis for SCPTC has always considered the project as a single development. Specifically, parking need not be located on the same parcel as the building for which it is required; all parking facilities are to be available to employees and visitors of all South Coast Plaza Town Center uses. Consistent with the historical analysis of parking demand for this project, any future parking studies need to continue to examine the South Coast Plaza Town Center as a single project.

Persons who are residents of the City of Costa Mesa attending a cultural arts venue during evenings (after 6 p.m.) or on weekends shall be provided a discount of fifty

percent (50%) off the price for parking otherwise applicable to the general public. For the high-rise residential units, the following parking rate range shall be appropriately applied to the residential development in conjunction with approval of any residential final master plan. The parking rate shall take into consideration the shared parking arrangements that exist in the South Coast Plaza Town Center.

Tenants:	1.5 to 2.0 parking spaces per unit
Guests:	0.5 parking spaces per unit for the first 50 units and 0.25 parking spaces for each unit above 50.

Furthermore in the final master plan for any high-rise residential development, consideration may be given to the feasibility of valet parking, tandem parking, and mechanical lift parking devices in order to fully meet the residential parking demands.

AREA 5- THE LAKES

Existing Land Uses

This 27-acre area contains two hotels (492 rooms), the low-rise Lakes apartment/ condominium complex (770 units), and The Lakes retail center (20,400 square feet). This area, located adjacent to the South Coast Plaza Town Center, is in multiple ownership and is nonconforming in terms of what is allowed by the General Plan. A prominent feature of this development is the lake, which is centrally located. The lake is surrounded by pedestrian paths which are linked to the public sidewalks.

General Plan and Zoning

This site is designated High Density Residential by the General Plan and is zoned PDR-HD. The maximum density is 20 dwelling units per acre. Site-specific residential densities have been approved for the following sites within the Lakes area.

- ***Californian at Town Center at 580 Anton Boulevard***: In 2007, General Plan Amendment (GP-06-02) was approved, and it consisted of a site-specific density increase for the 2-acre retail site to 125 units/acre. This equates to a maximum of 250 units on the site. Additionally, approximately 2,350 square feet of resident-serving commercial/retail uses that are integrated into the high-rise residential development are permitted provided that through the final master plan review process, the applicant can demonstrate the minimal traffic-generation characteristics of this type of retail use.

- ***Wyndham Hotel site at 3350 Avenue of the Arts:*** In 2007, General Plan Amendment (GP-06-03) was approved for a 3-acre site located at 3350 Avenue of the Arts. This approval consisted of a site-specific density of a maximum of 44 units/acre for a mixed-use development comprised of a boutique hotel and high-rise residential building. Additionally, approximately 1,740 sq.ft. of retail space and 3,450 sq.ft. for a bar/lounge that are integrated into the high-rise residential development are permitted provided that through the final master plan review process, the applicant can demonstrate the minimal traffic-generation characteristics of this type of retail use.

Land Use Compatibility/Integration

The future redevelopment of the retail portion of this property to high-rise residential should consider the pedestrian traffic on Avenue of the Arts and Anton Boulevard, and maintain internal pedestrian linkages to other developments in the block. Pedestrian-oriented directional signage should be placed in proximity to the two hotels (one on Avenue of the Arts and the other on Anton Boulevard).

LEGEND

- Lake
- Pedestrian Zone
- Project Entry
- Pedestrian Directional Signage
- Pedestrian Linkage
- Freeway Ramp
- Bikeway
- Future Collector Street

Note: The information provided in graphic form is intended to illustrative and is not intended to be interpreted as the precise location for future land uses or structures, unless so specified in Section 4.0 Development Standards.

AREA 5 - THE LAKES
Development Summary

Total Area: 27 Acres
General Plan: High Density Residential
Zoning: PDR-HD

Maximum Intensity: see text

Maximum Building Height: see text

N

Figure 15

Building Heights

Mid-rise Residential apartments/condominiums: 90 feet above grade level (approximately 6 stories).

Commercial Uses (hotels and retail): 110 feet above grade level (approximately 11 stories).

High-rise Residential condominiums: 280 feet above grade level (approximately 26 stories inclusive of roof-top terraces).

Building heights shall be limited to 280 feet above grade level for high-rise residential buildings in the Lakes area. Buildings above 173 feet above grade level in height will require a Federal Aviation Agency (FAA) determination of no hazard.

Pursuant to Specific Plan Amendment SP-07-01, a site-specific building height of 270 feet above grade level (304 feet above mean sea level) is allowed for the Wyndham Hotel site at 3350 Avenue of the Arts, contingent upon a valid and current FAA determination of no hazard.

Open Space, Parks, and Recreation

The lake shall remain as a permanent open space feature that benefits this entire area.

In conjunction with the development of the high-rise residential condominiums, private on-site outdoor recreational amenities shall be provided to serve the high-rise residents. These amenities may be located on the ground level, roof top, and/or on a podium. Amenities located above the ground level may be used to meet the minimum open space requirements of the Planned Development Residential zone.

Parking

For the high-rise residential units, the following parking rate range shall be appropriately applied to the residential development in conjunction with approval of any residential final master plan.

Tenants:	1.5 to 2.0 parking spaces per unit
Guests:	0.5 parking spaces per unit for the first 50 units and 0.25 parking spaces for each unit above 50.

Furthermore in the final master plan for any high-rise residential development, consideration may be given to the feasibility of valet parking, tandem parking, and mechanical lift parking devices in order to fully meet the residential parking demands.

Circulation

The street network for this sub-area is in place. The Master Plan of Bikeways indicates a bike lane on Avenue of the Arts and Sunflower Avenue.

Figure 9 indicates one urban rail alignment alternative that follows Anton Boulevard.

Nonconformity

The existing hotel buildings are considered legal nonconforming structures that would not be subject to a reduction in size if demolished or destroyed.

In the event of damage or destruction, the Specific Plan allows any legal conforming use in existence at the time of adoption of the 2000 General Plan in a nonconforming development to be rebuilt to its original building intensity.

Therefore, in the event of voluntary demolition of either of the existing hotel buildings, the property owner may be allowed to redevelop to the existing square footage indicated below:

ADDRESS	EXISTING SQUARE FOOTAGE
500 Anton Boulevard	176,300
3350 Avenue of the Arts	272,000

The open space/lake area shall also remain as open space.

The Lakes Apartments/Condominium Complex: In terms of redeveloping the 770 apartments/condominiums in the event of voluntary destruction, the General Plan allows 20 units per acre plus a 50% density incentive bonus for a maximum density of 30 dwelling units per acre. This equals 567 dwelling units (on 18.90 acres), which is 203 units fewer than what exists currently.

The Wyndham Hotel site: In 2007, Specific Plan Amendment (SP-07-01) was approved for the 3-acre site. The Specific Plan Amendment includes a development option that would allow a mixed-use development consisting of a 200-room boutique hotel and 120-unit high-rise building with approximately 1,740 sq.ft. of retail space and 3,450 sq.ft. for a bar/lounge. This would result in a maximum nonresidential floor area ratio of 2.12 FAR with a maximum 120 dwelling units.

Development Option	Maximum No. of Hotel Rooms	Maximum Allowable Non-Residential FAR	Maximum Allowable Number of High-Rise Residential Units
Option 1	200 rooms	2.12 FAR	120 units

The Specific Plan allows development flexibility with regard to the overall mix of hotel rooms and residential units. This is subject to compliance with all of the following conditions through the final master plan review process:

- The applicant can demonstrate traffic-generation characteristics comparable to Option 1.
- Development may be allowed up to a combined maximum of 320 hotel rooms/dwelling units, provided that the maximum number of hotel rooms in the mixed-use development does not exceed 200 rooms.
- The maximum FAR may be increased to no greater than 2.12 FAR in direct relation to the reduction of the residential density from 44 du/acre;
- The maximum allowable number of high-rise residential units may be increased to no greater than 132 units (44 du/acre) in direct relation to the reduction of the nonresidential FAR from 2.12 FAR.
- The 238 existing hotel rooms may be reduced to allow additional residential units, but any increase in the number of existing hotel rooms is prohibited.

As shown above, if the property owner decides not to develop the high-rise residential option and voluntarily demolishes the hotel instead, the maximum allowable nonresidential square footage would remain at 2.08 FAR with a redevelopment potential of 60,000 sq.ft.

AREA 6- SOUTH COAST METRO CENTER

Existing Land Uses

In 2006, this approximate 45-acre area was developed with several office buildings, a health club, restaurants, and retail uses. At one time, the entire South Coast Metro Center was owned by one property owner (Sakioka Farms) and was leased on a long-term basis to various other parties. In the early 2000s, there was a change of ownership and operation of the area, and it is now owned and managed by several different parties. Some parcels are owned in fee, while others are owned by the Sakioka family and leased on a long-term basis to others. For planning purposes only, this area has been broken into four different sub-areas, as described in the following discussions, and shown in Table 6A and on Figure 16a.

General Plan and Zoning

The site is designated Urban Center Commercial by the General Plan and is zoned PDC

In 2000, a site-specific FAR of 0.79 was adopted for this area to allow a maximum square footage of 1,546,180 of non-residential development on the total site area of 44.97 acres (this is the net acreage of the site after all necessary dedications for public improvements).

When the 2000 General Plan was adopted in 2002, the trip budget for South Coast Metro Center was established as 1,886 a.m. peak hour trips and 1,994 p.m. peak hour trips for a strictly non-residential development project.

In 2007, General Plan Amendment (GP-06-02) was approved, and it consisted of a site-specific high-rise residential development option on a 4.86-acre portion of Area 6 (Sub-Area 1) at a density of 100 units per acre with 6,000 square feet of integrated ancillary retail uses. Additionally, for this residential development option, the Area 6 trip budget was modified to 1,931 a.m. peak hour trips and 1,976 p.m. peak hour trips.

See the following section for a discussion of the four sub-areas and the corresponding allocation of the floor area ratio, dwelling units, trip budget, and building square footages.

Sub-Areas

The South Coast Metro Center was divided into four sub-areas in conjunction with the approval of GP-06-02. These four sub-areas are under separate ownership and management. Provided in Table 6A is a statistical summary of the maximum floor area ratio, maximum number of residential units, and trip budgets for each sub-area. Figure 16a illustrates the boundaries of the sub-areas.

To facilitate flexibility within a sub-area, building square footages may be transferred, provided that the total building square footage, number of units, floor area ratio, and trip budget for the affected sub-area are not exceeded as delineated in Table 6A. Transfers between the sub-areas are not permitted.

Sub-Area 1: GP-06-02 amended the 2000 General Plan to create a site-specific residential density of 100 units/acre in the Urban Center Commercial land use designation for this 4.86-acre sub-area with a maximum of 484 residential units. In this sub-area, the 484 high-rise residential units and 6,000 square feet of ancillary retail, known as Symphony Towers, may be constructed at the southeast corner of Avenue of the Arts and Anton Boulevard in conjunction with the demolition of two existing restaurants and the relinquishment of a 300-room hotel (200,950 square feet) entitlement. This would result in a maximum non-residential floor area ratio of 0.03 with a maximum number of 484 high-rise residential units at 100 units per acre (Option 1 in Table 6A).

Should the property owner determine not to develop any or only a portion of the high-rise residential option, then the unbuilt residential uses may be converted to a corresponding non-residential development provided that the maximum allowable non-residential building square footage, floor area ratio, and trip budget are not exceeded for the Option 2 development scenario shown in Table 6A. The Option 2 development scenario represents the maximum amount of non-residential building square footage allowed for this sub-area, which is 216,794 square feet. It is anticipated that this development option would be composed of a 300-room hotel (200,950 square feet) and 15,844 square feet of restaurant uses.

For both Options 1 and 2, Table 6A indicates the a.m. and p.m. trip budgets, maximum number of dwelling units, maximum non-residential building square footage, and associated maximum floor area ratio.

The maximum building height is 306 feet above grade level for Option 1 and 180 feet above grade level for Option 2.

Sub-Area 2: For this 2.57-acre sub-area, the maximum allowable building square footage is 4,000 square feet with a corresponding maximum allowable floor area ratio of 0.036. In 2006, this sub-area was developed with a multi-tenant retail building (545 Anton Boulevard).

The maximum building height is 180 feet above grade level. The a.m. and p.m. peak hour trip budget is shown in Table 6A.

Sub-Area 3: In 2000, GP-99-06 was approved for this 19.5-acre sub-area with a maximum building square footage of 525,000 in four buildings for Experian Information Solutions (475 Anton Boulevard). The corresponding maximum allowable floor area ratio is 0.62. In 2006, the final building was approved for construction. The maximum building height for this sub-area is 180 feet above grade level. The a.m. and p.m. peak hour trip budget is shown in Table 6A.

Sub-Area 4: For this 18.06-acre site the maximum allowable floor area ratio is 1.02 (800,386 square feet of building area). In 2006, this sub-area was built-out with:

Three Office buildings (535, 555, 575 Anton) – 749, 230 square feet

One Health Club (589 Anton) - 51,156 square feet

The maximum building height is 180 feet above grade level. The a.m. and p.m. peak hour trip budget is shown in Table 6A.

Table 6A- South Coast Metro Center Sub-Area Statistics
North Costa Mesa Specific Plan

	Maximum Allowable Non-Residential FAR	Maximum Non-Residential Building Square Footage	Maximum Allowable Number of High-Rise Residential Units	Maximum A.M. Peak Hour Trip Budget	Maximum P.M. Peak Hour Trip Budget
Sub-Area 1 (4.86 acres)					
Option 1	0.03[1]	6,000 sq. ft.[1]	484	227	290[1]
Option 2	1.0	216,794 sq. ft.	0	182	308
Sub-Area 2 (2.57 acres)					
	0.036	4,000 sq. ft.	0	5	14
Sub-Area 3 (19.48 acres)					
	0.62	525,000 sq. ft.	0	752	704
Sub-Area 4 (18.06 acres)					
	1.02	800,386 sq. ft.	0	947	968
TOTAL SOUTH COAST METRO CENTER (44.97 acres)					
Option 1	0.69[2]	1,335,386 sq.ft[2].	484	1931	1976[2]
Option 2	0.79	1,546,180 sq.ft.	0	1886	1994

1. This maximum may be increased to no more than the Option 2 maximum for this sub-area in direct relation to the decrease in the maximum number of high-rise residential units. See text for Sub-Area 1 for additional information.

2. This maximum may be increased to no more than the Option 2 maximum for the total area in direct relation to the decrease in the maximum number of high-rise residential units in Sub-area 1.

Land Use Compatibility/Integration

The South Coast Metro Center was planned as in integrated mixed-use office project, including three high-rise office buildings, a four-building office campus, free-standing restaurants and a support retail building, a hotel, and a fitness center in 1999. Subsequent to this initial plan, the easterly 19.5 acres were sub-leased to Experian Information Solutions (Sub-Area 3). The office campus planned for this portion of the site has been developed as Experian's world headquarters and will ultimately contain 525,000 square feet of floor area. Although this area will be developed separately from the balance of the South Coast Metro Center, it is included within the Specific Plan Area 6 planning unit to maintain consistency with past general and specific plan efforts.

The further development of this site will result in the continuation of the pedestrian zone on Anton Boulevard, which is primarily located between Bristol Street and Sakioka Drive on both sides of the street. New high-rise residential, commercial and office buildings are encouraged to be located along the Anton frontage in order to enhance and strengthen the pedestrian zone. Although the Experian site will be developed as a stand-alone development, an internal pedestrian connection is provided as a linkage to the balance of the South Coast Metro Center.

Encroachment into the building setback area on Anton Boulevard for commercial or mixed-use developments can be considered based on how well the project design accommodates pedestrians and if the parking areas and/or structures are located behind the commercial or mixed-use building(s). Parking areas shall not be allowed to encroach into the street setback, unless they are tucked under the commercial or mixed-use development.

The internal pedestrian paths should be conveniently linked to Anton Boulevard. Pedestrian-oriented directional signage should also be provided; the signage would identify key attractions in the plan area. Parking lots/structures are encouraged to be located along the southern and western edges of the site adjacent to the I-405 and on and off ramps, and not adjacent to Anton Boulevard. Shade and shadow impacts for buildings in excess of 2 stories should also be considered.

Building Heights

Building heights shall be limited to 180 to 306 feet above grade level, as shown in Table 6B. Buildings above 173 feet above grade level in height will require a Federal Aviation Agency (FAA) determination of no hazard.

Commercial or mixed-use developments that are allowed to encroach into the street setback of Anton Boulevard shall be limited to 2 stories/30 feet above grade level within the street setback.

Table 6B- South Coast Metro Center Maximum Building Heights North Costa Mesa Specific Plan	
Sub-Area 1	
Option 1	306 feet above grade level
Option 2	180 feet above grade level (approximately 12 stories)
Sub-Areas 2, 3, and 4	
	180 feet above grade level (approximately 12 stories)

Parks and Recreation

In conjunction with the development of the high-rise residential condominiums, private on-site recreational amenities shall be provided to serve the high-rise residents. These amenities may be located on the ground level, roof top, and/or on a podium.

Parking

For the high-rise residential units, the following parking rate range shall be appropriately applied to the residential development in conjunction with approval of any residential final master plan.

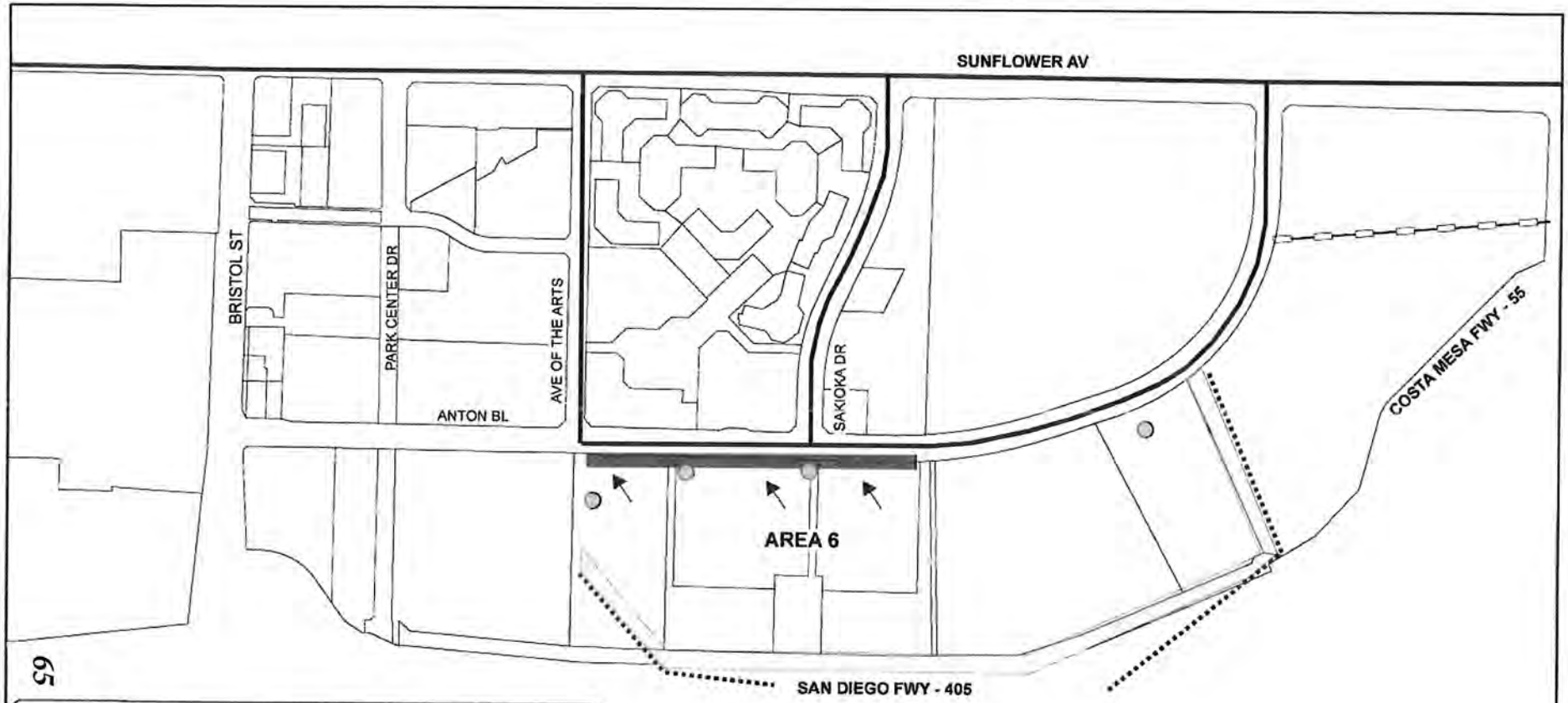
Tenants: 1.5 to 2.0 parking spaces per unit

Guests: 0.5 parking spaces per unit for the first 50 units and 0.25 parking spaces for each unit above 50.

Furthermore in the final master plan for any high-rise residential development, consideration may be given to the feasibility of valet parking, tandem parking, and mechanical lift parking devices in order to fully meet the residential parking demands.

Circulation

The Master Plan of Highways shows for this sub-area the recently completed I-405 on-ramp from Anton Boulevard and the I-405 off-ramp to Avenue of the Arts. Figure 9 indicates that the alignment for The CenterLine urban rail system will follow Anton Boulevard and will terminate at a station at the intersection of Anton and Avenue of the Arts at the northwest corner of the site. As of 2005, the planning process for the CenterLine urban rail system had been put on hold indefinitely by the Orange County Transportation Authority.



LEGEND

- Pedestrian Zone
- Buffer Area
- Project Entry
- Pedestrian Directional Signage
- Pedestrian Linkage
- Freeway Ramp
- Bikeway
- Future Collector Street

Note: The information provided in graphic form is intended to illustrative and is not intended to be interpreted as the precise location for future land uses or structures, unless so specified in Section 4.0 Development Standards.

AREA 6 - SOUTH COAST METRO CENTER/ EXPERIAN INFORMATION SOLUTIONS
Development Summary

Total Area: 44.97 acres (net)
General Plan: Urban Center Commercial
Zoning: PDC

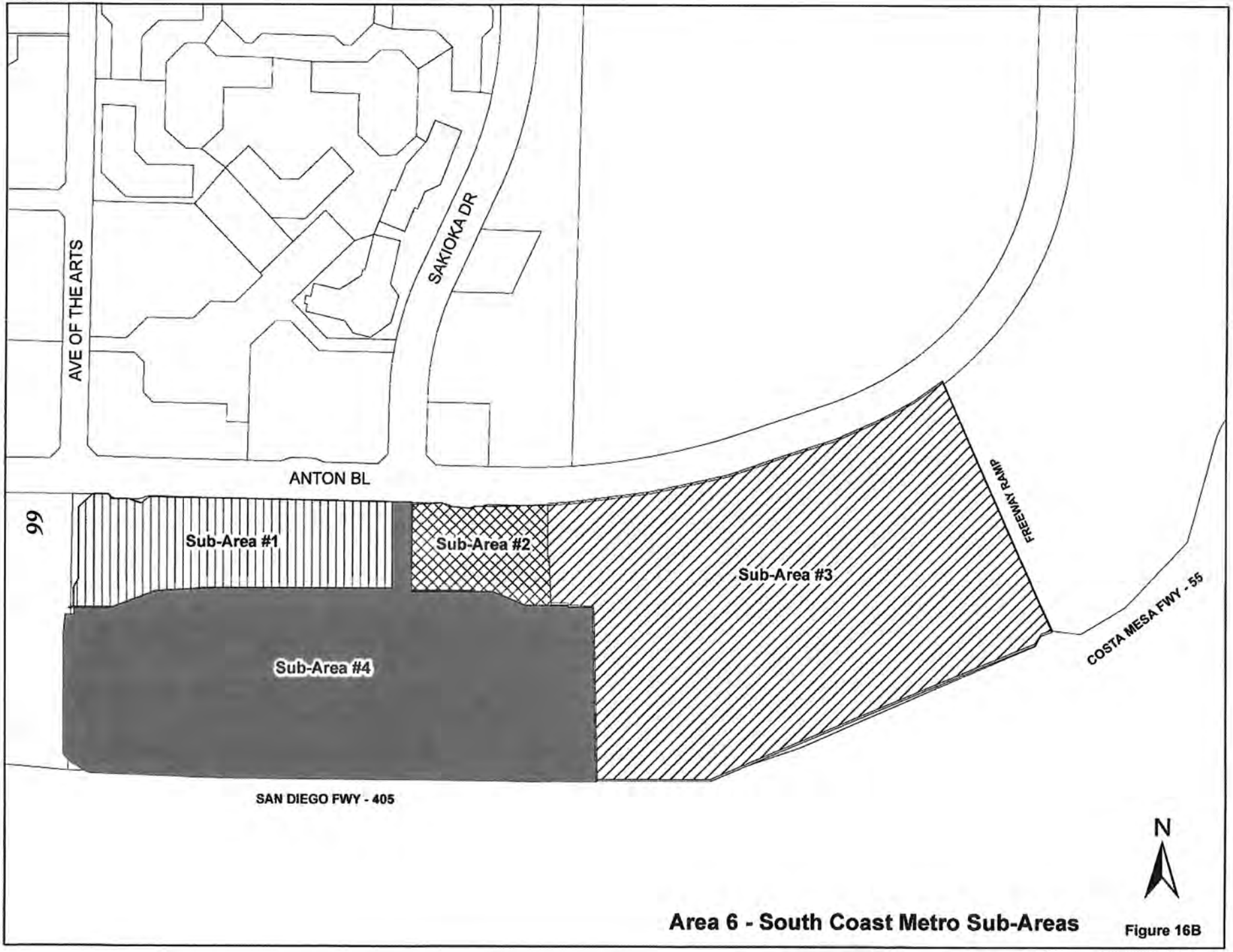
Maximum Intensity: see text

Maximum Square Footage: see text

Maximum Building Height: see text

N

Figure 16A



Area 6 - South Coast Metro Sub-Areas

Figure 16B

AREA 7- SAKIOKA LOT 1

Existing Land Uses

This 40 acre site is designated for residential development and is largely vacant except for the Metro Fire Station. Excluding the station, this site is owned by Sakioka Farms.

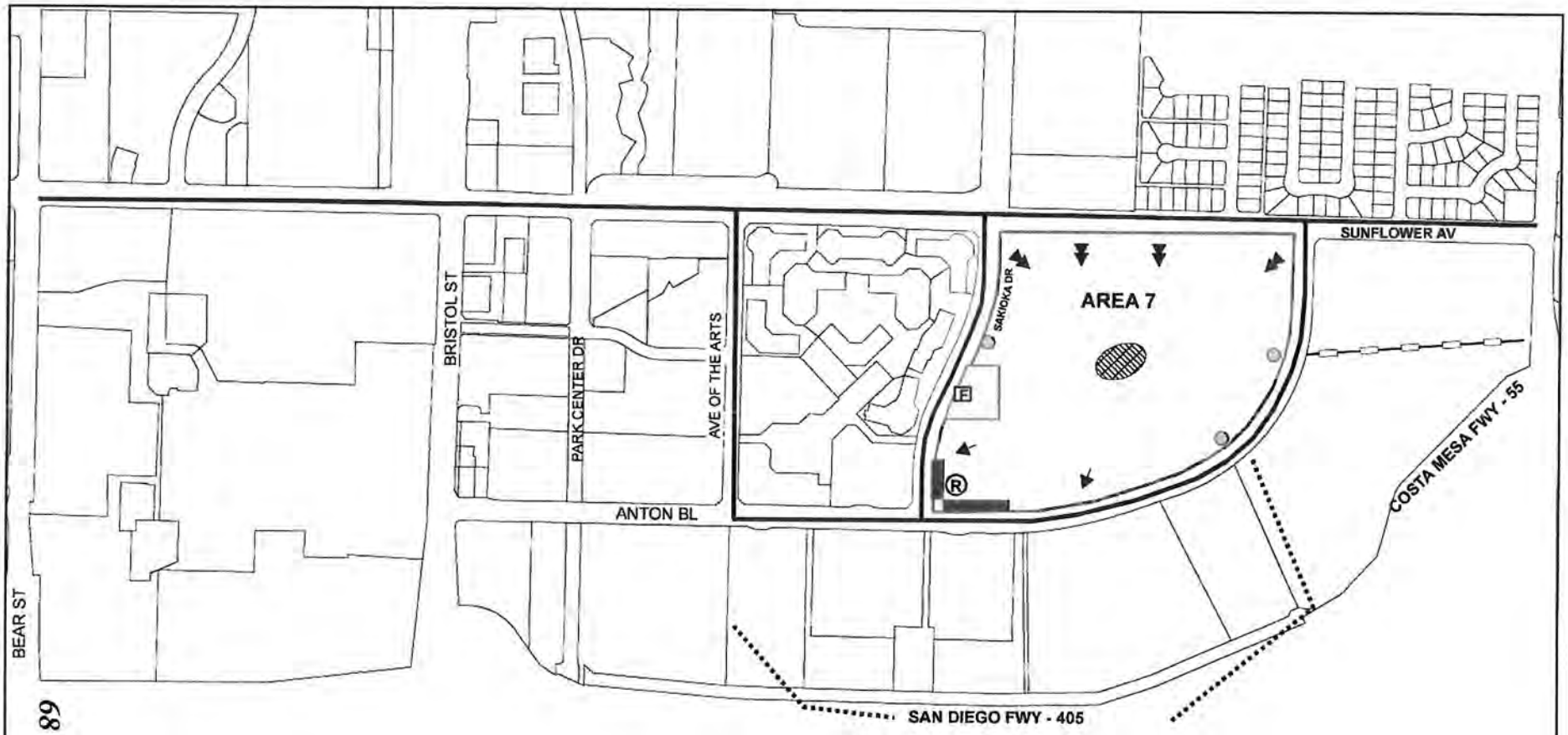
General Plan and Zoning

This site is designated High Density Residential by the General Plan and is zoned PDR-NCM. The maximum density is 25-35 units per acre.

Land Use Compatibility/Integration

This parcel is slated for residential development at a density of 25-35 units per acre (approximately 1,411 units). This density will result in multiple story buildings. Although there are high-rise apartment buildings to the west of the site (The Lakes), existing development in Santa Ana to the north is primarily single family homes as well as a church. In addition, Lot 1 surrounds the newly constructed fire station. Future residents need to be made aware of the fire station as well as the heliport that is located in the South Coast Metro Center (on top of the Bank of America Building). In terms of site design, buildings in excess of 2 stories should be evaluated for shade and shadow impacts on surrounding land uses. Vehicular access to and from Sunflower Avenue should be limited.

Open space, recreational uses and/or parking areas, as opposed to dwelling units, should be located adjacent to the fire station property. Pedestrian access to Anton Boulevard and Sakioka Drive should be provided; although mid-block crossings of Sakioka Drive are to be discouraged. Residential buildings should also be oriented away from Sunflower Avenue as much as possible in order to minimize noise impacts.



LEGEND

- Pedestrian Zone
- Buffer Zone
- Park
- Project Entry
- Dwelling Unit Orientation
- Pedestrian Linkage
- Freeway Ramp
- Bikeway
- Future Collector Street
- Metro Fire Station
- Retail Site (Neighborhood Scale)

AREA 7 - SAKIOKA LOT 1
Development Summary

Total Area: 40 acres
General Plan: High Density Residential
Zoning: PDR-NCM

Maximum Density: 25-35 units per acre

Maximum Intensity: 0.25 FAR - Retail

Maximum Commercial Square Footage: To be determined in conjunction with project review

Maximum Building Height: 4 stories/60 feet (Residential)
1 story/20 feet - (Commercial)

N

Note: The information provided in graphic form is intended to illustrative and is not intended to be interpreted as the precise location for future land uses or structures, unless so specified in Section 4.0 Development Standards.

Figure 17

Mixed-Use

The Planned Development zoning does allow for a complementary neighborhood commercial component for this site. The General Plan states that the commercial development must have a FAR and population density that are the same as the Neighborhood Commercial designation. (See Table 1). The integration of commercial development and residential units in one building is allowable.

If this site is developed as a mixed-use project with distinct residential and commercial components, the nonresidential FAR standard and the residential density standard shall apply to each of the respective components. If the site is developed as mixed-use with neighborhood commercial development combined with residential units in one building(s), it is no longer possible to calculate the FAR and density. In these mixed-use developments, each 1,000 square feet of commercial development shall result in one less dwelling unit subtracted from the total number of dwelling units. For example, a 50,000 square foot retail center shall reduce the base density from 1,008 units to 958 units. Should a density bonus for affordable units be obtained, the decrease in units shall be applied to the market rate units not the affordable units.

Any development proposal that includes a commercial component shall require a traffic analysis to ensure that the affected circulation system will continue to operate pursuant to General Plan standards, both at the time of project completion and at build-out of the General Plan.

In order to provide a continuation of the commercial uses on Anton Boulevard, any retail proposed for this property is encouraged to locate at the intersection of Sakioka Drive and Anton Boulevard and be easily assessable to pedestrians. Reduced building setbacks for commercial or mixed-use developments on both street frontages can be considered based on how well the project design accommodates pedestrians and if the parking areas and/or structures are located behind the retail or mixed-use building(s). Parking areas shall not be allowed to encroach into the street setback, unless they are tucked under the commercial or mixed-use development.

Density Bonuses

This site, which is zoned Planned Development Residential-North Costa Mesa (PDR-NCM), has an allowable density range of 25 to 35 dwelling units per acre. As stated in the Costa Mesa Municipal Code, 25 units per acre is the base density and the provision of affordable housing shall be necessary to reach the maximum of 35 units per acre. The PDR standards do include a reference to the provision of low and moderate income housing as one of the criteria to move up the density scale. Neither the General Plan nor the zoning code set parameters for how much affordable housing or what level of affordability is necessary to achieve the requirement within the PDR-NCM zone. Therefore, this Specific Plan further clarifies the necessary affordable housing parameters. It should be noted that the PDR standards require that other criteria also be met in order to achieve the density increase.

Within the plan area, only The Lakes includes affordable units. Within The Lakes, 20% of the units (i.e. 154 units) are affordable to low income households. For this project, the standard for low income is based upon the Orange County Bond Program which uses Chapman University income rates instead of HUD/California Government Code income rates. The Bond Program also uses an 80% of the median income figure of Chapman University to determine low income instead of the 60% of median used by HUD and the State.

According to the City's density bonus ordinance, if a proposed project includes affordable units which meet the income and percentage requirements, then the City shall give a minimum 25% density increase, as long as the density bonus does not exceed the General Plan maximum density (for Sakioka Lot 1 that is 35 units per acre). The density bonus ordinance has minimum requirements of either providing 20% of the total units as affordable to low income households or providing 10% of the total units as affordable to very low income households. At 40.3 acres, the Sakioka site's base density (25 units/acre) equals 1,008 dwelling units. A 20% low income requirement, therefore, would equal 202 low income units, and a 10% very low income requirement would equal 101 very low income units. An increase in density from the base of 25 units/acre to 35 units/acre equals 40%, therefore, increases in density in excess of 25% shall require a larger percentage of the units to be affordable. The City's density bonus ordinance defines very low and low income households and rent pursuant to the California Government Code.

Previously, the state density bonus provisions were geared toward a provision of 25% of the base units as affordable to low or moderate income households. With the shift to lowered income affordability came a corresponding percentage requirement reduction. The minimum density increase standard for Sakioka Lot 1 could be either compliance with the City's density bonus ordinance, or compliance with the 25% low to moderate income standard with a limit of 15% of the total units allocated for moderate income.

Provision of the affordable units off-site is allowed by the density bonus ordinance and may be appropriate for Sakioka Lot 1 if the off-site location is within the North Costa Mesa area. Presently, the City is at risk of losing the affordable units at The Lakes for which the 10-year term of affordability will expire in 1997. If continued affordability of those units at The Lakes could be tied to development of Sakioka Lot 1, then credit could be given for density increase on Sakioka Lot 1. Although the existing affordable units at The Lakes do not meet the City's density bonus definition of low income, they could be counted towards the required low income housing provision if the affordable housing Option 2 (Table 7) is chosen. Thirty additional years of affordability beyond 1997 should be acquired, if off-site low income affordable housing credit is to be granted.

Table 7 illustrates the alternative methods by which density increases can be achieved for Sakioka Lot 1 to the maximum of 35 units/acre through the provision of affordable housing. It should be noted that other standards of the PDR zone must also be met, and any density increase granted for this site shall include the provision of affordable housing. All affordable housing provisions shall be for a minimum of 30 years.

In mixed-use projects (i.e., commercial and residential projects) which require a decrease in the total number of dwelling units, the decrease in units shall be applied to the market rate units not the affordable units.

Building Heights

The maximum building height shall be 60 feet (approximately 4 stories) for residential uses and mixed-use development. In mixed-use developments, the commercial components shall be limited to first 2 stories of any building. Commercial or mixed use developments that are allowed to encroach into the setback of either Sakioka Drive and/or Anton Boulevard shall be limited to 2 stories/30 feet within the street setback.

Circulation

The street network for this sub area is in place. The Master Plan of Bikeways indicates a new bikeway on Sunflower Avenue. Figure 9 indicates one urban rail alignment alternative that follows Anton Boulevard.

Parks and Recreation

Should a public park be dedicated on Sakioka Lot 1 or a privately developed, owned and maintained open space be credited against the park dedication requirement, the park development and amenities should reflect the urban character of the area. The Lakes apartment complex (770 units) to the west of the site has very few school aged children (only 12 students attended Newport Mesa Unified School District in the 92/93 school year). Therefore, if a similar high density residential development is proposed on Lot 1, parkland development should be geared primarily to adults. Consideration should also be given to locating the private recreational areas of this planned development in proximity to this park area.

Table 7- Sakioka Lot 1 Density Bonus Program
North Costa Mesa Specific Plan

BASE DENSITY (40.32 ACRES AT 25 UNITS/ACRE)	AFFORDABLE HOUSING CATEGORY[1]		STEP 1 MINIMUM 25% BONUS	STEP 2 (STEP 1 + 25 UNITS)	STEP 3 (STEP 2 + 25 UNITS)	STEP 4 (STEP 3 + 25 UNITS)	STEP 5 (STEP 4 + 25 UNITS)	STEP 6 (STEP 5 + 25 UNITS)	STEP 7 (STEP 6 + 25 UNITS)
1008 UNITS	OPTION 1 VERY LOW INCOME[3]	REQUIRED PERCENT OF BASE DENSITY TO BE AFFORDABLE	10%	10.5%	11%	11.5%	12%	12.5%	13%
		# OF AFFORDABLE UNITS	101 UNITS	106 UNITS	111 UNITS	116 UNITS	121 UNITS	126 UNITS	131 UNITS
	OPTION 2 LOW INCOME [2,4]	REQUIRED PERCENT OF BASE DENSITY TO BE AFFORDABLE	20%	21%	22%	23%	24%	25%	26%
		# OF AFFORDABLE UNITS	202 UNITS	212 UNITS	222 UNITS	232 UNITS	242 UNITS	252 UNITS	262 UNITS
	OPTION 3 LOW & MODERATE INCOME[5]	REQUIRED PERCENT OF BASE DENSITY TO BE AFFORDABLE	10% LOW & 15% MODERATE	11% LOW & 15% MODERATE	12% LOW & 15% MODERATE	13% LOW & 15% MODERATE	14% LOW & 15% MODERATE	15% LOW & 15% MODERATE	16% LOW & 15% MODERATE
		# OF AFFORDABLE UNITS	252 UNITS	262 UNITS	272 UNITS	282 UNITS	292 UNITS	302 UNITS	312 UNITS
DENSITY BONUS			252 UNITS	277 UNITS	302 UNITS	327 UNITS	52 UNITS	377 UNITS	402 UNITS
TOTAL UNITS [6]			1,260	1,285	1,310	1,335	1,360	1,385	1,410
DWELLING UNITS/ACRE			31.25	31.87	32.5	33.1	33.7	34.35	35

NOTES:

1. Very Low, Low, and Moderate determinations are based on HUD definitions and income limits, adjusted for family size.
2. Preservation of the 154 "Low" income units at The Lakes would count toward the Low Income provision of units in Option 2.
3. For each additional ½% increase in Very Low Income units, the density may increase by 25 dwelling units over 1260 units, as illustrated in Steps 2-7.
4. For each additional 1% increase in Low Income units, the density may increase by 25 dwelling units over 1260 units, as illustrated in Steps 2-7.
5. For each additional 1% increase in Low Income units, the density may increase by 25 dwelling units over 12650 units; as illustrated in Steps 2-7. Any increase in the Moderate Income units beyond 15% will not qualify for a density bonus increase.
6. These total units assume that other criteria of the Planned Development Residential Zone have been met regarding density increases.

AREA 8- SAKIOKA LOT 2

Existing Land Uses

This 33 acre area is designated for planned development, including mixed-use, residential, and commercial office development and is currently in agricultural production. Two single family homes are located along Sunflower Avenue. Lot 2 is owned by Roy K. Sakioka & Sons.

General Plan and Zoning

This site is designated Urban Center Commercial by the General Plan and is zoned PDC.

Development Standards and Trip Budget

The development intensity for planned development (i.e. master plans) on Sakioka Lot 2 is limited by the following:

- The trip budget for this site is 1,062 a.m. peak hour trips and 1,407 p.m. peak hour trips. The trip budget shall not be exceeded for any master planned development on Sakioka Lot 2.
- Planned Development Standards of the PDC zone are applicable to the site, unless otherwise indicated in the North Costa Mesa Specific Plan.
- A maximum 1.0 Floor-Area-Ratio applies to nonresidential development. Nonresidential development is also subject to the trip budget limitation, applicable development standards of the PDC zone, and consistency with the General Plan.
- The maximum residential density (dwelling units per acre) is a maximum of 28 dwelling units per acre for the residential component of a mixed-use development (See "Mixed-Use" discussion) or a maximum of 20 dwelling units per acre for an independent residential community including affordable housing (See "Affordable Housing / Density Bonus discussion). An independent residential community is defined as a development in which the site is entirely developed as a residential use and therefore does not include commercial uses on the same site

The projected trip generation for land uses proposed for Sakioka Lot 2 will be based on latest edition of Trip Generation, Institute of Transportation Engineers. The methodology will consider reasonable allowances for trip credits due to internal capture and pass-by trips. Internal capture credit refers to trips for various uses proposed within the parcel that can be accomplished without having to leave the facility.

For example, an office complex could have restaurants and other ancillary uses which may not generate new trips – rather serve tenants within the complex. Other examples include conference room and fitness facilities. Pass-by trips refers to trips that are

already on roadway adjacent to the development and use the facilities. Pass-by trip credits are limited to retail uses.

The credits allowed for internal capture and pass-by trips will be determined by the Transportation Services Manager. The net trip generation after credits will be compared to the trip budget to determine if the proposed development is within the limits prescribed in the North Costa Mesa Specific Plan.

Land Use Compatibility/Integration

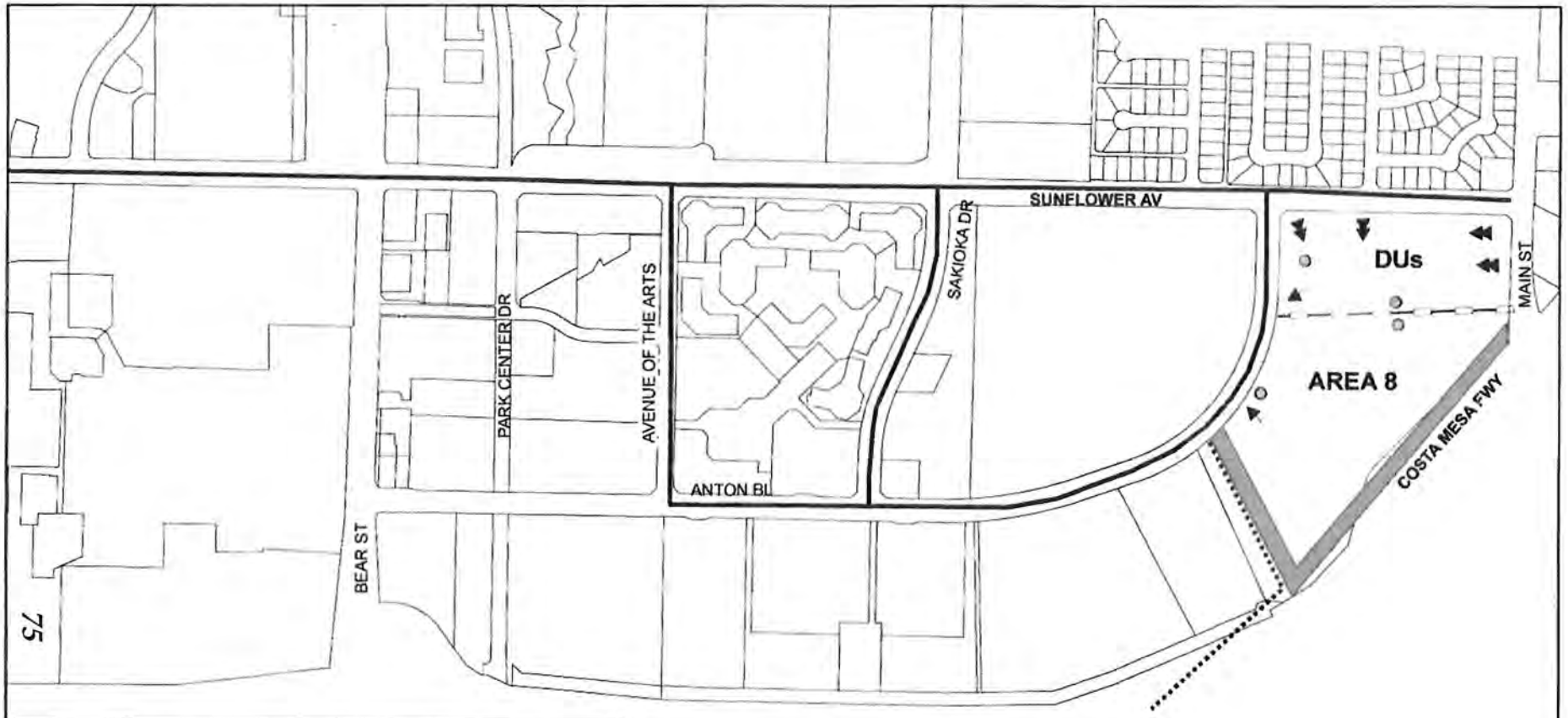
Future development of this site is anticipated to include mid- and high-rise office buildings as well as support commercial. Shade and shadow impacts for buildings in excess of 2 stories should be considered in relation to surrounding land uses. Site design should limit vehicular access to and from Sunflower Avenue.

New commercial and office buildings are encouraged to be located along the Anton frontage. Encroachment into the building setback on Anton Boulevard for commercial or mixed-use developments can be considered based on how well the project design accommodates pedestrians and if the parking areas and/or structures are located behind the commercial or mixed-use building(s). Parking areas shall not be allowed to encroach into the street setback, unless they are tucked under the commercial development. Parking lots/structures should be located primarily along the eastern edge of the site adjacent to the Costa Mesa Freeway and the new on-ramp. Internal pedestrian linkages to Anton Boulevard should be provided.

Mixed-Use

The PDC zoning does permit mixed-use development including residential and nonresidential uses as complementary uses. The residential component of a mixed-use development shall be limited to a maximum density of 28 dwelling units per acre. This maximum density only applies to residential uses as complementary uses to commercial uses within a mixed-use development. It does not apply to an independent residential community that does not include commercial uses on the same site. Total building intensity for the entire site shall not exceed the maximum allowable development intensity as set forth by the trip budgets. For a mixed-use development, the overall mix of uses, including trips from dwelling units, shall be counted together in determining compliance with the trip budgets. The trip budget shall not be exceeded.

The Costa Mesa Freeway, Sunflower Avenue, and Main Street represent significant air quality and noise sources that will impact the siting of residential units and other sensitive land uses. Existing ambient air quality may exceed state and federal levels for carbon monoxide; therefore significant mitigation measures may be required. Acceptable interior and exterior noise levels for residential uses would need to be achieved. An appropriate interface between the office buildings and residential uses would also be required.



LEGEND

- Bikeway
- Freeway Ramp
- Future Collector Street
- DU's Potential Dwelling Units Location
- Project Entry
- Pedestrian Linkage
- Dwelling Unit Orientation

Note: The information provided in graphic form is intended to illustrative and is not intended to be interpreted as the precise location for future land uses or structures, unless so specified in Section 4.0 Development Standards.

AREA 8 - SAKIOKA LOT 2
Development Summary

Total Area - 33 acres
General Plan: Urban Center Commercial
Zoning: PDC

Maximum Intensity: 0.50 FAR - Retail
0.60 FAR - Office

Maximum Square Footage: 863,000 sf
Maximum Density: 20 units per acre
Trip Budget: 1,062 a.m. peak hour trips
1,407 p.m. peak hour trips

Maximum Building Height: 12 stories/180 feet (south of the collector street)
4 stories/60 feet (north of the collector street)
2 stories/30 feet - Commercial uses that are allowed to encroach into the setback for Anton Blvd.

N

Figure 18

Affordable Housing and Density Bonus

If the entire site is developed as an independent residential community with affordable housing, the maximum density shall be 20 dwelling units per acre involving a maximum number of 660 residential units (including any density bonuses, see Table 8).[1] Total building intensity for the entire site shall not exceed the maximum allowable development intensity as set forth by the trip budgets.

The maximum number of dwelling units (including any density bonuses) for Sakioka Lot 2 is 660 units. The maximum base density is 528; in order to be granted a 25% density bonus (132 dwelling units), the developer would have to provide affordable housing pursuant to one of the following three options shown in the following table. All affordable housing provisions shall be for a minimum of 30 years.

Table 8- Sakioka Lot 2 Density Bonus Program

North Costa Mesa Specific Plan

MAXIMUM BASE DENSITY	AFFORDABLE HOUSING CATEGORY[1]		DENSITY BONUS CRITERIA
528 UNITS	OPTION 1 VERY LOW INCOME[1]	REQUIRED PERCENT OF BASE DENSITY TO BE AFFORDABLE	10%
		# OF AFFORDABLE UNITS	53 UNITS
	OPTION 2 LOW INCOME[1]	REQUIRED PERCENT OF BASE DENSITY TO BE AFFORDABLE	20%
		# OF AFFORDABLE UNITS	106 UNITS
	OPTION 3 LOW & MODERATE INCOME[1]	REQUIRED PERCENT OF BASE DENSITY TO BE AFFORDABLE	10% LOW & 15% MODERATE
		# OF AFFORDABLE UNITS	132 UNITS
		25% DENSITY BONUS	132 UNITS
		TOTAL UNITS[2]	660

NOTES:

1. Very Low, Low, and Moderate determinations are based on HUD definitions and income limits, adjusted for family size.
2. The total number of units assumes that other criteria of the Planned Development Commercial Zone have been met regarding density increases.

*The maximum number of units (660) in an independent residential community is based on 33 acres of land and 20 units per acre...

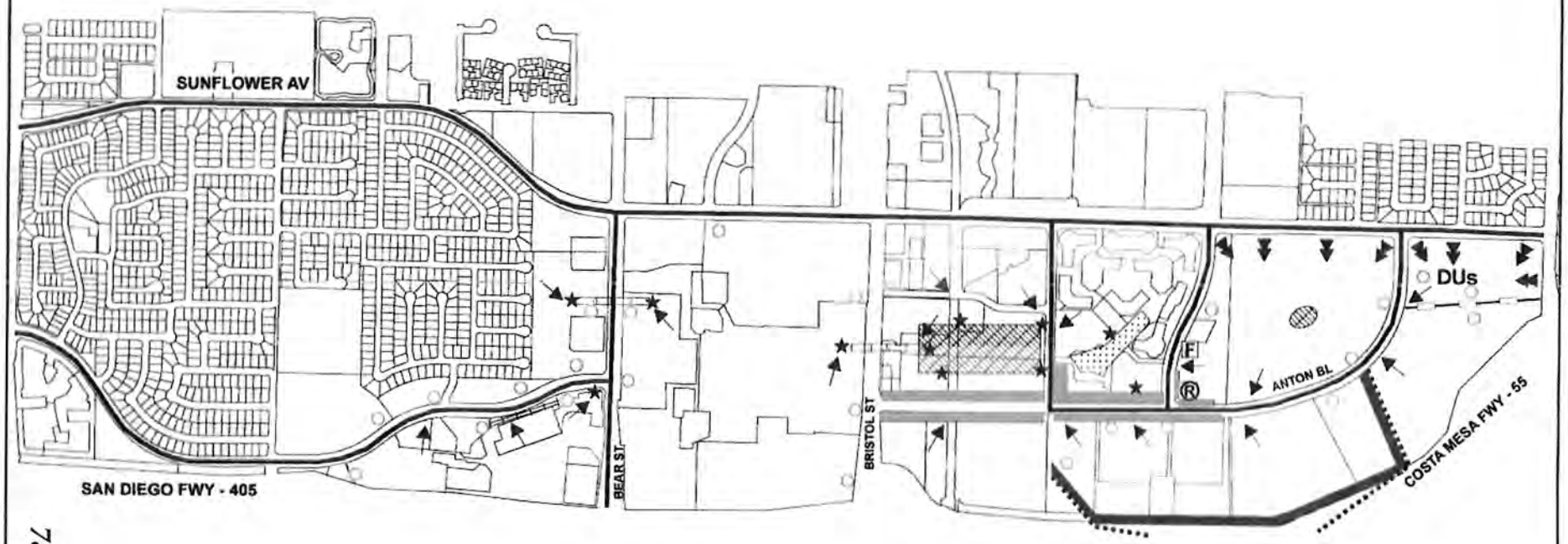
Building Heights

The maximum building height is 180 feet (approximately 12 stories) south of the new collector street and 60 feet (approximately 4 stories) north of the new collector street. Commercial or mixed use developments that are allowed to encroach into the street setback of Anton Boulevard shall be limited to 2 stories/30 feet within the street setback. Buildings above 173 feet in height will require approval by the FAA.

Circulation

The Master Plan of Highways includes a new collector street that connects Main Street and Anton Boulevard through this site. A new I-405 on-ramp from Anton Boulevard is to the south of this site. The Master Plan of Bikeways includes a new bikeway on Sunflower Avenue. As shown on Figure 9, the various alternatives for the urban rail alignment traverse this property and a station is also proposed in the vicinity.

Figure 19 provides an overview of the entire plan area and depicts development standards that can be shown graphically. It should be noted that the information is intended to be illustrative and is not to be interpreted as the precise locations for future land uses or structures.



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LEGEND

- Park/Greenbelt
- Pedestrian Zone
- Buffer Zone
- Lake
- Bikeway
- Freeway Ramp
- Future Collector Street
- Enhanced Pedestrian Walkway
- Pedestrian Overpass
- ® Retail Site (Neighborhood Scale)
- F Metro Fire Station
- Project Entry
- ★ Pedestrian Directional Signage
- Pedestrian Linkage
- Dwelling Unit Orientation

N

Note: Please see Figure 9 for Urban Rail information; Building Height information is contained in Table 2.

Development Standards Summary Figure 19

4.0 DEVELOPMENT STANDARDS

All Properties

1. Should future development plans propose residential land uses, the dwelling units as well as any other sensitive land use (including, but not limited to, day care, open space and recreational facilities) shall be required to comply with the General Plan and zoning ordinance standard of 65 CNEL for the exterior and 45 CNEL for interior areas. An exception is for high-rise residential projects, for which the 65 CNEL standard for exterior areas shall only be applied to common outdoor recreational amenity areas located on the ground level. Recreational amenity areas located above the ground level and private balconies and patios shall be exempt from the 65 CNEL exterior standard. Mitigation measures may be used in order to achieve these noise levels.
2. New development proposals that are adjacent to any freeway, on- or off-ramp, and /or major street shall include an environmental analysis of the existing and future air quality impacts to on-site land uses from these sources; appropriate mitigation measures for on-site land uses shall also be identified.
3. Shade/shadow impacts of buildings in excess of 2 stories to surrounding land uses shall be considered during project review.
4. Planned development projects that include a residential component shall analyze the interface and compatibility between residential and nonresidential uses that are included as part of the project or on separate properties.
5. A mix of service-oriented retail uses (i.e banks, restaurants, business services, health clubs, etc.) that are easily accessible to pedestrians in large scale office developments is encouraged.
6. The provision of local child care facilities in large scale commercial and/or mixed use developments is encouraged.
7. Future development of the properties designated as Urban Center Commercial, Cultural Arts Center, and Regional Commercial by the Land Use Element of the General Plan and Segerstrom Home Ranch (Area 1) shall be controlled by the trip budget provisions described in Section 2.0 and specified in Section 3.0.
8. Outdoor storage on any nonresidential property in the plan area shall meet with the requirements pertaining to outdoor storage as noted in the Municipal Code under the property's zoning designation. In addition to the requirements stated, the following criteria shall be met:
   (a) Storage screening shall be of masonry or other solid, non-wood material or material(s) consistent with building materials used for the main structures on the subject site. Materials used shall incorporate design elements or features of the main structures on the property.

(b) Landscaping shall be required to soften screening hardscape when a storage area can be seen from a public street or from a residential property. Landscaping shall meet with the approval of the Planning Division.

(c) Screening consisting of chain link fencing with wood or other material-type slats woven between the links shall be prohibited.

9. Parking structures that are visible from public streets and/or residential areas shall be landscaped in such a manner as to provide visual relief to the surrounding areas without compromising the security of the parking structure.

10. Lighting for parking structures and lots shall be directed away and/or shielded from adjacent residential areas where applicable.

11. In conjunction with site development plans, appropriate environmental documentation shall be conducted in respect to the effect on the site from surrounding industrial uses and previous agricultural activities, where applicable.

12. Building heights shall be limited to the maximum height shown in Table 2 of this Specific Plan.

13. New development shall minimize direct access to the streets shown on the Master Plan of Highways.

14. New development shall provide linkages to the public sidewalk system where appropriate. In the Urban Center Commercial areas, pedestrian walkways should be aligned with the pedestrian walkways in adjacent developments to promote walking.

15. Site design for new development shall include bikeway linkages to the Master Plan of Bikeways where appropriate.

16. Investigate the feasibility of establishing mid-day shuttle services within the plan area to reduce daily vehicle trips.

17. Continue to monitor progress of future transitway projects for impacts on developments within the plan area.

18. A portion of the common open space in new planned residential developments should be located in proximity to public park areas, where feasible.

19. The City, in conjunction with the major landholders, shall conduct a study regarding pedestrian-oriented directional signage for the plan area. Key areas for signage include South Coast Metro Center, The Lakes, South Coast Plaza Town Center, South Coast Plaza, Crystal Court, and Metro Pointe. The study will address location, scale, design, timing, and funding of the signage.

19a. In conjunction with high-rise residential projects, private on-site recreational amenities shall be provided to serve the high-rise residents. These amenities may be located on the ground level, roof top, and/or on a podium.

Area 1- Home Ranch

20. Promote the preservation of the Segerstrom family house and barn in its current location by allowing the development potential of the site to be transferred to the adjacent Commercial Center area. At such time the development potential transfer occurs, amend the General Plan to an appropriate land use designation and record a land use restriction for the property, which recognizes the long-term preservation of these buildings as historical/cultural resources. Ownership of the property could remain with the Segerstrom family until such time they wished to sell the property, at which time the City and other public or non-profit agencies would be given first right of refusal in obtaining the property.

21. All buildings should be set back from the historical preservation area so as to not visually encroach into this area. Buffering could include walls/fencing, landscaping, and/or parking areas.

22. Consideration should be given to physically linking the industrial park to the historical preservation area with pedestrian paths.

23. Future development plans and environmental analyses for Home Ranch shall include an analysis regarding the future fire station in the North Harbor area; i.e.; location and timing of construction. Joint use with surrounding Central Net cities should also be considered in order to defray the costs of an additional fire station. A study could also reexamine the need/demand for the seventh station.

23A. Future development in Sub-area B shall be limited to high quality office, office-related uses, and corporate office/headquarters with subsidiary support functions that may include research and design, minor assembly, light manufacturing, and storage. Retail uses shall be limited to those that are ancillary to the office development.

23B. In Building Height Area 1 adjacent to Fairview Road, the City of Costa Mesa shall require a shade/shadow analysis for any building proposed to exceed 30 feet in height in order to ensure that building's shade or shadow does not extend beyond the project site or public rights-of-way.

23C. In conjunction with the review and approval of any master plan for the areas containing the four-story industrial/office park buildings (and parking structures, as appropriate) north of South Coast Drive and west of Susan Street, the three-story townhomes (south of Sunflower Avenue and east of Susan Street), and the five-story office buildings (and parking structures, as appropriate) south of South Coast Drive and west of Fairview Road, the following provisions shall be applied:

1. Provision of sufficient setbacks between buildings and Sunflower Avenue, Susan Street, South Coast Drive, Fairview Road, adjacent to the I-405, and from other buildings to ensure that buildings do not create a "canyon effect".
2. Use of low-reflective materials on buildings and parking structures that do not promote glare.

3. Provision for architectural design, hardscape features, and landscaping in open space areas, in surface parking areas, or on parking structures that reflect a consistent design theme.

23D. In order to maximize the amount of open space, permeable surfaces, and landscaping within Sub-area B, the site design shall consider the use of parking structures, increasing the number of building stories (while complying with the building height limits), and other design techniques.

Area 2-Metro Pointe

24. Should the development agreement be abandoned for Metro Pointe, future development shall comply with the provisions of the General Plan, this specific plan, and all other applicable planning documents, City policies and ordinances.

25. Internal pedestrian paths shall connect with the public sidewalks on South Coast Drive. Buildings along South Coast Drive shall be designed and oriented toward those pedestrian facilities.

26. The public sidewalk design along South Coast Drive shall be enhanced as it approaches Bear Street. This could include wider, tree-lined sidewalks. Pedestrian-oriented directional signage shall be added at the corner of South Coast Drive and Bear Street.

27. The future commercial development in Phase 4 should be physically linked to the pedestrian paths.

28. Should Phase 4 be developed as residential, the maximum number of units (including affordable housing) shall be 140. Density bonuses for affordable housing shall be allocated in conformance with the standards indicated in Table 5 of this Specific Plan. All affordable housing provisions shall be for a minimum of 30 years.

Area 3-South Coast Plaza and Crystal Court

29. Further expansion of South Coast Plaza shall be of a scale and character that is compatible with the existing development, and should be physically linked to the shopping mall.

30. A pedestrian bridge connecting Crystal Court and South Coast Plaza across Bear Street should be given consideration in conjunction with expansion plans for South Coast Plaza.

31. Pedestrian oriented directional signage is encouraged to be placed at both ends of the existing pedestrian bridge and second pedestrian bridge upon its construction.

32. The City, in cooperation with the major landholders in the plan area, shall initiate a detailed local urban rail transit study to determine the most appropriate route alignment and station locations within the plan area.

33. Site development plans for Sakioka Farms Lot 2 or South Coast Plaza that proceed prior to the finalization of the urban rail concept shall include an analysis of the best available information regarding route and station location.

34. The City shall consider the need for new park-n-ride and/or transfer stations to support the urban rail transit system in the review of future developments adjacent to the proposed system.

Area 4-South Coast Plaza Town Center

35. Future development shall be consistent with and complementary to the surrounding land uses, and linked physically by sidewalks, pedestrian walkways and/or open space.

36. Street level and pedestrian appeal shall be taken into account during site design.

37. Directional signage for pedestrians is encouraged to be added within the existing 3 acre open space easement in Town Center. Signage should be placed at key entry points, particularly adjacent to the hotel(s), to guide pedestrians to the various attractions.

38. A Theater and Arts District (TAD) Plan shall be established in conjunction with the development of Town Center. The TAD plan shall be incorporated into the North Costa Mesa Specific Plan, and shall include development guidelines and standards for lighting, public art, street furniture, signage, landscaping, pedestrian and vehicle circulation, pedestrian and vehicular streetscapes, as well as an implementation plan. Entry and monument signs, display banners, and other signs identifying the Theatre and Arts District shall conform to the regulations in the TAD Plan. The name of the Theatre and Arts District shall prominently include the name of the City. The TAD plan shall be submitted to the City for review and approval within 18 months of the approval of the SCPTC preliminary master plan. The plan will also address hours of operation, public access, and parking fee restrictions for SCPTC parking structures for patrons of the cultural arts facilities, and alternative financing mechanisms for public street amenities.

38A. Prior to any final master plan approval, a parking study shall be submitted and approved by the City that demonstrates the provision of sufficient parking for each project component. Consistent with the historical analysis of parking demand for this project, the parking study will examine the South Coast Plaza Town Center as a single project for calculating parking demand. Specifically, parking need not be located on the same parcel as the building for which it is required; all parking facilities are to be available to employees and visitors of all South Coast Plaza Town Center uses. Persons who are residents of the City of Costa Mesa attending a cultural arts venue during evenings (after 6 p.m.) or on weekends shall be provided a discount of fifty percent (50%) off the price for parking otherwise applicable to the general public.

38B. In conjunction with the final master plan for any high-rise residential development, consideration may be given to the feasibility of valet parking, tandem parking, and mechanical lift parking devices in order to fully meet the residential parking demands. The final master plan will establish an appropriate parking rate within the range of 1.5 to 2.0 tenant parking spaces per unit and 0.5 guest parking spaces per unit for the first 50 units and 0.25 guest parking spaces per unit for every unit above 50.

39. The major open space features of the SCP Town Center and The Lakes shall remain as permanent open space.

40. Appropriate measures should be taken to permanently secure the existing open space easement in South Coast Plaza Town Center. "The California Scenario" sculpture garden shall be preserved and maintained substantially in accordance with its existing configurations and function, commencing with the approval of GP-00-02 and continuing for the useful life of the existing office buildings adjacent to the garden. Any proposed changes to the sculpture garden shall require an amendment to the South Coast Plaza Town Center Master Plan, and the amendment shall require City Council review and approval. Prior to any final master plan approval for Two Town Center/Downey Savings, a declaration of land use restriction for the sculpture garden shall be submitted to the City of Costa Mesa, the City's approval shall be obtained, and the land use restriction shall be recorded by the Orange County Clerk-Recorder.

Also see #32 and #34.

Area 5-The Lakes

41. Future redevelopment of the retail portion of this property should be oriented to pedestrian traffic on Avenue of the Arts and Anton Boulevard while maintaining internal pedestrian linkages to other developments in the block. Pedestrian-oriented directional signage is encouraged to be located in proximity to the hotels.

41A. In the event of voluntary demolition of an existing building on a single parcel in The Lakes, the property owner may be allowed to redevelop either up to the General Plan intensity level for the land use designation or up to the pre-existing development level, whichever is less.

See also #32, #34, #38B, and #39.

Area 6- South Coast Metro Center

42. New commercial and office buildings are encouraged to be located along the Anton Boulevard frontage.

43. Encroachment into the building setback area may be allowed on Anton Boulevard for pedestrian-serving commercial or mixed-use building(s). Parking areas shall not be allowed to encroach into the street setback, unless it is tucked under the commercial or mixed-use building(s).

44. The internal pedestrian paths shall be conveniently linked to Anton Boulevard, and pedestrian-oriented directional signage is encouraged to be located along Anton Boulevard.

45. Parking lots/structures shall be located along the southern, western, and eastern edges of the site adjacent to the I-405 and on and off ramps, and not adjacent to Anton Boulevard.

46. Reserved.

47. Reserved.

Also see #32, #34, and #38B.

Area 7-Sakioka Lot 1

48. Future residents shall be made aware of the fire station and the nearby heliport through either rental or lease agreements for rental units or seller disclosures for for-sale units.

49. Open space, recreational uses and/or parking areas should be located adjacent to the fire station to serve as a buffer.

50. Residential buildings should be oriented away from Sunflower Avenue to the maximum degree possible.

51. Internal pedestrian access to Anton Boulevard and Sakioka Drive should be provided; although mid-block crossings of Sakioka Drive are to be discouraged.

52. Neighborhood commercial uses considered for this property are encouraged to be located at the intersection of Sakioka Drive and Anton Boulevard and be easily assessable to pedestrians. Encroachment into the building setback areas on both street frontages for commercial and mixed-use developments may be allowed based on how well the project design accommodates pedestrians and if the parking areas and/or structures are located behind the retail or mixed-use buildings. Parking areas shall not be allowed to encroach into the street setback, unless they are tucked under the retail or mixed-use development.

53. Commercial components of a mixed-use development shall be limited to the first two stories of any building.

54. If Sakioka Lot 1 is developed as a mixed-use development, each 1,000 square feet of commercial development shall result in one less market rate dwelling unit subtracted from the total number of dwelling units allowed on the site, including any density bonuses for affordable units.

55. Any development proposal that includes a commercial component shall require a traffic analysis to ensure that the affected circulation system will continue to operate pursuant to General Plan standards, both at the time of project completion and at build-out of the General Plan.

56. Density bonuses for Sakioka Lot 1 shall be allocated in conformance with the standards indicated in Table 7 of this Specific Plan. All affordable housing provisions shall be for a minimum of 30 years.

57. Preservation of the 154 Low Income units at The Lakes for an additional 30 years beyond 1997 shall be counted towards the Low Income unit requirements for Sakioka Lot 1, pursuant to Option 2 in Table 7.

58. Development of Sakioka Farms Lot 1 for residential uses shall include dedication of a 5-acre public neighborhood park or a privately developed, owned and maintained open space that is credited to the park dedication requirement

pursuant to the Park and Recreation Dedication Article of the Costa Mesa Municipal Code.

Also #32 and #34.

Area 8-Sakioka Lot 2

59. Parking lots/structures should be located along the eastern edge of the site adjacent to the Costa Mesa Freeway and the new on-ramp, not adjacent to Anton Boulevard.

60. If a residential component is considered for this site, it is encouraged to be located between the new collector and Sunflower Avenue; residential buildings shall be oriented away from Sakioka Drive and Main Street to the maximum degree possible.

61. Density bonuses for Sakioka Lot 2 shall be allocated in conformance with the standards indicated in Table 8 of this Specific Plan. All affordable housing provisions shall be for a minimum of 30 years.

Also see #31, #32, #34, #42 and #43.

5.0 IMPLEMENTATION

Implementation of this plan is dependent on a variety of factors. Private development is driven by market forces over which the City does not have direct control; but the larger developments will require certain public improvements to be in place prior to occupancy. There are a variety of financing options available to fund the public improvements. A brief description of the funding mechanisms is provided below:

Development Impact Fees: Under the provisions of Government Code Section 66000 et. seq., the City has the ability to adopt development impact fees for public improvements where there is a direct correlation between the new construction and the need for the public improvement. New construction can not be required to fund the cost of remedying existing deficiencies.

The City currently has established this type of impact fee for funding circulation improvements citywide and fire protection facilities and equipment in North Costa Mesa.

Community Facilities District: The Mello-Roos Community Facilities Act enacted in 1982 established a method by which local governments could fund public facilities and services. The Act provides that cities, counties, and special districts may form a community facilities district, over a specific area in their jurisdiction. A community facilities district is a special financing entity through which a local government is authorized to levy special taxes by a two-thirds vote of the qualified electors of such a district.

Such a district has been established for the Plaza Tower (600 Anton Boulevard) to fund circulation improvements.

Park and Recreation Dedication: Pursuant to Government Code Section 66410 et. seq., the City has adopted a park dedication requirement for all subdividers of residential property. In instances where the subdivision contains fifty or fewer parcels or units or where there is no public park or recreation facility required within the subdivision, the developer is assessed an "in-lieu" fee instead of the land dedication.

Congestion Management Program (CMP): In June 1990, the voters of the state approved an increase in the gas tax; cities are entitled to a subvention of $4.84 per person to fund local transportation projects.

Measure M: In November 1990, Orange County voters approved a ½ percent sales tax increase to fund transportation projects in Orange County. Approximately 3.1 billion dollars is expected to be generated from Measure M over the next 20 years.

Arterial Highway Financing Program (AHFP): This program was established in 1958 for implementing the Master Plan of Highways in Orange County. This program assists Orange County cities with the funding of their regional transportation facilities; i.e., facilities shown on the County's master plan. The County annually sets aside a portion of its Highway Users Gas Tax funds for rehabilitation projects on arterials within eligible cities.

Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991: This act established federal funding for transportation projects with a funding administration that is based on more local control. Based on the requirements in ISTEA, the Orange County Transportation Agency will be responsible for the implementation of the Surface Transportation Program (STP) and Congestion Mitigation/Air Quality (CMAQ) programs of ISTEA.

State-Local Partnership: This program is a continuous program which provides state funds for local entities on highways and exclusive mass transit guide way projects for transportation improvements.

Regional State Transportation Program: This federal program provides funding for interchange projects; the program provides 88 percent funding while the local match is 12 percent.

Transportation Corridor Agencies: These agencies will share the cost of SR-73/I-405/SR-55 confluence improvements as part of the San Joaquin Hills Transportation Corridor. Specific projects to be funded include improvements to the I-405 freeway westerly of Fairview, improvements to SR-73 from the I-405 to Birch Street and the missing SR-55/SR-73 connector ramps.

Table 9 lists the various public improvements that are required for the plan area, the anticipated construction timeframe, the costs, and possible financing mechanisms. Table 9 also indicates that the City has been active in pursuing a variety of regional, state, and federal funds for the construction of transportation facilities. The funding mechanisms shown in the table are not intended to be an exhaustive list, and the ultimate funding method chosen shall be subject to review and approval. This in turn relieves a portion of the financial responsibility of the city and/or development community in funding these improvements.

Table 9- Public Improvement Implementation Schedule
North Costa Mesa Specific Plan

PUBLIC IMPROVEMENT	CONSTRUCTION TIME FRAME	ESTIMATED COST	POTENTIAL FINANCING METHODS
North Harbor Fire Station	Contingent on the development of Home Ranch	$2,350,000	Developer Impact Fees; Community Facilities Districts
Neighborhood Park-5 acres	Contingent on the development of Sakioka Lot 1	$600,000	Dedication requirements and/or in-lieu fees
Circulation Improvements			
Bristol Street and Sunflower Avenue	1993/1994 ***Completed***	$550,000	Measure M
Sakioka Drive and Sunflower Avenue	Contingent on the development of South Coast Metro Center and Sakioka Lot 1	$229,000	Trip Fees
Anton Boulevard and Sunflower Avenue	Contingent on the development of South Coast Metro Center and Sakioka Lot 1	$205,000	Trip Fees
Bristol Street and Town Center Drive	***2000-2003***	$515,000	Measure M; Trip Fees;
Bristol Street and the I-405 NB and SB ramps	1995/1996 ***Completed***	$4,289,299	Trip Fees, Measure M, Congestion Management Program, State Local Partnership, Regional State Transportation Program
Harbor Boulevard and Sunflower Avenue	***2002-2004***	$700,000	Trip Fees; Measure M;
Fairview Road and Sunflower Avenue	***2001-2003***	$597,000	Trip Fees; Measure M,
Harbor Boulevard and South Coast Drive; Harbor Boulevard and I-405 NB ramps; Harbor Boulevard and I-405 SB ramps	1993-1996 ***Completed by March 1998***	$2,191,100	State Local Partnership; Regional State Transportation Program; Trip Fees; Measure M
Fairview Road and I-405 NB off-ramp	1993-1994 ***Completed***	$791,666	State Local Partnership; Regional State Transportation Program; Trip Fees; Measure M
Fairview Road and I-405 SB off-ramps	1993-1994 ***Completed***	$434,849	State Local Partnership; Regional State Transportation Program; Trip Fees
I-405 NB on-ramps and South Coast Drive/Hyland Avenue	1995-2000 ***2000-2002***	$3,109,895	Trip Fees; Measure M;

Table 9- Public Improvement Implementation Schedule
North Costa Mesa Specific Plan

PUBLIC IMPROVEMENT	CONSTRUCTION TIME FRAME	ESTIMATED COST	POTENTIAL FINANCING METHODS
Susan Street and South Coast Drive	In conjunction with development of the northern portion of Home Ranch ***Completed***	$864,828	Developer Responsibility
Harbor and MacArthur	1998	$550,000	Measure M
I-405 NB off-ramp and South Coast Drive	1993-1994 ***Completed***	$1,962,749	Regional State Transportation Program; Trip Fees; State Local Partnership
Anton Boulevard, Sunflower to Park Center	Contingent on the development of South Coast Metro Pointe and Sakioka Lot 1	$10,000	Trip Fees
Sunflower Avenue, Harbor to Susan	***1998 - 1999***	$956,425	Trip Fees; *General Fund*
Main Street, Sunflower to 55 Freeway	Currently in progress ***Completed***	--	To be constructed and funded by the City of Irvine
I-405/NB Avenue of the Arts off-ramp	1995-1998 ***2000 - 2002***	$2,458,020	Trip Fees; Orange County Transportation Authority; Measure M
I-405/Anton Boulevard on-ramp	1996-1998 ***2000 - 2002***	$6,816,532	Trip Fees; Measure M; *OCTA*
Bristol Street/I-405 Bridge Improvement	1993-1996	$2,089,435	Trip Fees; Measure M
NB I-405 Bristol Street off-ramp SB SR-55 to NB I-405 Connector	1995-1998 ***2000 - 2002***	22,075,707	Measure M; *OCTA, Trip Fees*
SB I-405/Bristol on-ramp/SR55 Connector Braid	1995-1998	$15,845,009	Measure M; Regional State Transportation Program;
I-405 SB widening-Harbor off-ramp to Harbor on-ramp	1995-1997 ***2000 - 2002***	$4,769,792	Measure M; Transportation Corridor Agencies; *Caltrans*
I-405 SB widening - Fairview to Bristol St.	1996-1998 ***2000 - 2002***	$618,726	Measure M; Transportation Corridor Agencies; *Caltrans*
I-405 NB widening.- Bristol to Fairview	1996-1998 ***2000 - 2002***	$4,359,684	Measure M; Transportation Corridor Agencies; *Caltrans*
NB I-405 Fairview off-ramp to SR-73 connector	1996-1998 ***2000 - 2002***	$611,032	Measure M; Transportation Corridor Agencies; *Caltrans*
I-405 NB widening - SR-73 to Harbor Blvd.	1996-1998 ***2000 - 2002***	$741,160	Measure M; Transportation Corridor Agencies; *Caltrans*
Widen SB I-405 Harbor Boulevard to Fairview Road	1996-1998 ***2000 - 2002***	$2,149,926	Measure M; Transportation Corridor Agencies; *Caltrans*
I-405 NB widening - Fairview Road to Harbor Boulevard	1996-1998 ***2000 - 2002***	12,535,562	Measure M; Transportation Corridor Agencies; *Caltrans*

APPENDIX A

NOISE ESTIMATES

Appendix A- EXTERIOR NOISE EXPOSURE ADJACENT TO STREETS North Costa Mesa Specific Plan				
	DISTANCE TO CNEL CONTOUR (in feet) [1]			
STREET	2000 70 CNEL	POST 2020 70 CNEL	2000 65 CNEL	POST 2020 65 CNEL
Sunflower Avenue				
West of Bear St.	49	50	105	108
East of Bear St.	72	85	156	183
East of Bristol St.	72	67	156	145
East of Anton Blvd.	72	94	156	202
South Coast Drive				
East of Fairview Rd.	48	41	87	91
Harbor Boulevard				
North of I-405	121	126	261	272
North of So. Coast Dr.	112	117	241	253
Fairview Road				
North of I-405	112	130	241	280
Bear Street				
South of Sunflower Av.	65	62	141	163
Bristol Street				
North of the I-405	111	130	238	280
South of Sunflower	107	117	230	252
I-405 Freeway				
West of Harbor Blvd.	489	570	1053	1228
East of Harbor Blvd.	480	570	1034	1228
West of Bristol St.	491	524	1059	1129
East of Bristol St.	509	544	1059	1171
East of SR-55	512	577	1103	1243
SR-55 Freeway				
North of the I-405	484	527	1000	1136

1. All distances are measured from the centerline. R/W means the contour falls within the right-of-way (R/W).

* See 2000 General Plan technical appendices for more detailed CNEL contour information.

APPENDIX B

PARKS AND RECREATION

APPENDIX B

PARKS AND RECREATION

Planning Area 5, as defined in the City's draft Parks, Recreation and Open Space Master Plan (January 1996), is the entire area of the City that is located north of the I-405. Although the boundaries of the plan area do not coincide directly with Planning Area 5, the information is relevant since all the vacant residential acreage is included in the plan area. The following data has been compiled on the plan area:

Population:	5,069
Public Park Acreage Required:	4.31
Public Park Acreage Provided:	13.27
Surplus:	8.96

The park acreage only includes public parks. Although the plan area currently has surplus park acreage, the area is due to receive the highest population growth upon build-out of the City. Therefore, future provision of park acreage will be required.
The Study also examines future parkland needs of Sakioka Lot 1 and Home Ranch. The following information and conclusions are provided from that analysis:

SAKIOKA LOT 1

Available Area: 40.3 Acres

Potential Facilities: The development of the one Sakioka property which is designated for residential development will generate the dedication requirement of 12.4 acres (based on 2,920 residents and 1411 dwelling units). As this part of the city lacks in neighborhood parks, the City should require at least 5 acres to be developed as a public neighborhood park and the remaining requirement to be provided through in-lieu fees. These fees could be used for park improvements needed in the City's existing parks. The Study notes that 12.4 acres is not sufficient to develop an isolated active recreation facility of a community-wide scale and the purchase of 27.6 additional acres to meet the minimum 40-acre requirement for such a facility is not financially feasible.

HOME RANCH

Site: Segerstrom Home Ranch

Available Area: 95 Acres

Potential Facilities: As the Segerstrom property lies within the service area of Wimbledon Park, its neighborhood park needs will already be served. The City should accept in-lieu fees from the development of this property, as 2.79 acres is not sufficient acreage to develop any active recreation facilities.

Improvement Costs: None

Acquisition Costs: 317 units planned x 2.07 person per unit = 656 persons; 656 persons @ 4.26 ac/1,000 = approx. **2.79 acres.**

There are three approaches the City could take to the acreage dedication requirement of this site:

-The City could accept the 2.79 acres and purchase an additional 37.21 acres to meet the minimum 40-acre requirement for full recreation facilities.

-The City could require the development of a 2.79-acre neighborhood park to serve the new residents.

-As this portion of town is already sufficiently served by neighborhood parks, the City could accept in-lieu fees in replacement for parkland dedication.

Zoning: PDI and PDR-MD

General Plan Land Use Designation: Medium Density Residential and Industrial Park.

Location Suitability: This site would be difficult to include in the planning of a community sports complex as access would be difficult for community members in southern Costa Mesa. These residents have already voiced concern about the lack of accessibility to existing facilities. In addition, the location may tend to attract more people from surrounding communities north of Costa Mesa than from the City itself.

In conjunction with the adoption of GP-00-05, the land use designations for Segerstrom Home Ranch were amended to a combination of Commercial Center, Industrial Park, and Medium Density Residential. The maximum number of residential units anticipated was reduced to 192 units. The conclusion of this master plan stated above remains unchanged.

APPENDIX C

GENERAL PLAN POLICIES

The following 2000 General Plan policies are relevant to the North Costa Mesa plan area. This list, however, should not be viewed as exhaustive and other General Plan policies may also be applicable to development in the plan area.

LU-1A.1
Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community.

LU-1A.3
Locate high intensity developments or high traffic generating uses away from low density residential in order to buffer the more sensitive land uses from the potentially adverse impacts of the more intense development or uses.

LU-1A.5

Provide housing and employment opportunities within planned development areas to the extent feasible.

LU-1B.1

Permit adequate quantities and locations of commercial land to serve residential neighborhoods.

LU-2A.4

In the event of damage or destruction, allow any legal conforming use in existence at the time of adoption of the 1990 General Plan in a nonconforming development to be rebuilt to its original building intensity, as long as any such rebuilding would not increase the development's nonconformity, and the damage or destruction was in no way brought about by intentional acts of any owner of such use.

LU-1C.1

Permit the construction of buildings over two stories or 30 feet only when it can be shown that the construction of such structures will not adversely impact surrounding developments and deprive existing land uses of adequate light, air, privacy, and solar access.

LU-1C.3
Prohibit construction of buildings which would present a hazard to air navigation as determined by the FAA.

LU-1E.1
Building densities/intensities for proposed new development projects shall not exceed the trip budget for applicable land use classifications, as identified in the Land Use Element. Building intensities for proposed new development projects shall not exceed the applicable floor area ratio standards, except for the following conditions:

(a) Limited deviations from the graduated floor area ratio standards depicted in

Tables 61 and 62 for the commercial and industrial land use designations may be approved through a discretionary review process. No deviation shall exceed a 0.05 increase in the FAR in the moderate traffic category, and no deviation shall be allowed for the very low, low, and high traffic categories. Deviations from the FAR standards shall not cause the daily trip generation for the property to be exceeded when compared to the existing daily trip generation for the site without the proposed project or maximum allowable traffic generation for the Moderate Traffic FAR category, whichever is greater.

(b) Additions to existing nonconforming nonresidential developments may be allowed if the additions do not affect the overall traffic generation characteristics of the development, and, if the additions do not substantially affect the existing height and bulk of the development. Additions to nonresidential developments shall be limited to those land uses with traffic generation rates based on variables other than building area square footage. Examples of such additions include, but are not limited to: 1) Hotels/Motels: increases in the size of hotel rooms or lobbies where no increase in the total number of rooms is proposed; 2) Theaters: increases to "back-stage" support areas or lobbies where no increase in the total number of seats is proposed.

(c) In the above conditions, the new development shall be compatible with surrounding land uses. Additional criteria for approving deviations from the FAR standards may be established by policy of the City Council.

LU-1E.2

Development Phasing Plans shall be required for all discretionary land use entitlement and approvals and shall be approved by the Planning and Transportation Services Divisions prior to the issuance of building permits.

LU-1E.3

Development Phasing Plans shall include an overall buildout plan which can demonstrate the ability of the circulation system to support the proposed level of development.

CIR-1A.1

Develop the City's Master Plan of Bikeways by pursuing funding mechanisms and incorporating roadway widening projects into the design and development of all new commercial and industrial projects and public facilities.

CIR-1A.2

Require dedication of right-of-way in an equitable manner for completion of adopted bikeway system as condition of development of adjacent properties.

CIR-1A.3

Coordinate the design and improvement of pedestrian and bicycle ways with major residential, shopping, and employment centers, parks, schools, other public facilities, public transportation facilities, and bicycle networks in adjacent cities.

CIR-1A.6

Require dedication of right-of-way, in an equitable manner, for development that increases the intensity of land use.

CIR-1A.8

Encourage the integration of compatible land uses and housing into major development projects to reduce vehicle use.

CIR-1A.9

Encourage permitted General Plan land uses permitted by the General Plan which generate high traffic volumes to be located near major transportation corridors and public transit facilities to minimize vehicle use, congestion, and delay.

CIR-1A.16

Maintain balance between land use and circulation systems by phasing new development to levels which can be accommodated by roadways existing or planned to exist at the time of completion of each phase of the project.

CIR-2C.1

Support efforts to design and construct an urban rail project as it extends through Costa Mesa.

CIR-2D.1

Circulation improvements required to provide or attain the established traffic level of service standard at an intersection to which a development project contributes measurable traffic shall be completed within three years of issuance of the first building permit for said project, unless additional right-of-way or coordination with other government agencies is required to complete the improvement. Improvements may be required sooner if, because of extraordinary traffic generation characteristics of the project or extraordinary impacts to the surrounding circulation system, such improvements are necessary to prevent significant adverse impacts.

CIR-2D.2

Construction of circulation improvements for phased development projects may be constructed commensurate with the project construction based upon the findings of a traffic study approved by the City of Costa Mesa.

GM-1A.4

Every new development project shall pay its share of costs associated with the mitigation of project generated impacts, including regional traffic mitigation.

HOU-2.2

Provide incentives (i.e., density bonus units, fee reductions, exemption from development or processing fees, fast-tracking, etc.) to developers of residential projects who agree to provide the specified percentage of units mandated by State law at a cost affordable to very low- and/or low-income households.

HOU-2.2a

Provide incentive bonus units to encourage the redevelopment of residential units that are nonconforming in terms of density. The incentive shall be limited to the multiple family residential land use designations. The density incentive shall be limited to an increase of 25% above Medium Density or an increase of 50% above High Density. In no case shall the resulting number of units exceed the existing number of units on each site.

HOU-2.7

Recognizing the effect of supply and demand on prices for housing and other commodities and encourage development of residential uses on vacant parcels where appropriate.

HOU-3.2

Provide opportunities for the development of well planned and designed projects which, through vertical or horizontal integration, provide for the development of compatible residential, commercial, industrial, institutional, or public uses within a single project or neighborhood.

N-1A.5

Ensure that appropriate site design measures are incorporated into residential developments, when required by an acoustical study, to obtain appropriate exterior and interior noise levels. When necessary, require field testing at the time of project completion to demonstrate compliance.

N-1A.6

Apply the standards contained in Title 24 of the California Administrative Code as applicable to the construction of all new dwelling units.

OSR-1A.3

Encourage the acquisition of land for neighborhood or community parks for active recreational use.

OSR-1A.5

Encourage, through development rights transfers or other incentives, the development of private permanent open space, and recreation facilities to meet the needs of the City's residents.

OSR-1A.6.

Encourage, through open space easements, development rights transfers or acquisition, zoning regulations, or other incentives, the long-term maintenance of existing open space lands.

OSR-1A.7

Require, through development standards and planned development review criteria, the integration of open space uses (plazas, courtyards, landscaped areas, etc.) into major commercial and industrial development or redevelopment projects.

OSR-1A-8

Continue to require, through development standards, the integration of open space and recreational uses and facilities into all multiple-family residential projects.

HCR-1A.5

Promote the preservation of significant historical resources and encourage other public agencies or private organizations to assist in the purchase and/or relocation of sites, buildings, and structures deemed to be of historical significance.

SP-79-01A3

PLACENTIA/HAMILTON/POMONA/19TH
Specific Plan

Adopted May 21, 1979 (SP-79-01)
(City Council Resolution No. 79-61)

Amended July 18, 1988 (SP-79-01A2)
(City Council Ordinance No. 88-8)

Amended July 28,1993 (SP-79-01A3)
(City Council Resolution No. 93-63)

I. INTRODUCTION

Specific Plan SP-79-01 has been initiated by the Costa Mesa City Council to guide the future development of the area bound by Placentia Avenue, Hamilton Street, Pomona Avenue, and 19th Street. Within this 75 acres are a mixture of residential, industrial, commercial, and institutional uses. The directive for a Specific Plan came as a result of a residential rezone study conducted in 1977. This rezone study concluded that a majority of the properties in the study area should be rezoned to R2 and that a Specific Plan should be prepared to correct public improvement deficiencies and to consider higher density zoning in the area.

II. AUTHORITY AND SCOPE

Section 65450 of the Government Code enables local governments to adopt Specific Plans for the systematic implementation of their General Plans. This Specific Plan will be used to implement various goals and objectives contained in the Land Use, Housing, Circulation, and Environmental Management Elements of the City's General Plan. This will be accomplished through the application of a zoning plan to encourage the combination of residential parcels, development standards to insulate the interface between residential and industrial properties, and methods to provide for street and other public improvements.

III. AREA ANALYSIS

A. PRESENT STATUS

The Specific Plan area contains a variety of land uses and zoning categories (Map 1). The 19th Street properties are all zoned C1, Neighborhood Commercial (4.2 acres), and are developed with approximately 21 commercial businesses. The properties between Placentia Avenue and Palace Avenue are zoned MG, General Industrial. These 14.8 acres are occupied by 54 businesses, primarily industrial uses. The remaining area is designated for High Density Residential uses by the General Plan and is zoned accordingly. Of the 45.8 residentially designated acres, 31.4 are zoned R2, 7.5 are R3, and 6.9 are I & R-S. The residential portion of the Specific Plan area is developed with 645 residential units and the Pomona Elementary School.

B. HISTORY

The area was originally subdivided in 1923 as a portion of the "Costa Mesa Terrace" subdivision. All of the area was zoned County R4 except for the Placentia Avenue properties which were zoned M1, for manufacturing uses. In 1955, the newly formed City took its second rezoning action by rezoning the 19th Street properties to C1. It

was not until 1960 that the residential portion of the study area was rezoned from the County R4 zone to the comparable City R2 classification.

Inconsistent dedication requirements in the late 1950's and 1960's have resulted in Palace Avenue being 20, 30, 32, 40, and 50 feet wide in different sections. In 1971, a plan for Palace Avenue was adopted which established an ultimate right-of-way of thirty feet. Thus, the presently enforced dedication requirements promote the establishment of a 30-foot right-of-way for Palace Avenue and 60 feet for Sterling Avenue. The existing right-of-way meets these amounts in all but a few locations.

In March 1992, the City Council adopted the 1990 General Plan which lowered densities in residential land use designations. As a result, the R4 zone was deleted; all properties previously zoned R4 in the Specific Plan area were rezoned R3 in early 1993.

The policy of allowing a rezone to the next higher zoning density when a certain lot area and width (frontage) threshold is provided was deleted from the 1990 General Plan. Instead, the City Council elected to explore other incentives to encourage the combining of narrow, deep lots. One General Plan Policy (No. 243) suggests considering zoned which fall between zoning designations.

IV. PLAN ELEMENTS

A. GENERAL PLAN DESIGNATION

The General Plan designates the 19th Street commercially zoned properties for General Commercial use. The MG zoned properties between Placentia Avenue and Palace Avenue are designated for Light Industry. The remainder of the study area is indicated as High Density Residential. All the zoning in the area is in conformance with the General Plan. The residential zones consistent with the High Density Residential designation (R2, R3, and PDR-HD) permit from 8.0 to 20.0 units per acre.

B. ZONING PLAN

The Housing Element supports the development of methods to encourage the grouping of parcels in order to make possible improved living environments. The purpose of this policy is to avoid the development problems associated with lots resulting from an obsolete subdivision pattern. As a means of furthering this objective, this Specific Plan offers density incentives to encourage parcel combination. The zoning of the area shall remain as it is now designated, with higher density zoning available for the residential portion of the area if certain properties are combined for development purposes.

The maximum density zoning permitted will be influenced by the dimensions and area of the property. The original lot size in the area was 63.5 by 290 feet, an area of 18,415 square feet. Most of the properties retain these general dimensions although several have been shortened by dedication requirements. Most of the properties with frontage on the east/west streets have been reoriented towards these streets, forming smaller parcels with areas of approximately 9,000 square feet. The properties eligible for higher density zoning shall meet the criteria listed below.

An alternative to actual combination for the standard size parcels is available. Should owners of adjacent properties decide to coordinate the development on their properties, higher density zoning may be possible. This coordination shall be through the employment of the unified development concept, producing a development with the advantages of lot combination while retaining the separate status of the parcels. The unified development can be effectuated through the use of easements, deed restrictions, or other appropriate means in order to achieve shared driveways, walkways, parking, recreational areas, and architecturally compatible structures. The means for implementing the unified development concept are contained in the Implementation Section of this Plan.

If residential properties are combined in order to qualify for the highest density zoning possible, a maximum of 753 dwelling units is possible.

Lot Combination Criteria

Proposed lot combinations of R2-HD zoned parcels within the Plan area may qualify for higher density zoning up to 17.4 units per acre when the following requirements have been met:

(1) Combined lot shall have a minimum 125-foot frontage on a public street (Palace Avenue and Sterling Avenue Alleys do not qualify).

(2) Combined lot area shall be a minimum of 18,000 square feet.

Proposed lot combinations of R2-HD zoned parcels within the Plan area may qualify for higher density zoning up to 20 units per acre when the following requirements have been met:

(1) Combined lot shall have a minimum 180-foot frontage on a public street (Palace Avenue and Sterling Avenue Alleys do not qualify).

(2) Combined lot area shall be a minimum of 50,000 square feet.

Regarding lot combination incentives:

The intent of seeking higher density is to combine parcels and provide new development for the entire combined site, not to provide additional units to existing development.

Therefore, once an incentive rezone has been granted, building permits shall not be issued for additional units to an existing development.

The density bonus to be provided in the lot combination incentive would count towards State-required density bonuses.

The zoning of the industrial and commercial portions of the Specific Plan area are not affected by this Plan. Although the impacts of the developments in the Placentia Avenue MG zone on the adjacent residential area are recognized, these impacts are dealt with in the Development Standards section of this Plan, rather than through zoning.

C. HOUSING PLAN

The Specific Plan area contains 645 residential units: 9 single-family and 636 multiple-family. The major development period for the area occurred in 1956 through 1963. Fifty-five percent of the existing units were built in this eight year period. An estimated fourteen percent were built prior to this time.

The following nine years, 1964 through 1972, experienced very little development as only seven percent of the units were built in this period. As mentioned in the Area Analysis section, the area was rezoned to R4 in 1972 in order to stimulate new development. The success of this stimulation is evidenced by the fact that eighteen percent of the area's units were built in the following five years before the area was rezoned to R2 again.

The estimated population of the area in 1973 was 1,270 persons. The 1976 Special Census indicates that 13.3 percent of the households were comprised of minorities. This number was significantly higher than the City-wide average of 7.5 percent. Handicapped persons were found in 7.4 percent of the households. Income was found to be substantially lower than for the City as a whole. At the time of the census, two-thirds of households reported total incomes of less than $12,000 per year. For the entire City, less than half of all households had such incomes. Based on the above housing and population data, Costa Mesa's Housing and Community Development Committee identified the Specific Plan area as a potential target area for the investment of HCD Block Grant Funds. Thus,

included in the City's Fifth Year Community Development Block Grant Application was a request for funds to alleviate the public improvement deficiencies and to make available rehabilitation loans or grants to property owners in the area. The proposal submitted to HUD included funding requests for right-of-way acquisition, water facilities improvements, alley paving, and sidewalk installation. Additionally, funding was available for the construction of family housing in the area. The public improvements have been made; funding to improve/upgrade housing and assist with rehabilitation of buildings should still be pursued.

The following statistics have been taken from the 1990 Census, Block Group 9, Tract 637.00 (this Tract's boundaries are identical to those of SP-79-01):

1990 population: 1,063 persons
households: 330

	SPECIFIC PLAN AREA	CITY-WIDE
Aver. Population/Household	3.07	2.5
Household Median Income	$27,500	$40,313
Per Capita Income	$8,801	$18,750
Population by Race: - White (Non-Hispanic) - Hispanic - Black - Asian/Pacific Islander - Indian/Eskimo/Aleut	 35.2% 61.1 1.1 2.6 0.0	 72.4% 19.9 1.0 6.3 0.3
Percentage with Work Disability (pop. age 16+)	9.6%	7.5%
Percentage Below Poverty Level	18.5%	9.2%

Thirty-four percent of all households in this area have incomes of less than $25,000 (equates to very low income for an average-size [2.5] household).

D. DEVELOPMENT STANDARDS

Since the area contains a variety of zones and there is a different set of concerns for each zone, a different set of development standards has been prepared for each zoning category. The standards pertinent to residential, commercial, and industrial zoning are presented in the following subsections.

1. Residential Zones

The provisions of the zoning ordinance adequately deal with most of the concerns for residential development in the area. There are additional considerations for those properties which are proximate to the Placentia Avenue industrial area.

The applicable development standards for residential properties adjoining industrially zoned property are as follows:

1. Construction of at least a six-foot high, solid, opaque wall shall be required along the property line adjoining the alley, except for those areas to be used for access or occupied by accessory structure.

2. A five (5) foot wide planter shall be installed adjacent to the wall required in Standard 3. The planter shall be landscaped with vegetation capable of attaining sufficient height to provide visual screening from a second story level.

3. Park requirements shall be fulfilled through in-lieu fees collected from the developments. These fees will be applied to parkland acquisition in the same park district.

2. Commercial Zones

Housing Element Goal number six promotes the protection of residential areas from the encroachment of unrelated or incompatible uses. The 19th Street commercial properties pose a potential obstacle to achieving this goal. One existing commercial use, the convenience market at 1913 Pomona Avenue, fronts on what is predominately a residential street. Similar encroachments are possible if other C1 parcels are developed with orientations towards the adjacent residential neighborhood.

The additional development standards for commercial properties in the area are as follows:

1. Development on properties with frontage on 19th Street or Placentia Avenue shall be oriented towards these streets.

2. For properties adjoining residential zones, signing and exterior lighting shall be designed to minimize impacts on residential properties, and shall require approval of the Planning Director.

3. Industrial Zones

Certain of the uses permitted in the MG zone along Placentia Avenue have the potential for conflicting with the neighboring residential uses. The provisions of the zoning ordinance are by themselves insufficient to adequately mitigate these conflicts, although stricter enforcement of existing zoning regulations would alleviate some conflicts. The development standards for these properties are intended to minimize the impacts caused by the industrial operations and provide visual and acoustical buffering between the two uses.

The applicable development standards for industrial properties are as follows:

1. Section 13-420 of the Municipal Code requires a ten-foot landscaped setback from the alley. A solid, opaque wall at least six (6) feet in height shall be constructed along the setback line adjacent to the planter.

2. The required landscaped area shall be planted with trees and other vegetation. The type of trees shall be selected from the list provided in the Appendix. Consideration shall be given to the location of water mains, sewer lines, and other substructures when positioning the trees.

3. All compressors, generators, air conditioning/refrigeration units, and similar mechanical apparatus shall be acoustically shielded so as to be inaudible from the adjacent residential area. A licensed acoustical engineer shall certify the plans for the acoustical shielding, certifying that the machinery will be inaudible from the adjacent residential property.

4. No structure shall be oriented towards the residential properties.

5. In order to minimize noise from the industrial buildings escaping towards the residential area, no windows shall be permitted in the east facing walls, except nonopening windows at least six feet above the floor level, unless another building is between the window and rear property line.

6. No openings shall be permitted in any east facing wall, unless another building is between the opening and rear property line.

V. SPECIFIC PLAN IMPLEMENTATION - See memo dated 8/19/93

A. IMPLEMENTATION PROCEDURES

1. The developer of a project shall file an application for a Development Review or Preliminary Development Review to comply with the pertinent zoning requirements.

2. Planning Staff shall review the proposed project plan to determine compliance with the standards in the Specific Plan and applicable zoning requirements.

3. Planning Staff, or Planning Commission for condominium projects, shall approve, approve with conditions, or deny each application.

4. If a proposed project plan includes sufficient acreage to qualify for a higher density zone as outlined in Section IV B of this Specific Plan, Staff shall include a Condition of Approval as follows:

   "Applicant shall legally combine the parcels included in the proposed project plan so as to create one parcel prior to the granting of building occupancy, or within 90 days of approval of the Development Review or Preliminary Development Review, whichever is sooner."

   or, if the applicant(s) choose to retain the individual status of the parcels and employ the unified development concept instead, conditions assuring necessary easements, restrictions, and agreements shall be specified in conjunction with the Development Review or Zone Exception.

5. Subsequent to approval of the Development Review and upon notification that the applicant has legally combined parcels, or taken sufficient other measures to assure a unified development, the City will accept a rezone petition to change the land use district designation to the appropriate zone. Building permits for new residential structures shall not be issued for any properties rezoned as per the Specific Plan until the water facilities discussed in Section IV.C.2. of this plan are installed.

WRONG!!

B. IMPLEMENTATION FUNDING

The public improvements specified in Section IV C of this Specific Plan could be funded by a variety of methods. These are presented as Options in the following sections. Although funding has been applied for in the City's

CITY OF COSTA MESA

INTER OFFICE MEMORANDUM

August 19, 1993

TO Planning Staff **FROM** Carol Proctor

RE: **SP-79-01A3 (PLACENTIA/HAMILTON/POMONA/19TH)**

This memo clarifies the implementation procedures listed under Section V of Specific Plan SP-79-01A3.

- If a project is proposed which meets Code and does not include a rezone or lot combination, procedures 1 through 3 apply.

- If a project is proposed which requires a Variance or Conditional Use Permit, the Planning Action process shall be initiated.

- If a proposed project includes a request for a higher density, (17.4 units/acre or 1 unit/2,500 sq. ft.; the "hybrid zone" OR up to 20 units/acre or 1 unit/2,178 sq. ft.; R3 zone), the following procedures shall apply:

    - An application for *subdivision*, (lot line adjustment or map), shall be processed if lot combination is involved; unless, as noted under procedure 4, the applicant chooses to employ the "*unified development concept*". See procedure 4 for details on this type of development.

    - A *Rezone* Petition shall be processed, requesting the applicable higher density zone. The rezone and subdivision applications may be processed concurrently.

    - A *Development Review* or *Planning Action* (whichever is applicable) shall be processed for the project itself. The project review may be processed after the rezone and subdivision reviews or concurrently.

Implementation procedure 5, which discusses accepting a Rezone Petition after the Development Review is erroneous. In the same paragraph, the last sentence regarding water facilities does not apply, as installation has occurred.

5(SP7901A3.mem)

Housing and Community Development Block Grant Application, the other alternatives should also be considered in the event that this funding is not available or not sufficient to cover all expenses.

1. Development Conditions

This alternative is basically a continuation of the City's present policy which requires dedication of all land within the ultimate right-of-way, deposition of funds to provide for the eventual paving and construction deposition of funds to provide for the eventual paving and construction of sidewalks. Construction of the complete public facilities system discussed in this Specific Plan would not occur until sufficient funds had been collected. Thus, the completion would not occur for several years. Additionally the deficiencies in the water supply system would not be fully corrected. Although the installation of dry standpipes on individual properties would aid fire protection, the inadequate water flow problems can only be corrected by the installation of new water mains.

2. Improvement District

An improvement district as permitted under the Improvement Act of 1911 or the Municipal Improvement Act of 1913 could be established. This method would enable the improvements to be constructed at one time with an assessment for the construction and administrative costs on the properties within the improvement district. The primary disadvantage is the additional administrative, engineering, and legal costs associated with establishing an assessment district. This source of funding could be used to augment the HCD Block Grant funds.

3. City Project

This approach is similar to the improvement district approach in that the improvements would be constructed at one time and the property owners would pay for the costs eventually. Initially, the City would fund the necessary improvements with reimbursement made by the property owners at the time the properties are redeveloped. This alternative has the advantage of correcting the public improvements deficiencies before high density development is attempted. It also avoids the additional costs to property owners associated with assessment districts. The main disadvantage is the amount of funding which the City would have to provide initially. A large portion of this initial

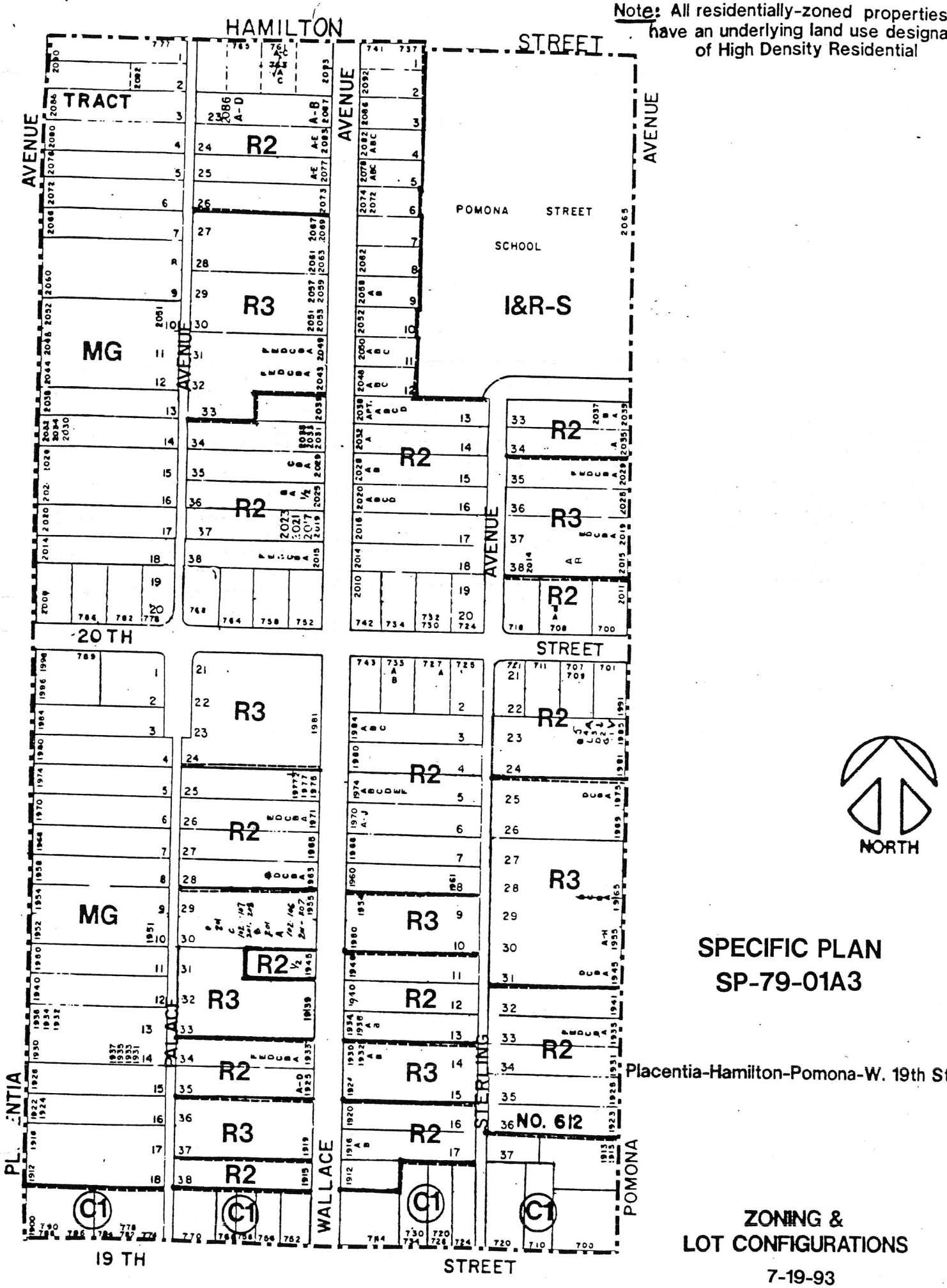
funding would not be recovered by the City within the foreseeable future.

4. Redevelopment Area

As was discussed at the time the area was rezoned to R2, a new redevelopment project area could be established. The needed public improvements could be funded through the sale of bonds which would be paid off by the tax increment funds acquired by the Redevelopment Agency. The tax increment would be dependent upon the amount of new construction and property transfers. If the density incentive discussed in Section IV B of this Specific Plan is successful in promoting new development in the area, the amount of tax increment from the residential portion of the area could be substantial. Because of the less frequent transfers of commercial and industrial properties, and the comparatively lower level of new development, it is anticipated that the amount of tax increment from these properties would be smaller than that from the residential portion.

5. Housing and Community Development Funds

As discussed in Section IV D of this Plan, the City has applied for funds in the Fifth Year Community Development Block Grant Application to provide the needed public improvements and housing rehabilitation loans and grants. This approach would enable the public improvements to be constructed at one time if sufficient funds are available. Alternatively, the improvements could be funded in phases with future Block Grant applications. Another possibility is to obtain funds through an improvement district to combine with HCD funds.



Note: All residentially-zoned properties have an underlying land use designation of High Density Residential

SPECIFIC PLAN SP-79-01A3

Placentia-Hamilton-Pomona-W. 19th Street

ZONING & LOT CONFIGURATIONS

7-19-93

TABLE A

COMPARISON OF "COMBINED PARCELS" WITH INCREASED DENSITY

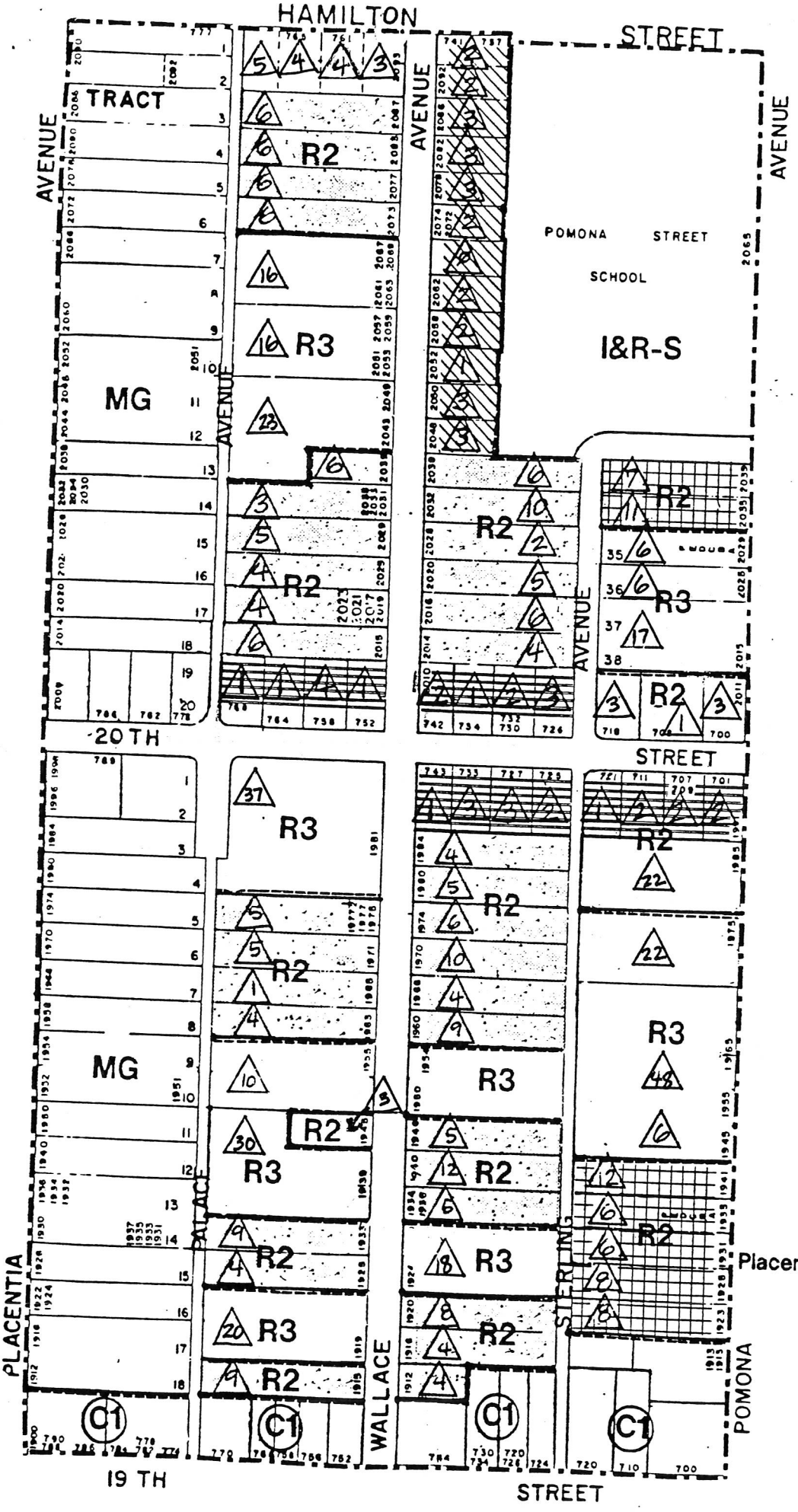
SPECIFIC PLAN AREA SP-79-01

Example	Lot "1" Area (sf)	Lot "2" Area (sf)	Combined Area (sf)	R2-HD Density[1] (# units)	R2-HD+ Density[2] (# units)	R3 Density[3] (# units)
A	8,540	9,150	17,690	5	7	8
B	9,207	9,207	18,414	6	7	8
C	18,224	18,224	36,448	12	14	16
D	18,415	18,415	36,830	12	14	16

[1] 1 dwelling unit/3,000 sq. ft.

[2] 1 dwelling unit/2,500 sq. ft.

[3] 1 dwelling unit/2,178 sq. ft.



645 total units as of 7-19-93

△ = number of units/parcel

Example A

Example B

Example C

Example D

NORTH

SPECIFIC PLAN SP-79-01A3

Placentia-Hamilton-Pomona-W. 19th Stree

ZONING & LOT CONFIGURATIONS

7-19-93

SOUTH BRISTOL ENTERTAINMENT &
CULTURAL ARTS

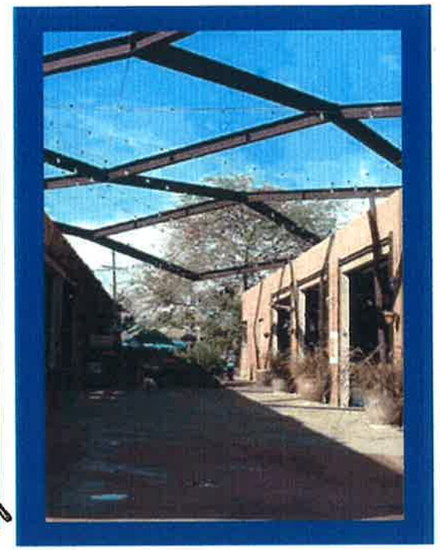
SoBECA

Urban Plan

Development Services Dept.
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628
(714) 754-5245

Costa Mesa

Artists



South Bristol Street

Live/Work Lofts

Entertainment Centers

HISTORICAL CONTEXT

On September 16, 2002, Council appointed the Bristol Street Committee to conduct a land use analysis and recommendations for a mixed-use urban plan area in the South Bristol Street corridor.

For almost three years, the Bristol Street Mixed-Use Overlay Committee has been working on the following: (1) development standards for a mixed-use zoning district and (2) matrix of allowable uses. This information has been incorporated into this South Bristol Entertainment & Cultural Arts "**SoBECA**" Urban Plan.

LOCAL CONTEXT

The SoBECA urban plan area covers a 39-acre located south of Baker Street, east of the 73 Freeway, and north of the intersection of the SR-73 and SR-55 Freeways. Within the easterly area are properties along Bristol Street and Randolph Avenue. [Figures 1 and 2].

OBJECTIVES OF SoBECA URBAN PLAN

The SoBECA Urban Plan is designed to establish the vision, development framework, and historical/local context for the SoBECA district. The Urban Plan implements General Plan goals/objectives/policies for mixed-use development by regulating allowable land uses and development standards.

The objectives of the SoBECA Urban Plan include:

- ***Identify development regulations*** to realize the vision of the Urban Plan. These regulations address building design and site development standards as well as public streetscapes and urban design improvements and amenities.

- ***Regulate land uses*** recognizing the development potential of the plan area and need to sensitively integrate new development with the surrounding areas, and therefore, promote both resident and business community confidence in the long term.

- ***Encourage mixed-use development*** that combines residential and nonresidential uses, including office, retail, business services, personal services, light industrial uses, public spaces and uses, and other community amenities to revitalize the area **without exceeding** the development capacity of the General Plan transportation system.

- ***Develop a full array of land use types and structures***, including reuse of existing structures, to create an active city life and enhance business vitality.

- ***Ensure compatibility of mixed-use developments*** with existing and future allowable development in abutting zoning districts.

- ***Target a diverse residential population*** comprised of artists, designers, craftspeople, professionals and small-business entrepreneurs, to maintain business and living space under common ownership.

Figure 1: Vicinity map of SoBECA Urban Plan area.

Figure 2: Aerial Photograph of SoBECA Urban Plan area.

BRISTOL STREET MIXED-USE

The Bristol Street Mixed-Use Overlay Committee is comprised of the following people:

Committee Members:
·John Bautista
·Michael Boudreaux
·Scott Clements
·Walt Davenport
·Peter Koetting
·Shaheen Sadeghi

Alternates:
·Sam Clark
·Ted Morse

Liaisons:
·Linda Dixon, City Council Member
·Eleanor Egan, Planning Commissioner
·Byron De Arakal, Parks & Recreation Commissioner

Former Members/Liaisons:
Chris Steel, City Council Member
·Bill Perkins, Planning Commissioner
·Greg Butcher
·Paul Loubet
·Patrick McDonaugh

IDENTIFYING SoBECA DISTRICT

Purpose of Overlay Zoning

Overlay zoning is a useful tool in promoting the long-term goals of the SoBECA Urban Plan. By giving a plan the weight of law, an overlay zoning district helps ensure successful implementation of the plan's strategies. The mixed-use overlay zone applies zoning provisions to the SoBECA Urban Plan area. When activated by an approved Master Plan, the underlying zoning district is superseded by the zoning regulations of the SoBECA Urban Plan, unless otherwise indicated.

The SoBECA Urban Plan does not propose any major intensification of land uses. The emphasis is on improving the plan area by providing visual enhancement and encouraging the development of live/work units or residential development within the plan area. Thus, future traffic will be supported by the General Plan roadway network.

The SoBECA Urban Plan implements General Plan goals/objectives/policies for mixed-use development and new residential development by regulating allowable land uses and development standards.

As described in the "**Concept Plan**" approved by City Council in 2004 (Figure 4), the Committee believed this area provided the greatest opportunity for a successful mixed-use development for the following reasons:

- *Unique character of Artist Lofts*. The character of artist lofts may create a viable live/work community in an area known for the "anti-mall" concept (i.e. The LAB, The CAMP).

- *The LAB and The CAMP as major anchors*. These existing commercial centers provide an anchor for the urban plan area. Tenants seeking alternative locations to traditional strip malls may enjoy unique living arrangements in a mixed-use development.

- *Central Location*. This area is centrally located in Costa Mesa and accessible by the I-405-Freeway and SR-73 Freeway.

- *Architecture and Design*. Existing architecture and scale of industrial buildings may provide opportunities for innovative building design or redevelopment.

- *Smaller Scale Project Area compared to Larger Corridor Area*. Since the area is a smaller component of the original Bristol Street Corridor area, it may be more practical to define mixed-use development standards/regulations that may be applied to other areas in Costa Mesa.

Figure 3: Some of the Bristol Street Mixed-Use Overlay Committee members

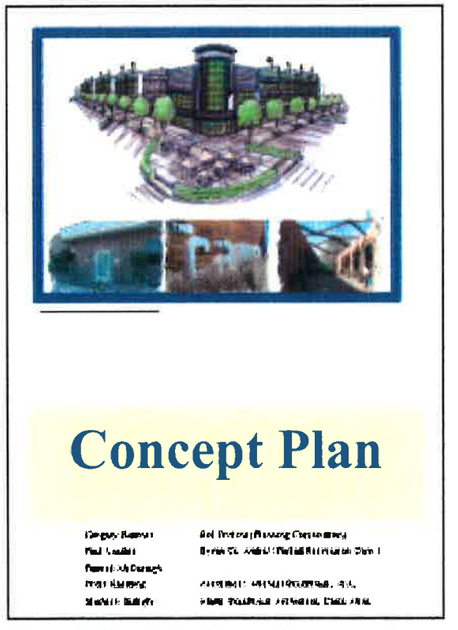


Figure 4: Mixed-Use Concept Plan previously prepared by Committee

ADOPTION OF SoBECA URBAN PLAN

On February 13 and March 13, 2006, Planning Commission (Figure 4A) conducted public hearings on the SoBECA Urban Plan. The Planning Commission unanimously recommended approval of the plan.

The Planning Commission considered that the SoBECA Urban Plan would establish the zoning mechanism to allow mixed-use development; however, the private sector and market forces will significantly determine development activity in the SoBECA Urban Plan area. Since the plan area is not a redevelopment project area, new development will be influenced by private market forces. The plan does not involve eminent domain.

The Planning Commission also considered that mixed-use development projects will likely decrease overall trip generation over time when compared to more traditionally-zoned properties in Costa Mesa. The existing land uses in the base zoning district would remain in place, unless the property owner wishes to convert to mixed-use development trips pursuant through a Master Plan approval. Council acknowledged that the SoBECA Urban Plan does not expressly authorize any specific development proposal, as subsequent Master Plan approval and project-specific environmental analysis would be required.

On April 4, 2006, City Council (Figure 4B) adopted the SoBECA Urban Plan to encourage revitalization of the plan area.

Chair Bill Perkins

Vice Chair Donn Hall

Commissioner Eleanor Egan

Commissioner James Fisler

Commissioner Bruce Garlich

PLANNING COMMISSION (Figure 4A)

CITY COUNCIL (Figure 4B)

Mayor Allan Mansoor

Council member Linda Dixon

Mayor Pro Tem Eric Bever

Council member Katrina Foley

Council member Gary Monahan

GENERAL PLAN AND ZONING

The SoBECA district is characterized by commercial and industrial land uses. The urban plan area is composed of the following General Plan land use designations:

- General Commercial
- Light Industrial

Existing land uses in the SoBECA mixed-use district are generally commercial and industrial uses. The urban plan area is composed of the following zoning classifications:

- CL – Commercial Limited
- C1 – Local Business District
- C2 – General Commercial
- MG – General Industrial

Zoning and General Plan maps of the plan area are shown in Figures 6 and 7.

EXISTING BUSINESS CONTEXT

Some of the major commercial uses in the SoBECA plan area are commercial centers, food establishments, offices, automobile services, and industrial uses. A wide range of existing businesses in the SoBECA district are shown in Figure 5.

Figure 5: Collection of site photos of businesses in the SoBECA Urban Plan area.

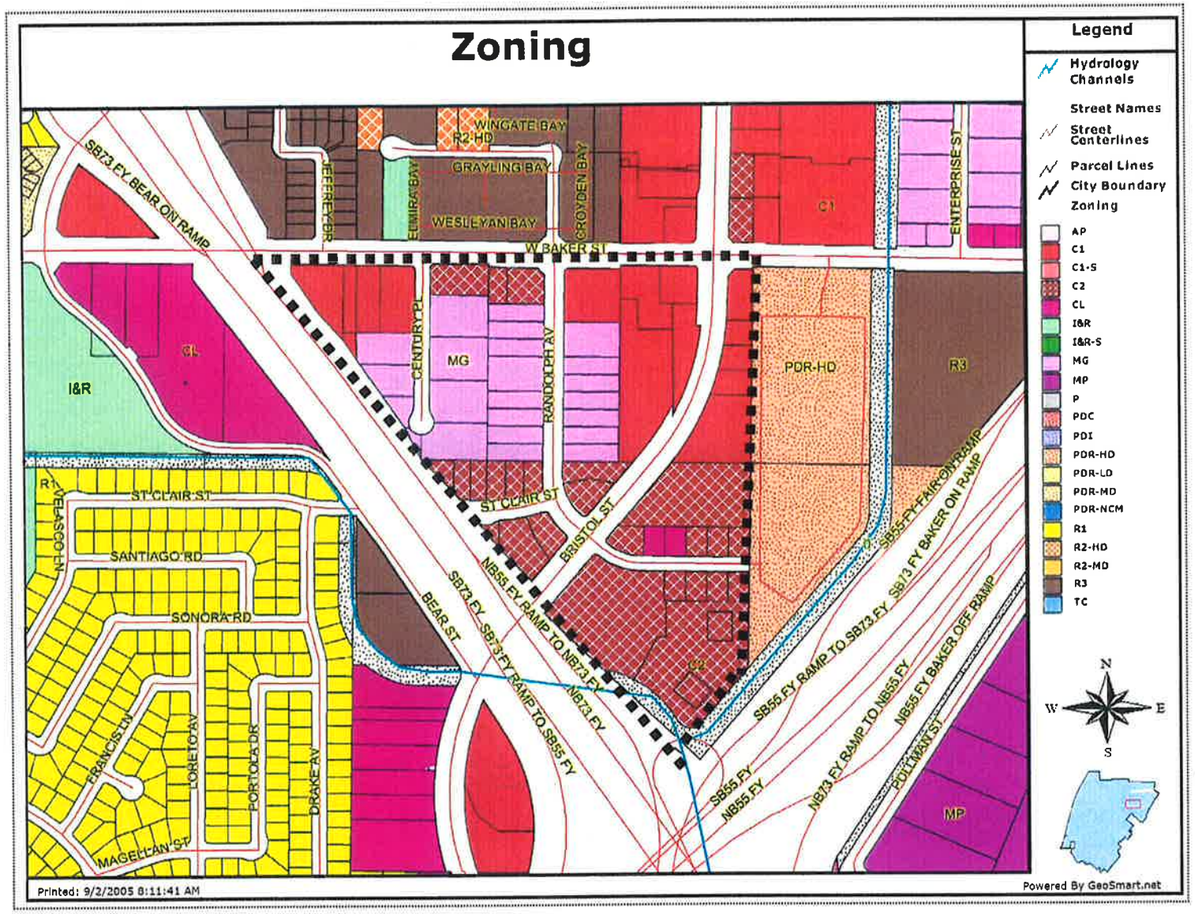


Figure 6: Zoning Districts in Urban Plan area.

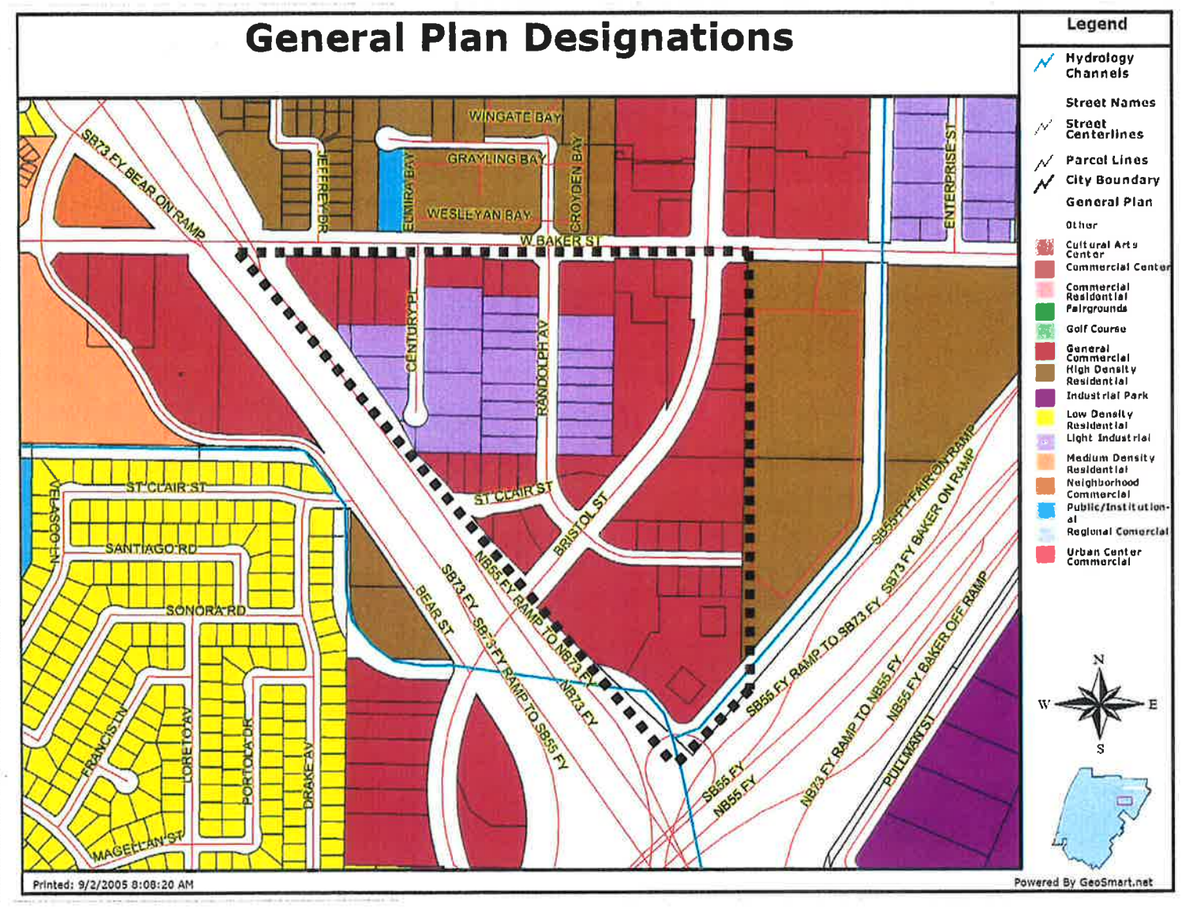


Figure 7: General Plan designations in the Urban Plan area.

PLANNING PROCESS

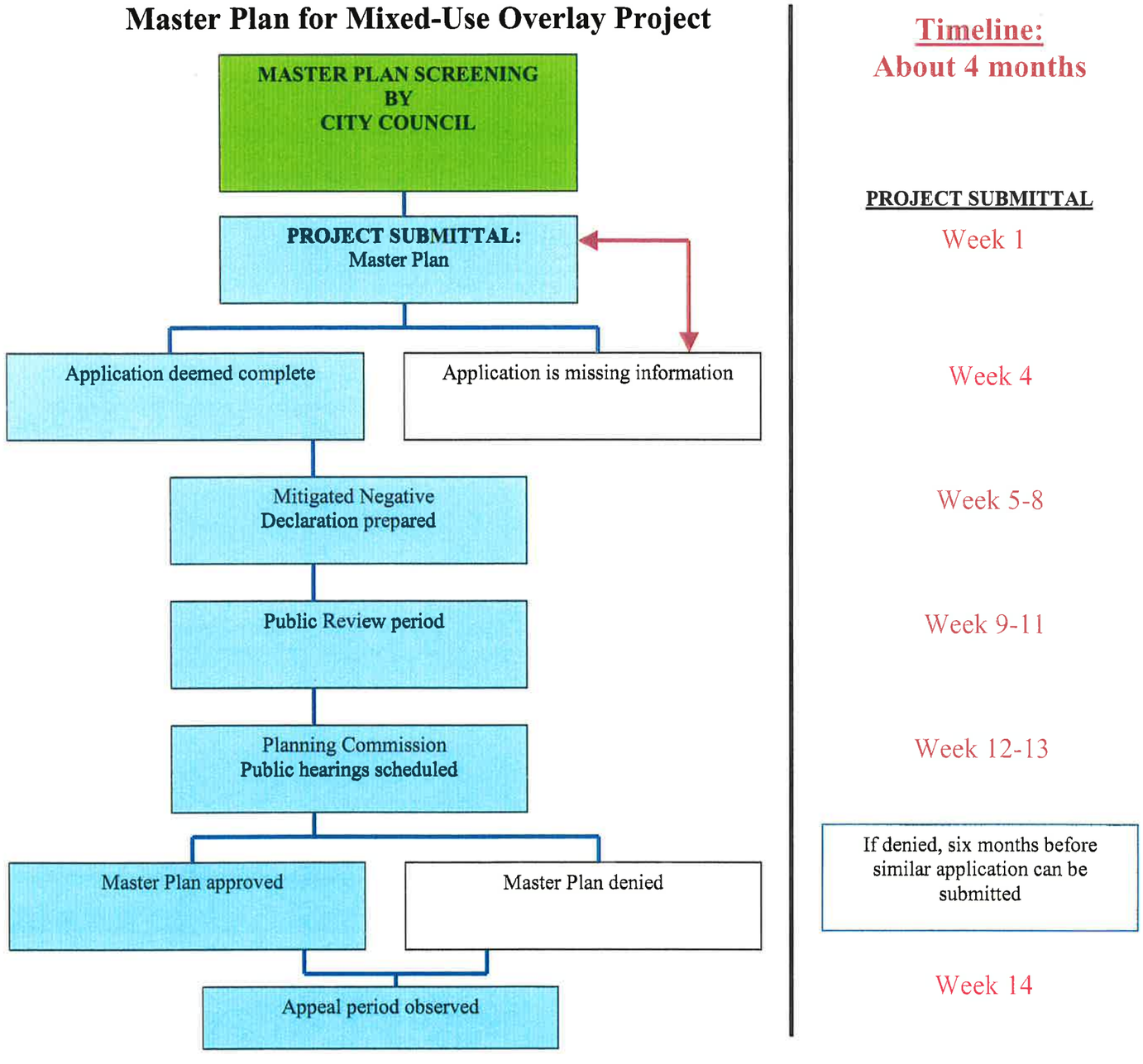
It is the express intent of the SoBECA Urban Plan to allow existing industrial and commercial businesses to continue to operate and expand consistent with existing General Plan and zoning requirements. Opportunities for mixed-use development (including live/work development) in the SoBECA Urban Plan area involve properties that may be redeveloped, rehabilitated, or adaptively re-used.

The land use regulations for allowable development may only be activated through an approved Master Plan. These specific development regulations supersede those of the underlying zoning district (e.g. commercial and industrial), unless otherwise indicated.

Mixed-use development proposed in the SoBECA Urban Plan area requires approval of a Master Plan pursuant to Title 13, Chapter II, Planning Applications, of the Costa Mesa Municipal Code. In accordance with City procedures, the Planning Commission reviews and considers Master Plans. Refer to Section 13-28(g), Master Plan, of the Zoning Code regarding the review process for preliminary Master Plans and amendments to the Master Plan.

A deviation from the SoBECA district's development standards (as shown in Table A of the SoBECA Urban Plan) may be approved through the Master Plan process provided that specific findings are made pursuant to the Zoning Code.

Figure 8: Flowchart/timeline of Master Plan approval process for mixed-use development.



DEFINITIONS

Live/Work Loft or Live/Work Unit. A mixed-use development composed of commercially- or industrially-oriented joint work and living quarters in the same building, where typically the primary use is a place of work and where there are separately-designated residential and work areas. A live/work unit consists of the following: (a) living/sleeping area, kitchen, and sanitary facilities in conformance with the Uniform Building Code and (b) adequate work space accessible from the living area, reserved for, and regularly used by the resident(s).

Master Plan. The overall development plan for a parcel or parcels, which is depicted in both a written and graphic format.

Mixed-use development - Horizontal. A type of mixed-use development where nonresidential and residential uses are located adjacent to one another on the same or adjoining lots of the same development site and are typically sited in separate buildings.

Mixed-use development - Vertical. A type of mixed-use development where nonresidential and residential uses are located in the same building and where the dwelling units are typically located on the upper levels and the nonresidential uses on the lower levels.

Mixed-use overlay zoning district. A zoning district superimposed over a base zoning district, which modifies the regulations of the base zoning district to allow mixed-use development. The provisions of the mixed-use overlay district shall be distinct from and supersede, in some instances, the zoning regulations of the base zoning district when activated through an approved Master Plan.

Nonresidential component. Areas of the mixed-use development including, but not limited to, commercial/industrial buildings, work spaces, storage areas, public spaces, and parking areas primarily or exclusively used by the tenants of the businesses.

Overlay Zone - Zoning district that applies another set of zoning provisions to a specified area within an existing zoning district. The overlay zone supersedes the zoning regulations of the base zoning district, unless otherwise indicated.

Residential component. Areas of the mixed to, buildings, habitable spaces, common spaces, recreational facilities, and parking areas primarily or exclusively used by the residents of the dwelling units.

Urban Plan. An implementation document adopted by the City Council that sets forth development standards and land use regulations relating to the nature and extent of land uses and structures in compliance with the City's General Plan. An Urban Plan is designed to establish the vision, development framework, and historical/local context for a specified area.

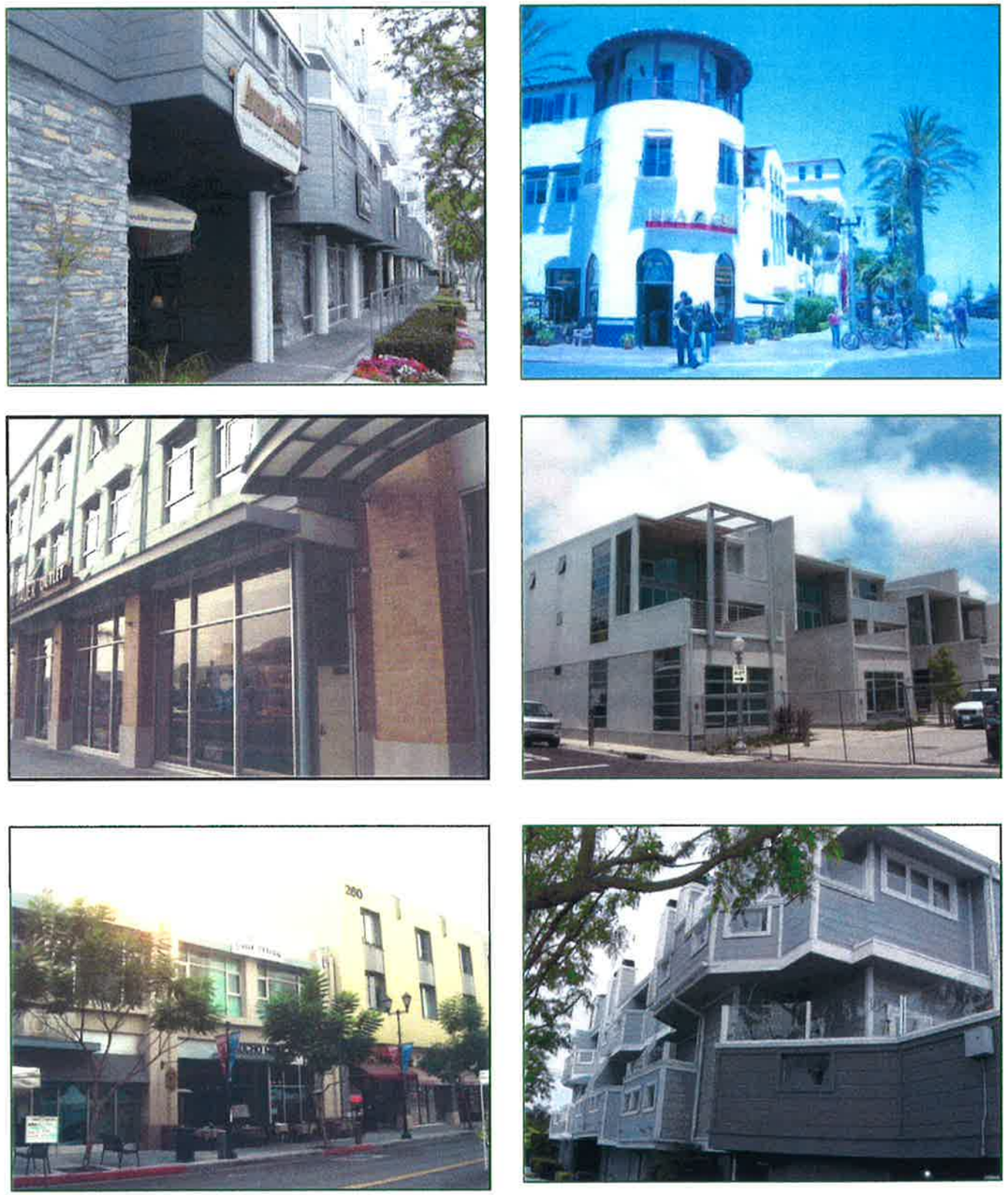


Figure 9: Photos of mixed-use development projects in Orange County cities.

ILLUSTRATIVE EXHIBITS

"Illustrative Perspectives" are examples of different mixed-use developments. These renderings are for illustrative purposes only and are not intended to represent a preferred or recommended design.

These illustratives provide an example of development that could theoretically be built, in conformance with the General Plan and the development standards/zoning regulations of the Zoning Code and SoBECA Urban Plan

LIVE/WORK UNITS

The live/work concept of mixed-use zoning has its roots in two ideas, which are applicable to the SoBECA area.

The first was the creation of a "Main Street" shop front by an at-grade townhouse with the first floor designed for commercial purposes. In the shop front, separation between work and living is usually the first floor ceiling.

The second idea was the conversion of industrial uses into artist lofts. This may include construction of townhouse projects and courtyard lofts in industrial areas. Loft units usually have no physical separation between work and living areas.

The Bristol Street Mixed-Use Committee explored the "live/work" concept in great detail. This type of space is what most people imagine when they picture a typical "artist loft". The live/work concept meets the needs of those who feel that the proximity afforded by live/work is important, but who would nevertheless like some separation between living and working spaces. This separation can be met by locating residential uses above commercial/industrial uses, or in an entirely separate building located on the same property.

In a live/work unit, the living portion is typically located in the upper floors. The work space is separated by a wall (sometimes glazed or fire rated) or a floor. This separation minimizes exposure to hazardous materials or high -impact work activity.

LIVE/WORK ILLUSTRATIVE

The following live/work development may be representative of live/work projects constructed in the plan area.

Project Site:	½ acre
Project Type:	live/work loft
No. of Stories:	3 stories
No. of Units:	10 live/work lofts
Unit Size:	575 sq.ft. Work Space 1,426 sq.ft. Living Space
	2,000 sq.ft.
Parking:	30 parking spaces (Each unit has single-car garage)
FAR:	1.0 FAR

Figure 10: Illustrative example of live/work units with working spaces and living areas contained within a single unit.

ILLUSTRATIVE PERSPECTIVE

LIVE/ WORK LOFTS

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ILLUSTRATIVE PERSPECTIVE

LIVE/ WORK LOFTS

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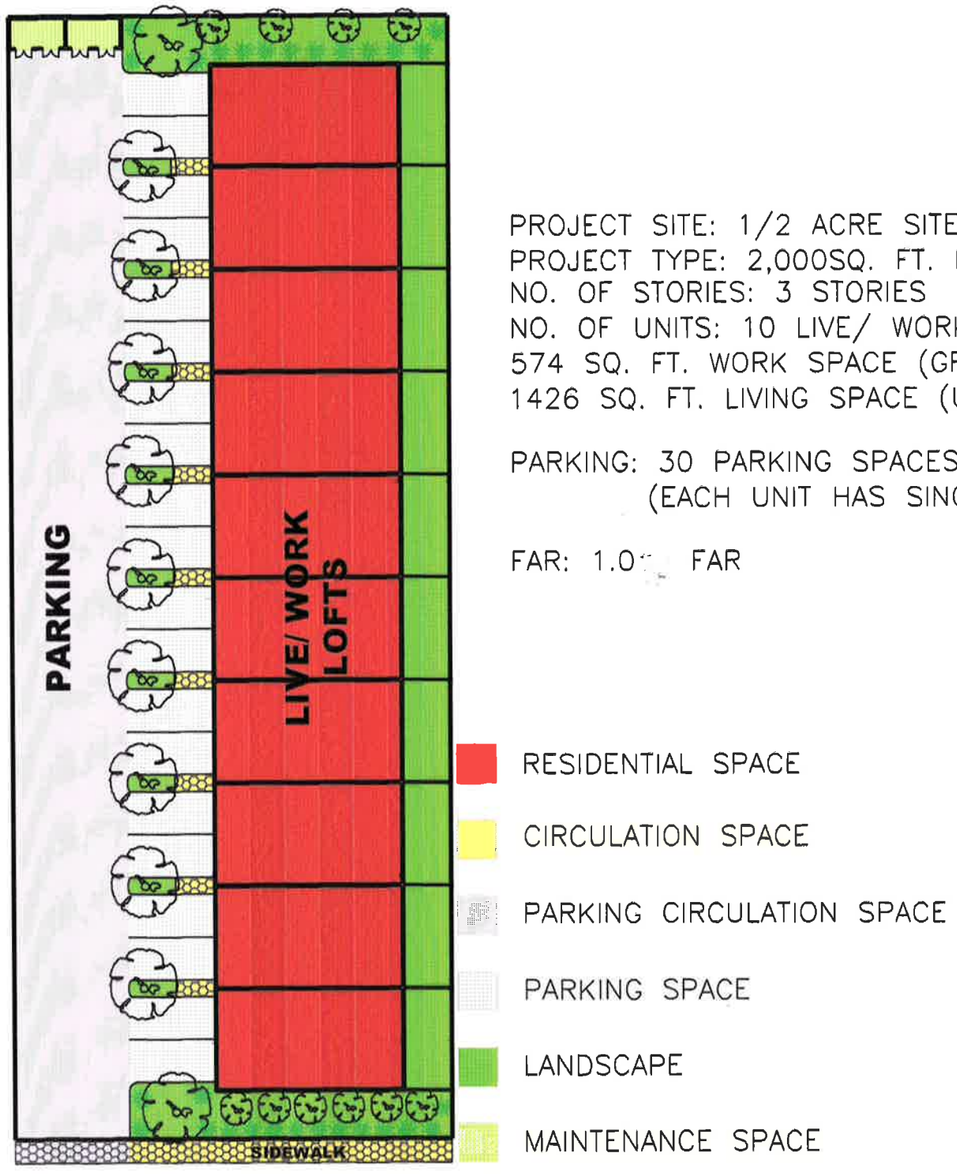
ILLUSTRATIVE PLAN
LIVE/ WORK LOFTS

SCALE: 1/32" = 1'-0"



PROJECT SITE: 1/2 ACRE SITE
PROJECT TYPE: 2,000SQ. FT. LIVE/ WORK LOFT
NO. OF STORIES: 3 STORIES
NO. OF UNITS: 10 LIVE/ WORK LOFTS
574 SQ. FT. WORK SPACE (GROUND FLOOR)
1426 SQ. FT. LIVING SPACE (UPPER FLOORS)

PARKING: 30 PARKING SPACES
(EACH UNIT HAS SINGLE CAR GARAGE)

FAR: 1.0[illegible] FAR

PUBLIC STREET

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VERTICAL MIXED-USE DEVELOPMENT

Vertical mixed-use development involves nonresidential and residential uses located in the same building, where the dwelling units are typically located on the upper levels and the nonresidential uses on the lower levels.

VERTICAL MIXED-USE ILLUSTRATIVE

The following live/work development is a representation of a project that may be constructed in the plan area.

Project Site:	1 acre
Project Type:	Commercial Building & Two-Bedroom Residential Units
No. of Stories:	3 stories total

Commercial Component

Building Size:	6,777 sq.ft.
No. of Stories:	one story
Parking:	27 commercial Parking spaces (4 spaces/1,000sf)

Residential Component

Unit Size:	1,200 sq.ft. Two-bedroom units
No. of Stories:	2 stories
No. of Units:	37 dwelling units
Parking:	93 parking spaces (Each unit has an enclosed garage)

FAR:	1.17 FAR

Figure 11: Illustrative example of a vertical mixed-use development with commercial uses on the ground floor and two-bedroom units on the upper floors. All parking provided on the ground level.

ILLUSTRATIVE PERSPECTIVE

VERTICAL MIXED USE

M-BA

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ILLUSTRATIVE PERSPECTIVE

VERTICAL MIXED USE

M-BA

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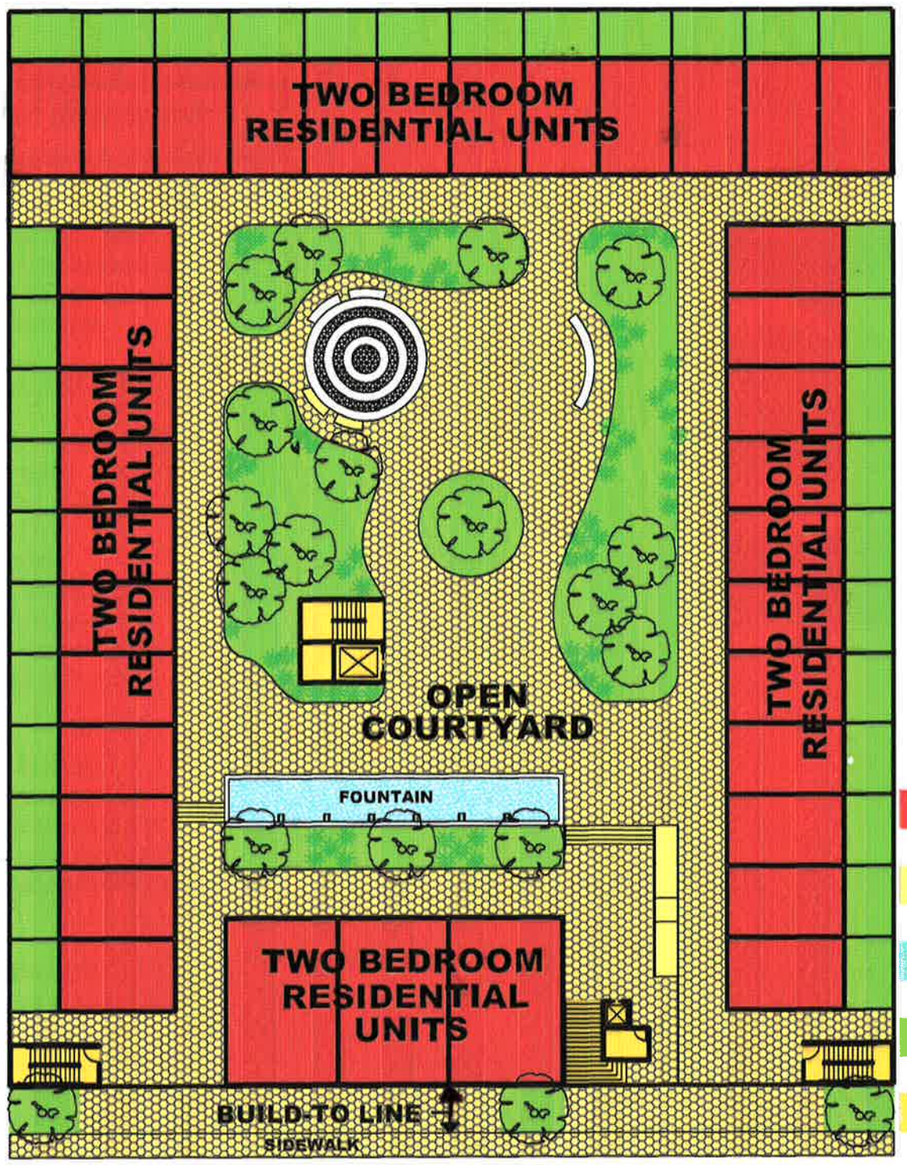
ILLUSTRATIVE PLAN

VERTICAL MIXED USE

SCALE: 1/32" = 1'-0"



PROJECT SITE: 1 ACRE SITE,
PROJECT TYPE: COMMERCIAL BUILDING AND TWO BEDROOM RESIDENTIAL UNITS

COMMERCIAL COMPONENT:
BUILDING SIZE: 6777 SQ.FT.
NO. OF STORIES: 1 STORY
PARKING: 27 COMMERCIAL PARKING SPACES

RESIDENTIAL COMPONENT:
UNIT SIZE: 1,200 SQ. FT.
NO. OF STORIES: 2 STORIES
NO. OF UNITS: 37 DWELLING UNITS
PARKING: 93 RESIDENTIAL PARKING SPACES (EACH UNIT HAS TWO COVERED PARKING SPACES)
FAR: 1.17 FAR

PODIUM LEVEL

PUBLIC STREET

M-BA

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ILLUSTRATIVE PERSPECTIVE

HORIZONTAL MIXED USE

M-BA

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ILLUSTRATIVE PERSPECTIVE

HORIZONTAL MIXED USE

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ILLUSTRATIVE PERSPECTIVE

HORIZONTAL MIXED USE

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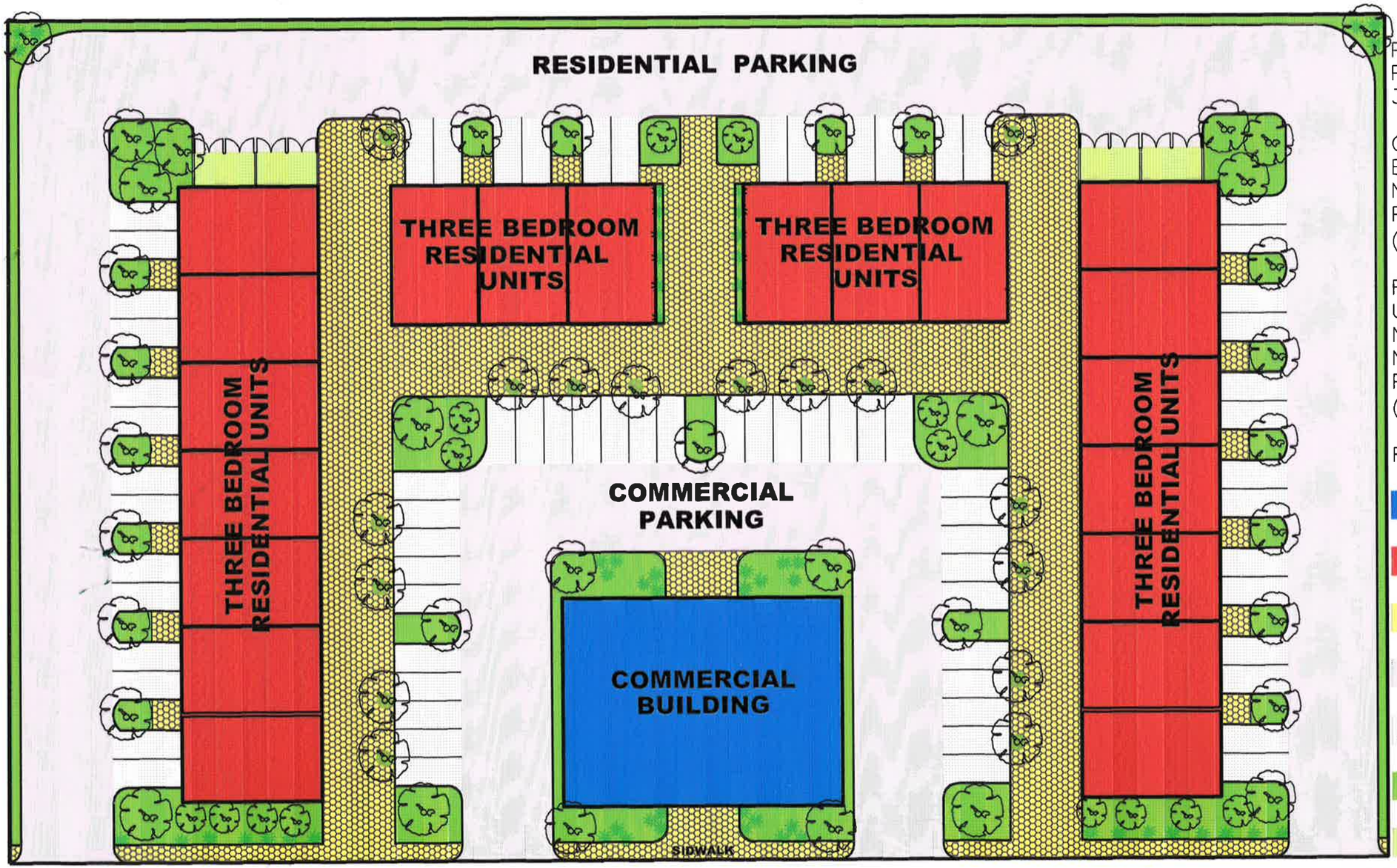
ILLUSTRATIVE PLAN
HORIZONTAL MIXED USE

SCALE: 1/32" = 1'-0"



PROJECT SITE: 2 ACRE SITE
PROJECT TYPE: COMMERCIAL BUILDING AN
3-BEDROOM RESIDENTIAL DWELLING UNITS

COMMERCIAL COMPONENT:
BUILDING SIZE: 4620 SQ. FT.
NO. OF STORIES: ONE STORY
PARKING: 34 COMMERCIAL PARKING SPACE
(MIN. 18 PARKING SPACES REQUIRED)

RESIDENTIAL COMPONENT:
UNIT SIZE: 2,528 SQ.FT.
NO. OF STORIES: 3 STORIES
NO. OF UNITS: 20 DWELLING UNITS
PARKING: 60 RESIDENTIAL PARKING SPACE
(EACH UNIT HAS A SINGLE CAR GARAGE)

FAR: .63 FAR

- COMMERCIAL SPACE
- RESIDENTIAL SPACE
- CIRCULATION SPACE
- PARKING CIRCULATION SPACE
- PARKING SPACE
- LANDSCAPE
- MAINTENANCE SPACE

M-BA

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DEVELOPMENT STANDARDS

The land use regulations for allowable live/work and residential development are activated by a Master Plan. The development regulations of the base zoning district shall be superseded by those contained in the SoBECA Urban Plan, unless otherwise noted (Table A, Development Standards).

TABLE A - SoBECA URBAN PLAN
DEVELOPMENT STANDARDS

DEVELOPMENT STANDARD	Deviations from development standards may be granted through the master plan approval process with consideration to existing development configuration, compatibility of adjacent uses, inclusion of pedestrian-oriented space, and/or inclusion of amenities along the street side.
Maximum Floor Area Ratio for mixed-use development project (including residential uses) • Commercial Base Zoning District • Industrial Base Zoning District	 1.0 FAR 1.0 FAR
Minimum Floor Area Ratio for nonresidential component of development • Commercial Base Zoning District • Industrial Base Zoning District	 0.15 FAR 0.175 FAR
Overall Maximum Building Height for Mixed-Use Project • Max. Building Height for Nonresidential Component: • Max. Building Height for Residential Component:	4 stories/ 60 feet (Roof gardens/terraces in mixed-use development projects shall not be considered a story. 2 stories/ 40 feet 4 stories/60 feet (Lofts, as defined in Section 13-6 of the Zoning Code, without exterior access and having only clerestory windows will not be regarded as a story.
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. Attics above the maximum number of stories shall be an integral part of the building roofline and not appear as an additional story on any building elevation. Windows in any attic space above the maximum number of stories shall be incidental and limited to a dormer style.
Maximum Lot Coverage	90%
Minimum Open Space Development Lot: Residential Open Space:	10% (This minimum open space requirement strictly applies to the overall development lot area. This minimum 10% open space will be in addition to any residential open space required per dwelling unit.) Minimum 200 sq.ft. per dwelling unit of residential component (This requirement does not apply to live/work units) Residential open space may be any combination of private and common open space areas. Common open space may be distributed throughout the residential component of the mixed-use development and need not be in a single large area. Common open space areas may be satisfied by common roof gardens, common recreational/leisure areas, recreational facilities featuring swimming pools, decks, and court game facilities. Private open space may be provided for each dwelling unit above the first floor in the form of a private patio or balcony.

TABLE A - SoBECA URBAN PLAN
DEVELOPMENT STANDARDS

SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS

Minimum distances given, unless otherwise noted. All setbacks from streets to development lots are measured from the ultimate property line shown on the Master Plan of Highways. Increased side and rear setbacks may be required pursuant to Uniform Building Code requirements.

Front Build-To-Line • Abutting public street	20 feet along Bristol Street 10 feet along Baker Street, Century Place, Randolph Avenue, Saint Claire Street
Side • Abutting a public street • Abutting a residential zone • All other rear property lines	20 feet along Bristol Street 10 feet along Baker Street, Century Place, Randolph Avenue, Saint Claire Street 20 feet 0 feet
Rear • Abutting a public street • Abutting residential zone • All other rear property lines	20 feet for Bristol Street 10 feet along Baker Street, Century, Randolph, Saint Clair 20 feet 0 feet
Distance between main buildings	Minimum 10 foot distance between main buildings on the same site.
Distance between accessory structures.	Minimum 6 foot distance between accessory structures and main buildings.

PARKING

(1) Vehicle parking is required either on-site or on another lot within a distance deemed acceptable by the Planning Commission. A reduction in the vehicle parking requirements shall be determined as outlined in "City of Costa Mesa Procedure for Determining Shared Parking Requirements." The parking reduction for the mixed-use development project and may be approved in conjunction with the master plan approval.

(2) Parking spaces shall be specifically designated for nonresidential and residential uses by the use of posting, pavement markings, and physical separation. The parking area design may include the use of alternative parking techniques such as mechanized stacked parking systems to satisfy parking requirements, subject to review and approval by the Planning Commission. Parking design shall also consider the use of separate entrances and exits, or a designated lane, for residents, so that residents are not waiting in line behind shoppers or moviegoers. Parking structures shall be architecturally integrated with the project design.

(3) Parking structures shall be screened from view at street level and include architectural detailing, artwork, landscape, or similar visual features to enhance the street facade. Screening of parking structure levels above street grade is encouraged through the use of vines or architectural screening detail that is compatible with the project.

TABLE A - SoBECA URBAN PLAN
DEVELOPMENT STANDARDS

Nonresidential Component

Commercial or Industrial Uses

1. Parking requirements for commercial or industrial uses shall comply with off-street parking requirements for nonresidential uses in the base zoning district. See Table 13-89, Nonresidential Parking Standards in the Zoning Code.

Live/Work Units

2. Parking requirements for live/work units shall be applied as follows:

Live/Work Unit	Tenant Parking Space[(2a)]	Guest Parking Space
To 1,000 sq.ft.	1.0 Space per unit	.5 guest per unit
To 2,000 sq.ft.	1.5 spaces per unit	.5 guest per unit
To 3,000 sq.ft.	2.0 spaces per unit	.5 guest per unit
Over 3,000 sq.ft.	2.5 spaces per unit	.5 guest per unit

(i). *Assigned Tenant Parking*. No less than one covered, tenant assigned parking space provided for each unit.

(ii). The application of these parking requirements apply to "permitted" uses in live/work units. Any conditionally permitted uses may be subject to additional parking requirements depending on the proposed business activities.

Residential Component

1. Parking requirements for dwelling units in a mixed-use development shall be applied as follows:

Dwelling Unit	Tenant Parking Space[(1a)]	Guest Parking
Studio/Loft/Bachelor	1.0 space	.5 guest
1 Bedroom	1.5 spaces	.5 guest
2 Bedrooms	2.0 spaces	.5 guest
3 Bedrooms	2.5 spaces	.5 guest

(i). *Assigned Tenant Parking*. A minimum of 50 percent of the total number of parking spaces required for the dwelling units shall be covered, with no less than 1 covered assigned parking space being provided for each dwelling unit.

TABLE A - SoBECA URBAN PLAN
DEVELOPMENT STANDARDS

SIGNAGE

A Planned Signing Program is required. Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage pursuant to the City's Sign Ordinance.

Building Wall Sign	Wall signs shall not exceed one square foot of sign area for each linear foot of building frontage or portion thereof.
Freestanding Sign	Maximum 7 feet in height including the base.
Freestanding Sign along Bristol Street and Baker Street	Maximum 25 feet in height including the base.
	Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage pursuant to the City's Sign Ordinance.

POOLS AND SPAS

Above-ground pools and spas shall not be located in the required front setback from a public street and are subject to rear and side yard setbacks for main structures. Additional setbacks may be applicable pursuant to Uniform Building Code requirements.

PROJECTIONS (Maximum depth of projections given)

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.	2 feet 6 inches into required setback area.
Chimneys	2 feet above maximum building height.
Fireplaces	2 feet into required setback or building separation area

ADDITIONAL DEVELOPMENT STANDARDS

Common Interest Developments	Required. Exception: Small lot, single-family detached common-interest developments are not permitted.
Window Placement	Window placement should take into account surrounding land uses. Clerestory windows should be used in areas where there are privacy or view concerns.
Building Materials	A variety of building materials shall be incorporated into the design of the exterior elevations.
Mechanical Ventilation	All units shall be mechanically ventilated.
Residential Noise Levels	1. Residential interior noise levels must be met for interior residential living spaces. Residential exterior noise levels must be met on all private patios, upper-story decks, and balconies. However, residential exterior noise levels do not need to be satisfied on roof-top decks/terraces or in common open space areas. 2. Noise study required with project application to document onsite noise levels from surrounding land uses.
Onsite Private Recreational Facilities	Provision of onsite private recreational facilities that are designed for the anticipated demographic profile of the residential development.
Garage	Garages are required to be used for vehicle storage.
Notice	In conjunction with the sale of any unit, adequate notice shall be given of the existing surrounding industrial land uses, including operational characteristics such as hours of operation, delivery schedules, outdoor activities, noise, and odor generation.

DENSITY AND INTENSITY OF MIXED-USE DEVELOPMENT

Development

The floor-area-ratio and vehicle trip generation work in concert to ensure that new live/work developments, as measured by average daily trip generation, do not exceed the capacity of the circulation system.

Maximum Allowable Intensity (Floor-Area-Ratio)

Intensity in mixed-use development is measured by floor-area-ratios, which determine the maximum amount of mixed-use development that is allowed on a lot or parcel. Intensity is, therefore not exclusively measured by the number of dwelling units per acre of land.

For mixed-use development (including live/work units), any increase from the maximum 1.0 FAR (up to a maximum of 1.25 FAR) may be approved if appropriate findings can be made related to excellence in design, site planning, integration of uses and structures and protection of the integrity of the neighborhood. These findings are described in Article X, Section XX of the Costa Mesa Municipal Code.

Table B provides maximum FARs for mixed-use development in the plan area. Figure 13 is a prototypical illustration of structures sited along the 10-foot "build-to-line."

Table B
FARs for Mixed-Use Development

Development Standard	Commercial Base Zoning District	Industrial Base Zoning District
Maximum Floor-area-ratio for mixed-use development project	1.0 FAR	1.0 FAR
Minimum Floor-area-ratio for nonresidential component of development	0.15 FAR	0.175 FAR

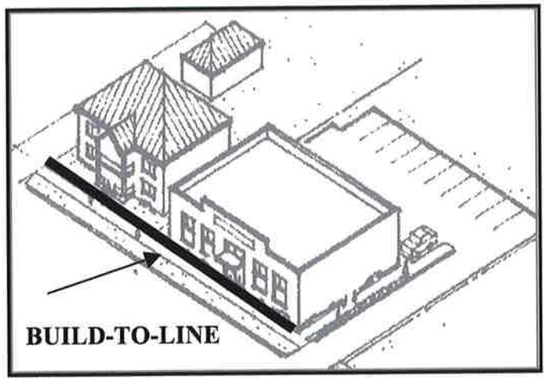


Figure 13: Drawing of structures in a mixed-use development area with the building sited along the minimum 10-foot "build-to-line". Location of parking to the rear of the property and consistent siting of buildings enhance character and pedestrian experience in mixed-use developments.

Vehicle Trip Generation

Intensity refers to the magnitude of vehicle traffic activity generated by the mixed-use development. Successful mixed-use development requires a critical balance of building area (density) and vehicle traffic (intensity). The Urban Plan intends to stimulate live/work and residential development that both provide for the critical mass **without** exceeding the development capacity of the General Plan transportation system.

It is anticipated that as mixed-use projects develop over time in the plan area, overall vehicle trip generation will decrease when compared to more traditionally zoned and developed properties in Costa Mesa.

General Plan Conformance

The Urban Plan is consistent with the following 2000 General Plan circulation policies:

CIR-1A.8 *Encourage the integration of compatible land uses and housing into major development projects to reduce vehicle use.*

CIR-1A.9 *Encourage General Plan land uses which generate high traffic volumes to be located near major transportation corridors and public transit facilities to minimize vehicle use, congestion, and delay.*

CIR-1A.16 *Maintain balance between land use and circulation systems by phasing new development to levels that can be accommodate by roadways existing or planned to exist at the time of completion of each phase of development.*

Project Traffic Analysis & Annual Traffic Monitoring

In conjunction with each Master Plan submittal, Transportation Services staff will analyze the following: (a) the proposed development project's anticipated traffic/circulation impacts on the surrounding circulation system; (b) the project's consistency with the City's traffic model for the affected traffic analysis zone (TAZ), (c) trip generation characteristics of other land uses in the TAZ, and (d) any appropriate mitigation measures for significant traffic impacts that are identified. If needed, Transportation Services staff may require the applicant to provide a supplemental traffic analysis.

Additionally, through the City's annual Development Phasing and Performance Monitoring Program, Transportation Services staff will monitor traffic conditions of the affected traffic analysis zones for the plan area to ensure that traffic generation assumptions are correct and that the circulation system is operating consistent with adopted Master Plan of Highways and General Plan goals and policies.

Furthermore, a new section will be added to the Development Phasing and Performance Monitoring Program that specifically addresses mixed-use development in the Mixed-Use Overlay District. Some areas that may be examined would relate to land use and architectural compatibility issues, sufficiency of parking supply, and compliance with conditions of approval.

ALLOWABLE USES

A variety of small-scale services are encouraged with limited larger offices and commercial uses being permitted in ground-level units. No proposed nonresidential uses shall be designed or operated so as to expose residents to offensive odors, dust electrical interference, and/or vibration. Proposed new development will be required to provide onsite mitigation of impacts associated with surrounding nonresidential land uses.

The land use matrix shown in Table C provides a list of permitted and conditionally permitted land uses in mixed-use development, including live/work units. Similar to the role of a land use matrix in Planned Development Commercial (PDC) and Planned Development Industrial (PDI) zoning districts, the Urban Plan land use matrix provides a distinct listing of allowable uses that is customized for mixed-use development projects.

For example, uses permitted by right in a mixed-use development are considered compatible with residential uses on the same development site. These permitted uses may include artist studios, retail stores, neighborhood grocery stores, coffee/sandwich shops, and neighborhood dry cleaners. Conditionally permitted uses may include photography studios, physical fitness facilities, dance studios, or movie theaters.

For live/work developments, commercial uses in the ground-floor units would have minimal noise disturbances, prohibited storage of hazardous materials/substances, and regular hours of operation.

Table C: Allowable uses in mixed-use development and live/work units in the SoBECA Urban Plan area.

LAND USE MATRIX P= Permitted, MC = Minor Conditional Use Permit, C= Conditional Use Permit	
NONRESIDENTIAL USES IN MIXED-USE DEVELOPMENTS (HORIZONTAL OR VERTICAL)	
• Restaurants/Cafes/Sandwich Shops	P
• Artists, sculptors studios	P
• Banks; Savings and Loans; and other Financial institutions	P
• Barber and beauty shops	P
• Commercial art; Graphic design	P
• Computer and data processing	P
• Grocery Market	P
• Laundry/Drycleaning garment svcs (excludes dry cleaning plants)	P
• Offices: General	P
• Photocopying; Blueprinting and related services; photo finishing	P
• Printing and publishing	P
• Retail Stores	P
• Building supplies; Hardware stores (retail)	MC
• Catering	MC
• Off-street parking lots and structures	MC
• Photography: Commercial/ Portrait Studio	MC
• Recording studios	MC
• Studios: Dance; Martial arts; Music, Yoga, etc.	MC
• Physical Fitness Facilities	MC
• Churches and other places of religious assembly	C
• Civic and community clubs	C
• Amusement centers	C
• Convenience stores; Mini-markets	C
• Furniture repair and refinishing with incidental sales	C
• Liquor stores	C
• Motion picture theaters and other theaters	C
• Research and development laboratories	C
NONRESIDENTIAL USES IN LIVE/WORK UNITS	
• Artists, craftspersons, sculpture studios (woodworking, furniture	P
• Retail: Nonstore (internet businesses)	P
• Commercial art, graphic design, website designers	P
• Computer and data processing	P
• Legal, Engineering; Architectural; and Surveying services	P
• Offices: Professional, central admin., general, services to business	P
• Offices: medical/dental	MC
• Photography: Commercial	MC
• Photography: Portrait Studio	MC

Notes: Laundry/dry cleaners allowed in a mixed-use development refer to neighborhood drycleaners and not commercial drycleaning plants involving large scale hazardous solvents storage and chemical processing.

Master Plan Land Use Matrix

A Master Plan is required to be approved for all development projects proposed in the overlay zone. As part of the Master Plan approval, a project-specific land use matrix of permitted, conditionally permitted, and prohibited land uses will be identified by refining the listing shown in the Urban Plan land use matrix.

A developer may choose to refine this Urban Plan land use matrix by identifying certain permitted and conditionally permitted uses for the specific Master Plan proposal. This "Master Plan" land use matrix will be approved by the Planning Commission in conjunction with the overall approval of the development project, and it will supercede the land use matrix in this Urban Plan. If the Master Plan approval does not include such a matrix, the land use matrix in this Urban Plan shall be applied.

Thus, the purpose of a separate land use matrix in this Urban Plan is to supersede the more generalized matrix currently provided in the Zoning Code and thereby allow further specification of uses for a mixed-use planned development.

Only the conditionally approved land uses would require subsequent review and action by the Planning Commission, at the time the land use is proposed. Parking requirements, lease space size restrictions, hours of operations, and other related conditions of approval would be stipulated for these conditional uses.

After a Master Plan is approved, a conditional use permit would be referred to the Planning Commission for review and action, if: (1) an applicant seeks approval of a land use designated in the Master Plan land use matrix as requiring a conditional use permit, or (2) an applicant seeks approval of land use that requires a conditional use permit pursuant to the Urban Plan land use matrix, because it is not listed in the applicable Master Plan land use matrix.

Additional Uses

Other than residential uses in a mixed-use development and those uses allowed in this Land Use Matrix, uses that are prohibited in the base zoning district shall also be prohibited in overlay district. All other uses not specified in the Land Use Matrix may be considered by the Development Services Director.

Depending upon the project location and/or site and building design, additional permitted and conditionally permitted uses may be appropriate. These additional uses shall be considered on a project-specific basis as a part of the mater plan review process. If deemed appropriate, the master plan approval shall list the additional uses allowed within the project. Conversely, additional prohibited uses could also be identified though this same process.

LAND USE COMPATIBILITY

New development in the mixed-use overlay district shall be evaluated for compatibility with existing development on a case by case basis.

The following considerations incorporated into the proposed project:

- Standard Condition of Approval: For proposed development adjacent to residentially-zoned properties that exceeds two stories, developer shall submit a shade/shadow analysis prepared by a professional aesthetic consultant. The conclusions of the aesthetic analysis shall specifically demonstrate that adequate daylight plane requirements for the abutting residential uses are provided.
- Land use compatibility studies are required in the form of a Health Risk Assessment Study and Phase 1 Environmental Assessment Study is for all mixed-use development projects. Other equivalent compatibility analysis may be approved by the Development Services Director. The studies should recommended mitigation measures to reduce any environmental concerns to below a level of significance. These measures or project design features should be incorporated into the proposed project and disclosed in the environmental document.

At the discretion of the Development Services Director and in consideration of specific site characteristics, additional or modified development standards and conditions of approval may be added to include, but not be limited to, increased setbacks, increased wall height, enhanced landscaping, and other appropriate edge treatments aimed at enhancing the compatibility of urban infill projects.

DISCLOSURES

As part of the Master Plan approval, a condition of approval may require that the Covenants, Conditions, and Restrictions (CC&Rs) disclose the existing noise environment and any odor-generating uses within and surrounding the mixed-use development.

The provision of the CC&Rs that relates to disclosures will be reviewed/approved by the City Attorney's office prior to recordation. A provision to the CC&Rs will also stipulate that any subsequent revisions to the CC&Rs related to this issue must be approved by the City Attorney's office.

A condition of approval may be included which would require that written notice of the then-existing noise environment and any odor generating uses within the mixed-use development and within a specific radius of the mixed use development be distributed 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 City Attorney's office shall determine the legal mechanism employed to ensure disclosure of noise and odor generating uses. For example, if this disclosure is required as a deed restriction, it would not need to be included in the CC&Rs.

ON-SITE LANDSCAPING

A detailed landscape plan shall be approved by the Planning Division prior to issuance of any building permits. Chapter VII, Landscaping Standards, of the City's Zoning Code provides on-site landscaping requirements for mixed-use development.

Developers should include extensive on-site landscaping, plazas and courts, art, fountains, seating, and shade shelters for shoppers and pedestrians. Consistent rows of street trees, ground landscape, pedestrian-oriented lighting fixtures, well-designed signage, distinctive paving, and public art should be used to enhance the aesthetic quality and distinguish the area.

Streetscape elements should be linked with the higher intensity improvements planned for the SoBECA Urban Plan. The streetscape improvements should also contribute to the enhancement of the visual quality and value of the mix of commercial, residential, and community service uses located along major public streets.

LANDSCAPE

The amount of required on-site landscaping is prescribed in Title 13, Chapter VII, Landscaping Standards, of the Municipal Code. All required landscaped areas, including landscaped areas within parking lots, shall consist of predominately California native plants. Following is the recommended landscape palette for the plan area. Other landscape materials that meet the intent of this plan may be approved by the Planning Division.

LARGE DECIDUOUS TREES

Platanus racemosa (California Sycamore)

- Fast growing deciduous tree 50+ feet tall.
- Nice naturalized look with arching branches.
- Good tree for wildlife/birds.

Cercidium floridum (Palo Verde Blue)

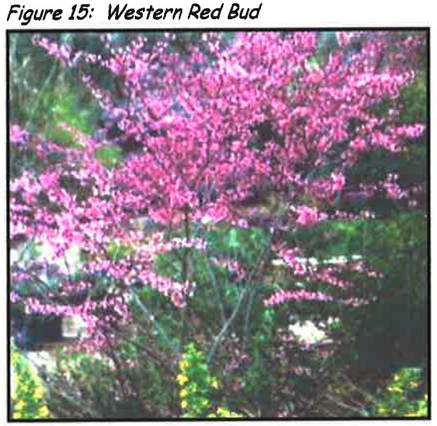
- Deciduous tree grows up to 20-30 feet tall.
- Yellow flowers in spring March or April.
- Bare much of the year, but seems to have nice blue-green branches.
- Takes heavy soil.

Figure 14: Palo Verde Blue

Cercis occidentalis (Western Redbud)

- Nice small, single or multitrunked tree, deciduous, grows to 20 feet tall.
- Very nice magenta flowers along branches in spring (more when mature).
- Loses leaves in winter, but very graceful branching when mature and will allow for more sun below tree for shrubs, ground cover.

Figure 15: Western Red Bud



Arctostaphylos refugioensis (Manzanita)

- Evergreen tree reaching 15 feet tall and 10 feet wide.
- Showy white flowers in spring and nice reddish/brown bark.
- Nice specimen tree – nice arching branches.
- Good companion plant is Rhamnus. Hummingbird attractant.
- Needs only monthly irrigation once established.

Figure 16: Manzanita

SMALL TREE (UNDER 20' IN HEIGHT)

Chilopsis linearis (Desert Willow)

- Deciduous, fast-growing tree that grows to about 20 feet tall.
- Needs summer water (twice monthly).
- Main appeal is the large pink blossoms.

Figure 17: Desert Willow

LARGE EVERGREENS

Pinus torreyana (Torrey Pine)

- Fast growing evergreen to 40-60 feet tall.
- Open habit in coastal area and more symmetrical inland.
- Nice pine in right conditions - seems to prefer coastal climate.
- Resistant to oak root fungus.

SHRUBS

Arctostaphylos 'Sunset' (Sunset Manzanita)

- Evergreen shrub that grows to about 3' by 6'.
- Dark red bark with white flowers.
- Considered one of cleaner/neater manzanitas and compact.
- Tolerates clay soil and drought tolerant.

Figure 18: Sunset Manzanita

Ceanothus (Skylark)

- Evergreen shrub 3-6' x 5' tall, but can be kept at 3'x3'.
- Glossy dark green leaves with bright blue flowers in spring.
- Tolerant to summer and garden watering. Blooms over long season.

Rhamnus californica 'Eve Case' and 'Mound San Bruno' (Coffeeberry)

- Nice evergreen mounding shrub that grows to about 4-6'x6'.
- Adaptable to most soils and can be shaped.
- Mound San Bruno is a little smaller than Eve Case.
- Good replacements for Indian Hawthorn, Photinia, Pittosporum, etc.

Figure 19: Sky Lark

GROUNDCOVERS

Ceanothus gloriosus (Anchor Bay)

- Grows to 1-1 ½' tall and 6-8' wide. Very dense
- Nice blue flowers in spring and good at holding down weeds.

Figure 20: Anchor Bay

Ceanothus griseus horizontalis (Yankee Point)

- Mounding ground cover or very small shrub that grows 2-3'x10'.
- Dark green glossy leaves with blue flowers in spring.

Figure 21: Yankee Point

Baccharis 'Pigeon Point' (Dwarf Coyote Brush)

- Grows 1-foot tall and about 12 feet wide dark green ground cover.
- Stays low and clean. Tolerates bad soil.

REQUIRED STUDIES

The following studies shall be submitted with the project application.

Noise Study (Required)

In the Noise Study, a qualified acoustical engineer shall certify that the proposed construction shall meet the City's Noise Ordinance requirements. Specifically, residential interior noise levels shall be 45 CNEL or less, and residential exterior noise levels in private open space areas shall be 65 CNEL or less.

The General Plan describes the indoor environment as inclusive of bathrooms, closets, corridors, and living/sleeping areas of the dwelling unit. The residential area of a live/work unit is subject to the interior residential noise requirements.

The exterior noise standards of the City's Noise Ordinance shall not apply to the following exterior areas of multi-family residential development or live/work units located within a Mixed-Use Overlay District, approved pursuant to a Master Plan, and subject to the land use regulations of the Urban Plan,

(1) Private balconies or patios regardless of size;

(2) Private or community roof decks/roof terraces;

(3) Internal courtyards and landscaped walkways that do not include resident-serving, active recreational uses such as community pool, spa, tennis courts, barbeque, and picnic areas.

Proper design may include, but shall not be limited to, building orientation, double pane or extra-strength windows, wall and ceiling insulation, and orientation and insulation of vents. Where it is necessary that windows be closed in order to achieve the required level, adequate means shall be provided for ventilation/cooling to provide a habitable environment. Commercial uses shall be designed and operated, and hours of operation limited, where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic, routine deliveries, or late night activity. No use shall produce continual loading or unloading or heavy trucks at the site.

Phase I Environmental Assessment (Required)

In the Phase 1 Environment Assessment, disclosure of and measures to remediate onsite hazardous wastes/substances shall be provided. Where applicable, a letter of case closure is required from the County of Orange Health Care Agency for mixed-use development sites, as applicable.

Traffic Study (Required as determined by Transportation Services Division)

The primary objective of new development, redevelopment and adaptive reuse of the properties in the SoBECA Urban Plan area is to revitalize the area **without exceeding** the development capacity of the General Plan transportation system. Independent traffic studies may be required by Transportation Services Division if there is a potential that the proposed Master Plan would adversely affect roadway conditions.

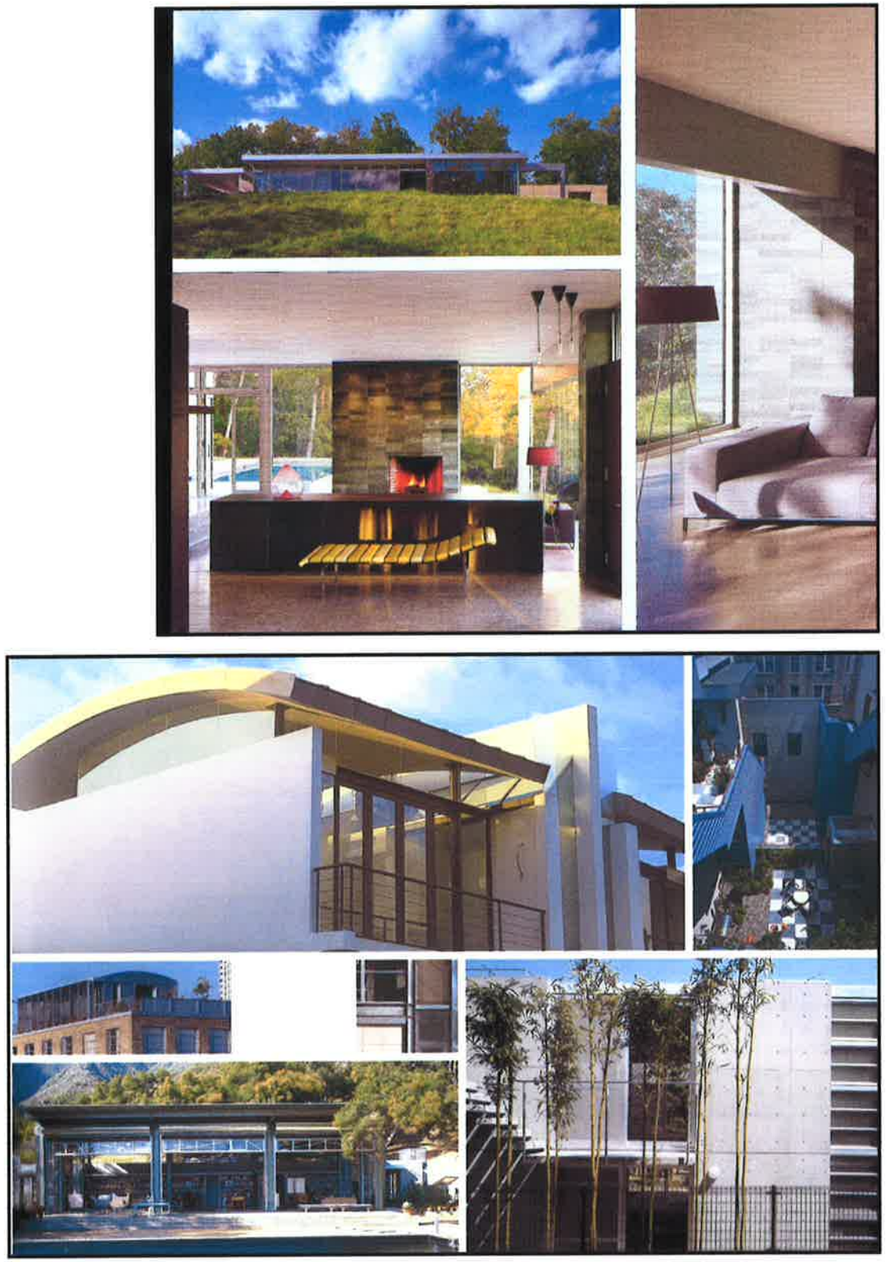


Figure 22: Collection of photos of indoor and outdoor living spaces in various mixed-use developments in the United States.

THE PUBLIC REALM

Improvements to both public and private to create a cohesive theme for the SoBECA urban plan area, there should be unifying design elements for light standards, community identification signs, and decorative crosswalks. These different elements will enhance a sense of place in the SoBECA Urban Plan area.

Public realm improvements could be jointly implemented and funded by the City and the Developer of a mixed-use development. The Developer's level of participation in public realm improvements are determined on a case-by-case basis during the Master Plan approval process. These improvements are intended to accomplish the following objectives:

- Reinforce the identity of the SoBECA Urban Plan area through the creation of an aesthetically pleasing pedestrian network and public spaces.

- Create a mixed-use district focus through the provision of human-scale features such as landscape and streetscape.

STREETSCAPE

Streetscape improvements include planting materials (i.e. trees, vines, shrubs, and groundcover in landscaped parkways) and street furnishings (i.e. seating, paving, lighting, and trash receptacles).

Decorative Crosswalks

Decorative crosswalks along Randolph Avenue and St. Clair may be considered depending on the scale of mixed-use development in that area.

Another potential location for decorative crosswalks would be at Bristol Street and Randolph Avenue. This crosswalk could provide a visually attractive pedestrian linkage between The CAMP and the LAB along Bristol Street.

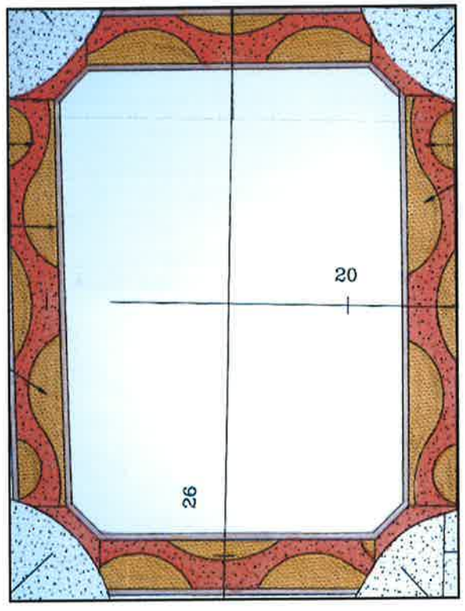


Figure 24: Example of Decorative crosswalk

LANDSCAPE IN PUBLIC RIGHT-OF-WAY

Landscape materials have been identified for use because they do well in the area, are drought tolerant California native plants, and require low maintenance. Following is the suggested landscaping palette in the public right-of-way in the SoBECA Urban Plan area.

Street Tree:
Platanus racemosa (California Sycamore)

Groundcover:
Ceanothus gloriosus (Anchor Bay)

Shrubs:
Arctostaphylos 'Sunset' (Sunset Manzanita)

Figure 23: Collection of illustrative visual simulations of streetscape improvements, including sidewalk treatments and decorative crosswalk. Please note: Carpinteria-style light standards are proposed and not those featured in these illustrations.

Street Furnishings for Major and Secondary Streets in Urban Plan Area

To provide continuity within the SoBECA Urban Plan and to comply with Citywide standards, a complementary collection of street furnishings will be used. The proposed street furniture on this page are provided for informational purposes only and serve as illustrative examples of what types of furnishings may be used in the plan area. The Planning Commission may exercise creativity and flexibility in departing from any of these suggested samples. The Planning Commission may allow different types of street furniture that complement the mixed-use development projects in conjunction with Master Plan approval.

- The street bench shown in Figure 25 is recommended for the SoBECA Urban Plan area. An approved equivalent to this bench may be approved equal should be used along sidewalks and in public spaces.

- The City's adopted trash container (Dwg. No. DS.105) should be used, with a minimum of one trash container for each 300 feet of street frontage and should be maintained (regular trash pickup and cleaning) by the City (Figure 26).

- The City may design or select a standard news rack system to complete the family of approved street furnishings. The news rack system should permit the grouping of up to five news racks.

- Criteria for the placement of news racks should be developed. In developing those criteria, it is recommended that at least the existing number of news rack be permitted. Placement criteria may include:

    - To avoid visual obstructions that may create safety and security hazards, not more than five individual news racks should be grouped in one location and news racks should not be stacked above a height of 3'-6".

    - News racks should be located in front of businesses with high volumes of pedestrian activity, including restaurants and grocery stores.

    - Groups of news racks should be placed at least 300 feet apart where feasible.

Following is a comprehensive list of suggested parkway improvements or public right-of-way improvements that may be required in the SoBECA Urban Plan area.

Since all projects shall include specific, mandatory base elements to create a unifying theme, these elements are identified in the list below. ADA compliance is required where applicable.

Required Base Elements

- Various landscaping & irrigation improvements in public right-of-way
- Street Trees per SoBECA Urban Plan
- Grated tree wells
- Benches & trash receptacles
- Standard & ornamental street light poles
- Enhanced color & textured treated sidewalks
- Decorative crosswalks
- Increased sidewalk widths or sidewalk re-alignments

Other Suggested Elements

- Architectural retaining walls (outside public right-of-way)
- Undergrounding of utilities
- Repair of adjacent parkway, curb & gutter
- Entry node monuments

Figure 25: Illustrative example of recommended street furniture with Carpinteria-style lighting.

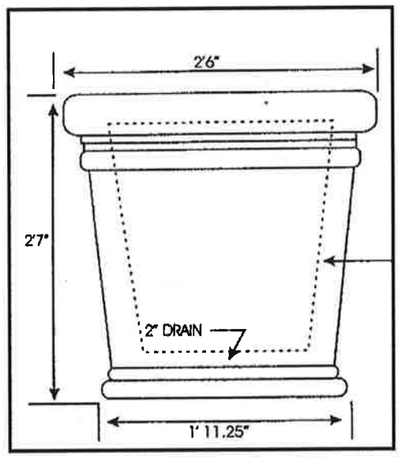


Figure 26: City trash receptacle

Figure 27: Potted plants and trees.

PUBLIC NODES

Mixed-use development in the SoBECA Urban Plan area will largely be developed with separate architectural identities. The best way to achieve cohesiveness is through use of general physical elements that can be used consistently, or in some cases, complementarily throughout the mixed-use district. Unique gateway and street signage will create an appealing and consistent design/color theme throughout the district.

Gateway Monument Signs

The entry monuments will identify gateways to the SoBECA District and enhance visibility of this area. The community identification signage will hopefully encourage property owners to redevelop their properties into mixed-use development, construct new residential development, or adaptively reuse existing buildings. The entry signage will reinforce a sense of community and value for a successful revitalization.

A monument sign (Figure 28) designed as a smaller scale version of the approved City park identification signs and may be installed at the following locations. The exact sign dimensions and locations will be determined by the City's Planning and Transportation Services Divisions as mixed-use development is proposed. Suggested locations are shown in Figure 29.

Figure 28: Rendering of a suggested monument sign for the SoBECA Urban Plan area.

SUGGESTED ENTRY SIGNAGE LOCATIONS

Baker St. and Randolph Ave. (Figure 30)

A potential location is on the southeast corner of Baker St. and Randolph Ave. Adequate sign area is available at this location and would promote the SoBECA Urban Plan area due to its high visibility and traffic volume.

Bristol St. and Randolph Ave. (Figure 31)

One potential entry sign location was chosen at the southwest corner of Bristol St. and Randolph Ave. This entry sign location will be visible to on Bristol St., with 23,000 Average Daily Trips. Visibility of the entry sign at this location will be asset in promoting the SoBECA Urban Plan area to visitors, business owners, and residents.

Figure 29: Suggested sign locations.

Figure 30: Suggested monument sign at Baker Street and Randolph Avenue

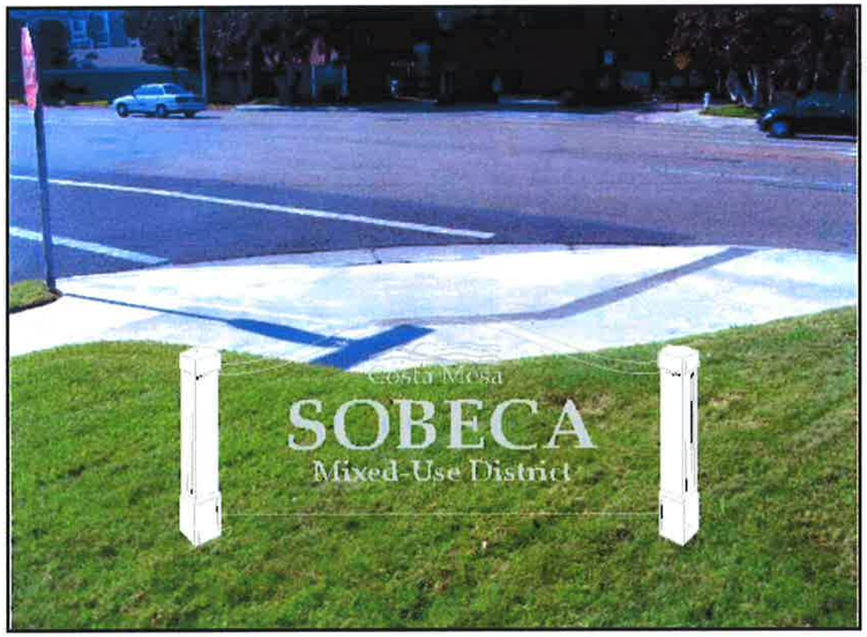


Figure 31: Suggested monument sign at Bristol Street and Randolph Avenue.

Banner Signs

As major mixed-use development occurs in SoBECA Urban Plan area and properties are redeveloped, the City will develop a banner signage program for the area. Banners on private property may be displayed only in conjunction with current or pending cultural events in the district, in conjunction with existing permanent structures in the district, or as free-standing display of original works of artistic merit. Banners on private property shall not be displayed for any reasons other than furtherance of broad cultural goals. The banners throughout the district will make visitors aware that they have entered the SoBECA Urban Plan area. An illustrative example of a banner design is provided in Figure 35.

Streetlights

A mix of different streetlight types are found throughout the City. The most common along the majority of arterials are the concrete "Marbelite" poles with cobra head light fixtures, providing either single or dual mast-arms (Figure 31). Within the Downtown area, surrounding the Triangle Square development are the "Triangle Square" streetlights, which are owned and maintained by Triangle Square Development (Figures 32 and 33).

The nostalgic streetlights were installed along West 19th Street. For continuity with the SoBECA Urban Plan, 19 West Urban Plan, and the East 17th Street Lighting Plan, the "Carpinteria" ornamental street light (Figure 34) is also recommended for the SoBECA Urban Plan area.

A uniform citywide plan is needed to designate areas for special decorative streetlights in conjunction with new development projects. For example, the following street lighting plan is proposed for the SoBECA Urban Plan area:

Street Lighting for Century, Randolph, Baker, and Bristol

- Install ornamental pedestrian lighting on 12-foot poles 50 feet on center.

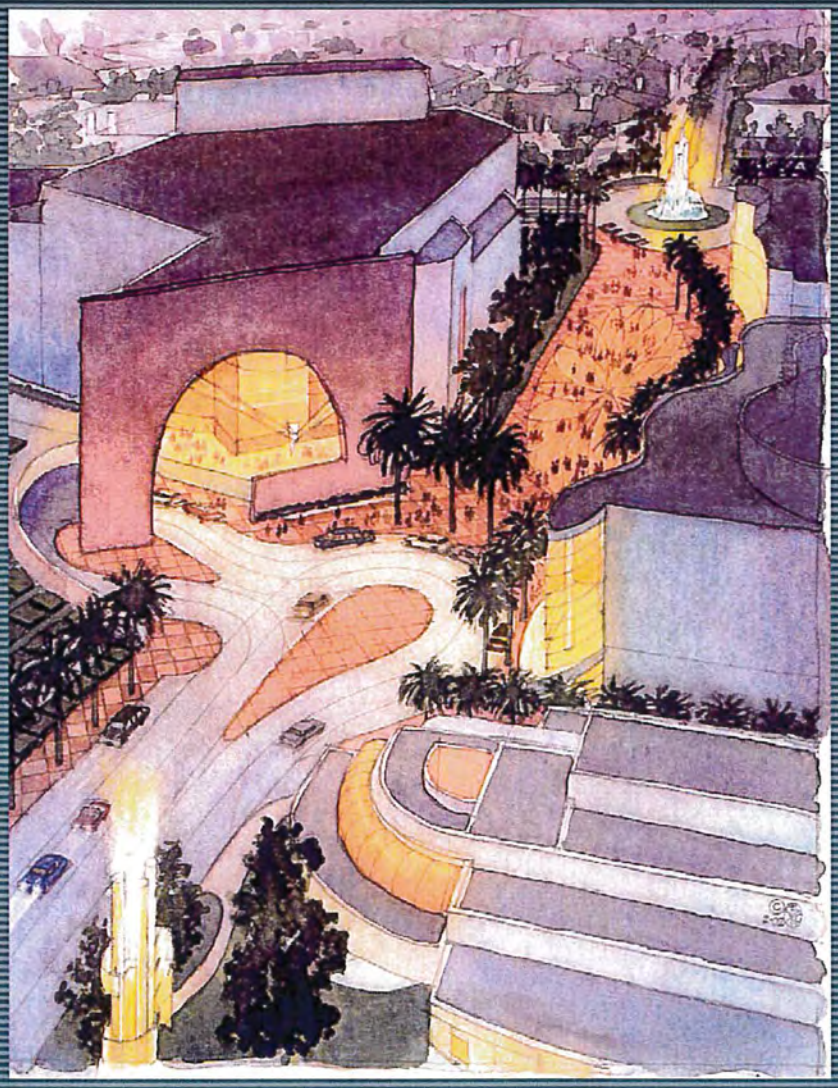
The decorative streetlights may be the same style and color used at the along E. 17th Street or another complementary style to be specified by the City.

Figure 32: Marbelite light standard along W. 19th

Figure 33: Nostalgic-style light standard.

Figure 34: Suggested Carpinteria-style light standard

Figure 35: Suggested banner program



Costa Mesa Theater & Arts District Plan

Adopted February 2004
Amended March 2006
Amended May 2008

COSTA MESA
Theater & Arts
DISTRICT

INTRODUCTION:

The South Coast Plaza Town Center area of Costa Mesa is known regionally, nationally and internationally for its cultural facilities, architecture, art and landscaping. Individual elements are, in and of themselves, unique, elite and collectively they produce an environment that is unmatched anywhere in the United States.

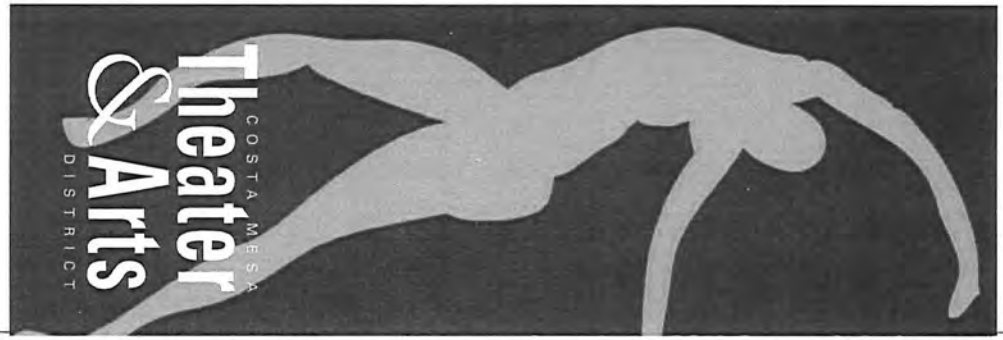
The Costa Mesa Theater and Arts District Plan (the "Plan") details the strategy to foster and enhance a unique look and feel for the project area. Because existing elements are of high quality, the plan's challenges will be to highlight the individuality of each existing cultural and art attraction; to preserve an atmosphere that encourages future stakeholders to enhance the district's uniqueness; to maintain an environment that encourages new businesses of equally high quality to locate there; and to ensure that an all-encompassing atmosphere is sustained and preserved so that the entire area is enjoyed by the greatest possible number of individuals, whether residents or visitors.

The Plan addresses a mixed-use urbanized area. It responds to a variety of competing demands and requirements between individual ownership entities and the City of Costa Mesa. For this reason, the Plan is a dynamic document that attempts to balance uses, esthetics and function. It recognizes that the great majority of improvements to the Costa Mesa Theater and Arts District area were accomplished through the vision and foresight of the area's historic and current owners with little outside influence or oversight.

The Costa Mesa Theater and Arts District Plan was jointly developed by South Coast Plaza, CommonWealth Partners, LLC and the Orange County Performing Arts Center ("OCPAC") in fulfillment of an obligation called out in separate development agreements executed between these entities and the City of Costa Mesa in 2001. South Coast Repertory and City of Costa Mesa planning staff reviewed and commented on the plan on several occasions. In addition, the document was reviewed by the Costa Mesa Planning Commission before its submission to the Costa Mesa City Council for final review and approval.

NOTE:

References in this document to CommonWealth Properties shall be understood to refer to Maguire Properties, the successor in interest to CommonWealth for some properties in the Theater and Arts District.



Background & Context

LOCATION:

The Costa Mesa Theater and Arts District is bounded by Bristol Street on the west, Sunflower Avenue on the north, Avenue of the Arts on the east and the San Diego (I-405) Freeway on the south (see Figure 1). Its 54 acres comprise one of the most urbanized areas in Orange County and include high-rise office buildings, internationally recognized cultural facilities, hotels, restaurants and various commercial uses.

Immediately west of the Costa Mesa Theater and Arts District is South Coast Plaza, one of the leading magnet retail centers in the world. Other surrounding uses include high-density residential and office/commercial uses to the east, multiple-family residential in the City of Santa Ana to the north and the I-405 to the south.

Access to the area has historically been obtained from the I-405 via Bristol Street. Improvements jointly sponsored by the California Department of Transportation (Caltrans), the Orange County Transportation Authority (OCTA) and Costa Mesa have recently expanded access via a new northbound off-ramp from the I-405/San Diego Freeway at Avenue of the Arts. OCTA is also in the design stage for the CenterLine light-rail transit system that will link Santa Ana, Costa Mesa and John Wayne Airport. The precise alignment and station location have yet to be determined; however, the project may be expected to provide further access options to the Costa Mesa Theater and Arts District.

Orange County Performing Arts Center and Plaza Tower

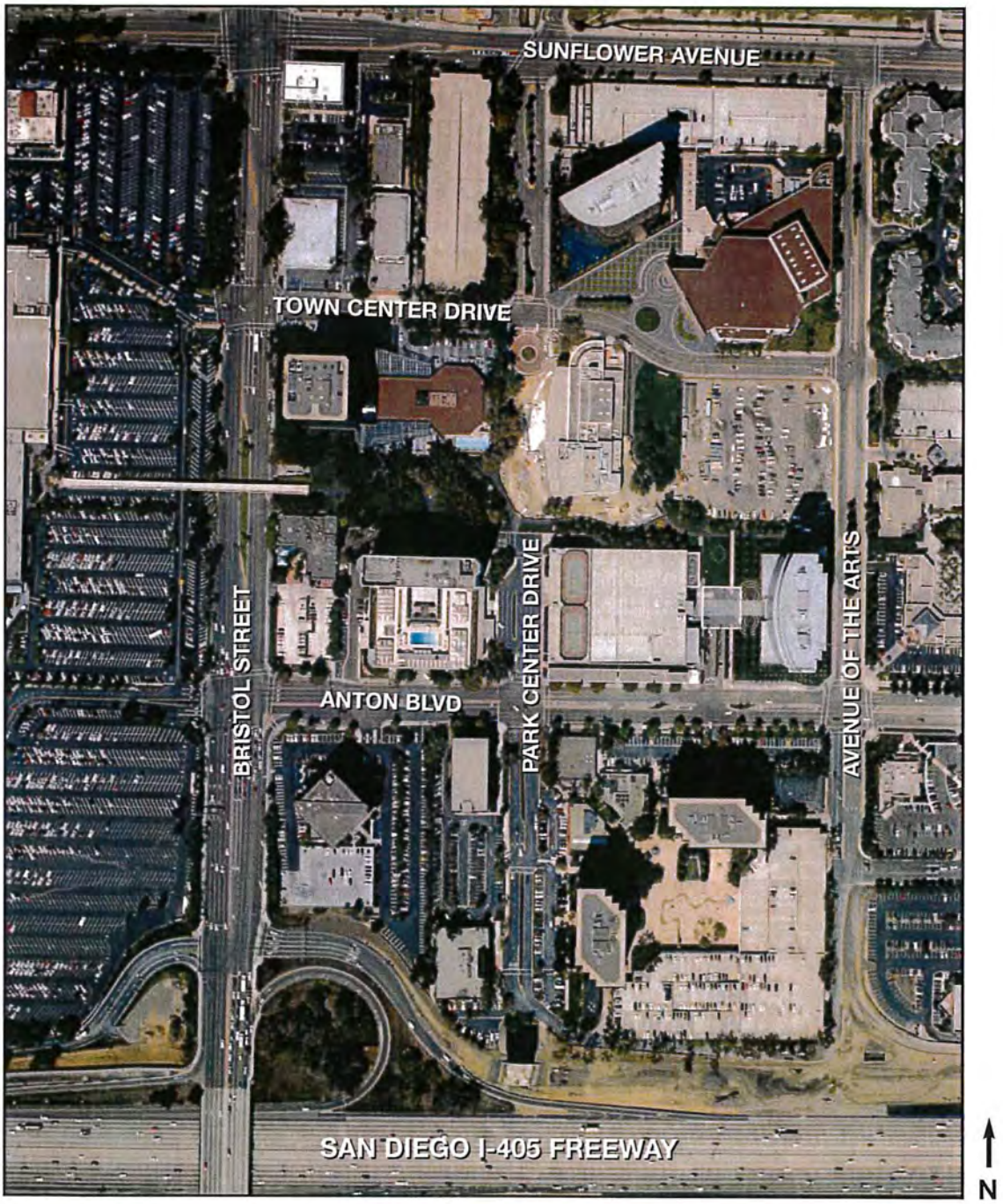


Figure 1 - Aerial Photo of Theater & Arts District

HISTORY:

Prior to the mid-1960s, the area encompassing the Costa Mesa Theater and Arts District was primarily agricultural. Commercial development began in 1967 with the California Bank and Trust Building at the corner of Bristol and Sunflower. Construction accelerated in the mid 1970s with completion of Western International's South Coast Plaza Hotel, now the Westin South Coast Plaza Hotel, and development of the South Coast Repertory followed in the Fall of 1978.

The 17-story Park Tower was constructed in 1979, as was the five-level parking structure fronting on Park Center Drive. Additionally, the Downey Savings Building was built in 1979 and the twin 15-story office buildings at 611 Anton and 3200 Park Center Drive were completed in 1981-1982. Internationally known architect Helmut Jahn expanded the Park Tower atrium lobby in 1999. In 1981, Isamu Noguchi completed his 1.6-acre "California Scenario" garden, viewed by urban analysts as the most important outdoor sculpture open to the public in Southern California and an installation that has few equals across the country.

Center Tower, completed in 1985, offers a distinctive corporate environment of quality and sophistication adjacent to the Orange County Performing Arts Center. Center Tower is complemented by sculptures of Carl Milles, Joan Miro, George Rickey and Henry Moore.

Since 1986, the Orange County Performing Arts Center has been one of the leading U.S. presenters of national and international performing artists and companies. Renowned for its asymmetrical architecture, advanced acoustical design and excellent sightlines, The Center welcomes more than 650,000 people per year to the 3,000-seat Segerstrom Hall and 250-seat Founders Hall. The area across the street from the Performing Arts Center has been designated the Segerstrom Center for the Arts. It is currently under development.

Plaza Tower, completed in 1991, is the latest addition to The Offices of South Coast Plaza. The 21-story tower, designed by architect Cesar Pelli, is easily recognized by its stainless steel curtain exterior with a linen finish. Pelli's buildings have been constructed in many of the world's leading cities.

In late 2002, South Coast Repertory, Orange County's Tony Award-winning theater, completed an expansion known as "The Next Stage," a 336-seat theater designed by Cesar Pelli. An expanded lobby sweeps across the front of the facility, connecting the three theaters behind a new façade of glass that redefined the building and its relationship to the space in which it sits.

In summary, for approximately 40 years the area now known as the Costa Mesa Theater and Arts District has offered a fitting home for a number of Southern California's most architecturally and culturally rich attractions.

UNIQUE CHARACTERISTICS:

Plaza Tower

The Costa Mesa Theater and Arts District is significantly different from other cultural centers in the United States in the following important respects:

***Limited and private ownership*:** The Costa Mesa Theater and Arts District is unique in that the entire area, with the exception of some public streets and sidewalks, is controlled by a limited number of private owners. These private entities have substantially invested and continue to invest in the design and maintenance of their properties.

Variety of artistic, architectural and cultural assets: The Costa Mesa Theater and Arts District is already home to internationally recognized architectural and sculptural achievements as well as premier cultural institutions that have chosen to base themselves here. Each individually distinguished element also contributes to the overall character and quality of the entire area. In some cases, one well-known individual element may also function as a component of a separate cultural entity (e.g., South Coast Repertory is located in the Segerstrom Center for the Arts.)

Public and Private Partnership: In May 2000 with the announcement by Common-Wealth partners, LLC and South Coast Plaza of the proposed South Coast Town Center improvements, the City of Costa Mesa took the opportunity to clarify and more formally express its identity as a "City of the Arts," a phrase incorporated in the city seal. While the three development agreements for the South Coast Plaza Town Center allow broad discretion in the approach and manner in which the district is to be developed and managed, the owners are required to create and implement a Costa Mesa Theater and Arts District Plan that will guide potential changes and improvements within South Coast Plaza Town Center. The financial responsibility for the implementation of elements submitted in the Costa Mesa Theater and Arts District Plan includes both private and public entities.

COSTA MESA
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GOALS:

The Plan respects the cultural standards and design diversity present within the district today, encourages continuing appreciation of the same qualities and calls out ways to increase awareness and use of the area's cultural resources. The specific goals of the Plan are:

- To create a strong sense of place and awareness of a coherent identity for the Costa Mesa Theater and Arts District that will recognize existing cultural and corporate resources in the area and successfully integrate new resources as they are developed.
- To assist pedestrians and vehicle operators in reaching their destinations quickly and easily, and, once they are in the area, make information available that highlights additional points of attraction throughout the district.
- To inform local, regional, national and international communities about the Costa Mesa Theater and Arts District.
- To support occasional programs and installations in the Costa Mesa Theater and Arts District that will recognize the importance of culture and the arts in daily life.
- To encourage appropriate interplay between policies that apply particularly to the Costa Mesa Theater and Arts District and those policies that evolve in the City of Costa Mesa to serve regional needs.
- To improve communication and cooperation among area property owners in monitoring and fostering design and development within the district.

These goals involve activities and foci that are in some regards different from those envisioned in the speculative framework for a Theater and Arts District Plan mentioned in the Development Agreements signed by representatives of the City and the Property Owners in 2001. The Development Agreements foresaw the possibility of this evolution and made provision for it. In those documents, it was explicitly stated (Section VI.A), "The purpose of this commitment" (i.e., to create a Theater and Arts District Plan) "is not to establish a rigid and inflexible set of pre-approved designs, but to create a context in which excellence in location-specific design can be accommodated without engendering aesthetic conflict." In this context, the absence from the Costa Mesa Theater and Arts Plan of subjects provisionally mentioned in the development agreement is completely acceptable, as is the fact that the Plan currently contains programs and provisions that the Development Agreements did not foresee or specifically mention as items to be considered for possible inclusion.

The goals, broad in context and scope, will be achieved by implementing a multi-faceted program with specific attention to the following areas:

- Public Improvements
- Special Events
- Implementation
- Two Pedestrian Plazas
- Funding
- Schedule

PUBLIC IMPROVEMENTS

The phrase "Public Improvements" shall mean not only improvements in the public right-of-way, but also improvements in publicly accessible places on private property such as building forecourts, arrival gardens, plazas, and connecting walkways.

Such public improvements are key to creating a cohesive Costa Mesa Theater and Arts District. Because the area was largely developed with separate (though complementary) architectural identities, the best way to achieve cohesiveness is through use of general physical elements that can be used consistently or, in come cases, complementarily throughout the district. These elements may include:

Figure 2 -
Street Signage Concept

Unique Street Signage:

Signage in the public right of way will be developed under a Master Plan of Signage that will be proposed by the area property owners subject to City approval. Existing signs that identify City streets will be replaced by new street signs. (See Figure 2) The Master Plan of Signage shall specify that banners on private property may be displayed only in conjunction with current or pending cultural events in the district, in conjunction with existing permanent structures in the district, or as free-standing display of original works of artistic merit. Banners on private property shall not be displayed for any reasons other than furtherance of broad cultural goals. The new street signs throughout the district (See Figure 2) will make visitors aware that they have entered the Theater and Arts District and allow them to find their way to various venues. The distinctive new signage would include the Theater and Arts District logo and fit with the master color scheme that is already in effect. (See Figure 3 for potential location map) Varying shades of earth tones, such as dusty rose, dark salmon, burnt umber, sage green, slate blue and moss green, will create an appealing and consistent color scheme throughout the district.

Off-Property Signage:

The addition of the new Avenue of the Arts off-ramp from the I-405 Freeway offers an opportunity to create a new, highly visible gateway to the district. In accordance with existing policies of both Caltrans and the City of Costa Mesa, signage will be proposed to identify the Costa Mesa Theater and Arts District.

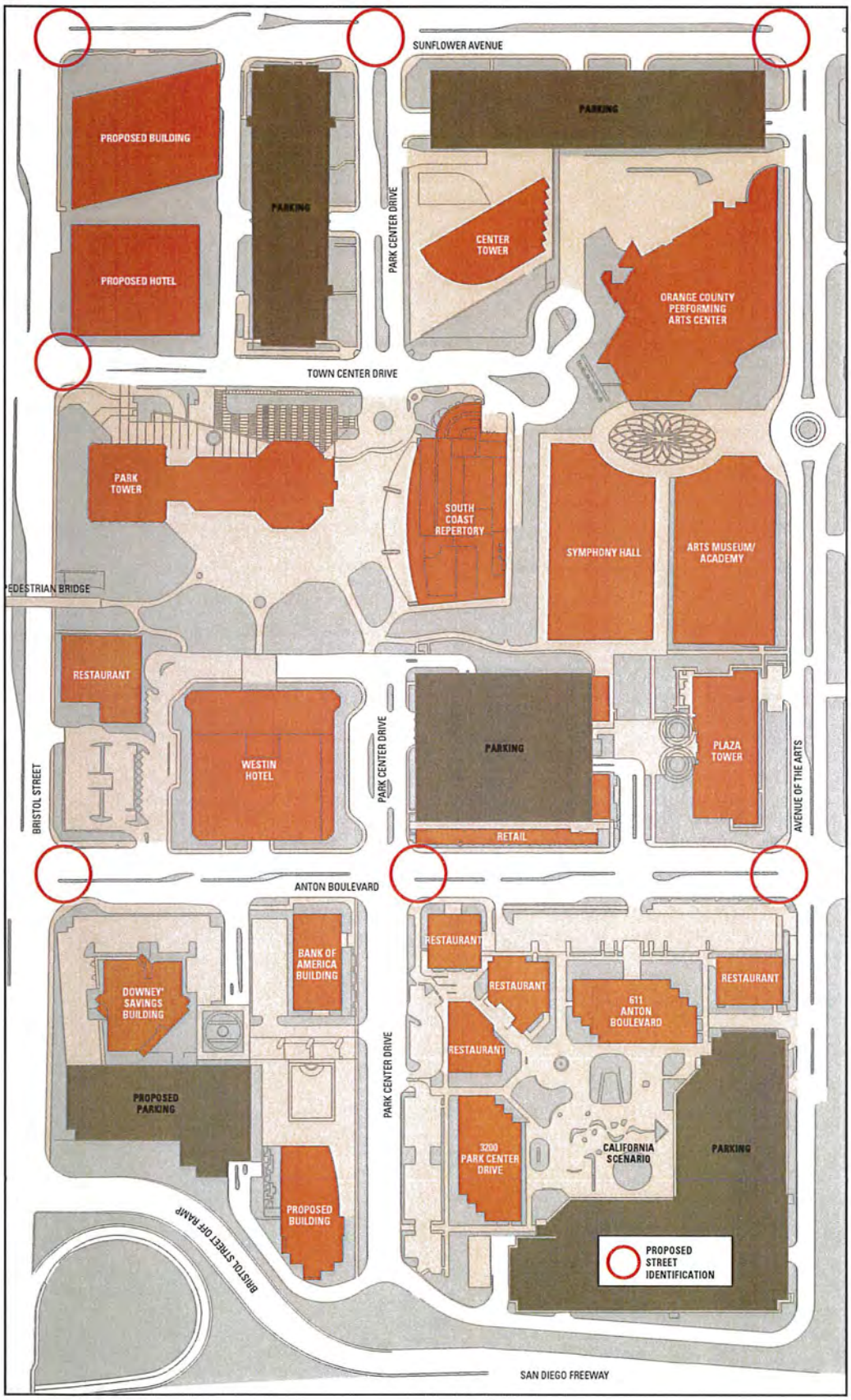

Figure 3 - Potential Street Signage Locations

Street Banners:

Consistent with City and Edison policies concerning display period and banner dimensions, banners may on an occasional basis be mounted on existing light standards along the streets in the Costa Mesa Theater and Arts District. (See Figure 4) These banners will support the distinct look and feel of the District. Banners could include the district logo and would require approval by the area property owners and the appropriate officials of the City of Costa Mesa. Banners would be used not only to help set the identity of the Costa Mesa Theater and Arts District, but also to promote upcoming cultural events or permanent features of the District. (For possible banner display locations on existing standards see Figure 6)

Figure 4 -
Banner Display Concept

Banners on private property would be reviewed under the terms of a Master Plan of Signage that would permit the display of super graphic signs or banners in designated locations within the district. The Master Plan of signage will address such matters as banner size and location. Barring special circumstances to be specified in the Master Plan of Signage, such banners would be tethered to and displayed against large vertical surfaces of structures within the Costa Mesa Theater and Arts District. These large banners could function as independent displays or complement the smaller banners mounted on light standards.

Removable Directional Signs:

At key locations throughout the district, accommodations for temporary directional signs are to be created. Such temporary signage is to aid vehicular traffic's ingress and egress to the district's large, well-attended events and would direct vehicles to the most convenient parking facilities. The signs are to be removed at the conclusion of these special events. (See Figure 5)

Figure 5 - Removable Directional Sign Concept

Pedestrian Linkages

The major streets that traverse the Theater and Arts District offer challenges to the establishment of a unified and pedestrian-friendly environment. The major paths of pedesetrian travel in the area are represented in Figure 11, where seven specific locations in public and private rights-of-way have been identified as candidate linkages for which it may be possible to create a more welcoming pedestrian experience. Safety, esthetics and pedestrian convenience shall guide any modifications to these linkages, and the developers who are cooperating in this plan shall be mindful of opportunities to provide linkage enhancements as their projects proceed. Under no circumstances, however, shall any improvements or enhancements be pursued if technical analysis shows that they would be detrimental to pedestrian safety or traffic flow.

Private property owners shall to the greatest extent possible preserve and enhance pedestrian connections associated with improvements on private property.

View Linkages

Development in the Theater and Arts District to this point has been sensitive to the creation and maintenance of view corridors from one subarea to another. (See Figure 12.) The major north-south corridor is oriented along the two portions of Park Center Drive and the intervening section of open space easement. Major east-west view corridors exist along Town Center Drive between Bristol Street and Avenue of the Arts, and from the foot of the pedestrian bridge through the open space easement to South Coast Repertory. The secondary view corridors include a north-south view corridor between the south wall of the performing arts center and the landscaped area just north of the office tower located at 611 Anton Boulevard, as well as an east-west view corridor that terminates at its eastern end in a portion of the California Scenario.

Future development of the Theater and Arts District shall be mindful of the quality of existing view linkages and, to the greatest extent practical, shall be planned to preserve or enhance view corridors that currently exist.

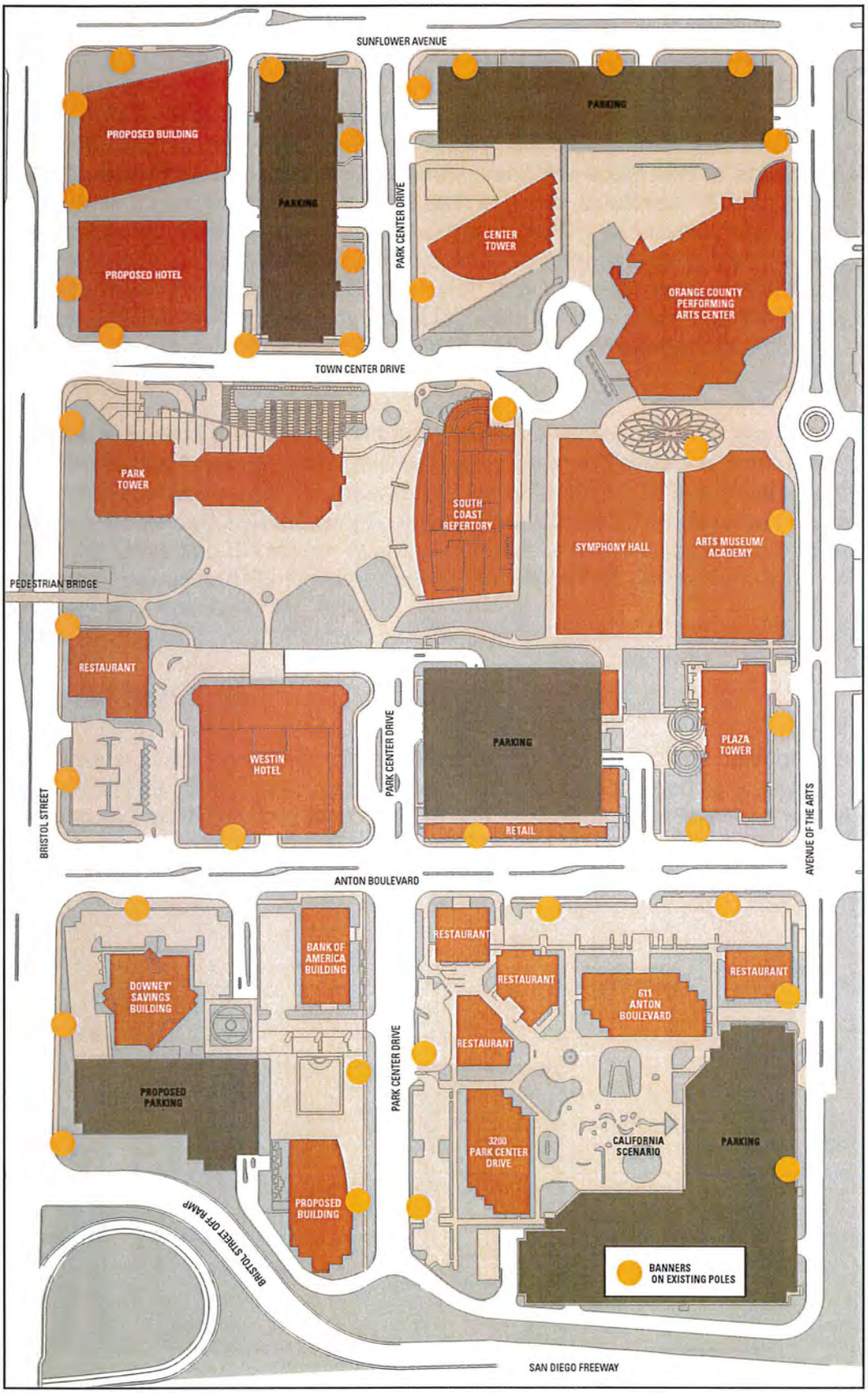

Figure 6 - Potential Street Banner Locations

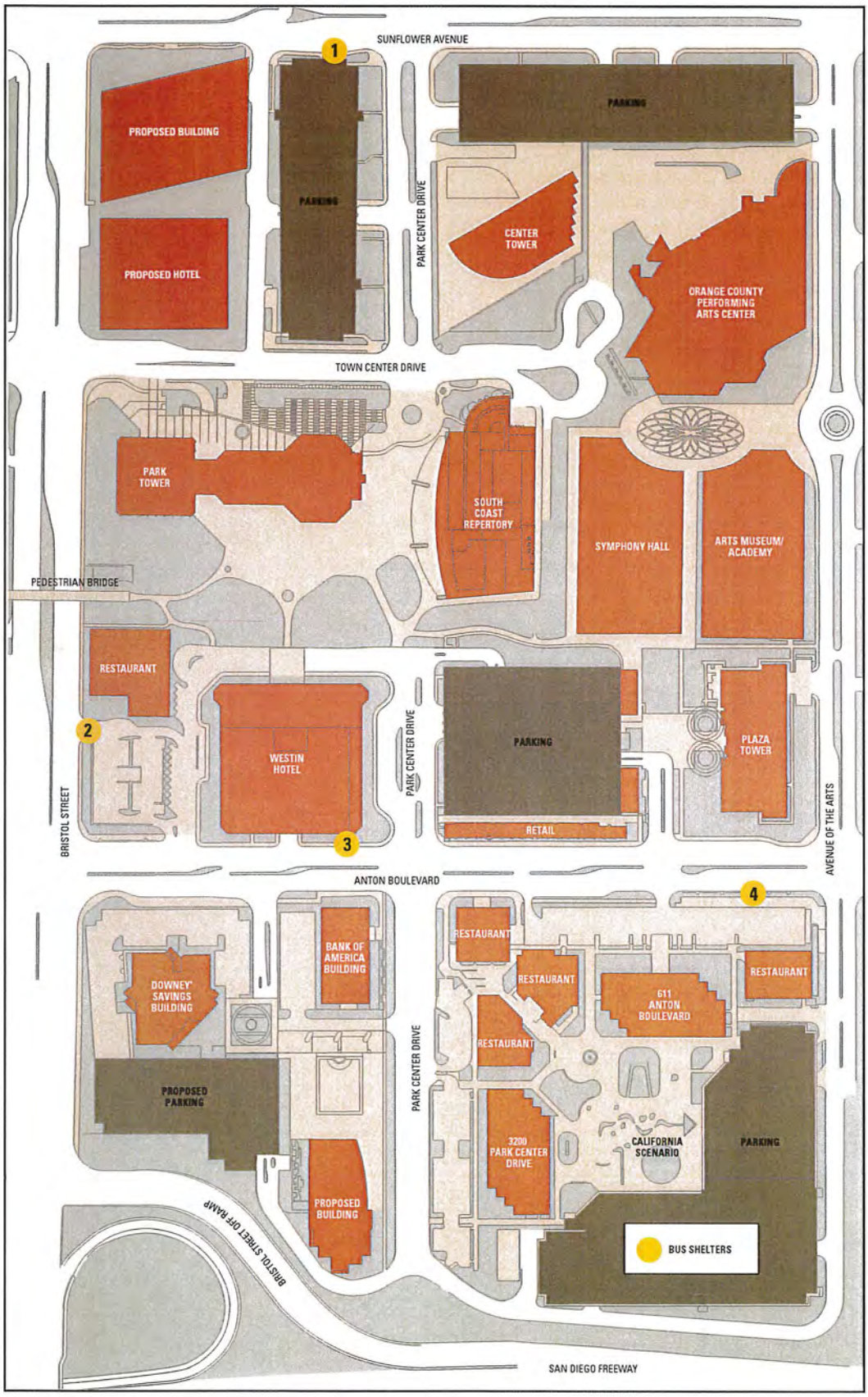

Figure 8 - Bus Shelter Locations

Kiosks:

An informational kiosk shall be erected in the vicinity of Isamu Noguchi's "California Scenario" to explain to visitors the rich meaning of the 1.6-acre environment. (See Figure 9) Similar kiosks may also be used as pedestrian directional resources where the area property owners, following a proposal and application from the appropriate party, determines that the need exists for a pedestrian linkage indicator. Area property owners may be guided by indicators of pedestrian linkage locations already identified in the North Costa Mesa Specific Plan or may make its recommendations based upon its own determination of need. Location of a directional kiosk in the public right-of-way shall be consistent with all applicable policies and guidelines governing structures in the public right-of-way. Proposed kiosks not in the public right-of-way shall be reviewed by the area property owners, who may take a position as to their need. See Figure 11 for possible pedestrian linkages.

Figure 9 - Kiosk Concept

DISCOUNT PARKING – CULTURAL EVENTS:

Consistent with the provisions of development agreements DA-00-02 and DA-00-04, residents of the City of Costa Mesa who attend cultural events in the Theater and Arts District shall be entitled to a 50 percent discount from the prevailing parking rate during non-business hours at parking structures located in the Theater and Arts District south of Anton Boulevard and in the parking structure located at the southwest corner of Sunflower Avenue and Park Center Drive.

FREE PARKING – CALIFORNIA SCENARIO:

The owners of the property on which California Scenario is located shall implement a program to provide free parking in the parking lots and structures located south of Anton Boulevard for a period not to exceed one hour for persons who wish to visit the California Scenario during business or non-business hours.

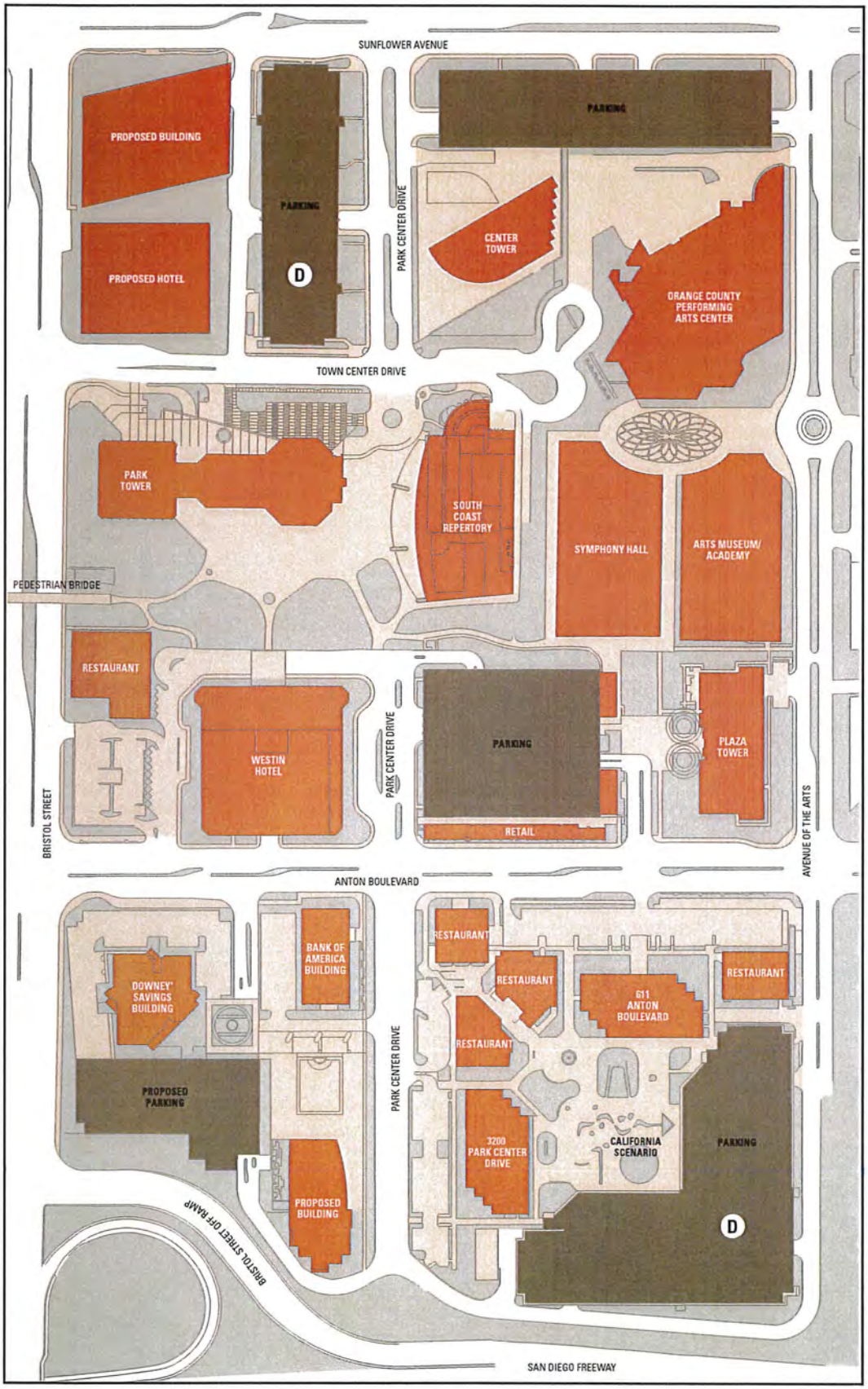

Figure 10 - Parking Resources

Ⓓ = Discount

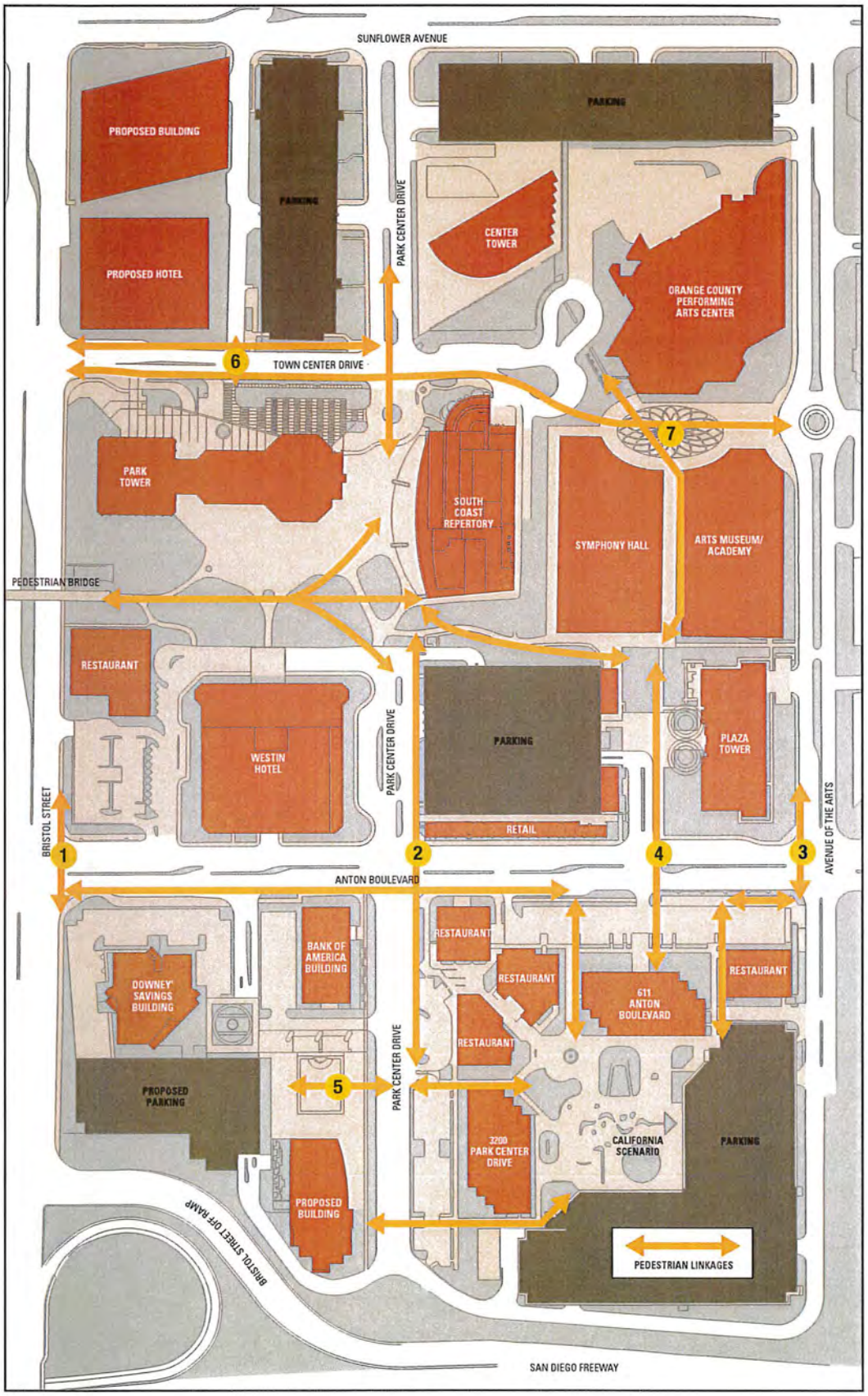

Figure 11 - Pedestrian Linkage

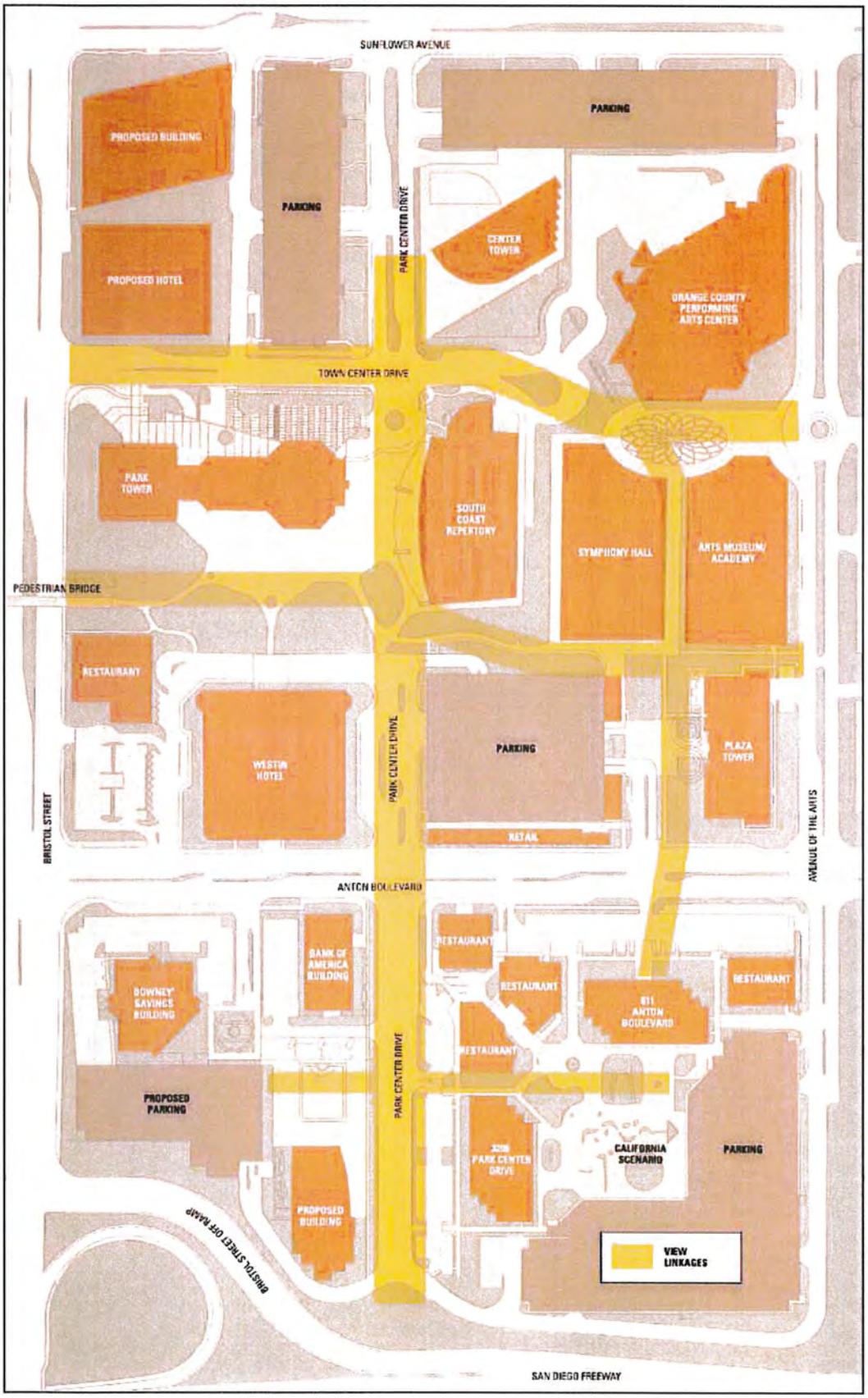

Figure 12 - View Linkage

PRIVATE IMPROVEMENTS

The private properties that make up the Costa Mesa Theater and Arts District are characterized by excellence of design and quality of construction. Improvements to existing buildings or cultural facilities, as well as new construction, shall have a similar high level of excellence and quality. The following additions to the district are already in planning:

The Renée and Henry Segerstrom Concert Hall:

Figure 13 - Rendering of Concert Hall

A 2006 opening is anticipated for this 2,000-seat hall, which will feature box seats, a choral space behind the orchestra, an adjustable acoustical canopy and reverberation chambers, and, like great European halls, a custom-designed concert organ. The design features of the hall create the best acoustic environment for any given performance, whether a symphony orchestra or soloist. The hall will house the Pacific Symphony Orchestra and the Pacific Chorale. It will also host orchestras and artists engaged by the Philharmonic Society of Orange County and by The Center itself. (See Figure 13)

Samueli Theater: Incorporated within the new Concert Hall will be a 500-seat theater, also scheduled for early 2006 opening. The Samueli Theater will be the most flexible presentation space in the new facility, suitable for chamber music, solo recitals, dance ensemble presentations and various community events. It is expected to become the educational center of the complex.

Figure 14 - SCR Expansion

South Coast Repertory (SCR) Expansion:

A major expansion of SCR was completed in Fall of 2002. It is the first component of the new Segerstrom Center for the Arts. The SCR façade, lobby and audience plaza have been redesigned by architect Cesar Pelli. The new lobby connects all three SCR stages. Outside, a lighted 72-foot-high signature beacon is visible from most areas within the Costa Mesa Theater and Arts District. Renovation also provided a larger box office, concession areas and expanded patron accommodations. (See Figure 14)

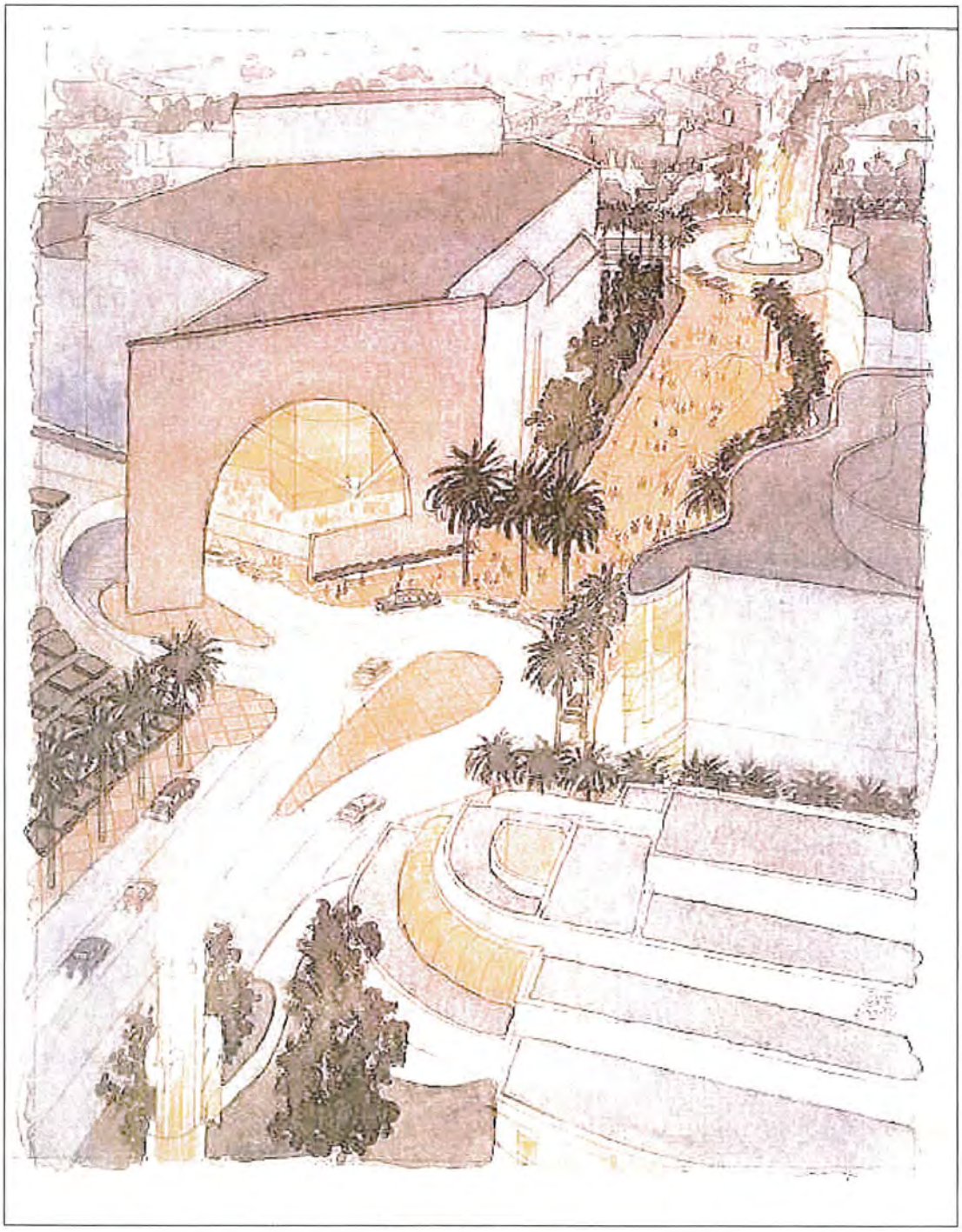

Figure 14A - Arts Plaza

Arts Plaza:

A conceptual master plan has been developed for a pedestrian plaza at the heart of the arts venues. The goal is to abandon the easternmost portion of Town Center Drive to create the plaza, and to implement traffic management elements (a roundabout on Avenue of the Arts and an enhanced drop-off area near Park Center Drive) that will together create an area both vehicle friendly and inviting to pedestrians. The area exhibits in this document reflect the preliminary design for this plaza.

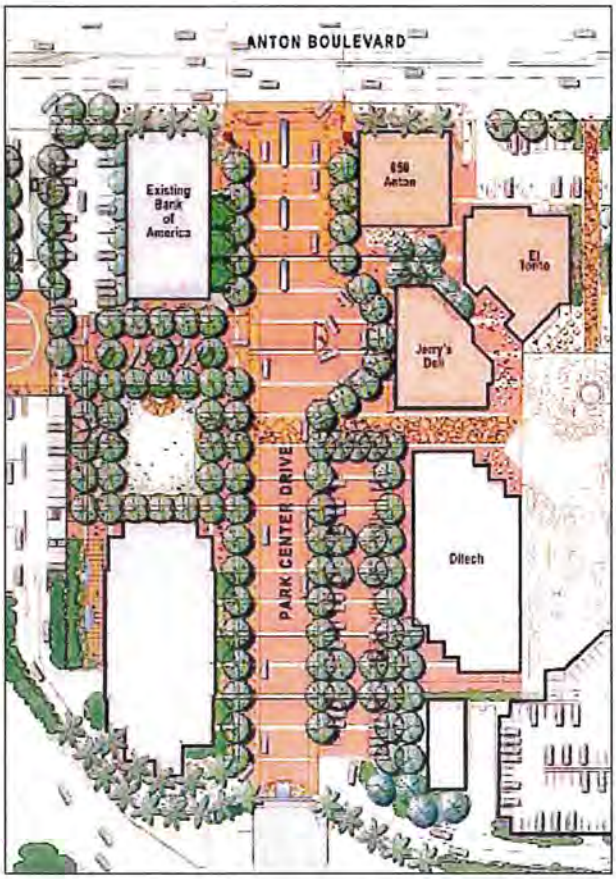

Figure 15 – Conceptual Two Town Courtyard

Two Town Courtyard:
Adjacent to the new 18-story office building, a new open space courtyard will be added on Park Center Drive just south of Anton Boulevard. The courtyard aligns with the main entry of Noguchi's "California Scenario." The open space, surrounded by trees, will offer an outdoor gathering space for office workers and area visitors. It will also serve as a programmable outdoor venue for organized events. (See figure 15 for conceptual courtyard plan.)

Park Center Drive:
In conjunction with its development of the new office building and high-rise residential tower, Maguire Properties will install new street amenities along Park Center Drive south of Anton Blvd. Such new amenities will include landscape, hardscape, lighting and signage. Hardscape improvements may include enhanced pavement treatment on Park Center Drive.

Additional Arts Venue:
An additional arts venue of roughly 140,000 s.f. (expected to be a museum) with a superposed residential tower is planned on Avenue of the Arts between Plaza Tower and the Orange County Performing Arts Center. The new venue will be part of the Segerstrom Center for the Arts.

Arts Promenade:
An arts promenade shall be located between the new concert hall and the new arts venue. This promenade forms part of the Town Center Open Space Easement

New Office Tower:
The Town Center Master Plan envisions an office tower at the southeast corner of Bristol St. and Sunflower Avenue. This tower may optionally be assigned to high-rise residential uses.

New Hotel:
A new 200-key hotel that will include in addition up to 50 residential units is planned for the northeast corner of Bristol Street and Town Center Drive.

GRAPHIC IDENTITY

Figure 16 - Logo

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Figure 17 - Logotype

The graphic elements created in conjunction with the street signage and banner programs shall be made available to area businesses who wish to include the identity of the Costa Mesa Theater and Arts District in their outreach efforts. The two core graphic elements are the Logo and the Logotype.

Use of the core graphic elements will contribute to the following goals:

- Build public awareness of the numerous cultural and arts-related entities and activities housed in the Costa Mesa Theater and Arts District without constraining any of the marketing and outreach efforts undertaken by current and future entities.
- Promote the Costa Mesa Theater and Arts District as a whole.
- Further enhance the reputation of the City of Costa Mesa as a "City of the Arts."

SPECIAL EVENTS

Area property owners shall establish procedures to continue and extend the frequent special events that already occur in the area. Current and anticipated future events include:

Figure 18 - California Scenarios

California Scenarios:

Co-sponsored by South Coast Repertory and CommonWealth Partners, LLC, this summer theatrical event utilizes the Noguchi sculpture garden as the backdrop for a series of vignettes written and performed by artists. (See Figure 18)

Cross-Promotions:

Area property owners will foster cross-promotional events in order to support individual activities of entities within the area addressed by the TAD Plan. For example, a major theatrical opening at OCPAC might be supported by an opening reception or coordinated events in the California Scenario or the Two Town Courtyard.

Creative Professional Associations:

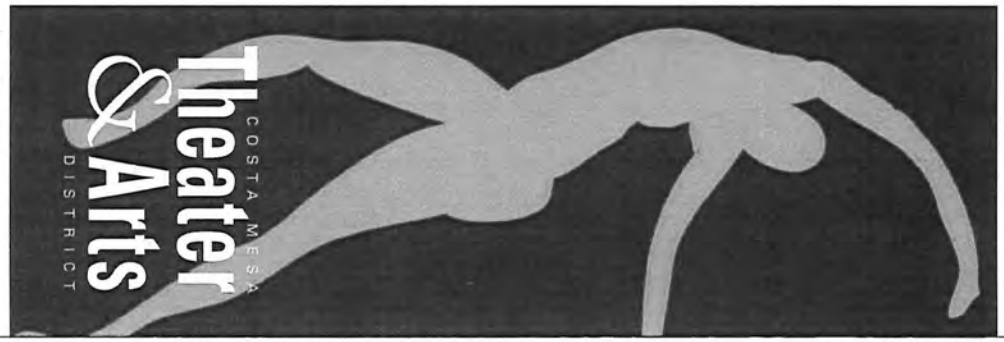
Entities in the district will host events for appropriate professional associations to raise awareness of the group and its local involvement in civic affairs. Associations who have participated in the past include the American Institute of Architects, the American Planning Association, and others.

Performing Arts Collaborations:

Currently, OCPAC is the home of the Pacific Symphony Orchestra, Opera Pacific, Philharmonic Society of Orange County and the Pacific Chorale. This wealth of internationally recognized talent will continue to operate as non-profits and host events such as the Eclectic Orange Festival, which takes place for two weeks in the fall.

Fund-Raising for Cultural and Community Purposes:

Organizations and property owners in the Theater and Arts District will from time to time make space available for appropriate fund-raising events to benefit established non-profit organizations such as arts-oriented agencies and other community-oriented organizations. Area property owners will review and approve applications for such uses of private property in the Theater and Arts District.



Budget & Schedule

BUDGET AND FUNDING SOURCES:

Funding for the Costa Mesa Theater and Arts District Plan is provided by the entities that entered into development agreements with the City. Each development entity will pay for the improvements associated with its property or adjacent public rights-of-way in accordance with the terms and conditions of the respective development agreements. Private improvements not specifically identified within the development agreements will be funded separately from the Plan. The property owners shall have the right to assess themselves appropriately to fund required maintenance for those improvements in the public right-of-way identified in the Theater and Arts District Plan. Maintenance requirements are to be the subject of separate maintenance agreements between the landowners and the City of Costa Mesa.

Within 90 days of each development entity's fiscal year end, each entity will provide to the City an accounting of Plan expenditures for the fiscal year and the total expenditures to date. Once Plan improvements have been completed, each entity will provide to the City a final accounting.

Private Resources Available to Support Costa Mesa Theater & Arts District Plan:

From South Coast Plaza:	$1,000,000
From Maguire Properties:	$1,200,000
TOTAL	**$2,200,000**

Public Resources Previously Committed and/or Available to Support Costa Mesa Theater Arts & District Plan:

From City of Costa Mesa:

Fee waivers (SCR expansion and new Concert Hall):	$ 711,398
Town Center Drive vacation:	$ 1,100,000
Freeway access points improvements:	$15,000,000
Dedication of land for freeway access:	$ 5,000,000
For street and landscape improvements in the public right-of-way:	$ 1,000,000

From County of Orange/Orange County Transportation Authority:

Street and landscape improvements in the public right-of-way:	$ 2,000,000
TOTAL	$24,811,398

Thematic Signage Program
In or Adjacent to Public Right-of-Way, or in Accessible Areas

Item	Estimated Cost	Proposed Implementation Schedule
Area signage program consisting of TAD corner monuments, auto directional signs and pedestrian informational signs	$ 400,000	Following final approval of planned signage program, and before certificate of occupancy for first major hotel or office tower.
Street signs in public right-of-way	(included in above)	Installation completed in 2006.

Private Improvements of Public Benefit:

Item	Estimated Cost	Proposed Implementation Schedule
New courtyard at Park Center Drive south of Anton Blvd. including kiosk for California Scenario sculpture garden	$ 800,000	Before certificate of occupancy for new office tower at south end of Park Center Drive.
Arts Plaza	800,000	Completed by South Coast Plaza in 2006/2007.
Public Art obligation (Maguire Properties)	200,000	Before certificate of occupancy for new office tower at south end of Park Center Drive

Additional Area Improvements (public funds):

Item	Estimated Cost	Proposed Implementation Schedule
Landscaping and Street Rehabilitation	$ 3,000,000	Completed in 2006/2007.

COST REALLOCATION BETWEEN IMPROVEMENTS:

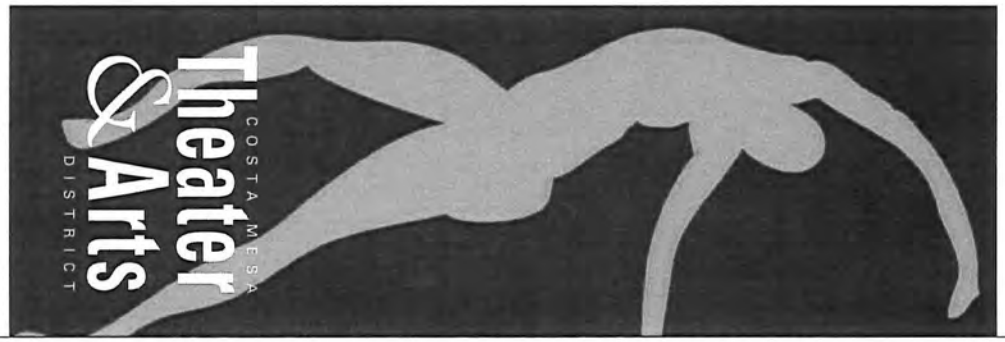
The cost estimates for the improvements in the table on page 25 were considered reasonably accurate at the time this plan was developed and adopted. However it is acknowledged that actual construction costs may vary from these initial estimates. The actual costs of individual items may be adjusted without the need for subsequent amendments to this plan or the North Costa Mesa Specific Plan provided that (a) all improvement items are fully constructed, and (b) not less than $800,000 is devoted to the construction of the Arts Plaza, whose total cost is expected to be significantly in excess of the mandated contribution. Furthermore, should any funds budgeted for the first 10 items in the table on page 25 be left over after those items are completed, such excess funds shall be transferred to the two major projects identified last in the table.

SCHEDULE:

Improvements itemized in the table on page 25 shall be constructed by the property owners in accord with the implementation schedule included in that table.

MAINTENANCE OF IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY:

To ensure long-term maintenance of the improvements in the public right-of-way identified in the table on page 25, the developers of the new buildings identified in the proposed implementation schedule shall execute maintenance agreements with the City of Costa Mesa for the improvements that are tied to their respective buildings. The maintenance agreements shall be executed prior to the installation of these improvements for the respective new buildings.



Appendix

COSTA MESA THEATER AND ARTS DISTRICT: CURRENT ENTITIES

Key physical components of the Costa Mesa Theater and Arts District have existed for some time. New and remodeled theater and arts-related venues are in progress and planned. The register of current and future entities reinforces the fact that the Costa Mesa Theater and Arts District is already well established and that the City of Costa Mesa has a ready-made entity that strengthens its recognition as a "City of the Arts."

The following information provides a brief summary of the institutions that make up Costa Mesa's sophisticated, and original, cultural scene.

Orange County Performing Arts Center:

The Center opened its doors in September 1986 and swiftly established itself as a world-class venue and one of America's leading presenters of national and international performing artists and companies.

The Orange County Performing Arts Center has been hailed as a "unique achievement of community vision, initiative, artistic achievement and generosity." It was built entirely through private funding and donations, one of the world's only performing arts centers to hold this remarkable distinction.

The current state-of-the-art facility comprises the acoustically distinguished multi-purpose 3,000-seat Segerstrom Hall and its more intimate venue, Founders Hall, which seats up to 250 people in a variety of settings and configurations. The Center is the primary presenter in both venues, offering the world's greatest ballet companies, Broadway shows, concerts by renowned chamber ensembles, soloists and opera stars, jazz and cabaret artists, as well as many special events. It also provides a home to the county's leading performing arts organizations, including the Pacific Symphony Orchestra, Opera Pacific, the Philharmonic Society of Orange County and the Pacific Chorale.

Orange County Performing Arts Center

The Orange County Performing Arts Center also offers one of the most active and acclaimed arts in education programs in the country. It has received prestigious commendations and awards from the U.S. Department of Education and the Kennedy Center for the Performing Arts in Washington, DC. A variety of offerings that are designed to enhance existing education programs and to promote the importance of the arts in education and our lives are offered year-round at The Center and in the community.

In 1999, the Center announced its $200 million "Building on The Vision" campaign to design and construct the 2,000-seat Renée and Henry Segerstrom Concert Hall and a 500-seat music theater. The new facility will be located across the street from the current venue and will be linked by a dramatic outdoor public plaza. The facility is scheduled for opening in the fall of 2006.

Internationally renowned architect Cesar Pelli has designed the new halls while working closely with Russell Johnson, the world's foremost authority on acoustical engineering. With these two experts leading the project, the Center has assured the community that the new venues will uphold and complement the high artistic and architectural standards established by the original facilities.

The completed Center will create a unique arts destination, offering a variety of benefits to our entire community, including additional performances of all types, tailor-made venues able to accommodate virtually every performance genre, increased opportunities for young people to make the arts part of their development, as well as important incentives to local businesses and the economy.

South Coast Repertory

South Coast Repertory:

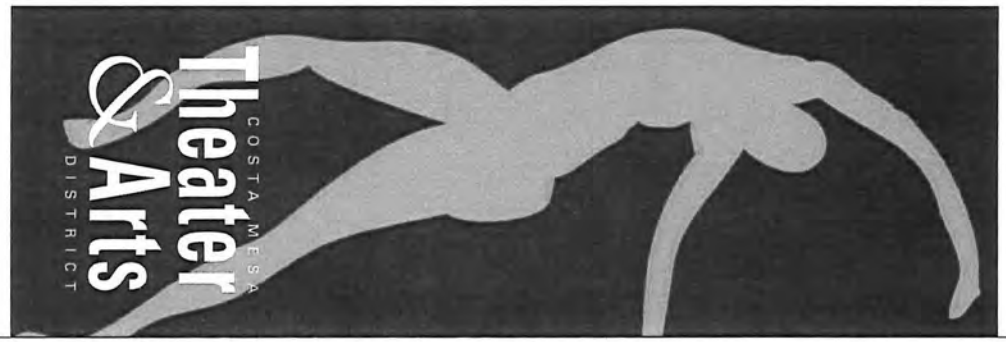
South Coast Repertory (SCR) has established itself as a major force in American theatre and a leader in the booming arts scene in Orange County. Guided since 1964 by its Founding Artistic Directors, David Emmes and Martin Benson, it stands as a rare example of an arts organization that is both fiscally sound and artistically innovative; its Collaboration Laboratory for new play development has developed hundreds of plays, and premiered more than 80.

SCR is one of the leading institutions in the American resident theater movement. Testament to this came in 1988 when SCR received the Tony Award for Distinguished Achievement by a Regional Theatre, and continued with the Lifetime Achievement Awards for Emmes and Benson from Theatre LA in 1996 and the U.S. Institute of Theatre Technology in 1998.

South Coast Repertory further serves its community with a wide range of educational offerings that includes acting classes for the curious as well as the career-bound, an original musical for young people that tour to elementary schools each year and various programs that put students in touch with live professional theatre.

SCR has gained a national reputation as a place where writers choose to launch new plays. It has amassed a staggering record of world premieres: 40 percent of its 350 total productions. The earnings from SCR's $15 million endowment fund, one of the largest income producing reserves in American theatre, is dedicated to new work.

During the summer of 2002, SCR underwent renovations to expand its facilities and artistic programs. The newly improved SCR contains a dramatically redesigned audience arrival plaza, a new artistically distinct grand lobby, a fully renovated and upgraded Mainstage and a new studio theater for play readings, workshops and conservatory performances. The new facilities provide South Coast Repertory the ability to continue to enrich and expand the commissioning of America's finest playwrights, produce a professionally mounted season of three plays for young audiences and extend the scope of SCR's Education and Outreach programs.



Appendix

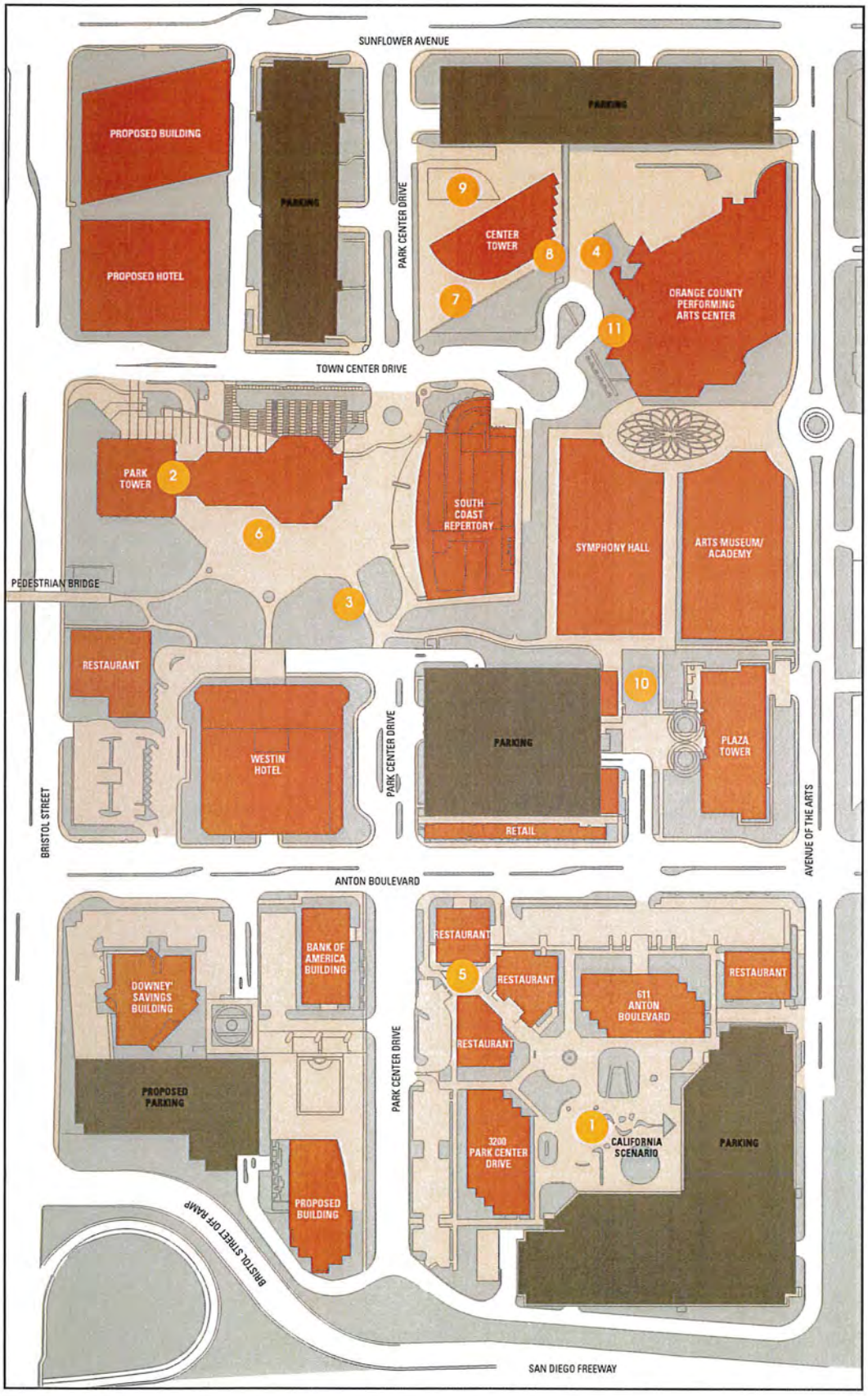


Figure 19 - Artistic Attractions

ARTISTIC ATTRACTIONS:

1

Isamu Noguchi: "California Scenario," dramatically framed by two reflective glass buildings and two 40-foot high white concrete walls is a 1.6-acre environment by Japanese-American sculptor Isamu Noguchi. This outdoor garden depicts the history and natural and man-made elements that make California distinctive.

2

Jean Dubuffet: "Tour aux Jambes" can be translated as "Tower of Legs." Dubuffet's treatment of the "limbs" or "legs" is so abstract that it is impossible to see human components, yet it is easy to follow the sculpture's form and content. This artwork, made of epoxy and polyurethane, is like a three-dimensional jigsaw puzzle, though its lines are only on the surface.

3

Jim Huntington: "Night Shift" looks as if it might have grown out of a grassy mound on the peaceful park. Cut from a massive chunk of Sierra white granite, the piece is abruptly sliced through the top by a plate of polished, stainless steel.

4

Henry Moore: Located at the Orange County Performing Arts Center, "Reclining Figure" is a splendid example of the renowned sculptor's mature work. By designing a void in the mass of his "Reclining Figure," Moore encourages us to see that space around the figure as important as its solid material. Through his mastery of open and closed form, Moore has captured the dignity and living force of a woman.

5

Claire Falkenstein: In "Sun Ribbon," Falkenstein has artfully orchestrated stripes of gold, orange, red, violet and clear textured glass to form a translucent windscreen. Like the sun, this colorful stained-glass wall radiates warmth, light and cheer. "Sun Ribbon" is a masterfully designed piece of functional art that creates a bright, vigorous counterpoint to the solemn vertical rise of surrounding buildings.

6

Charles O. Perry: "The Ram," a bright yellow, steel abstraction, was the first sculpture in the area and it remains a colorful center of attention. The sculpture's title and form suggest that Perry was inspired by animal horns, but he has taken the idea so dramatically into the realm of abstraction that it literally rises above any reference to nature.

7

Carl Milles: Known for his fountains and sculptural monuments, two of Milles' bronzes bless Center Tower. In "Sun Glitter," a mermaid with hair flying rides a dolphin through the spray while smaller fish circle around them. The second Milles sculpture re-enacts the story of "Jonah and the Whale." We find a tiny man perched precariously on the mouth of an enormous whale and immediately sense the drama of the moment.

8

Joan Miro: Perched in the lobby of Center Tower, "Oiseau" is a cast bronze bird of monumental and highly unorthodox order. Its bulbous volumes and spiky projections lend it a whimsical character, thoroughly in keeping with the great Spanish Surrealist's sense of humor. Miro is renowned for such fanciful abstractions, blending invention with the spirit of nature.

9

George Rickey: Taking wind as his partner and using real movement in his perfectly balanced creations, Rickey's stainless steel sculpture, "Four Lines Oblique Gyratory Square IV," is so elegantly understated that the sculpture may be overlooked by people in a hurry. Those who stop to observe it are likely to become enchanted by its constantly changing arrangements.

10

Aiko Miyawaki: "Utsurohi 91 – Costa Mesa" is located on a grassy rectangle adjacent to Plaza Tower. The dynamic sculpture consists of a series of 12, 10-foot columns set in an elliptical configuration with chromium-plated steel "threads" intertwining in graceful patterns at the top of each column.

11

OCPAC: Protruding through the glass curtain wall of the OCPAC Segerstrom Hall is the "Fire Bird" sculpture by artist Richard Lippold. This sculpture that dominates the façade of the Performing Arts Center was a gift from the Segerstrom family for the opening of OCPAC.

RESOLUTION NO. 16-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING THE FOLLOWING AMENDMENTS TO THE URBAN PLANS:

- **SP-05-06 A1: SoBECA Urban Plan;**
- **SP-05-07 A1: 19 West Urban Plan;**
- **SP-05-08 A2: Mesa West Urban Plan;**
- **SP-05-09 A1: Mesa West Residential Ownership Urban Plan.**

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, City Council adopted the following Urban Plans in April 2006, and the Urban Plan sets forth development standards and land use regulations relating to the nature and extent of land uses and structures in compliance with the City's 2000 General Plan;

WHEREAS, SP-05-06 SoBECA Urban Plan establishes provisions for mixed-use development in the 39-acre SoBECA plan area. This area is primarily characterized by light industrial, office, and general commercial uses and is bounded by Baker Street (north), Bristol Street (east), and SR-73 (west);

WHEREAS, SP-05-07 19 West Urban Plan consists of 103 acres of industrial, commercial, and residential uses. The plan area is located in the Westside, generally along 19th Street, Superior Boulevard, and southeast of Victoria Street and Placentia Avenue.

WHEREAS, SP-05-08 Mesa West Urban Plan area is approximately 277 acres in size. The plan area is generally located south of Victoria Street, west of Superior Avenue, and to the City's western and southern corporate limits;

WHEREAS, SP-05-09 Mesa West Residential Ownership Urban Plan consists of 238 acres of high- and medium-density residential uses. In the mixed-use overlay zone, applicants with qualified projects may apply for specified residential development standards/incentives or a density bonus pursuant to an approved site-specific Master Plan;

WHEREAS, the proposed Urban Plan amendments involve certain text amendments to the following Urban Plan documents:

- SP-05-06 A1: SoBECA Urban Plan;
- SP-05-07 A1: 19 West Urban Plan;
- SP-05-08 A2: Mesa West Urban Plan;
- SP-05-09 A1: Mesa West Residential Ownership Urban Plan;

WHEREAS, the proposed Urban Plan amendments also include a set of architectural prototypes (Spanish Colonial, Craftsman Style, and Bungalow) which will be included in each Urban Plan as illustrative exhibits (see Exhibits of the resolution);

WHEREAS, a joint study session of the City Council and Planning Commission was held in September 2015;

WHEREAS, on October 6, 2016, City Council directed staff to proceed with proposed Urban Plan Amendments to include textual amendments to the plan document related to mixed-use development, live/work units, and residential loft provisions, as specified by Council;

WHEREAS, the Planning Commission considered the proposed Urban Plan amendments and recommended Council approval of the proposed changes at a public hearing on March 14, 2016;

WHEREAS, City Council conducted a public hearing on April 5, 2016, with all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the proposed amendments to the Urban Plans have been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City's environmental procedures, and has been found to be exempt pursuant to Section 15061 (b)(3) (General Rule) of the CEQA Guidelines, in that the City Council hereby finds that it can be seen with certainty that there is no possibility that the passage of these Urban Plan amendments will have a significant effect on the environment;

WHEREAS, proposed Urban Plan Amendments are found to be in conformance with the City of Costa Mesa 2000 General Plan, with specific regard to General Plan Land Use Goal, Objective, and Policy, as follows:

GOAL LU-1: LAND USE

It is the goal of the City of Costa Mesa to provide its citizens with a balanced community of residential, commercial, industrial, recreational, and institutional uses to satisfy the needs of the social and economic segments of the population and to retain the residential character of the City; to meet the competing demands for alternative developments within each land use classification within reasonable land

use intensity limits; and, to ensure the long term viability and productivity of the community's natural and man-made environments.

Objective LU-1A. Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.

LU-1A.1 Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community;

WHEREAS, the City Council deems it to be in the best interest of the City that said Urban Plan Amendments be adopted;

BE IT RESOLVED that the City Council **HEREBY APPROVES** the Urban Plan amendments as identified in following exhibits:

- Exhibit 1: SP-05-06 A1: SoBECA Urban Plan;
- Exhibit 2: SP-05-07 A1: 19 West Urban Plan;
- Exhibit 3: SP-05-08 A2: Mesa West Urban Plan;
- Exhibit 4: SP-05-09 A1: Mesa West Residential Ownership
- Exhibit 5: Architectural Prototypes

BE IT FURTHER RESOLVED that Exhibit 5 represents the architectural prototype exhibits that shall be appended to each Urban Plan as "Appendix A: Illustrative Architectural Prototype Exhibits"

PASSED AND ADOPTED this 5th day of April, 2016.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk

APPROVED AS TO FORM:

Thomas Duarte, City Attorney

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

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 16-14 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 5th day of April, 2016, by the following roll call vote, to wit:

AYES:	COUNCIL MEMBERS:	Monahan, Righeimer, Mensinger
NOES:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	Foley, Genis

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 6th day of April, 2016.

Brenda Green, City Clerk

(SEAL)

Exhibit 1:
SP-05-06 A1: SoBECA Urban Plan

TABLE A - SoBECA URBAN PLAN DEVELOPMENT STANDARDS AND DESIGN GUIDELINES	
DEVELOPMENT STANDARD	Deviations from development standards may be granted through the master plan approval process with consideration to existing development configuration, compatibility of adjacent uses, inclusion of pedestrian-oriented space, and/or inclusion of amenities along the street side.
Maximum Floor Area Ratio for mixed-use development project (including residential uses) • Commercial Base Zoning District • Industrial Base Zoning District Minimum Floor Area Ratio for nonresidential component of development • Commercial Base Zoning District • Industrial Base Zoning District	 1.0 FAR 1.0 FAR 0.15 FAR 0.175 FAR
Minimum Lot Size	Minimum One Acre Exception: Development lots of less than one acre may be allowed as a deviation from this requirement provided that all other development standards are met.
Overall Maximum Building Height for Mixed-Use Project • Max. Building Height for Nonresidential Component: • Max. Building Height for Residential Component:	4 stories/ 60 feet (Roof gardens/terraces in mixed-use development projects shall not be considered a story.) 2 stories/ 40 feet 4 stories/60 feet Lofts, as defined in Section 13-6 of the Zoning Code, without exterior access and having only clerestory windows will not be regarded as a story.
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. Attics above the maximum number of stories shall be an integral part of the building roofline and not appear as an additional story on any building elevation. Windows in any attic space above the maximum number of stories shall be incidental and limited to a dormer style.
Maximum Lot Coverage	90%
Minimum Open Space Development Lot: Residential Open Space:	 Minimum 30% open space required. (This minimum open space requirement strictly applies to the overall development lot area at grade. However, the square footage of roof decks may be partially counted towards the minimum open space requirement by a maximum 10 percent allowance.) Minimum 200 sq.ft. per dwelling unit of residential component (This requirement does not apply to live/work units) Residential open space may be any combination of private and common open space areas. Common open space may be distributed throughout the residential component of the mixed-use development and need not be in a single large area. Common open space areas may be satisfied by common roof gardens, common recreational/leisure areas, recreational facilities featuring swimming pools, decks, and court game facilities. Private open space may be provided for each dwelling unit above the first floor in the form of a private patio or balcony.

TABLE A - SoBECA URBAN PLAN

DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS

Minimum distances given, unless otherwise noted. All setbacks from streets to development lots are measured from the ultimate property line shown on the Master Plan of Highways. Increased side and rear setbacks may be required pursuant to Uniform Building Code requirements.

Front Build-to-Line	
• Abutting public street	20 feet along Bristol Street 15 feet along Baker Street, Century Place, Randolph Avenue, Saint Clair Street
Side	
• Abutting a public street	20 feet along Bristol Street 10 feet along Baker Street, Century Place, Randolph Avenue, Saint Clair Street
• Abutting residential zone	20 feet
• All other side property lines	0 feet
Rear	
• Abutting a public street	20 feet for Bristol Street 10 feet along Baker Street, Century, Randolph, Saint Clair Street
• Abutting residential zone	20 feet
• All other rear property lines	0 feet
Distance between main buildings	Minimum 10 foot distance between main buildings on the same site.
Distance between accessory structures.	Minimum 6 foot distance between accessory structures and main buildings.

PARKING

(1) Vehicle parking is required either on-site or on another lot within a distance deemed acceptable by the Planning Commission. A reduction in the vehicle parking requirements shall be determined as outlined in "City of Costa Mesa Procedure for Determining Shared Parking Requirements." The parking reduction for the mixed-use development project and may be approved in conjunction with the master plan approval.

(2) Parking spaces shall be specifically designated for nonresidential and residential uses by the use of posting, pavement markings, and physical separation. The parking area design may include the use of alternative parking techniques such as mechanized stacked parking systems to satisfy parking requirements, subject to review and approval by the Planning Commission. Parking design shall also consider the use of separate entrances and exits, or a designated lane, for residents, so that residents are not waiting in line behind shoppers or moviegoers. Parking structures shall be architecturally integrated with the project design.

(3) Parking structures shall be screened from view at street level and include architectural detailing, artwork, landscape, or similar visual features to enhance the street facade. Screening of parking structure levels above street grade is encouraged through the use of vines or architectural screening detail that is compatible with the project.

(4) Tandem garages and tandem open parking spaces are expressly prohibited.

TABLE A - SoBECA URBAN PLAN

DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

Nonresidential Component

Commercial or Industrial Uses

Live/Work Units

1. Parking requirements for commercial or industrial uses shall comply with off-street parking requirements for nonresidential uses in the base zoning district. See Table 13-89, Nonresidential Parking Standards in the Zoning Code.

2. Parking requirements for live/work units shall be applied as follows:

Live/Work Unit	Tenant Parking Space[2a]	Guest Parking Space
To 1,000 sq.ft.	1.0 space per unit	.5 space per unit
To 2,000 sq.ft.	1.5 spaces per unit	.5 space per unit
To 3,000 sq.ft.	2.0 spaces per unit	.5 space per unit
Over 3,000 sq.ft.	2.5 spaces per unit	.5 space per unit

(i). *Assigned Tenant Parking*. No less than one covered, tenant assigned parking space provided for each unit.

(ii). The application of these parking requirements apply to "permitted" uses in live/work units. Any conditionally permitted uses may be subject to additional parking requirements depending on the proposed business activities.

Residential Component

1. Parking requirements for dwelling units in a mixed-use development shall be applied as follows:

Dwelling Unit	Tenant Parking Space[1a]	Guest Parking
Studio/Loft/Bachelor	1.0 space	.5 guest
1 Bedroom	1.5 spaces	.5 guest
2 Bedrooms	2.0 spaces	.5 guest
3 Bedrooms	2.5 spaces	.5 guest

(i). *Assigned Tenant Parking*. A minimum of 50 percent of the total number of parking spaces required for the dwelling units shall be covered, with no less than 1 covered assigned parking space being provided for each dwelling unit.

TABLE A - SoBECA URBAN PLAN DEVELOPMENT STANDARDS AND DESIGN GUIDELINES	
SIGNAGE A Planned Signing Program is required. Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage pursuant to the City's Sign Ordinance.	
Building Wall Sign	Wall signs shall not exceed one square foot of sign area for each linear foot of building frontage or portion thereof.
Freestanding Sign	Maximum 7 feet in height including the base.
Freestanding Sign along Bristol Street and Baker Street	Maximum 25 feet in height including the base.
	Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage pursuant to the City's Sign Ordinance.
POOLS AND SPAS	
Above-ground pools and spas shall not be located in the required front setback from a public street and are subject to rear and side yard setbacks for main structures. Additional setbacks may be applicable pursuant to Uniform Building Code requirements.	
PROJECTIONS (Maximum depth of projections given)	
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.	2 feet 6 inches into required setback area.
Chimneys	2 feet above maximum building height.
Fireplaces	2 feet into required setback or building separation area
ADDITIONAL DEVELOPMENT STANDARDS	
Common Interest Developments	Required. Exception: Small lot, single-family detached common-interest developments are not permitted.
Window Placement	Window placement should take into account surrounding land uses. Clerestory windows should be used in areas where there are privacy or view concerns.
Building Materials	A variety of building materials shall be incorporated into the design of the exterior elevations.
Mechanical Ventilation	All units shall be mechanically ventilated.
Residential Noise Levels	1. Residential interior noise levels must be met for interior residential living spaces. Residential exterior noise levels must be met on all private patios, upper-story decks, and balconies. However, residential exterior noise levels do not need to be satisfied on roof-top decks/terraces or in common open space areas. 2. Noise study required with project application to document onsite noise levels from surrounding land uses.
Onsite Private Recreational Facilities	Provision of onsite private recreational facilities that are designed for the anticipated demographic profile of the residential development.
Garage	Garages are required to be used for vehicle storage.
Notice	In conjunction with the sale of any unit, adequate notice shall be given of the existing surrounding industrial land uses, including operational characteristics such as hours of operation, delivery schedules, outdoor activities, noise, and odor generation.

TABLE A - SoBECA URBAN PLAN DEVELOPMENT STANDARDS AND DESIGN GUIDELINES	
Architectural Design Guidelines	1. Architectural elevations with emphasis on front elevations and street-facing elevations: a) Building elevations should feature stepping forms both horizontally and vertically to soften and provide appropriate transitions among second-story, three-story and four-story elevations. b) Building elevations should incorporate enhanced detailing, which may include articulations, projections, and use of varied building materials. c) Architectural projections are encouraged to provide visual focus and emphasize some aspect of design such as an entryway or major window. d) Long, unbroken building facades should be avoided, and variety should be accomplished through variation in building heights and forms. 2. Distinct architectural treatment and varying surface materials/finishes among the different units of a proposed multi-story development should be provided. 3. Significant deviations from the originally-approved color palette and materials for the project should not be approved unless a master plan amendment is processed and approved by the Planning Commission.
Other Applicable Development Standards	The Mesa West Bluffs Urban Plan provides additional development standards related to live/work development and residential loft development. These development standards for these types of uses shall be applicable to the SoBECA Urban Plan.
Prohibited Uses	The use of live/work units and residential lofts within an urban master plan project shall expressly exclude short-term vacation rentals, board & care facilities, and boarding houses. The work spaces in a live/work unit shall not function as a bedroom and shall have bathroom facilities limited to a bathroom with a toilet and sink only; (no shower facilities or full bath facilities are allowed in the work space area).

Exhibit 2:
SP-05-07 A1: 19 West Urban Plan

TABLE A - 19 WEST URBAN PLAN MIXED-USE DEVELOPMENT DEVELOPMENT STANDARDS AND DESIGN GUIDELINES	
DEVELOPMENT STANDARD	Deviations from development standards may be granted through the master plan approval process with consideration to existing development configuration, compatibility of adjacent uses, inclusion of pedestrian-oriented space, and/or inclusion of amenities along the street side.
Maximum Floor Area Ratio for mixed-use development project (including residential uses) • Commercial Base Zoning District • Industrial Base Zoning District Minimum Floor Area Ratio for nonresidential component of development • Commercial Base Zoning District • Industrial Base Zoning District	 1.0 FAR 1.0 FAR 0.15 FAR 0.175 FAR
Overall Maximum Building Height for Mixed-Use Project • Max. Building Height for Nonresidential Component: Max. Building Height for Residential Component:	4 stories/ 60 feet (Roof gardens/terraces in mixed-use development projects shall not be considered a story. 2 stories/ 40 feet 4 stories/60 feet Lofts, as defined in Section 13-6 of the Zoning Code, without exterior access and having only clerestory windows will not be regarded as a story.
Minimum Lot Size	Minimum One Acre Exception: Development lots of less than one acre may be allowed as a deviation from this requirement provided that all other development standards are met.
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. Attics above the maximum number of stories shall be an integral part of the building roofline and not appear as an additional story on any building elevation. Windows in any attic space above the maximum number of stories shall be incidental and limited to a dormer style.
Maximum Lot Coverage	90%

TABLE A - 19 WEST URBAN PLAN MIXED-USE DEVELOPMENT DEVELOPMENT STANDARDS AND DESIGN GUIDELINES	
Minimum Open Space Development Lot:	Minimum 30% open space required. (This minimum open space requirement strictly applies to the overall development lot area at grade. However, the square footage of roof decks may be partially counted towards the minimum open space requirement by a maximum 10 percent allowance.)
Residential Open Space:	Minimum 200 sq.ft. per dwelling unit of residential component (This requirement does not apply to live/work units) Residential open space may be any combination of private and common open space areas. Common open space may be distributed throughout the residential component of the mixed-use development and need not be in a single large area. Common open space areas may be satisfied by common roof gardens, common recreational/leisure areas, recreational facilities featuring swimming pools, decks, and court game facilities. Private open space may be provided for each dwelling unit above the first floor in the form of a private patio or balcony.
FRONT BUILD-TO-LINE AND SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS Minimum distances given, unless otherwise noted. All setbacks from streets to development lots are measured from the ultimate property line shown on the Master Plan of Highways. Increased side and rear setbacks may be required pursuant to Uniform Building Code requirements.	
Front Build-To-Line • Abutting public street	Build-To-Line of 15 feet along all public streets
Side Setback • Interior	0 feet
• Abutting a public street	10 feet along Anaheim Avenue, Industrial Way, Monrovia Avenue, Placentia Avenue, Pomona Avenue, Superior Blvd., Victoria St., W. 16th Street, W. 17th Street, 5 feet for all other streets
• Abutting a publicly-dedicated alley	5 feet
• Abutting residential zone	20 feet

TABLE A - 19 WEST URBAN PLAN MIXED-USE DEVELOPMENT DEVELOPMENT STANDARDS AND DESIGN GUIDELINES	
Rear Setback • Abutting a public street • Abutting residential zone • All other rear property lines	 10 feet along all public streets 20 feet 0 feet
Distance between main buildings	Minimum 10 foot distance between main buildings on the same site.
Distance between accessory structures.	Minimum 6 foot distance between accessory structures and main buildings.
PARKING (1) Vehicle parking is required either on-site or on another lot within a distance deemed acceptable by the Planning Commission. A reduction in the vehicle parking requirements shall be determined as outlined in "City of Costa Mesa Procedure for Determining Shared Parking Requirements." The parking reduction for the mixed-use development project and may be approved in conjunction with the master plan approval. (2) Parking spaces shall be specifically designated for nonresidential and residential uses by the use of posting, pavement markings, and physical separation. The parking area design may include the use of alternative parking techniques such as mechanized stacked parking systems to satisfy parking requirements, subject to review and approval by the Planning Commission. Parking design shall also consider the use of separate entrances and exits, or a designated lane, for residents, so that residents are not waiting in line behind shoppers or moviegoers. Parking structures shall be architecturally integrated with the project design. (3) Parking structures shall be screened from view at street level and include architectural detailing, artwork, landscape, or similar visual features to enhance the street facade. Screening of parking structure levels above street grade is encouraged through the use of vines or architectural screening detail that is compatible with the project. (4) Tandem garages and tandem open parking spaces are expressly prohibited.	
Nonresidential Component Commercial or Industrial Uses	 1. Parking requirements for commercial or industrial uses shall comply with off-street parking requirements for nonresidential uses in the base zoning district. See Table 13-89, Nonresidential Parking Standards in the Zoning Code.

TABLE A - 19 WEST URBAN PLAN
MIXED-USE DEVELOPMENT
DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

Residential Component

1. Parking requirements for dwelling units in a mixed-use development shall be applied as follows:

Dwelling Unit	Tenant Parking Space[1a]	Guest Parking
Studio/Loft/Bachelor	1.0 space	.5 guest
1 Bedroom	1.5 spaces	.5 guest
2 Bedrooms	2.0 spaces	.5 guest
3 Bedrooms	2.5 spaces	.5 guest

(1a). *Assigned Tenant Parking*. A minimum of 50 percent of the total number of parking spaces required for the dwelling units shall be covered, with no less than 1 covered assigned parking space being provided for each dwelling unit.

SIGNAGE

A Planned Signing Program is required. Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage pursuant to the City's Sign Ordinance.

Building Wall Sign	Wall signs shall not exceed one square foot of sign area for each linear foot of building frontage or portion thereof.
Freestanding Sign along Placentia Avenue, Pomona Avenue, Anaheim, Avenue, Superior Blvd., 19th Street, 17th Street	Maximum 25 feet in height including the base.
Freestanding Sign along all other public streets	Maximum 7 feet in height including the base
	Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage pursuant to the City's Sign Ordinance.

POOLS AND SPAS

Above-ground pools and spas shall not be located in the required front setback from a public street and are subject to rear and side yard setbacks for main structures. Additional setbacks may be applicable pursuant to Uniform Building Code requirements.

PROJECTIONS (Maximum depth of projections given)

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.	2 feet 6 inches into required setback area.
Chimneys	2 feet above maximum building height.
Fireplaces	2 feet into required setback or building separation area

TABLE A - 19 WEST URBAN PLAN MIXED-USE DEVELOPMENT DEVELOPMENT STANDARDS AND DESIGN GUIDELINES	
ADDITIONAL DEVELOPMENT STANDARDS	
Architectural Design Guidelines	1. Architectural elevations with emphasis on front elevations and street-facing elevations: a) Building elevations should feature stepping forms both horizontally and vertically to soften and provide appropriate transitions among second-story, three-story and four-story elevations. b) Building elevations should incorporate enhanced detailing, which may include articulations, projections, and use of varied building materials. c) Architectural projections are encouraged to provide visual focus and emphasize some aspect of design such as an entryway or major window. d) Long, unbroken building facades should be avoided, and variety should be accomplished through variation in building heights and forms. 2. Distinct architectural treatment and varying surface materials/finishes among the different units of a proposed multi-story development should be provided. 3. Significant deviations from the originally-approved color palette and materials for the project should not be approved unless a master plan amendment is processed and approved by the Planning Commission.
Common Interest Developments	Required. Exception: Small lot, single-family detached common-interest developments are not permitted.
19th Street Frontage Requirement	Lots abutting the rear of properties that have frontage on W. 19th Street shall be considered to create a resultant parcel with frontage on W. 19th Street prior to approval of any mixed-use Master Plan for such properties.
Other Applicable Development Standards	The Mesa West Bluffs Urban Plan provides additional development standards related to live/work development and residential loft development. These development standards for these types of uses shall be applicable to the 19 West Urban Plan.
Prohibited Uses	The use of live/work units and residential lofts within an urban master plan project shall expressly exclude short-term vacation rentals, board & care facilities, and boarding houses. The work spaces in a live/work unit shall not function as a bedroom and shall have bathroom facilities limited to a bathroom with a toilet and sink only; (no shower facilities or full bath facilities are allowed in the work space area).

Exhibit 3:
SP-05-08 A2: Mesa West Urban Plan

Table A1: Live/Work and Residential Standards

TABLE A1: LIVE/WORK AND RESIDENTIAL DEVELOPMENT STANDARDS *(See also additional development standards specific to live/work developments [Table A2] and residential development [Table A3].)* MESA WEST BLUFFS URBAN PLAN DEVELOPMENT STANDARDS AND DESIGN GUIDELINES	
Minimum Lot Size	Minimum One Acre Exception: Development lots of less than one acre may be allowed as a deviation from this requirement provided that all other development standards are met.
Overall Building Height	Maximum 4 stories/ 60 feet 1. Roof gardens/terraces shall not be considered a story. 2. Lofts, as defined in Section 13-6 of the Zoning Code, without exterior access and having only clerestory windows will not be regarded as a story.
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. Attics above the maximum number of stories shall be an integral part of the building roofline and not appear as an additional story on any building elevation. Windows in any attic space above the maximum number of stories shall be incidental and limited to a dormer style.
Bluff Top Setback	No building or structure closer than 10 feet from bluff crest (see Section 13-34 Bluff-Top Development)
Distance between main buildings	Minimum 10 foot distance between main buildings on the same site.
Distance between accessory structures.	Minimum 6 foot distance between accessory structures and main buildings.
POOLS AND SPAS	
Above-ground pools and spas shall not be located in the required front setback from a public street and are subject to rear and side yard setbacks for main structures. Additional setbacks may be applicable pursuant to Uniform Building Code requirements.	
PROJECTIONS (Maximum depth of projections given)	
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.	2 feet 6 inches into required setback area.
Chimneys	2 feet above maximum building height.
Fireplaces	2 feet into required setback or building separation area
ADDITIONAL DEVELOPMENT STANDARDS	
Common Interest Developments	Required for all residential or live/work developments.
Window Placement	Window placement should take into account surrounding land uses. Clerestory windows should be used in areas where there are privacy or view concerns.
Building Materials	A variety of building materials shall be incorporated into the design of the exterior elevations.

TABLE A1 (Continued)

LIVE/WORK AND RESIDENTIAL DEVELOPMENT STANDARDS

(See also additional development standards specific to live/work developments [Table A2] and residential development [Table A3].)

MESA WEST BLUFFS URBAN PLAN

Mechanical Ventilation	All units shall be mechanically ventilated.
Residential Noise Levels	1. Residential interior noise levels must be met for interior residential living spaces. Residential exterior noise levels must be met on all private patios, upper-story decks, and balconies. However, residential exterior noise levels do not need to be satisfied on roof-top decks/terraces or in common open space areas. 2. Noise study required with project application to document onsite noise levels from surrounding land uses.
Onsite Private Recreational Facilities	Provision of onsite private recreational facilities that are designed for the anticipated demographic profile of the residential development.
Garage	Garages are required to be used for vehicle storage. Tandem garages and tandem open parking spaces are expressly prohibited.
Notice	In conjunction with the sale of any unit, adequate notice shall be given of the existing surrounding industrial land uses, including but not limited to, operational characteristics such as hours of operation, delivery schedules, outdoor activities, noise, and odor generation.
Architectural Design Guidelines	1. Architectural elevations with emphasis on front elevations and street-facing elevations: a) Building elevations should feature stepping forms both horizontally and vertically to soften and provide appropriate transitions among second-story, three-story and four-story elevations. b) Building elevations should incorporate enhanced detailing, which may include articulations, projections, and use of varied building materials. c) Architectural projections are encouraged to provide visual focus and emphasize some aspect of design such as an entryway or major window. d) Long, unbroken building facades should be avoided, and variety should be accomplished through variation in building heights and forms. 2. Distinct architectural treatment and varying surface materials/finishes among the different units of a proposed multi-story development should be provided. Significant deviations from the originally-approved color palette and materials for the project should not be approved unless a master plan amendment is processed and approved by the Planning Commission.

Other Applicable Development Standards	The Mesa West Bluffs Urban Plan emphasizes live/work units or residential development. If other types of mixed-use development is proposed (i.e. vertical mixed-use development with groundfloor retail and upperfloor residential units), refer to the 19 West Urban Plan or SoBECA Urban Plan for relevant mixed-use development standards.
Prohibited Uses	The use of live/work units and residential lofts within an urban master plan project shall expressly exclude short-term vacation rentals, board & care facilities, and boarding houses. The work spaces in a live/work unit shall not function as a bedroom and shall have bathroom facilities limited to a bathroom with a toilet and sink only; (no shower facilities or full bath facilities are allowed in the work space area).
DEVIATIONS	
	Deviations from development standards may be granted through the master plan approval process with consideration to the inclusion of on-site and off-site amenities which may justify the deviation. See Page 10 of Urban Plan.

Table A2:
Live/Work Standards

TABLE A2: LIVE/WORK DEVELOPMENT STANDARDS MESA WEST BLUFFS URBAN PLAN DEVELOPMENT STANDARDS *(See also Table A1 for additional live/work development standards).*	
Minimum Size of Work Space	250 square feet *(Work space excludes bathroom, kitchen, balcony/mezzanines, and/or hallway areas.)
Maximum Floor Area Ratio for mixed-use development project (e.g. live/work units) • Commercial Base Zoning District • Industrial Base Zoning District	 1.0 FAR* 1.0 FAR* ***IMPORTANT NOTE:** The overall density/intensity of proposed development is dependent on many factors **and not solely** the maximum allowable FAR. For example, the FAR **and** vehicle trip generation work in concert to ensure that the proposed development does not exceed the capacity of the General Plan circulation system. Therefore, the maximum allowable FAR may be lower than 1.0 FAR, depending upon the capacity allowed by the General Plan circulation system. Additionally, site plan layout, parking requirements, and building design are other important variables. See page [15] for more discussion.
Development Lot Coverage	Maximum 90%
Open Space of Development Lot	Minimum 30% open space required. (This minimum open space requirement strictly applies to the overall development lot area at grade. However, the square footage of roof decks may be partially counted towards the minimum open space requirement by a maximum 10 percent allowance.)
FRONT BUILD-TO-LINE AND SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS Minimum distances given, unless otherwise noted. All setbacks from streets to development lots are measured from the ultimate property line shown on the Master Plan of Highways. Increased side and rear setbacks may be required pursuant to Uniform Building Code requirements.	
Front Build-To-Line • Abutting public street	 Build-To-Line of 15 feet along all public streets
Side Setback • Interior • Abutting a public street • Abutting a publicly-dedicated alley • Abutting residential zone	 0 feet 10 feet along Whittier Ave., Wallace St., Placentia St., Pomona Ave., Anaheim Ave., W. 16th St., W. 17th St., W. 18th St., and W. 20th St. 5 feet for all other streets 5 feet 20 feet

TABLE A2 (continued)

LIVE/WORK DEVELOPMENT STANDARDS

MESA WEST BLUFFS URBAN PLAN DEVELOPMENT STANDARDS

(See also Table A1 for additional live/work development standards).

Rear Setback	
• Abutting a public street	10 feet along all public streets
• Abutting residential zone	20 feet
• All other rear property lines	0 feet

PARKING

1. Vehicle parking is required either on-site or on another lot within a distance deemed acceptable by the Planning Commission. A reduction in the vehicle parking requirements shall be determined as outlined in "City of Costa Mesa Procedure for Determining Shared Parking Requirements." The parking reduction for the mixed-use development project and may be approved in conjunction with the master plan approval.

2. Parking spaces shall be specifically designated for tenants and guests of live/work units by the use of posting, pavement markings, and physical separation. The parking area design may include the use of alternative parking techniques such as mechanized stacked parking systems to satisfy parking requirements, subject to review and approval by the Planning Commission. Parking design shall also consider the use of separate entrances and exits, or a designated lane, for residents, so that residents are not waiting in line behind shoppers or moviegoers. Parking structures shall be architecturally integrated with the project design.

3. Parking structures shall be screened from view at street level and include architectural detailing, artwork, landscape, or similar visual features to enhance the street facade. Screening of parking structure levels above street grade is encouraged through the use of vines or architectural screening detail that is compatible with the project.

4. Tandem garages and tandem open parking spaces are expressly prohibited.

TABLE A2 (continued)
LIVE/WORK DEVELOPMENT STANDARDS
MESA WEST BLUFFS URBAN PLAN DEVELOPMENT STANDARDS

(See also Table A1 for additional live/work development standards).

Live/Work Units

1. Parking requirements for live/work units are based on the type of commercial/industrial activities conducted in the work space. Additional parking may be required for higher intensity live/work units compared to those units which function as home businesses. Transportation Services Division shall determine the appropriate parking rates to be applied to live/work development on a case-by-case basis, depending on the allowable uses.

Minimum parking requirements for live/work units (with similar function to home occupations) shall be applied as follows:

Live/Work Unit	Tenant Parking Space[(2a)]	Guest Parking Space
To 1,000 sq.ft.	1.0 space per unit	1.5 space per unit
To 2,000 sq.ft.	1.5 spaces per unit	1.5 space per unit
To 3,000 sq.ft.	2.0 spaces per unit	1.5 space per unit
Over 3,000 sq.ft.	2.5 spaces per unit	1.5 space per unit

i. *Assigned Tenant Parking*. No less than one covered, tenant assigned parking space provided for each unit.

ii. The application of these parking requirements apply to "permitted" uses in live/work units. Any conditionally permitted uses may be subject to additional parking requirements depending on the proposed business activities.

TABLE A2 (continued)

LIVE/WORK DEVELOPMENT STANDARDS

MESA WEST BLUFFS URBAN PLAN
DEVELOPMENT STANDARDS

(See also Table A1 for additional live/work development standards).

SIGNAGE

A Planned Signing Program is required. Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage pursuant to the City's Sign Ordinance.

Building Wall Sign	Wall signs shall not exceed one square foot of sign area for each linear foot of building frontage or portion thereof.
Freestanding Sign along Whittier Ave., Wallace St., Placentia St., Pomona Ave., Anaheim Ave., W. 16th St., W. 17th St., W. 18th St., and W. 20th St	Maximum 25 feet in height including the base.
Freestanding Sign along all other public streets	Maximum 7 feet in height including the base
	Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage pursuant to the City's Sign Ordinance.

Table A3: Residential Development Standards

TABLE A3: RESIDENTIAL DEVELOPMENT STANDARDS MESA WEST BLUFFS URBAN PLAN DEVELOPMENT STANDARDS *(Please see also Table A1 for additional residential development standards.)*	
Density	Maximum 13 units per acre
Development Lot Coverage	Maximum 60 percent of total lot area
Open Space Development Lot: Residential Open Space:	 Minimum 40 percent of total lot area Minimum 200 sq.ft. per dwelling unit of residential component (This requirement does not apply to live/work units) Residential open space may be any combination of private and common open space areas. Common open space may be distributed throughout the residential component of the mixed-use development and need not be in a single large area. Common open space areas may be satisfied by common roof gardens, common recreational/leisure areas, recreational facilities featuring swimming pools, decks, and court game facilities. Private open space may be provided for each dwelling unit above the first floor in the form of a private patio or balcony.
FRONT BUILD-TO-LINE AND SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS Minimum distances given, unless otherwise noted. All setbacks from streets to development lots are measured from the ultimate property line shown on the Master Plan of Highways. Increased side and rear setbacks may be required pursuant to Uniform Building Code requirements.	
Front Build-To-Line • Abutting public street	 Build-To-Line of 15 feet along all public streets
Side Setback • Interior • Abutting a public street • Abutting a publicly-dedicated alley • Abutting residential zone	 0-foot setback on interior property lines if structure is non habitable 10-foot setback if structure is habitable. 10 feet along Whittier Ave., Wallace St., Placentia St., Pomona Ave., Anaheim Ave., W. 16th St., W. 17th St., W. 18th St., and W. 20th St. 5 feet for all other streets 5 feet 10 feet
Rear Setback • Abutting a public street • Abutting residential zone • All other rear property lines	 10 feet along all public streets 10 feet 5 feet

TABLE A3 (continued)

RESIDENTIAL DEVELOPMENT STANDARDS

MESA WEST BLUFFS URBAN PLAN DEVELOPMENT STANDARDS

(Please see also Table A1 for additional residential development standards.)

Parking	Residential parking requirements shall be applied pursuant to Section 13-87, Chapter VI, Off-street Parking Requirements, of the Zoning Code. An exception is made for residential lofts where the following parking requirements are applied: <u>Residential Loft Parking Requirements</u>: 1. 1,000 square feet or less in size: 1 covered space and 0.5 guest space 2. More than 1,000 square feet in size: 2 covered spaces and 0.5 guest space
Location criteria	1. Residential projects should be located in proximity to existing residential neighborhoods. 2. For residential projects that are proposed in a predominantly industrial area, the following design considerations should be applied: i. Project design should be "urban loft" in character in both exterior and interior design. ii. Roof-top decks are encouraged. iii. Orientation of living areas including patios and decks from abutting industrial properties. iv. Units should be oriented towards an internal courtyard, amenities, and/or recreational area.
Design Guidelines	Compliance with Residential Design Guidelines

Exhibit 4:
SP-05-09 A1: Mesa West Residential Ownership

OWNERSHIP INCENTIVE PROVISIONS

Within the plan area, an applicant may apply for a density bonus in conjunction with an application to develop ownership housing pursuant to the following:

1. **Minimum Lot Size Required**: If a property is zoned either **R2-MD** or **R2-HD**, a minimum lot size of 1.0 acre is required to receive any density bonus to a maximum of 20 units per acre. The intent of this standard is to encourage lot consolidation and to improve the overall design quality of the project. Exception: Development lots of less than one acre may be allowed as a deviation from this requirement provided that all other development standards are met.

2. **Rebuilding of Existing Units**:

   a. **R2-MD or R2-HD Properties:** If the minimum lot size cannot be met **AND** the existing number of units on the lot is 3 or more, then the existing number of units can be rebuilt even if it exceeds the current zoning allowance.

   b. **R3 Properties:** If the existing density exceeds 20 units per acre **AND** the existing number of the lot is 3 or more, then the existing number of units can be rebuilt.

PLANNING PROCESS

The land use regulations contained in this Urban Plan encourages the following: (1) the conversion of existing apartments to residential common interest developments or (2) for the construction of new common interest developments. These development projects may only be activated through an approved Master Plan. The master plan process is described in Figure 7.

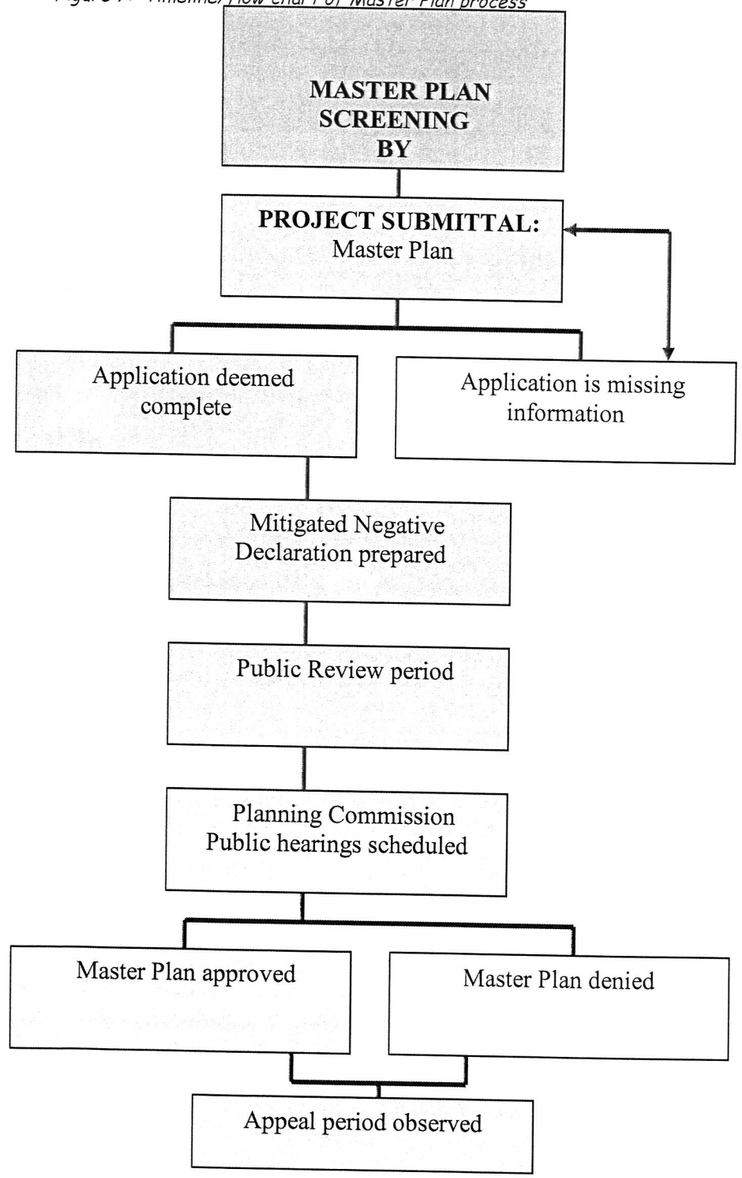
Specific zoning regulations of the Urban Plan supersede those of the underlying zoning district (e.g. medium-density residential zone), unless otherwise indicated.

Proposed development in the Mesa West Residential Ownership Urban Plan area requires approval of a master plan pursuant to Title 13, Chapter II, Planning Applications, of the Costa Mesa Municipal Code. In accordance with City procedures, the Planning Commission reviews and considers master plans. Refer to Section 13-28(g), master plan, of the Zoning Code regarding the review process for preliminary master plans and amendments to the master plan.

A deviation from the Mesa West Residential Ownership Urban Plan development standards may be approved through the master plan subject to specific findings as described in Title 13, Article 11, of the Costa Mesa Zoning Code.

Master Plan for Mixed-Use Overlay

Figure 7: Timeline/flow chart of Master Plan process



Timeline:
About 4 months

PROJECT
Week 1

Week 4

Week 5-8

Week 9-11

Week 12-13

If denied, six months before similar application can be submitted

Week 14

FLEXIBLE DEVELOPMENT STANDARDS

Within the plan area, an applicant may apply the following development standards in conjunction with a Master Plan application to develop ownership-housing units. These development standards replace the corresponding development standards contained in the Costa Mesa Zoning Code for the R2-MD, R2-HD, and R-3 districts. All other applicable development standards contained in the Zoning Code shall be applied.

1. Building Height: The maximum building height is 3 stories/45 feet. Chimneys may project 2 feet above the maximum building height.

2. Building Setbacks Abutting Single-Family Residential Property: When new construction is proposed, the buildings shall be setback from property lines that are shared with single-family residential properties as follows:

Interior Side Property Lines:
1 story and/or 15 feet or less: 5 feet
2 stories and/or 15-30 feet: 10 feet
3 stories and/or greater than 30 feet: 15 feet

Rear Property Lines:
1 story and/or 15 feet or less: 10 feet
2 stories and/or 15-30 feet: 20 feet
3 stories and/or greater than 30 feet: 25 feet

3. Critical Vacancy Rate: In conjunction with an application to convert an existing apartment complex to a residential common interest subdivision, the City's critical vacancy rate (3%) for apartments shall not be applied.

4. Parking:

a. *Application of Current Parking Standards*: The Zoning Code parking standards shall only be applied to new construction when additional units and/or bedrooms are being added to the development, when compared to existing conditions of the property.

b. *Residential Common Interest Conversions*: The proposed conversion of existing apartments shall not require compliance with current parking standards, provided that no additional units or bedrooms are being added to the development.

c. *Tandem Parking*: Tandem parking in a garage, carport, or open parking area is expressly prohibited.

d. *Mechanical Lift Parking*: Permitted for "covered" tenant parking requirements in carports or shared garages.

5. Deviation from Zoning Code Development Standards: A Master Plan is required to activate the zoning provisions of Mesa West Residential Ownership Urban Plan. An approved Master Plan will allow new construction that does not fully meet all the applicable sections of the Zoning Code and other code standards. Through the review process, the applicant must demonstrate why strict compliance with a current Zoning Code standard is either infeasible or unnecessary for the proposed project. See "Planning Process" of this Urban Plan for more information.

In exchange for any deviation from any current standard, the project must provide additional amenities such as those listed below:

a. Shared garages instead of carports for greater security.
b. Compliance with the City's Energy Star Program for residential structures.
c. Useable open space with amenities, such as a tot lot.
d. Turf areas of sufficient size to create useable recreation areas.
e. Community garden areas.
f. Masonry planters, potted flowers and shrubs on decks and balcony flower boxes.
g. Additional landscape materials that exceed Zoning Code requirements in terms of number or size. For example, exchanging required 1-gallon plants for 5-gallon plants.
h. Provision of landscaping that consists primarily of California native species.
i. CC&Rs that require garages to be used for vehicle storage only.
j. Awnings, especially along the front elevations for color and product definition, and a better facade.
k. Stamped concrete or decorative paving at entrances and driveway intersections.
l. Meandering rather than straight sidewalks.
m. Upgraded windows and exterior doors for noise reduction and energy conservation.
n. Onsite trash enclosures for projects of 4 units or less.
o. Concrete slab adjacent to trash enclosure, or contract for roll-off trash service so that the trash truck does not come on site.
p. Orientation of units away from the street toward interior courtyards.
q. Adequate lighting for security (beyond parking and driveway lighting required by code).
r. Gates and intercom system for security.
s. Other amenities that enhance the project and the overall neighborhood.

LAND USE COMPATIBILITY

New development in the mixed-use overlay district shall be evaluated for compatibility with existing development on a case by case basis.

The following considerations shall be incorporated into the proposed project:

· Standard Condition of Approval: For proposed development adjacent to residentially-zoned properties that exceeds two stories, developer shall submit a shade/shadow analysis prepared by a professional aesthetic consultant. The conclusions of the aesthetic analysis shall specifically demonstrate that adequate daylight plane requirements for the abutting residential uses are provided.

At the discretion of the Development Services Director and in consideration of specific site characteristics, additional or modified development standards and conditions of approval may be added to include, but not be limited to, increased setbacks, increased wall height, enhanced landscaping, and other appropriate edge treatments aimed at enhancing the compatibility of urban infill projects.

DISCLOSURES

As part of the Master Plan approval, a condition of approval may require that the Covenants, Conditions, and Restrictions (CC&Rs) disclose the existing noise environment and any odor-generating uses within and surrounding the development.

The provision of the CC&Rs that relates to disclosures will be reviewed/approved by the City Attorney's office prior to recordation. A provision to the CC&Rs will also stipulate that any subsequent revisions to the CC&Rs related to this issue must be approved by the City Attorney's office.

A condition of approval may be included which would require that written notice of the then-existing noise environment and any odor generating uses within the mixed-use development and within a specific radius of the mixed use development be distributed 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 City Attorney's office shall determine the legal mechanism employed to ensure disclosure of noise and odor generating uses. For example, if this disclosure is required as a deed restriction, it would not need to be included in the CC&Rs.

ARCHITECTURAL DESIGN GUIDELINES

1. Architectural elevations with emphasis on front elevations and street-facing elevations:

a) Building elevations should feature stepping forms both horizontally and vertically to soften and provide appropriate transitions among second-story, three-story and four-story elevations.
b) Building elevations should incorporate enhanced detailing, which may include articulations, projections, and use of varied building materials.
c) Architectural projections are encouraged to provide visual focus and emphasize some aspect of design such as an entryway or major window.
d) Long, unbroken building facades should be avoided, and variety should be accomplished through variation in building heights and forms.

2. Distinct architectural treatment and varying surface materials/finishes among the different units of a proposed multi-story development should be provided.

3. Significant deviations from the originally-approved color palette and materials for the project should not be approved unless a master plan amendment is processed and approved by the Planning Commission.

Exhibit 5: Architectural Prototypes

(To be attached as Appendix A to each of the Urban Plans)

Spanish Colonial Style

Spanish Colonial Style

ROOF TOP TERRACE

CLAY ROOF TILE

EAVES WITH OVERHANGE

NICHE WITH DECORATIVE IRON

DECORATIVE TILE VENTS

WOOD TRELLIS

BALCONY WITH DECORATIVE IRON RAILING

STUCCO WALL SURFACE.

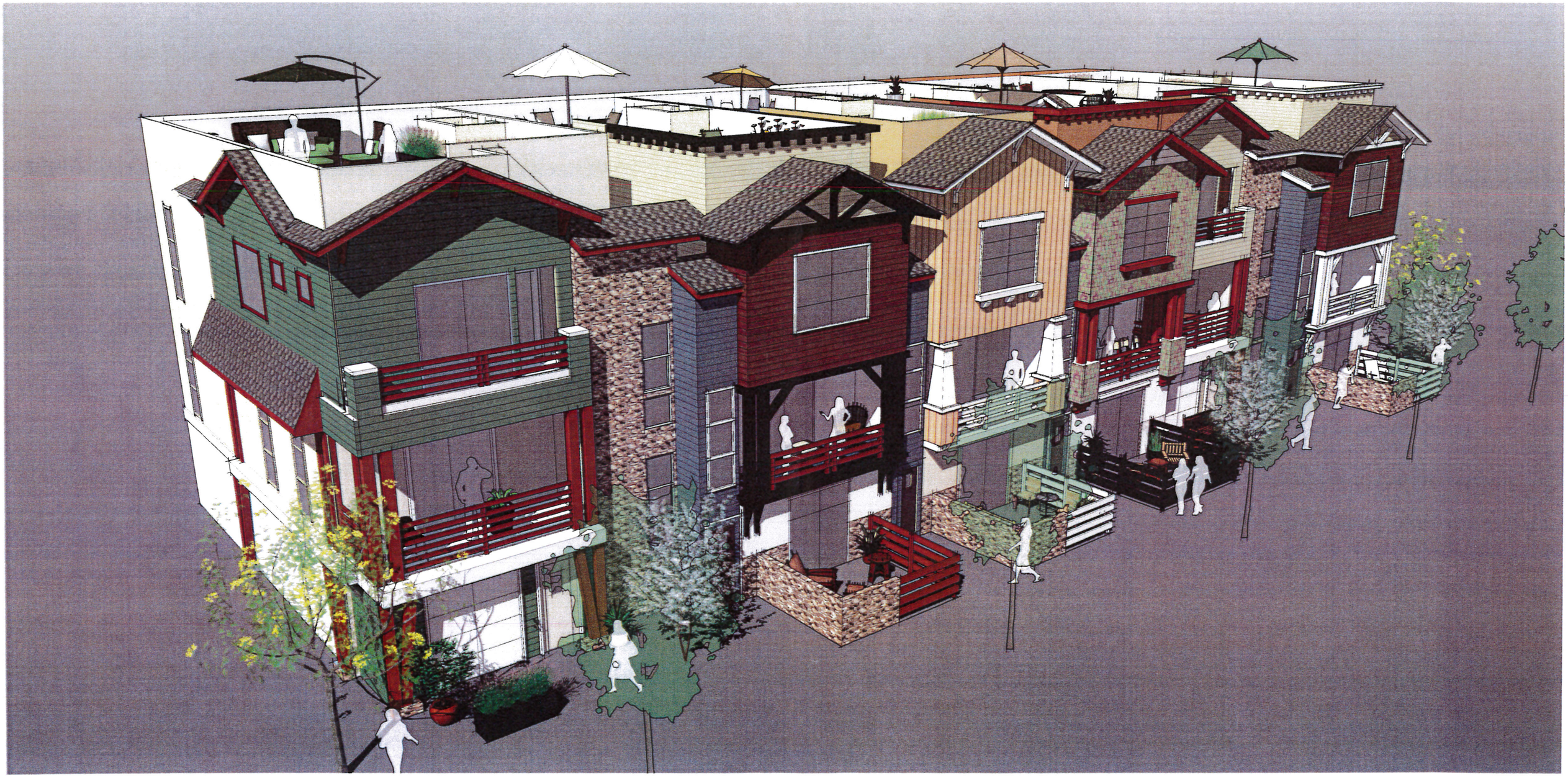
BALCONY WITH DECORATIVE IRON RAILING

WOOD PATIO ENCLOSURE

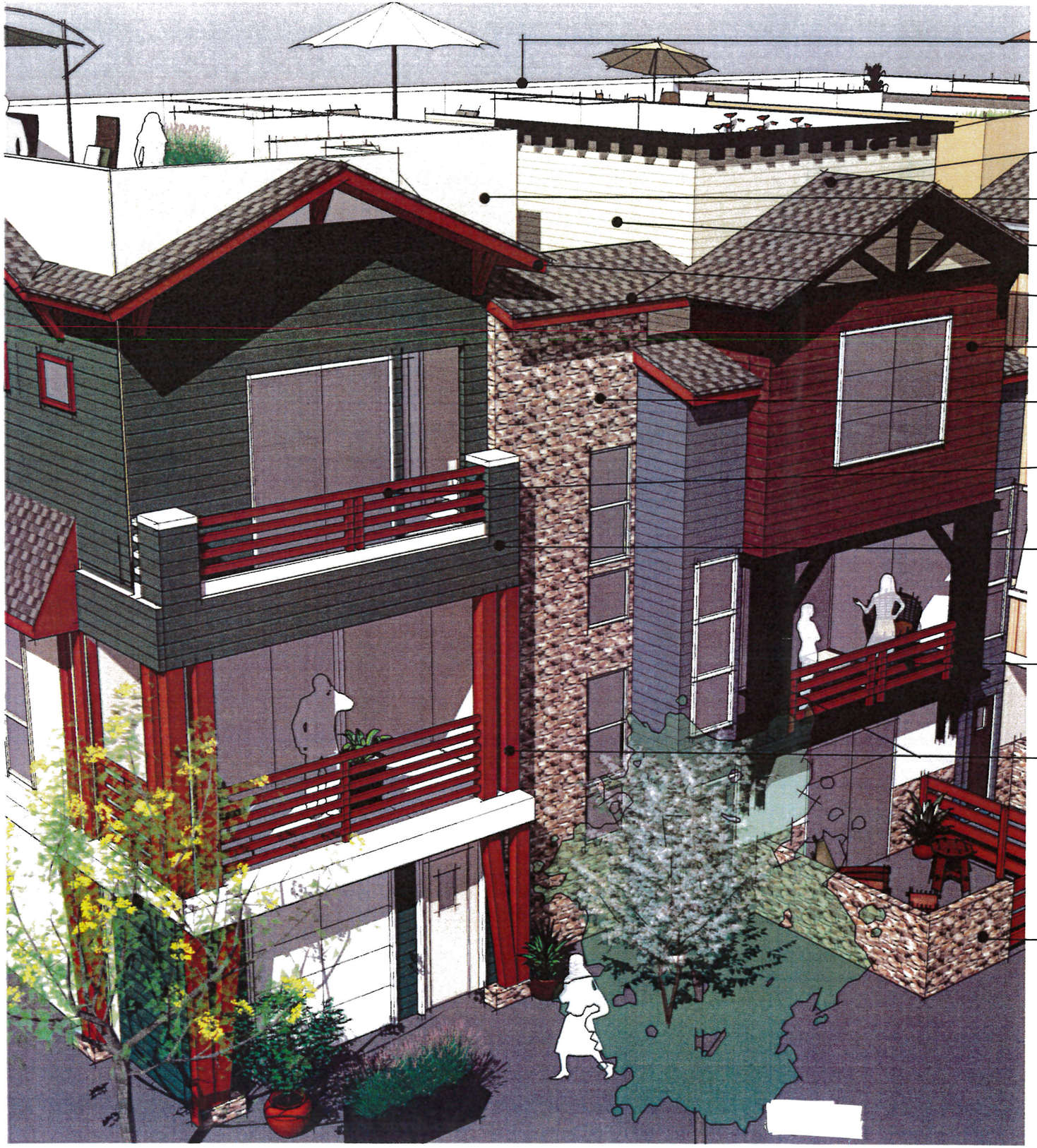
Spanish Colonial Style

Spanish Colonial Style

Spanish Colonial Style



Craftsman Style



ROOF TOP TERRACE

CORBEL TRIM

SHINGLE TILE ROOF

STUCCO WALL SURFACE.

CEMENT BOARD SIDING

EAVE OVERHANGE

SIDING OR WOOD CLADDING

STONE

BALCONY WITH DECORATIVE WOOD RAILING

CEMENT BOARD SIDING

WOOD CLADDING

BALCONY WITH DECORATIVE WOOD RAILING

WOOD COLUMN / POST

STONE / WOOD PATIO ENCLOSURE

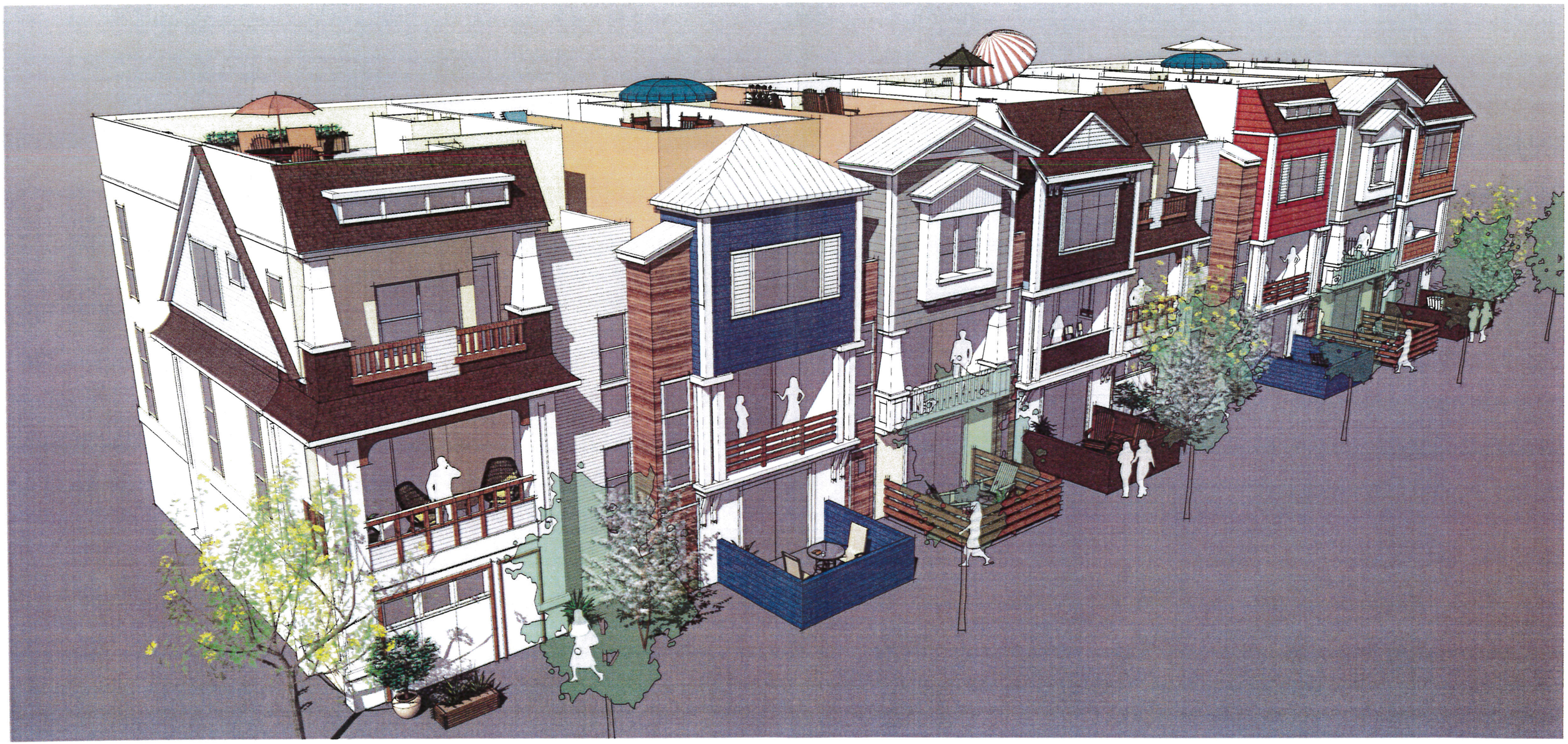
Craftsman Style

Craftsman Style

Craftsman Style

Craftsman Style

California Bungalow Style



California Bungalow Style

ROOF TOP TERRACE

SHINGLE TILE ROOF

STANDING SEAM METAL ROOF

STUCCO WALL SURFACE.

CEMENT BOARD SIDING

SIDING OR METAL CLADDING

WINDOW SHUTTERS

TAPERED COLUMN WRAP

BALCONY WITH DECORATIVE WOOD RAILING

WOOD CLADDING

BALCONY WITH DECORATIVE WOOD RAILING

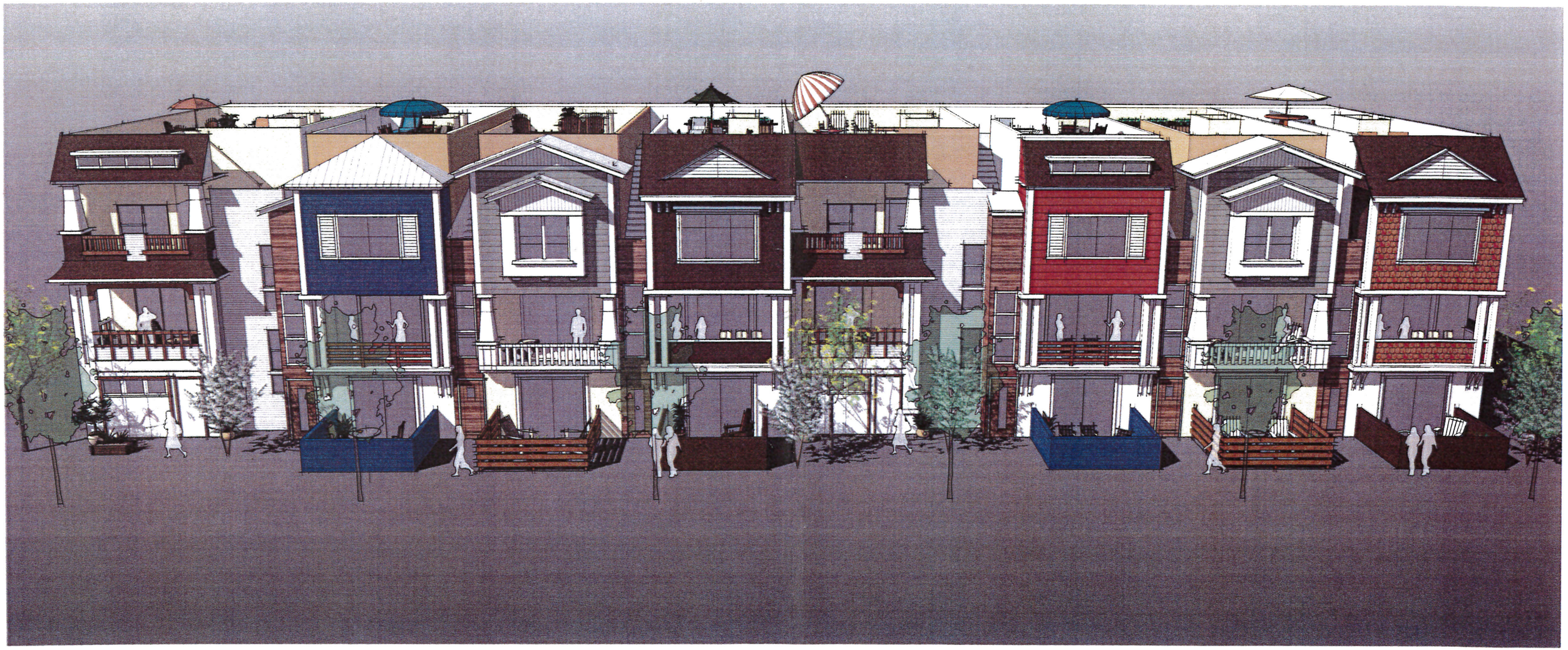
WOOD COLUMN / POST

BOARD TRIM

PATIO ENCLOSURE

California Bungalow Style

California Bungalow Style



City of Costa Mesa

ZONING CODE

Adopted by Ordinance No. 97-11

Effective June 4, 1997

The Zoning Code is also available online; see www.costamesaca.gov .

SUMMARY OF ZONING CODE AMENDMENTS

This Zoning Code was adopted by the Costa Mesa City Council on May 5, 1997. Since its adoption, the Code has been amended. The following table provides a list and brief description of the amendments.

ORDINANCE NUMBER	DATE OF ADOPTION	DESCRIPTION OF AMENDMENT
97-20	July 21, 1997	Added Article 13 Water Quality to Chapter IX.
97-32	November 17, 1997	Amended Article 8, Floor Area Ratios, to allow limited flexibility from certain floor area ratio standards.
98-5	March 2, 1998	Title 13 clean up.
98-11	April 20, 1998	Amended Article 1 of Chapter IX regarding sexually-oriented businesses.
98-16	June 1, 1998	Amended Article 1 of Chapter VI regarding the storage and parking of motor vehicles, etc.
99-2	March 15, 1999	Amended Table 13-69 of Article 8, Floor Area Ratios, to delete very-low traffic uses in the Commercial-Residential land use designation.
99-10	July 19, 1999	Amended Chapter VIII relating to portable sign regulations in the public right-of-way.
99-13	September 20, 1999	Amended Chapter VII related to landscaping standards.
99-15	November 15, 1999	Amended Chapter VI related to off-street parking standards.
99-17	November 15, 1999	Amended Title 13 to include provisions for Historic Preservation.
00-4	February 22, 2000	Amended Chapter V, Article 4 to correct an omission in Section 13-51(b)(1)(f).
00-5	March 20, 2000	Amended Title 13 regarding regulation of Group Homes.
00-11	July 3, 2000	Amended Chapter VI regarding storage of motor vehicles.
01-1	January 15, 2001	Amended Land Use Matrix (Table 13-30) regarding residential service facilities.
01-10	March 5, 2001	Amended provisions for minor amendments to existing master plan developments.
01-11	March 5, 2001	Amended Chapter III regarding public noticing requirements.
01-16	June 18, 2001	Amended Title 13 regarding residential development standards.
01-19	August 20, 2001	Amended Title 13 regarding sidewalk construction.
01-30	January 7, 2002	Amended Title 13 regarding liquor stores, etc. development standards.
02-4	March 18, 2002	Amended Title 13 regarding miscellaneous items.

ORDINANCE NUMBER	DATE OF ADOPTION	DESCRIPTION OF AMENDMENT
02-5	March 18, 2002	Amended Title 13 regarding large family day care homes.
02-8	April 16, 2002	Amended Title 13 regarding sign requirements.
02-9	July 1, 2002	Amended Title 13 regarding street frontage requirements, minimum lot width, and lot area requirements in the residential, commercial, industrial, and planned development zones.
02-12	June 17, 2002	Amended Title 13 to delete the Transition Zone provisions.
02-14	August 5, 2002	Amended Title 13 related to screening or removal of residential chain link fencing visible from a public street.
03-2	March 3, 2003	Amended Title 13 related to the appointment of Planning Commissioners.
03-4	June 2, 2003	Amended Title 13 regarding processing requirements for accessory apartments.
03-5	June 2, 2003	Amended Title 13 regarding temporary receptacles for recycling products.
03-8	September 2, 2003	Amended Title 13 regarding residential development standards and review procedures.
04-1	January 5, 2004	Amended Title 13 regarding floodway and floodplain districts.
04-2	January 20, 2004	Amended Title 13 regarding site design concepts - planned development commercial.
04-4	April 5, 2004	Amended Title 13 regarding minimum lot size and common lot requirements in small-lot residential projects.
04-11	October 18, 2004	Amended Title 13 regarding the use of temporary signs for City-sponsored events on public property and banners on public baseball and softball fields.
04-17	January 3, 2005	Amended Title 13 regarding the appointment of the Planning Commission.
05-3	February 7, 2005	Amended Title 13 to clarify existing zoning definitions and standards and to add regulations regarding seasonal events and landscaping requirements in the R1 zone.
05-2	February 22, 2005	Amended Title 13 to modify the land use matrix, public notice requirements, and various permit processes.
05-11	July 19, 2005	Amended Title 13 to prohibit the establishment of medical marijuana dispensaries.
05-14	November 1, 2005	Amended Title 13 to modify the master plan review process in planned development zones.
06-2	February 8, 2006	Amended Title 13 (CO-06-02) to allow incidental retail sales in industrial zones.

ORDINANCE NUMBER	DATE OF ADOPTION	DESCRIPTION OF AMENDMENT
06-4	March 7, 2006	Amended Title 13 (CO-06-01) to delete the required minimum number of units in a residential common interest development.
06-7	April 18, 2006	Amended Title 13 (CO-06-03) regarding density bonus procedures.
06-9	April 18, 2006	Amended Title 13 (CO-05-05) regarding mixed-use development provisions.
06-18	September 5, 2006	Amended Title 13 (CO-06-04) regarding assembly uses.
06-20	September 19, 2006	Amended Title 13 (CO-06-06) regarding floodplain and floodway districts.
06-22	November 14, 2006	Amended Title 13 (CO-06-07) regarding review procedures in the PDR zone.
07-2	February 6, 2007	Amended Title 13 (CO-06-05) regarding high-rise residential development standards.
07-17	September 4, 2007	Amended Title 13 (CO-07-01) regarding conversion of residential and non-residential developments to common interest developments.
09-2	March 3, 2009	Amended Title 13 (CO-08-04) regarding procedures for reasonable accommodation applications in conjunction with housing for disabled.
09-3	May 5, 2009	Amended Title 13 (CO-09-01) regarding new parking standards for single family detached homes with five or more bedrooms
09-4	May 19, 2009	Amended Title 13 (CO-09-02) regarding maximum driveway width standards for new construction of single family detached homes
09-13	November 17, 2009	Amended Title 13 (CO-09-09) regarding discretionary review of affordable housing projects.
09-14	December 1, 2009	Amended Title 13 (CO-09-10) regarding temporary sign and banner permits on City athletic fields.
09-15	January 5, 2010	Amended Title 13 (CO-09-13) regarding floodways and floodplain districts.
10-01	January 5, 2010	Amended Title 13 (CO-09-07) regarding off-sale ABC licenses and nuisance procedures for liquor stores, convenience stores, and mini-markets.
10-2	February 2, 2010	Amended Title 13 (CO-09-14) regarding water efficient landscape standards.

ORDINANCE NUMBER	DATE OF ADOPTION	DESCRIPTION OF AMENDMENT
10-3	February 16, 2010	Amended Title 13 (CO-09-16) regarding permitted construction hours.
10-9	July 20, 2010	Amended Title 13 (CO-10-10) regarding Orange County Fair and Event Center property.
10-14	October 19, 2010	Amended Title 13 (CO-10-07) regarding medical marijuana dispensaries.
10-20	January 4, 2011	Amended Title 13 (CO-10-02) regarding temporary banners.
10-21	January 4, 2011	Amended Title 13 (CO-10-05) regarding masonry walls in multi-family residential zones.
11-10	October 4, 2011	Amended Title 13 (CO-10-06) regarding second units in R1 zones.
11-11	October 4, 2011	Amended Title 13 (CO-11-02) regarding murals/supergraphics, freestanding signs, and building wall signage.
12-04	May, 2012	Amended Off-Street Parking Requirements for restaurants.
13-01	March 19, 2013	Amended Title 13 (CO-12-06) regarding emergency shelters and supportive and transitional housing.
13-05	December 3, 2013	Amended Title 13 (CO-12-02) regarding single housekeeping units.
14-04	April 1, 2014	Amended Title 13 (CO-13-04) regarding small lot subdivisions
14-11	August 5, 2014	Amended Title 13 (CO-13-03) regarding motels.
14-13	October 21, 2014	Amended Title 13 (CO-14-03) regarding group homes and reasonable accommodations.
15-03	April 21, 2015	Amended Title 13 (CO-15-01) regarding small lot subdivisions.
15-06	July 7, 2015	Amended Title 13 (CO-14-03) regarding group homes in the land use matrix.
15-09	September 1, 2015	Amended Title 13 (CO-15-04) regarding park fees for new development.
15-10	September 15, 2015	Amended Title 13 (CO-15-02) regarding smoking and vaping uses.
15-11	November 17, 2015	Amended Title 13 regarding group homes, sober living homes, and residential care facilities.
15-15	November 17, 2015	Adopting Zoning Code Amendment CO-14-02 to Amend Costa Mesa Municipal Code Title 13 for a Site-Specific Density of 54 Dwelling Units per acre at 2277 Harbor Boulevard in the PDR-HD Zone.
16-01	January 19, 2016	Amended Title 13 (CO-15-06) regarding cultivation of marijuana and/or medical

		marijuana.
16-03	March 1, 2016	Amended Title 13 (C0-15-05) regarding Water Efficient Landscape Standards

TITLE 13
PLANNING, ZONING AND DEVELOPMENT

TITLE 13

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CHAPTER I. GENERAL
ARTICLE 1. TITLE AND AUTHORITY

Sec. 13-1. TITLE

This title shall be known as the "City of Costa Mesa Planning, Zoning and Development Code", hereafter referred to as the "Zoning Code".

Sec. 13-2. PURPOSE

The purpose of this Zoning Code is to promote the public health, safety, general welfare and preserve and enhance the aesthetic quality of the City by providing regulations to ensure that an appropriate mix of land uses occur in an orderly manner. In furtherance of this purpose the City desires to achieve a pattern and distribution of land uses which generally:

(a) Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.

(b) Ensure the long term productivity and viability of the community's economic base.

(c) Promote land use patterns and development which contribute to community and neighborhood identity.

(d) Ensure correlation between buildout of the General Plan Land Use Map and Master Plan of Highways.

Sec. 13-3. AUTHORITY AND GENERAL PLAN CONSISTENCY

(a) This Zoning Code is a tool for implementing the goals, objectives and policies of the Costa Mesa General Plan, pursuant to the mandated provisions of the State Planning and Zoning Law (State Government Code Section 65000 et seq.). All development within the incorporated area of the City shall be consistent with the General Plan.

(b) The subdivision provisions of this Zoning Code are intended to supplement and implement the Subdivision Map Act, and serve as the Subdivision Ordinance of the City. If the provisions of this Zoning Code conflict with any provision of the Subdivision Map Act, the provisions of the Subdivision Map Act shall prevail.

Sec. 13-4. REFERENCES TO OTHER LAWS

In some portions of this Zoning Code it is necessary to reference other applicable laws, for example the State Government Code, and in some instances specific code sections are given. These references are accurate as of the adoption of this Zoning Code, and these references may be amended from time to time.

ARTICLE 2. DEFINITIONS

Sec. 13-5. PURPOSE

The intent of this article to define certain words and phrases which are used in this Zoning Code. Additional definitions may also be given in conjunction with the special regulations contained in CHAPTER IX SPECIAL LAND USE REGULATIONS and CHAPTER XII SPECIAL FEE ASSESSMENTS.

Sec. 13-6. DEFINITIONS

Abutting. Sharing a common boundary, of at least one point.

Accessory building. A building or part of a building which is subordinate to, and the use of which is incidental to that of the main building or use on the same lot.

Accessory use. A use incidental and subordinate to, and devoted exclusively to the main use of the land or building thereon.

Adjacent. Same as **Abutting**, but also includes properties which are separated by a public right-of-way, not exceeding 120 feet in width.

Administrative adjustment. A discretionary entitlement, usually granted by the Zoning Administrator, which permits limited deviation from the strict application of the development standards contained in this Zoning Code, based on specified findings.

Adult business. See CHAPTER IX SPECIAL LAND USE REGULATIONS, ARTICLE 1 ADULT BUSINESSES for specific definitions and terms.

Alcoholism or drug abuse recovery or treatment facility. Adult alcoholism or drug abuse recovery or treatment facilities that are licensed pursuant to Section 11834.01 of the California Health and Safety Code. Alcoholism or drug abuse recovery or treatment facilities are a subset of residential care facilities.

Alteration (structure). Any construction, addition or physical change in the internal arrangement of rooms or the supporting members of a structure, or change in the appearance of any structure, except paint.

Ambient noise level. The all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excluding the alleged offensive noise, at the location and approximate time at which a comparison with the alleged offensive noise is to be made.

Antenna. Any structure, including but not limited to a monopole, tower, parabolic and/or disk shaped device in single or multiple combinations of either solid or mesh construction, intended for the purpose of receiving or transmitting communication to or from another antenna, device or orbiting satellite, as well as supporting equipment necessary to install or mount the antenna.

Antenna, amateur radio. An antenna array and its associated support structure, such as a mast or tower, that is used for the purpose of transmitting and receiving radio signals in conjunction with an amateur radio station licensed by the Federal Communications Commission.

Antenna, communication. All types of receiving and transmitting antennas, except satellite dish antennas and amateur radio antennas. Communication antenna includes, but is not limited to, cable television antennas, cellular radiotelephone cell antennas, FM digital communication antennas,
microwave telephone communication antennas, and shortwave communication and other similar antennas.

Antenna height. The distance from the property's grade to the highest point of the antenna and its associated support structure when fully extended.

Antenna, satellite dish. An antenna intended for the purpose of receiving or transmitting communication to or from an orbiting satellite.

Antenna, whip. An antenna and its support structure consisting of a single, slender, rod-like element which is supported only at or near its base.

Apartment. A rental or lease dwelling having kitchen facilities in a structure designed or used to house at least one family, as the term "family" is defined in this Zoning Code.

Assembly use. A use conducted in a structure or portion of a structure for the purpose of a civic, education, political, religious, or social function or for the consumption or receipt of food and/or beverages. Assembly use includes, but is not limited to, churches and other places of religious assembly, mortuaries, primary and secondary schools, trade and vocational schools, colleges, amusement centers, billiards parlors, bowling centers, establishments where food or beverages are served, motion picture theaters, physical fitness facilities, skating rinks, and dance, martial arts, and music studios. Assembly use does not include sexually oriented businesses.

Association (homeowners'). The organization of persons who own a lot, parcel, area, airspace, or right of exclusive occupancy in a common interest development and who have interests in the control of common areas of such project.

Attached (structure). Any structure that has a wall or roof in common with another structure.

Attic. Any non-habitable area immediately below the roof and wholly or partly within the roof framing.

Awning. A roof-like cover that projects from the wall of a building for the purpose of shielding the sun or providing an architectural accent.

Basement. A space wholly or partially underground and having more than one-half of its height, measuring from floor to ceiling, below the average grade. If the finished floor level directly above the basement is more than 4 feet above grade at any point, the basement shall be considered a story.

Boardinghouse. A residence or dwelling, other than a hotel, wherein rooms are rented under two (2) or more separate written or oral rental agreements, leases or subleases or combination thereof, whether or not the owner, agent or rental manager resides within the residence. Boardinghouse, small means two (2) or fewer rooms being rented. Boardinghouse, large means three (3) to six (6) rooms being rented. Boardinghouses renting more than 6 rooms are prohibited.

Building. Any structure having roof and walls and requiring permanent location on the ground, built and maintained for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

Building height. The distance from the grade to the highest point on the roof, including roof-top mechanical equipment and screening.

Building, main. The building or buildings within which the principal use permitted on the lot is conducted.

Carport. A permanent, roofed structure, not completely enclosed which is used for vehicle parking.

Central administrative office. An establishment primarily engaged in management and general administrative functions performed centrally for other establishments of the same company.

Churches and other places of religious assembly. A type of assembly use which has the principal purpose of religious worship and for which the primary space is a sanctuary. Religious activities and services held in the sanctuary are conducted at scheduled times. The use may also include accessory facilities in the same or separate building that includes classrooms, assembly rooms, restrooms, kitchen, and a library. Other uses such as, but not limited to, day care facilities, nursery schools, schools, retail sales, and services to businesses, are not considered a primary function of churches and other places of religious assembly.

Cigar bar. See **Smoking lounge**.

City. City of Costa Mesa.

Common area. Those portions of a project area which are designed, intended or used in common and not under the exclusive control or possession of owners or occupants of individual units in planned development projects or common interest developments.

Common interest development. A development as defined in State Civil Code Section 1350, containing 2 or more common interest units, as defined in Civil Code Section 783; a community apartment project, as defined in State Business and Professional Code Section 11004, containing 2 or more rights of exclusive occupancy; and a stock cooperative, as defined in Business and Professional Code Section 11003.2, containing 2 or more rights of exclusive occupancy.

Conditional use permit. A discretionary approval usually granted by the Planning Commission which allows a use or activity not allowed as a matter of right, based on specified findings.

Convenience stores, mini-markets. A retail store, generally less than 10,000 square feet in area, that sells a variety of convenience foods, beverages and non-food items. Fresh dairy products, produce and/or meat may be offered on a limited basis.

County. County of Orange.

Covered parking space. A garage, carport or parking space which is completely covered by a roof.

Density bonus. A minimum increase of 25% over the allowable residential dwelling unit density as specified by the zoning classification.

Development. The division of land into 2 or more lots; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.

Development review. The processing of a development plan when authority for approval is vested in the Planning Division.

Development Services Department. The Development Services Department of the City of Costa Mesa.

Development Services Director. The Director of Development Services of the City of Costa Mesa, or his/her designee.

Disabled. Same meaning as **handicapped**.

Dormer. A vertical window in a projection built out from a sloping roof.

Driveway, individual. The paved area strictly leading to the garage/carport of a residence. This paved area serves vehicle parking purposes and does not extend beyond the garage/carport unless a curvilinear design is necessary for the turning radius.

Driveway, common. A paved area for vehicle circulation and parking purposes which features joint use between two or more parties.

Dwelling, single-family. "Dwelling, single-family" or "Single-family dwelling" is a building of permanent character placed in a permanent location which is designed or used for residential occupancy by one family. A single mobilehome on a foundation system on a single lot is a single-family dwelling. (See **Manufactured housing**).

Dwelling, multi-family. "Dwelling, multi-family" or "Multi-family dwelling" is a building or buildings of permanent character placed on one lot which is designed or used for residential occupancy by two or more families.

Dwelling unit. One or more rooms in any building designed for occupancy by one family, and containing one kitchen unit, including manufactured housing. (See **Manufactured housing**).

Easement. A grant of one or more property rights by the owner for use by the public, a corporation or another person or entity.

Electronic cigarette. An electronic and/or battery-operated device used to provide an inhalable dose of nicotine by delivering a vaporized solution. The term includes any such device manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. The term does not include any medical inhaler prescribed by a licensed doctor.

Electronic game machine. Any electronic or mechanical device which upon insertion of a coin, slug, or token in any slot or receptacle attached to the device or connected therewith, operates, or which may be operated for use as a game, contest, or amusement through the exercise of skill or chance.

Emergency Shelters. A facility that provides immediate and short-term housing for homeless persons that is limited to occupancy of six months or less. Supplemental services may include counseling and access to social programs. No individual or household may be denied to emergency shelter because of an inability to pay.

Entertainment (live). Any act, play, revue, pantomime scene, dance act, musical performance, or any combination thereof, performed by one or more persons whether or not they are compensated for the performance.

Establishment where food or beverages are served. Any commercial use that sells prepared food and/or beverages for consumption on-site or off-site, either solely or in conjunction with an ancillary or complementary use. Excluded from this definition are grocery stores, convenience stores, movie theaters, and other such uses, as determined by the Development Services Director, where the sale of food or beverages is clearly incidental to the primary use. All establishments selling alcoholic beverages for consumption on-site are included within this definition.

Fair housing laws. The Federal Fair Housing Act, the Americans with Disabilities Act, and the California Fair Employment and Housing Act, as each statute may be amended from time to time, and each statute's implementing regulations.

Family. One or more persons occupying one dwelling unit and living together as a single housekeeping unit.

Family day care home - large. A home which provides family day care to 7 to 14 children as defined in Section 1596.78 of the State Health and Safety Code.

Family day care home - small. A home which provides family day care to 8 or fewer children as defined in Section 1596.78 of the State Health and Safety Code.

Floor area ratio The gross floor area of a building or project divided by the project lot area upon which it is located.

Garage. An accessory or attached enclosed building with doors, designed and/or used for vehicle parking.

Garage sale. An event for the purpose of selling or trading personal property. Garage sale includes yard sale.

General Plan. The City of Costa Mesa General Plan as adopted or amended from time to time by the City Council.

Grade. The lowest point of the finished surface elevation of either the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

Gross acreage. The total area within the lot lines of a lot of land before public streets, easements or other areas to be dedicated or reserved for public use are deducted from such lot, and not including adjacent lands already dedicated for such purposes.

Gross floor area. The area of all floors within the walls of a structure except elevator and other vertical shafts (including stairwells) and elevator equipment areas.

Gross leasable area. The total floor area designed for tenant occupancy and exclusive use, including both owned and leased areas.

Group home. A facility that is being used as a supportive living environment for persons who are considered handicapped under state or federal law. A group home operated by a single operator or service provider (whether licensed or unlicensed) constitutes a single facility, whether the facility operates one or more dwelling units. Group homes shall not include the following: (1) residential care facilities; (2) any group home that operates as a single housekeeping unit.

Guestroom. A room occupied or intended, arranged, or designed for occupancy by one or more guests.

Handicapped. As more specifically defined under the fair housing laws, a person who has a physical or mental impairment that limits one or more major life activities, a person who is regarded as having that type of impairment, or a person who has a record of that type of impairment, not including current, illegal use of a controlled substance.

Hazardous materials. Any material of quantity, concentration, physical or chemical characteristics, that poses a significant present or potential hazard to human health and safety or to the environment if released into the work place or environment; or any material requiring a Material Safety Data Sheet according to Title 8 Section 339 of the State Code of Regulation.

Height. See **Building height** and **Antenna height**.

Home occupation. Any business or commercial use conducted within a dwelling unit.

Hookah lounge. See **Smoking lounge**.

Hotel. Any building or combination of buildings generally 3 or more stories in height containing 6 or more guest rooms offering transient lodging accommodations to the general public and providing incidental guest services such as food and beverage service, recreation facilities, retail services and banquet, reception and meeting rooms. Typically, room access is provided through a main or central lobby.

Household. A household includes all the people occupying a dwelling unit, and includes people who live in different units governed by the same operator.

ntegral facilities. Any combination of two or more group homes which may or may not be located on the same or contiguous parcels of land, that are under the control and management of the same owner, operator, management company, or licensee or any affiliate of them, and are integrated components of one operation shall be referred to as Integral Facilities and shall be considered one facility for purposes of applying federal, state and local laws to its operation. Examples of such Integral Facilities include, but are not limited to, the provision of housing in one facility and recovery programming, treatment, meals, or any

other service or services to program participants in another facility or facilities or by assigning staff or a consultant to provide services to the same program participants in more than one licensed or unlicensed facility.

Integral uses. Any two or more residential care programs commonly administered by the same owner, operator, management company or licensee, or any affiliate of them, in a manner in which participants in two or more care programs participate simultaneously in any care or recovery activity or activities so commonly administered. Any such integral use shall be considered one use for purposes of applying federal, state and local laws to its operation.

Intersection. The general area where 2 or more roadways join or cross.

Kitchen. Any room, all or part of which is designed and/or used for storage, refrigeration, cooking and preparation of food.

Landscaping. Plant materials such as lawn, groundcover, trees and shrubs.

Loft. An intermediate floor placed within a room, where the clear height above and below the loft is not less than seven feet, and where the aggregate area of the loft does not exceed one third of the area of the room in which it is located.

Lot.
(a) A parcel of real property when shown as a delineated parcel of land with a number or designation on a subdivision map or parcel map recorded in the office of the County Recorder, and created in conformance with the Subdivision Map Act and applicable local ordinances.
(b) A parcel of real property when shown on a record of survey map or deed filed in the office of the County Recorder, when such map or deed was filed as the result of and was made a condition of a lot division approved under the authority of prior ordinances.

Lot area. The total land area of a project after all required dedications or reservations for public improvements including but not limited to streets, parks, schools, and flood control channels. This phrase does not apply in the Planned Development zones where the phrase "site area", as defined in CHAPTER V DEVELOPMENT STANDARDS, is used.

Lot, corner. A lot abutting on and at the intersection of two or more streets which intersect at an angle that is equal to or less than 135 degrees.

Lot, depth. The average of the horizontal distance between the front and the rear lot lines.

Lot, development. The master lot or project site upon which a development will be constructed.

Lot, individual dwelling unit. An individual building site or lot within a development intended for construction of a single attached or detached dwelling unit.

Lot, interior. A lot abutting only one street, or a lot abutting two streets which intersect at an angle greater than 135 degrees.

Lot, width. The horizontal distance between the side lot lines measured at right angles to the lot depth at the front building setback line.

Manufactured housing. Detached housing that is built to the National Manufactured Housing Construction and Safety Standards Act of 1974, including structures known as manufactured homes and mobile homes. For the purpose of this Zoning Code, a factory-built single-family structure that is manufactured under the authority of 42 U.S.C. Section 5401, the National Manufactured Home Construction and Safety Standards Act, transportable in one or more sections, built on a permanent chassis and used as a place of human

habitation, shall be considered a single-family home and shall be reviewed under the same standards as a site-built structure.

Marijuana. Has the same definition as that set forth in California Health & Safety Code Section 11018.

Marijuana cultivation and/or Medical Marijuana Cultivation. The planting, growing, harvesting drying or processing of marijuana plants or any part thereof for any purpose, including medical marijuana, and shall include both indoor and outdoor cultivation.

Master plan. The overall development plan for a parcel or parcels which is depicted in both a written and graphic format.

Master Plan of Highways. The graphic representation of the City's ultimate circulation system contained in the General Plan. It illustrates the alignment of the major, primary, secondary and collector highways.

Median. A paved or planted area separating a parking area, street, or highway, into two or more lanes or directions of travel.

Medical marijuana. Marijuana used for medical purposes in accordance with California Health and Safety Code section 11362.5.

Medical marijuana dispensary. A facility or location where medical marijuana is cultivated or by any other means made available to and/or distributed by or to three (3) or more of the following: a primary caregiver, a qualified patient, or a person with an identification card in strict accordance with State Health and Safety Code Sections 11362.5 et seq and 11362.7 et seq., which shall include, but not be limited to any facility or location engaging in the retail sale, dispensation, or distribution of marijuana for medical purposes that does not have an active role in the cultivation of the marijuana product that it sells, dispenses, or distributes, or when its cultivation of the marijuana product is off-site from the facility or location for retail sale, dispensation, or distribution.

Minor conditional use permit. A discretionary approval granted by the Zoning Administrator which allows a use or activity not allowed as a matter of right, based on specified findings.

Minor modification. A discretionary entitlement granted by the Planning Division, which permits limited deviation from the strict application of the development standards contained in this Zoning Code, based on specified findings.

Mixed use development. The development of lot(s) or structure(s) with two or more different land uses such as, but not limited to a combination of residential, office, manufacturing, retail, public, or entertainment in a single or physically integrated group of structures.

Mobile home. See **Manufactured housing.**

Mobile home park. Any area or tract of land where 2 or more mobile home lots are rented or leased, held out for lease or rent, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate manufactured homes or mobile homes. A mobile home park also means a mobile home development constructed according to the requirements of Part 2.1 (commencing with Section 18200) of Division 13 of the State Health and Safety Code, and intended for use and sale as a mobile home condominium or cooperative park, or as a mobile home planned unit development.

tel. Any building or combination of buildings of one- to 3-stories in height having 6 or more guest rooms with parking located convenient to the guest rooms and providing temporary lodging for automobile tourists and transient visitors. Typically, guest rooms have direct access to available parking without passing through a common lobby area. Motels also include auto courts, tourist courts, motor lodges, motor inns and motor hotels.

Municipal Code. City of Costa Mesa Municipal Code.

Open space. An area that is intended to provide light and air, and is designed for either environmental, scenic or recreational purposes. Open space may include, but is not limited to, lawns, decorative planting, walkways, active and passive recreational areas, playgrounds, fountains, swimming pools, wooded areas; first floor decks; unenclosed patios with solid or lattice roofs; water courses; and surfaces covered by not more than 5 feet in depth by projections which are at least 8 feet above grade.

Open space shall not include the following: driveways; parking lots; other surfaces designed or intended for vehicular travel; and upper floor decks, balconies or areas under projections which are less than 8 feet above grade.

Open space, common. An area of land reserved primarily for the leisure and recreational use of all residents of a planned development or common interest development and owned in common by them, generally through a homeowners' association.

Open space, private. An area of land located adjacent to an individual dwelling unit, owned or leased and maintained by its residents, and reserved exclusively for their use.

Operator. A company, business or individual who provides residential services, i.e., the placement of individuals in a residence, setting of house rules, and governing behavior of the residents as residents. Operator does not include a property owner or property manager that exclusively handles real estate contracting, property management and leasing of the property and that does not otherwise meet the definition of operator.

Organizational documents. The declaration of restrictions, articles of incorporation, bylaws, and any contracts for the maintenance, management or operation of all or any part of a project.

Parcel. Same as **Lot**.

Parkway. The area of a public street that lies between the curb and the adjacent property line or physical boundary definition, which is used for landscaping and/or passive recreational purposes.

Paved Area. Ground surface covered with cobblestone, clay-fired bricks, concrete precast paver units, poured concrete with or without decorative surface materials, or asphaltic or rubber mixture which may include sand, stone, or gravel as an ingredient to create a hard surface. A graded natural surface or one covered with rolled stone or overlaid with loose gravel is not considered paved area.

Peak hour. The hour during the AM peak period (typically 7:00 a.m. -9:00 a.m.) or the PM peak period (typically 3:00 p.m. - 6:00 p.m.) in which the greatest number of vehicle trips are generated by a given land use or are traveling on a given roadway.

Permitted use. Any use allowed in a land use zoning district without requiring a discretionary approval, and subject to the provisions applicable to that district.

Planned development. A land area which is developed as an integrated unit under single ownership or control and having Planned Development zoning designation.

Planning application. A broad term for any development project or land use which requires the discretionary review and approval of either the Planning Division, Zoning Administrator, Planning Commission, Redevelopment Agency or City Council. Planning applications include administrative adjustments, conditional use permits, development reviews, variances, redevelopment actions, etc.

lanning division. The planning division of the Development Services Department of the City of Costa Mesa.

Project. See **Development**.

Property line. A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

Property line, front. The narrowest property line of a lot abutting a public or private street. If 2 or more equal property lines are narrowest, the front shall be that property line across which the development takes its primary access (if the primary access is determined to be equal, there shall be 2 front property lines). However, for nonresidentially zoned property, any property line abutting a public street designated as a secondary, primary or major street on the Master Plan of Highways shall be deemed a front property line. A nonresidentially zoned property shall have more than one front property line when it abuts more than one street designated as secondary, primary, or major on the Master Plan of Highways. For R-1 zoned property located on corner lots, the front property line may be the property line towards which the front of the dwelling unit is oriented.

Property line, rear. The property line opposite the front property line. A corner lot with more than one front property line shall have more than one rear property line. Irregularly shaped lots may also have more than one rear property line.

Property line, side. Any property line which is not a front or rear property line.

Property line, ultimate. The boundary of a lot after the dedication of land for use as public right(s)-of-way.

Public area - establishments where food or beverages are served. That portion of an establishment reserved for the exclusive use of the public for the receipt or consumption of food and/or beverages. For the purpose of this Zoning Code, public area shall not include restrooms, kitchens, hallways or other areas restricted to employees only.

Public hearing. A public proceeding conducted for the purpose of acquiring information or evidence which may be considered in evaluating a proposed action, and which affords to any affected person or persons the opportunity to present their views, opinions, and information on such proposed applications. "Mandatory Hearings" are those required to be held by law, and "discretionary hearings" are those which may be held within the sole discretion of the hearing body.

Public right-of-way. A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer and/or other public uses.

Recycling. The process by which waste products are reduced to raw materials and transformed into new products.

Recycling and collection facility. A building or enclosed space used for the collection and processing of recyclable materials for preparation for shipment, or to an end user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning or remanufacturing.

Recyclable materials. Reusable materials including but not limited to metals, glass, plastic and paper which are intended for reuse, remanufacture or reconstruction. Recyclable materials do not include refuse, hazardous materials or hazardous waste.

Redevelopment action. A discretionary review conducted by the Redevelopment Agency for applications for development in the Redevelopment Project Area, based on the adopted Redevelopment Plan and specified findings.

Referral facility. A residential care facility or a group home where one (1) or more person's residency in the facility is pursuant to a court order or directive from any agency in the criminal justice system.

Residential care facility. A residential care facility licensed by the state where care, services, or treatment is provided to persons living in a supportive community residential setting. Residential care facilities include but may not be limited to the following: intermediate care facilities for the developmentally disabled (Health & Saf. Code §§ 1267.8, 1267.9); community care facilities (Health and Saf. Code §§ 1500 et seq.); residential care facilities for the elderly (Health & Saf. Code §§ 1569 et seq.); residential care facilities for the chronically ill (22 C.C.R. § 87801(a)(5); Health & Saf. Code § 1568.02); alcoholism and drug abuse facilities (Health & Saf. Code §§ 11834.02-11834.30); pediatric day health and respite care facilities (Health & Saf. Code §§ 1760 et seq.); residential health care facilities, including congregate living health facilities (Health & Saf. §§ 1265 – 1271.1, 1250(i), 1250(e), (h)); family care home, foster home, or group home for the mentally disordered or otherwise handicapped persons or dependent and neglected children (Wel. & Inst. Code §§ 5115-5120).

Residential, single-family. Detached single-family home where there is no more than one primary dwelling unit on a lot.

Residential, multi-family. Apartments, common interest developments, townhouses and similar multiple-family residential developments, including detached single-family homes where there is more than one primary dwelling unit on a lot.

Room, Bedroom. A fully-enclosed room designed or intended to be used for sleeping purposes within a residence. Within a single-family detached residence, a room meeting the definition of a home office shall not be included in the bedroom count.

Room, Home Office. A room designed and intended to be used for a household office or small business related activity within a residence. Within a single-family detached residence, this room is strictly not intended for sleeping purposes, and lacks direct access to a bathroom. The home office may also be referred to as a studio, den, study, or library.

Second unit. A second dwelling unit established in conjunction with and subordinate to a primary dwelling unit. The second unit may be attached to the primary dwelling unit or located in a detached accessory building on the same lot. It may also be referred to as an accessory apartment, granny unit, granny flat, or in-law apartment.

Senior congregate care facility. A structure(s) providing residence for 13 or more senior citizens with kitchen, dining, recreational, etc. facilities with separate bedrooms and/or living quarters.

Setback. The required distance that a building, structure, parking or other designated item must be located from a property line or lot line.

Single housekeeping unit. The occupants of a dwelling unit have established ties and familiarity with each other, jointly use common areas, interact with each other, share meals, household activities, and expense and responsibilities; membership in the single housekeeping unit is fairly stable as opposed to transient, members have some control over who becomes a member of the household, and the residential activities of the household are conducted on a nonprofit basis. There is a rebuttable presumption that integral facilities do not constitute single housekeeping units. Additional indicia that a household is not operating as a single housekeeping unit include but are not limited to: the occupants do not share a lease agreement or ownership of the property; members of the household have separate, private entrances from other members; members of the household have locks on their bedroom doors; members of the household have separate food storage facilities, such as separate refrigerators.

Single room occupancy residential hotel. A residential hotel, allowed in certain commercial zones, that contains units designed for long-term occupancy by a single person, although double occupancy may be permitted.

Slope. The degree of deviation of a surface from the horizontal plane, usually expressed in percent or degrees.

Small lot subdivision. A residential development containing a maximum of 15 detached or townhome style units with no common walls where each unit is independently constructed on an individual parcel and the land is subdivided into fee simple parcels containing each unit. Each individual lot is provided with either a direct access to public street/alley or an easement access through a recorded subdivision map.

Smoking lounge. Any facility or location whose business operation, whether as a primary use or an ancillary use, is characterized by the sale, offering, and/or preparation of smoking of tobacco, cigars, hookah, electronic cigarettes, or similar products, including but not limited to establishments known variously as hookah parlors, vaping lounges, or cigar bars.

Smoking/Vaping retailer. A smoke shop, electronic cigarette retailer, vapor cigarette retailer, or any other retail business that sells tobacco, electronic cigarettes, and related products primarily for off-site consumption. Smoking/vaping retailers shall not include food or beverage service, outdoor seating, or an indoor seating area greater than 100 square feet in area.

Sober living home. A group home for persons who are recovering from a drug and/or alcohol addiction and who are considered handicapped under state or federal law. Sober living homes shall not include the following: (1) residential care facilities; (2) any sober living home that operates as a single housekeeping unit.

Specific plan. A plan consisting of text, maps, and other documents and exhibits regulating development within a defined area of the City, consistent with the General Plan and the provisions of State Government Code Section 65450 et seq..

State. State of California.

Story. For purposes related to zoning regulations, a story is that portion of a building included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space between such floor and the ceiling next above it shall constitute a story. An attic shall not be considered a story. A basement or cellar shall not be considered a story, if the finished floor level directly above the basement or cellar is less than 4 feet above finish grade at all locations. Any uncovered deck or activity area above the first story shall be considered a story.

Street. A public or private thoroughfare that provides primary access to adjacent land and local traffic movements. Streets do not include driveways which only provide access to parking areas.

Structure. Anything, including a building, located on the ground in a permanent location or attached to something having a permanent location on the ground.

Supportive Housing. Housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing that is provided in single family dwelling, multi-family dwelling units, residential care facilities, or boarding house uses, shall be permitted, conditionally permitted or prohibited in the same manner as the other single family dwelling, multi-family dwelling units, residential care facilities, or boarding house uses under this code.

Tandem Parking. An arrangement of parking spaces one behind the other, such that a parking space must be driven across in order to access another space. Tandem garage parking signifies the placement of standard parking spaces one behind the other within the enclosed area of a garage.

Townhouse. A single-family attached dwelling unit located on an individual dwelling unit lot, and is part of a row of units that contains 3 or more dwelling units.

Transitional Housing. A development with buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Transitional housing that is provided in single family dwelling, multi-family dwelling units, residential care facilities, or boarding house uses, shall be permitted, conditionally permitted or prohibited in the same manner as the other single family dwelling, multi-family dwelling units, residential care facilities, or boarding house uses under this code.

Trip (vehicle). A one-way vehicular journey either to or from a site, or totally within the site i.e. internal trip. Each trip has two trip ends, one at the beginning and the other at the destination.

Trip rate (vehicular). The anticipated number of vehicle trips to be generated by a specific land use type or land use classification. The trip rate is expressed as a given number of vehicle trips for a given unit of development intensity (i.e., trip per unit, trip per 1,000 sq. ft., etc.).

Uncontrolled environment. A location where there is the exposure (to radiofrequency radiation) of individuals who have no knowledge or control of their exposure. The exposures may occur in living quarters or work places where there are no expectations that the exposure levels may exceed the exposure and induced current levels permitted for the general public.

Underroof. All of the area within the walls of the building that a roof covers. Areas under porches, roof overhangs, garage protrusions, breezeways and other similar architectural design features are not considered as underroof.

Unit. A particular building or structure, or portion thereof, that is designed, intended or used for exclusive occupancy, possession or control of individual owners or occupiers, whether or not they have interests in common areas of the project.

Use. The purpose (type and extent) for which land or a building is arranged, designed, or intended, or for which either land or a structure is occupied or maintained.

Vape lounge. See **Smoking lounge**.

Vape shop. See **Smoking/Vaping retailer**.

Warehouse, mini. A structure or group of structures for the dead storage of customer's goods and wares where individual stalls or lockers are rented out to different tenants for storage and where at least one of the stalls or lockers has less than 500 square feet of floor area.

Warehouse, public. A structure or group of structures for the dead storage of customer's goods and wares where individual stalls or lockers are rented out to different tenants for storage and where all the stalls or lockers have more than 500 square feet of floor area.

Vacancy rate (common lot development conversion). The ratio of vacant apartments being offered for rent or lease in the City of Costa Mesa, shown as a percentage of the total number of apartments in the City.

Variance. A discretionary entitlement, usually granted by the Planning Commission, which permits departure from the strict application of the development standards contained in this Zoning Code, based on specified findings.

Yard. Any open space on a lot unoccupied and unobstructed from the ground upward, except an inside court.

Yard, front. The yard between the front line of a building and the front line of the lot upon which the building is located.

Yard, rear. The yard extending from the extreme rear line of the main building to the rear lot line on which the building is situated.

Yard, side. The yard extending from the front yard, or from the front lot line where no front yard is required, to the rear yard or rear lot line, between the side lot line and the nearest wall of the main building or any accessory structure attached thereto.

Zero lot line. The location of a structure on a lot in such a manner that one or more of the structure's sides rest directly on a lot line.

ARTICLE 3. REVIEW AUTHORITIES

Sec. 13-7. PURPOSE

The purpose of this article is to establish the project review authority of the City Council, the Redevelopment Agency, the Planning Commission, the Zoning Administrator and the Planning Division.

Sec. 13-8. CITY COUNCIL

The City Council shall have final decision authority for appeals, final maps, specific plans, master plans in the Town Center and Planned Development districts, rezones, general plan amendments, density bonuses with financial incentives, Zoning Code amendments, improvement and development agreements, annexations and any action specified in this Zoning Code. The City Council shall also be responsible for the acceptance of lands and/or improvements as may be proposed for dedication to the City, except deeds of dedication and parcel maps of 4 or fewer lots with no development agreements. The City Council may impose conditions of approval.

Sec. 13-9. REDEVELOPMENT AGENCY

(a) **Declaration of need of agency.** It is hereby found and declared, pursuant to State Health and Safety Code Section 33101, that there is a need for a Redevelopment Agency in the City, as such agency was created by Section 33100, to function in the City, and the agency is hereby authorized to transact business and exercise all of the powers granted to it under the Community Redevelopment Law.

(b) **Council declared agency.** The 5 members of the City Council are hereby declared to be the members of the Redevelopment Agency and are empowered to exercise all the rights, powers, duties, privileges and immunities vested by the Community Redevelopment Law in an agency.

(c) **Term of agency members.** Membership shall be for the period each Councilmember serves in office, and shall automatically terminate at the time any Councilmember no longer holds the office of Councilmember. Any vacancy existing on the Redevelopment Agency shall be filled only by a duly elected sworn and acting City Councilmember.

Sec. 13-10. PLANNING COMMISSION

(a) **Commission created.** Pursuant to the provisions of Section 65101 of the Planning, Zoning and Development Law of the State Government Code, there is hereby created a Planning Commission which shall consist of 5 members.

(b) **Appointment of Commission.** The Planning Commissioners shall be appointed, and may be removed, by a majority vote of the entire city council. Additional details for the appointment procedures and member qualifications, terms, and compensation may be set by city council policy.

(c) **Ex-officio member of Commission.** The City Engineer and City Attorney or his/her designee shall attend the meetings of the Planning Commission and assist the Commission in an advisory capacity as needed.

(d) **Absence from Commission meetings without cause.** If a Planning Commission member is absent from 3 consecutive regular meetings of the Commission, without cause, the office of the member shall be deemed to be vacant and the term of such member terminated. The Secretary of the Planning Commission shall immediately inform the City Council of such termination.

(e) **Absence from Commission meetings for cause.** An absence due to illness or an unavoidable absence from the City and written notice thereof given to the Secretary of the Planning Commission on or before the day of any regular meeting of the Commission shall be deemed absence for cause.

(f) **Councilmember ineligibility.** No legislative body member of the City shall be eligible for membership on the Planning Commission.

(g) **Authority of the Planning Commission.**

(1) The Planning Commission shall have the power, except as otherwise provided by law, to act on plans for the regulation of the future growth, development and beautification of the City, in respect to:

a. Public and private buildings and works, streets, parks, grounds and vacant lots.

b. The future growth and development of the City in order to secure sanitation, proper service of all public utilities, shipping and transportation facilities.

c. The location of any proposed buildings, structures, or works.

(2) The Planning Commission is authorized to act upon the following discretionary actions:

a. Recommend to the City Council approval, conditional approval or denial of General Plan amendments, specific plans, rezones, Zoning Code amendments, development agreements, density bonuses with public financial incentives, preliminary and final master plans, and any other action specified in this Zoning Code.

b. Recommend to the Redevelopment Agency approval, conditional approval or denial of redevelopment actions, or adoption and/or amendments to a redevelopment plan.

c. Approve, conditionally approve or deny applications for conditional use permits, variances, tentative tract and parcel maps, density bonuses without public financial incentives, and any other action specified in this Zoning Code.

d. Perform other duties necessary to carry out the provisions reserved to the Planning Commission in Title 10 of the Municipal Code, the provisions of this Zoning Code and the provisions of the Planning, Zoning and Development Law of the State Government Code.

(h) **Commission bylaws authorized.** The Planning Commission shall have the power, except as otherwise provided by law, to adopt such bylaws as it may deem necessary to provide for:

(1) The time and place of meeting.
(2) The time and method of electing officers.
(3) Such other matters relative to the organization of the Planning Commission and methods of administration of its duties which are not otherwise provided for by statute or ordinance.

(i) **Regular meeting of Commission defined.** A regular meeting as provided by law or by rule of the Planning Commission or any regularly advertised public hearing shall be deemed a regular meeting.

Sec. 13-11. ZONING ADMINISTRATOR

(a) The Development Services Director or his/her designee is authorized to act as the Zoning Administrator according to procedures set forth in the State Government Code.

(b) The Zoning Administrator is authorized to approve, conditionally approve, or deny the following discretionary planning applications. The Zoning Administrator may forward any action to the Planning Commission for review.

(1) Administrative Adjustment;
(2) Minor Conditional Use Permit;
(3) Lot Line Adjustment; and
(4) Any action specified in this Zoning Code.

Sec. 13-12. PLANNING DIVISION

The Development Services Director or his/her designees constitute the Planning Division. The Planning Division is authorized to act on and grant approvals of development reviews and minor modifications as described in CHAPTER III PLANNING APPLICATIONS, and other duties as designated by the Development Services Director, Planning Commission, City Council and this Zoning Code.

ARTICLE 4. ENFORCEMENT

Sec. 13-13. PURPOSE

The purpose of this article is to establish the parameters for the enforcement of this Zoning Code.

Sec. 13-14. ENFORCEMENT OFFICER DESIGNATED

The Development Services Director or his duly authorized representative is hereby empowered and it shall be his/her duty to enforce all provisions of this Zoning Code.

Sec. 13-15. DUTIES

All departments, officials and public employees of the City invested with the duty or authority to issue permits or licenses shall conform to the provisions of this Zoning Code and shall issue no permit or license for uses, buildings or purposes in conflict with the provisions of this code; and any such permit or licenses issued in conflict with the provisions of this Zoning Code shall be null and void. It shall be the duty of the building official to enforce the provisions of this Zoning Code pertaining to the creation, construction, reconstruction, moving, conversion, alteration or addition to any building or structure.

Sec. 13-16. ENFORCEMENT

(a) **Criminal prosecution.** Any person, whether as principal, agent, or employee, violating the terms of this Zoning Code may be prosecuted as provided in Section 1-33 of this Municipal Code.

(b) **Criminal citation.** For the purposes of this Zoning Code, a violation of the terms of this Zoning Code may be cited as either an infraction or misdemeanor pursuant to State Government Code Sections 36900 and 36901 and as provided in Section 1-33 of this Municipal Code.

(c) **Civil action.** As an alternative to prosecution or citation, or as an additional action, the City Attorney may, at the request of the Development Services Director, institute an action in any court of competent jurisdiction to restrain, enjoin, or abate the condition(s) or activity(ies) found to be in violation of the provisions of this Zoning Code.

(d) **No criminal prosecution, citation or penalty.** Notwithstanding the provisions of subsections (a) and (b) of this Section, no person shall be criminally prosecuted or cited, or suffer any criminal penalty, for any violation of the provisions of Section 13-30, Table 13-30, row 31a and/or 31b relating to the prohibition of medical marijuana dispensaries or medical marijuana cultivation within the City, or for a violation of the provisions of Chapter IX, Article 20 related to the prohibition against medical marijuana cultivation.

(e) **Nuisance.** Any use, structure, or property that is altered, enlarged, erected, established, maintained, moved, or operated contrary to the provisions of this Title or any condition of approval, is hereby declared to be unlawful and a public nuisance and may be abated by the City through civil proceedings by means of a restraining order, preliminary or permanent injunction, or in any other manner provided by law for the abatement of such nuisances.

Sec. 13-17. PUBLIC NUISANCE DEFINED; PROCEDURE

Any building or structure set up, constructed, erected, enlarged, converted, moved or maintained contrary to the provisions of this Zoning Code, and any use of land, building or premises established, conducted or maintained contrary to the provisions of this Municipal Code or other applicable laws, may, by the City Council, after public hearing, be declared to be unlawful and a public nuisance as established in this section. No conditions described in this section may be declared a public nuisance until the following steps have been taken:

(a) There shall be an inspection and investigation of the premises by whatever department heads or their authorized designees within the City as are affected by the condition of the premises, including but not limited to, the Building Official, Planning Division, Police Department, and County Health Officer.

(b) The responsible owner, lienholder or occupier of the premises shall be given notice setting forth the violations, corrections which must be made, and a specific reasonable time within which to make such corrections. The notice shall be given either in person or by registered or certified mail to the responsible property owner, lienholder or occupier and by a posting on the property.

(c) In the event the responsible owner, lienholder or occupier does not comply with the demand for correction as set forth in subparagraph (b) within the specific time stated therein, the City Council shall set the matter for formal hearing and shall post the property at least 10 days prior to the time of the hearing and shall serve the responsible owner, lienholder or occupier of the property a copy of the notice of the formal hearing, either in person or by registered or certified mail.

(d) At the hearing as set forth in subparagraph (c) the City Council shall take oral or written testimony as evidence to substantiate their findings with respect to the violation. Evidence may be presented by investigative officers on behalf of the City, while the owner, lienholder or occupier may present evidence in his own behalf. At the close of the hearing, the City Council shall find and determine, based upon the evidence presented, that a public nuisance does or does not exist.

(e) Upon finding that a public nuisance exists as provided for in paragraph (d), the City Council shall give the responsible property owner, lienholder or occupier notice in writing that the condition must be corrected, prevented, restrained or abated within a 30 day period.

(f) If at the end of the 30 day period granted for compliance the responsible owner, lienholder or occupier has not complied with the mandate of the City Council, the City Attorney shall commence appropriate legal proceedings either civil, criminal or both, as the circumstances warrant.

(g) In the event the City Council determines by a 4/5 vote that any conditions described above cause an emergency situation threatening serious bodily harm or imminent, substantial property damage, the foregoing procedures and time limits may be waived and upon reasonable notice under the circumstances to the responsible property owner, lienholder or occupier, the City Council may at a public hearing find and determine such conditions a nuisance and order immediate abatement.

(h) The City's cost of abatement proceedings shall constitute a special assessment upon the lot involved and payable and collectible as set forth in State Government Code Sections 38773.1 and 38773.5 and other applicable laws.

Sec. 13-18. REMEDIES CUMULATIVE

The remedies provided in this article shall be cumulative and not exclusive.

CHAPTER II. ZONING DISTRICTS ESTABLISHED

Sec. 13-19. PURPOSE

The intent of this chapter is to establish and state the purpose of the various zoning districts, as well as to describe their boundaries on the official zoning map.

Sec. 13-20. ZONING DISTRICTS

In order to classify, regulate, restrict and separate the uses of land and buildings, regulate the height and bulk of buildings and the area of yards and other open spaces about buildings, and regulate population density, the following classes of zones are established:

(a) **R1 Single-Family Residential District.** This district is intended to promote the development of single-family detached units located on lots with a minimum lot size of 6,000 square feet, and a maximum density of 7.26 dwelling units per gross acre.

(b) **R2-MD Multiple-Family Residential District, Medium Density.** This district is intended to promote the development of multi-family rental as well as ownership properties on lots with a minimum size of 12,000 square feet. The maximum density allowed is 3,630 square feet per dwelling unit, which equals 12 dwelling units per gross acre. Legal lots existing as of March 16, 1992 with a minimum lot area of 6,000 sq. ft. up to 7,260 sq. ft. are allowed 2 dwelling units.

(c) **R2-HD Multiple-Family Residential District, High Density.** This district is intended to promote the development of multi-family rental as well as ownership dwelling units on lots with a minimum size of 12,000 square feet. The maximum density allowed is 3,000 square feet per dwelling unit, which equals 14.52 dwelling units per gross acre.

(d) **R3 Multiple-Family Residential District.** Like the R2-MD and R2-HD districts, this district is intended to promote the development of multi-family rental as well as ownership dwelling units. The required minimum lot size is 12,000 square feet. The maximum density allowed is 2,178 square feet per dwelling unit, which equals 20 dwelling units per gross acre.

(e) **AP Administrative and Professional District.** This district is intended to establish areas within which public administrative, professional and business offices may be located. It is the further purpose of this district to limit the intensity of use within the district to be compatible with the types of activities generally associated with office developments.

(f) **CL Commercial Limited District.** This district is intended for unique areas of land which, due to the proximity of residential development or the potential for traffic circulation hazards, require special precautions to be taken to assure appropriate development. The district is also intended for industrial areas where commercial uses must be considered according to their compatibility with existing or permitted industrial uses.

(g) **C1 Local Business District.** This district is intended to meet the local business needs of the community by providing a wide range of goods and services in a variety of locations throughout the City. The permitted and conditional uses as well as development standards are aimed toward reducing impacts on surrounding properties especially in those areas where residential uses are in the vicinity.

(h) **C2 General Business District.** This district is intended to provide for those uses which offer a wide range of goods and services which are generally less compatible with more sensitive land uses of a residential or institutional nature.

i) **C1-S Shopping Center District.** This district is intended for large commercial lots constructed as a unified and integrated development. It is the further purpose to provide a wide range of goods and services on a community and regional scale.

(j) **TC Town Center District.** This district is intended to allow intensely developed mixed commercial and residential uses within a very limited geographical area bounded by Sunflower Avenue to the north, I-405 to the south, Bristol Street to the west, and Avenue of the Arts to the east. Developments within this designation can range from one- and two-story office and retail buildings to mid- and high-rise buildings.

(k) **P Off-Street Parking District.** This district is intended to allow parking lots, and buildings incidental to the operation of the parking lot.

(l) **I&R Institutional and Recreational District.** This district is intended to allow land uses which provide recreation, open space, health and public service uses. Development in this designation may occur on either public or private property.

(m) **I&R-S Institutional and Recreational - School District.** This district is intended to allow public and private educational facilities on either public or private property.

(n) **MG General Industrial**. This district is intended for a variety of industrial areas which contain a wide range of light and general industrial activities. Development standards and the approval of conditional uses shall be aimed toward eliminating possible hazards to adjoining properties, especially in those areas where residential uses are in the vicinity.

(o) **MP Industrial Park.** This district is intended for large, concentrated industrial areas where the aim of development is to create a spacious environment in a park-like setting.

(p) **PDR-LD Planned Development Residential - Low Density (up to 8 dwelling units per acre);**
PDR-MD Planned Development Residential - Medium Density (up to 12 dwelling units per acre);
PDR-HD Planned Development Residential - High Density (up to 20 dwelling units per acre or higher pursuant to an adopted specific plan);
PDR-NCM Planned Development Residential - North Costa Mesa (25-35 dwelling units per acre).
These districts are intended to provide for excellence in the design of residential projects. Within the low-density zone typical designs include small-lot, single-family detached residential developments including clustered development, zero lot line development and conventional development.

Within the medium density, high density, and north Costa Mesa zones, site design could include single-and multiple-family residential developments containing any type or mixture of housing units, attached or detached, including but not limited to clustered development, townhouses, patio houses, detached houses, duplexes, garden apartments, high rise apartments or common interest developments. Complementary non-residential uses could also be included in the planned development.

(q) **PDC Planned Development Commercial**. This district is intended for retail shops, offices and service establishments, including but not limited to, hotels, restaurants, theaters, museums, financial institutions, and health clubs. These uses are intended to serve adjacent residential areas, as well as the entire community and region. Complementary residential uses could also be included in the planned development.

(r) **PDI Planned Development Industrial.** This district is intended for large, concentrated industrial areas where the aim of development is to create a spacious environment in a park-like setting.

(s) **MU Mixed-Use Overlay**. This district may overlay the R2-MD, R2-HD, R3, CL, C1, C2, MG, PDR-HD, PDR-MD, or I&R districts, and it is intended to allow development of residential and nonresidential uses as mixed, integrated projects. This overlay district shall only be applied to the Zoning Map in conjunction with the adoption of an urban plan for the designated area. The urban plan is a regulating plan that shall define the unique characteristics of the overlay area, include a matrix of permitted, conditionally permitted, and prohibited uses and provide development standards. The provisions of the mixed-use overlay shall be activated by adoption of a master plan.

Sec. 13-21. OVERLAY DISTRICTS

Overlay zoning districts may also be created in conjunction with special regulations.

Sec. 13-22. ZONING DISTRICT BOUNDARIES

The zoning districts listed in Section 13-20 ZONING DISTRICTS, and the boundaries of each, are shown on the official zoning map, filed in the Planning Division.

Sec. 13-23. DIVISION OF OFFICIAL ZONING MAP

The official zoning map may be subdivided into district maps, and such district maps may be separately used for amending the zoning map or for any official reference to the zoning map.

Sec. 13-24. CHANGES IN BOUNDARIES

All changes shall be made by ordinance adopting an amended zoning map, or part of the zoning map or district map.

Sec. 13-25. UNCERTAINTY OF BOUNDARIES

Where uncertainty exists as to the boundaries of any zone shown on the zoning map, or any district map, the following rules shall apply:

(a) When boundaries of zones are approximately following street, alley or lot lines, such lines shall be construed as the boundaries.

(b) In the case of undivided properties, or property not yet subdivided, and a zone boundary divides the lot, the location of the zone boundary, unless indicated by dimensions, shall be determined by the use of the scale appearing on the zoning map.

Sec. 13-26. LIMITATION OF LAND USE

No new building shall be erected, nor shall any building or land be used for any purpose except as provided and allowed for in this Zoning Code.

CHAPTER III. PLANNING APPLICATIONS

Sec. 13-27. PURPOSE

The purpose of this chapter is to establish the parameters for the numerous types of discretionary planning applications and to identify processing procedures.

Sec. 13-28. TYPES

(a) **Administrative adjustment.** Any deviation from an adopted development standard in this Zoning Code that meets the criteria listed in Table 13-28(a).

TABLE 13-28(a)
ADMINISTRATIVE ADJUSTMENTS

Standard	Deviation Range
Decrease in required front yard depth; provided that in residential zones, the garage is set back a minimum of 19 feet from the front property line.	More than 20% but no more than 40%
Decrease in required rear yard depth.	More than 20% but no more than 40%
Decrease in required side yard width.	More than 20% but no more than 40%
Increase in maximum fence/wall height.	More than 33 1/3% but no more than 50%
Increase in depth of permitted projections into required yards.	More than 20% but no more than 40%
Deviation in sign area, height, setbacks, separation and other sign specifications	More than 10% but no more than 20%
Decrease in required distance between main structures	More than 20% but no more than 40%
Decrease in required distance between accessory and main structures	More than 20% but no more than 40%

(b) **Conditional use permit.** Any use specified in this Zoning Code as requiring a conditional use permit.

(c) **Common interest development conversion.** For residential projects, a proposal to convert an occupied or previously occupied apartment complex to a residential common interest development project. To request a conversion for a newly constructed project, the apartment complex shall have received final building approval for occupancy. For non-residential projects, a proposal to convert an occupied or previously occupied non-residential complex to a non-residential common interest development. Non-residential includes industrial, commercial, office, and/or mixed-use project.

(d) **Density bonus or incentive.** Any request for incentives to produce lower income and senior housing per State Government Code Section 65915.

(e) **Design review.** Any construction that results in 3 or more dwelling units on a development lot in any residential zone, except planned development, shall be subject to design review.

(f) **Development review.** The following shall be subject to development review:

(1) Single-story residential construction: In the R2-MD, R2-HD, and R3 zones, any single-story construction of 2 or fewer new single-story dwelling units. *Exception:* New single-story accessory buildings, such as garages or carports, single-story room additions, and other minor construction that comply with all applicable development standards shall not be subject to development review but shall be reviewed by the Planning Division.

(2) Two-story residential construction: In the R2-MD, R2-HD, and R3 zones, any two-story construction on a lot where there are 2 or fewer dwelling units or any second-

story addition on a lot with more than 2 dwelling units that complies with any residential design guidelines adopted by City Council.

(3) Construction of new buildings or additions to existing buildings in the AP, CL, C1, C2, C1-S, MG, or MP zones. However, building additions that do not exceed 2,000 square feet or 50% of the existing building area, whichever is less, and comply with all applicable development standards shall not be subject to development review.

(4) Lot line adjustment; and

(5) Any other use specified in this Zoning Code as requiring development review.

(g) **Lot line adjustment.** Any adjustment to an existing lot line between two lots, where the land taken from one lot is added to an abutting lot and/or where a greater number of lots than originally existed is not created. A lot line adjustment may be used to combine no more than four abutting lots.

(h) **Master plan.** Prior to development in the Planned Development (PD), Town Center (TC), Shopping Center (C1-S), Mixed-Use Overlay (MU), and both Institutional and Recreational (I&R and I&R-S) zoning districts, a master plan is required. Preliminary master plans are required in the TC zone, are optional in PD and MU zones, and are not required in C1-S, I&R-S, and I&R zones.

(1) Minor changes: Minor changes in the location, siting or character of buildings and structures may be authorized by the Planning Division if required by the final engineering or other circumstances not foreseen at the time the master plan was approved. No change authorized under this section may cause any of the following:

a. A change in the use or character of the development;
b. An increase in the overall density or floor area ratio of the development;
c. An increase in overall coverage of structures;
d. A reduction or change in character of approved open space;
e. A reduction of required off-street parking;
f. A detrimental alteration to the pedestrian, vehicular and bicycle circulation and utility networks;
g. A reduction in required street pavement widths;
h. An increase of more than 6 inches in building height; or
i. A decrease in building setback greater than can be approved by a minor modification by the Development Services Director.

(2) Major amendments. Substantial amendments to the master plan encompassing one or more of the minor changes listed in subparagraphs (1a) through (1i), or any proposed change determined by the Development Services Director as a major amendment, shall be subject to review and approval by the Zoning Administrator. Furthermore, if the major amendment results in an overall building square footage that exceeds the maximum density or building square footage allowed by the approved master plan, the Zoning Administrator must find that the major amendment is consistent with the density, floor area ratio, and trip budget standards established by the General Plan, as applicable.

(3) Minor amendments.

a. Minor amendments to existing master plans in planned development zones are subject to Section 13-56 MASTER PLAN REQUIRED.

b. Minor amendments to existing master plans in the TC, C1-S, MU, I&R, and I&R-S zones may be approved by development review if the Planning Division finds that the proposed construction does not materially affect required open space, floor area ratio, and parking requirements specified in the approved master plan. Furthermore, if the minor amendment results in an overall building square footage that exceeds the maximum building square footage allowed by the approved master plan, the Planning Division must find that the minor amendment is consistent with the floor area ratio and trip budget standards established by the General Plan, as applicable.

(4) Mixed-Use Development Plan Screening Application.

Applicants for residential or mixed-use development projects in a mixed-use overlay district shall submit a screening application for consideration by City Council at a public meeting. No other concurrent application for development may be submitted for processing until City Council comments have been received. The purpose of the screening application is to receive City Council comments on the merits and appropriateness of the proposed development. No other action on the screening application will be taken by City Council. The submittal requirements for the screening review are specified on the City's planning application form, and the City Council's review comments on the proposed project for processing shall not set precedent for approval of the master plan.

(i) **Minor conditional use permit.** Any use or deviation from development standards specified in this Zoning Code as requiring a minor conditional use permit

(j) **Minor design review**. The following shall be subject to minor design review:

(1) Two-story residential construction that does not comply with any residential design guidelines adopted by the City Council in the following zones:

a. RI zone: Any two-story construction or second-floor addition; and

b. R2-MD, R2-HD, and R3 zones: Any two-story construction on a lot that results in 2 or fewer dwelling units or any second-story addition on a lot with more than 2 dwelling units.

(2) Reserved for future use.

(3) Any deviation from development standards specified in this Zoning Code as requiring a minor design review.

(k) **Minor modification.** Any deviation from an adopted development standard in this Zoning Code that meets the criteria listed in Table 13-28(j)(1).

(1)

TABLE 13-28(j)(1)

MINOR MODIFICATION

Standard	Deviation Range
Decrease in required front yard depth; provided that in residential zones, the garage is set back a minimum of 19 feet from the front property line.	20% or less
Decrease in required rear yard depth.	20% or less
Decrease in required side yard width.	20% or less
Increase in maximum fence/wall height.	33 1/3% or less
Decrease in 5-foot setback on street side for fences/walls in excess of 36 inches on corner lots in multi-family residential zones.	100% or less
Increase in depth of permitted projections into required yards.	20% or less
Decrease in minimum driveway width for two or more dwelling units.	to not less than 10 feet
Deviation in sign area, height, setbacks, separation and other sign specifications	10% or less
Decrease in required distance between main structures	20% or less
Decrease in required distance between accessory and main structures	20% or less

(2) Minor building additions that encroach into required setbacks no further than the existing main structure, excluding architectural features. However, no nonconforming setback width or depth may be decreased further, and the building addition shall comply with all other applicable sections of this Zoning Code and other codes.

(3) Fabric awnings which project no more than 5 feet from the building face.

(4) Any deviation from development standards specified in this Zoning Code as requiring a minor modification.

(l) **Mobile home park conversion.** Any conversion of an existing mobile home park to any other use permitted or conditionally permitted in the applicable zoning district.

(m) **Planned signing program.** A voluntary, optional alternative to the general sign regulations, except in the C1-S zone where it is required.

(n) **Redevelopment action.** Any development or use proposed within the Redevelopment Project Area as specified by the Redevelopment Plan or by policy of the Redevelopment Agency as requiring Redevelopment Agency approval.

(o) **Reserved.**

(p) **Rezone.** Any proposed change to the official zoning map.

(q) **Specific plan conformity review.** Any proposed action or land use which is required by the applicable specific plan to be reviewed for conformity with the purpose and intent of the plan.

(r) **Tentative tract or parcel map (including vesting).** Any proposed subdivision of land which is required by a provision of the Subdivision Map Act or this Zoning Code to file a tentative tract or parcel map.

(s) **Variance.** Any deviation from a development standard in this Zoning Code that is not specified as a minor modification or administrative adjustment, or a deviation that is not allowed by approval of conditional use permit, minor conditional use permit, or specific plan conformity procedure.

(t) **Local Register of Historic Places (Local Register)**. A voluntary list of designated cultural resources, landmarks and historic districts located within the City. A person may request placement of a significant historic structure on the Local Register of Historic Places subject to the criteria and procedures established in Chapter IX, Article 14, Historic Preservation.

(u) **Certificate of Appropriateness**. A certificate issued by the Planning Commission (or other commission/committee designated by the City Council), approving plans, specifications, or statements of work for any proposed alteration, restoration, or rehabilitation, construction, relocation, or demolition, in whole or in part, of a "Designated Cultural Resource" listed on the City's Local Register of Historic Places

Sec. 13-29. PLANNING APPLICATION REVIEW PROCESS

(a) **Application.**

(1) Application for any planning application shall be made to the Planning Division on the forms provided. Plans and information reasonably needed to analyze the application may be required. A list of required plans and information shall be available from the Planning Division.

(2) All applications shall be signed by the record owner of the real property to be affected. This requirement may be waived upon presentation of evidence substantiating the right of another person to file the application.

(b) **Fees.** The application shall be accompanied by all applicable processing fees as established by resolution of the City Council.

(c) **Public hearing.** Upon receipt of a complete application for a planning application, the Planning Division shall fix a time and place of the public hearing if one is required pursuant to Table 13-29(c). For planning applications which require review by both the Planning Commission and City Council or Redevelopment Agency, pursuant to Table 13-29(c), the final review authority shall hold a public hearing no more than 45 days from the receipt of the Planning Commission's recommendation.

(d) **Public notice.** When required pursuant to Table 13-29(c), public notice shall be as described in the following subsections. Public notices shall contain a general explanation of the proposed planning

application and any other information reasonably needed to give adequate notice of the matter to be considered.

(1) Mailed notice required**.** Notices of the hearing shall be mailed to all property owners within a 500-foot radius of the project site, except for applications for the construction of a building(s) 150 feet or more in height; these applications shall require a greater notice radius:

Building Height in Feet	Notice Requirement
More than 150 and less than or equal to 225	700-foot radius
More than 225 and less than or equal to 300	900-foot radius
More than 300	1,100-foot radius

a. The required notice radius shall be measured from the external boundaries of the property described in the application. The notice shall be mailed no less than 10 days prior to the hearing or determination on the application. The Planning Division shall require for this purpose the use of the last known name and address of such owner(s) as shown on the last equalized County assessment roll or by a more current listing.

(2) On-site posting required. Additional notice shall be provided by posting a notice on each street frontage of the project site, no less than 10 days prior to the date set for the hearing or determination on the application.

(3) Newspaper publication. When a public hearing is required, notice shall also be published once in the City in a newspaper of general circulation, no less than 10 days prior to the date set for the public hearing.

TABLE 13-29(c) PLANNING APPLICATION REVIEW PROCESS					
PLANNING APPLICATIONS	**PUBLIC NOTICE REQUIRED**	**PUBLIC HEARING REQUIRED**	**RECOMMENDING AUTHORITY**	**FINAL REVIEW AUTHORITY**	**NOTICE OF DECISION REQUIRED**
Development Review Minor Modification	No	No	None	Planning Division	No
Lot Line Adjustment	No	No	None	Planning Division	No
Administrative Adjustment Minor Conditional Use Permit Minor Design Review Planned Signing Program	Yes	No	None	Zoning Administrator	Yes
Design Review Mobile Home Park Conversion Common Interest Development Conversion (Residential or Non-residential) 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 (except 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
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 City Council	No

(e) **Review criteria.** Review criteria for all planning applications shall consist of the following:

(1) Compatible and harmonious relationship between the proposed building and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood.

(2) Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation.

(3) Compliance with any performance standards as prescribed elsewhere in this Zoning Code.

(4) Consistency with the General Plan and any applicable specific plan.

(5) The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

(6) When more than one planning application is proposed for a single development, the cumulative effect of all the planning applications shall be considered.

(7) For residential developments, consistency with any applicable design guidelines adopted by City Council resolution.

(8) For affordable multi-family housing developments which include a minimum of 16 affordable dwelling units at no less than 20 dwelling units per acre, the maximum density standards of the General Plan shall be applied, and the maximum density shall be permitted by right and not subject to discretionary review during the Design Review or Master Plan application process.

(f) **Conditions.** The final review authority pursuant to Table 13-29(c) may impose reasonable conditions to assure compliance with the applicable provisions of this Zoning Code, and to assure compatibility with surrounding properties and uses and to protect the public health, safety and general welfare. The final review authority may also require such written guarantees, cash deposits, recorded land use restrictions, etc., as may be necessary to assure compliance with the conditions.

(g) **Findings.** When granting an application for any of the planning applications specified below, the final review authority shall find that the evidence presented in the administrative record substantially meets any required conditions listed below. Other findings may also be required pursuant to other provisions of this Zoning Code.

(1) Administrative adjustment and variance findings:

a. Because of special circumstances applicable to the property, the strict application of development standards deprives such property of privileges enjoyed by others in the vicinity under identical zoning classifications.

b. The deviation granted shall be subject to such conditions as will assure that the deviation authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.

c. The granting of the deviation 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.

(2) Conditional use permit and minor conditional use permit findings:

a. 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.

b. Granting the conditional use permit or minor 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.

c. Granting the conditional use permit or minor 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.

(3) Density bonus and concession or incentive findings:

a. The request is consistent with State Government Code Section 65915 et. seq. regarding Density Bonuses and Other Incentives, the General Plan, any applicable specific plan, and CHAPTER IX SPECIAL REGULATIONS, ARTICLE 4 DENSITY BONUSES AND OTHER INCENTIVES.

b. The requested density bonus and incentive or concession constitute the minimum amount necessary to provide housing at the target rents or sale prices and/or a child care facility.

c. The granting of the incentive or concession is required in order to provide for affordable housing costs, as defined in Health and Safety Code Section 50052.5 or for rents for the targeted units.

d. The granting of the incentive or concession and/or the waiver or reduction of development standards does not have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Government Code Section 65589.5 upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

e. The granting of the incentive or concession and/or the waiver or reduction of development standards does not have an adverse impact on any real property that is listed in the California Register of Historical Resources.

(4) Lot line adjustment findings:

a. The lot line adjustment and improvements are consistent with the General Plan, any applicable specific plan and this Zoning Code.

(5) Master plan findings:

a. The master plan meets the broader goals of the General Plan, any applicable specific plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.

b. Master Plan findings for mixed-use development projects in the mixed-use overlay district are identified in CHAPTER V, ARTICLE 11, MIXED-USE OVERLAY DISTRICT.

c. As applicable to affordable multi-family housing developments, the project complies with the maximum density standards allowed pursuant to the General Plan and provides affordable housing to low- or very-low income households, as defined by the California Department of Housing and Community Development. The project includes long-term affordability covenants in compliance with State law.

(6) Minor modification findings:

a. The improvement will not be materially detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.

b. The improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity. This includes the site planning, land coverage, landscaping, appearance, scale of structures, open space and any other applicable features relative to a compatible and attractive development.

(7) Mobile home park conversion findings:

a. The impacts of the conversion on the residents of the mobile home park have been duly considered as required by the State Government Code.

b. The proposed conversion project is consistent with the General Plan, any applicable specific plan and this Zoning Code.

(8) Planned signing program findings:

a. The proposed signing is consistent with the intent of CHAPTER VIII SIGNS and the General Plan.

b. The proposed signs are consistent with each other in design and construction - taking into account sign style and shape, materials, letter style, colors and illumination.

c. The proposed signs are compatible with the buildings and developments they identify - taking into account materials, colors and design motif.

d. Approval does not constitute a grant of special privilege or allow substantially greater visibility than what the standard sign provisions would allow.

(9) Redevelopment action findings:

a. The proposed use and/or development is consistent with the guidelines of the Redevelopment Plan.

(10) Common interest development conversion findings:

a. The applicant has submitted an adequate and legally binding plan which addresses the displacement of long-term residents, particularly senior citizens and low- and moderate-income families and families with school-age children; and

b. The proposed common interest development conversion project conforms to adopted General Plan policies and any applicable specific plan or urban plan, and if applicable, increases the supply of lower cost housing in the City and/or that the proposed conversion project fulfills other stated public goals.

c. The establishment, maintenance, or operation of the project will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the surrounding neighborhood, nor will the project be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

d. The overall design and physical condition of the common interest development conversion project achieves a high standard of appearance, quality, and safety.

e. The proposed common interest development conversion project conforms to the Costa Mesa Zoning Code requirements.

f. For a proposed common interest development conversion project that does not conform to the Zoning Code requirements, the project due to its proportions and scale, design elements, and relationship to the surrounding neighborhood, is of continued value to the community and it contributes to defining and improving the community as a whole. Deviations from Zoning Code requirements are acceptable because it would be impracticable or physically impossible without compromising the integrity of the overall project to implement features that could result in conformance with current code requirements.

g. For a proposed common interest development conversion project located in an urban plan area, the proposed conversion is consistent with the applicable mixed-use overlay zoning district. Specifically, the proposed non-residential conversion project supports a mixed-use development or a similar land use that is not allowed in the base zoning district, or the proposed conversion project is a residential

common interest development that is permitted by either the base or overlay zoning district.

(11) Rezone findings:

a. The proposed rezone is consistent with the Zoning Code and the General Plan and any applicable specific plan.

(12) Specific plan conformity review findings: Refer to the applicable specific plan text.

(13) Tentative parcel or tract map findings:

a. The creation of the subdivision and related improvements is consistent with the General Plan, any applicable specific plan, and this Zoning Code.

b. The proposed use of the subdivision is compatible with the General Plan.

c. The subject property is physically suitable to accommodate the subdivision in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the Zoning Code and General Plan, and consideration of appropriate environmental information.

d. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by State Government Code Section 66473.1.

e. The division and development will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.

f. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the State Regional Water Quality Control Board pursuant to Division 7 (commencing with State Water Code Section 13000).

(14) Design review and minor design review findings:

a. The project complies with the City of Costa Mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.

b. The visual prominence associated with the construction of a two-story house or addition in a predominately single-story neighborhood has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls.

c. As applicable to affordable multi-family housing developments, the project complies with the maximum density standards allowed pursuant to the General Plan and provides affordable housing to low- or very-low income households, as defined by the California Department of Housing and Community Development. The project includes long-term affordability covenants in compliance with State law.

(h) **Decision.**

(1) After the public hearing, if required, the final review authority may approve, conditionally approve or deny any application for the planning application based upon the standards and intent set forth in the applicable provisions of this Zoning Code. In the case of a denial, the applicant shall be notified of the circumstances of the denial.

(2) For planning applications which require the Planning Commission to make a recommendation to the final review authority, the authority shall not approve any major change or additions in any proposed planning application until the proposed change or addition has been referred to the Planning Commission for a report, unless the change or addition was previously considered by the Planning Commission. It shall not be necessary for the Planning Commission to hold a public hearing to review the referral. Failure of the Planning Commission to report to the final review authority within 40 days after the referral shall be deemed approval of the proposed change or addition.

(i) **Notice of decision.**

(1) Notice of the Zoning Administrator's decision shall be given within 5 days of the decision to the City Council, Planning Commission and to any affected party requesting the notice. Any member of the Planning Commission or City Council may request review of a Zoning Administrator's decision within 7 days of the notice of the decision. No fee shall be charged for such review.

(2) Notice of the Planning Commission's and/or Redevelopment Agency's decision shall be given within 5 days to the City Council and to any affected party requesting the notice. Any member of the City Council may request review of the decision within 7 days of the notice of the decision. No fee shall be charged for such review.

(j) **Appeals.** Appeals of the final review authority shall be filed within 7 days of the public hearing or the date of the notice of decision according to the procedures set forth in TITLE 2, CHAPTER IX APPEAL, REHEARING AND REVIEW PROCEDURE.

(k) **Time limits.**

(1) Planning applications shall run with the land until revoked, except as provided in this section or in a condition imposed at the time of granting the planning application.

(2) a. Unless otherwise specified by condition of approval, if the construction authorized by a planning application is not commenced within one year after

final approval by the City, the authority to proceed shall terminate; except that when a vesting tentative map is approved for the project then the time limits to commence construction shall be commensurate with the time limits associated with the vesting map.

b. The final review authority may extend a planning application for successive periods of one year upon showing good cause by the applicant.

(3) The time limits specified in subsection (2) shall not apply to preliminary master plans, except that the first phase of the final master plan must be approved within 12 months of the approved preliminary master plan. Time limits regarding the construction of improvements authorized by the approved final master plan for each phase of the project shall comply with the time limits established in subsection (2).

(4) When a planning application expires pursuant to a condition of approval, the applicant may apply for an extension of time. A public hearing shall only be held if it was required on the original application. If notice was required for the original application, notice of the public hearing shall be given according to the procedures set forth in this chapter.

(5) Fees for extensions of time for planning applications may be established by resolution of the City Council.

(l) **Building permits/authority to proceed.** No building permit or authority to proceed shall be granted until all required review and approval has been obtained and all applicable appeal periods have expired.

(m) **Compliance.** Final occupancy shall not be granted unless the site development conforms to the approved set of building plans, applicable conditions of approval and code requirements.

(n) **Reapplication.** Upon final denial of any planning application, a new application for substantially the same planning application may not be filed within 6 months of the date of the denial. The Development Services Director shall determine whether the new application is for a planning application which is substantially the same as a previously denied application. No decision of the Development Services Director shall be effective until a period of 7 days has elapsed following the written notice of a decision; an appeal of the decision shall be filed according to the procedures set forth in TITLE 2, CHAPTER IX APPEAL, REHEARING AND REVIEW PROCEDURE.

(o) **Enforcement authority.**

(1) The Planning Commission may require the modification or revocation of any planning application and/or pursue other legal remedies as may be deemed appropriate by the City Attorney, if the Planning Commission finds that the use as operated or maintained:

a. Constitutes a public nuisance as defined in State Civil Code Sections 3479 and 3480; or

b. Does not comply with the conditions of approval.

(2) The modification or revocation of any permit by the Planning Commission under this subsection shall comply with the notice and public hearing requirements set forth in subsections (c) and (d). The Development Services Director may require notice for a development review or minor modification, if deemed appropriate.

(p) **Amendment to a planning application.** Any approved planning application may be amended by following the same procedure and fee schedule as required for the initial approval, with the exception of the following two instances:

(1) Minor amendments to conditional use permits shall be processed as minor conditional use permits; and

(2) Amendments to master plans, which comply with Section 13-28(g)(1), may be authorized by the Planning Division.

(q) **Concurrent processing.** Unless otherwise stated in this Zoning Code, applications for proposed projects, which require two or more planning application approvals, may be processed concurrently. Final project approval shall not be granted until all necessary approvals have been obtained.

CHAPTER IV. CITYWIDE LAND USE MATRIX

Sec. 13-30. PURPOSE

The purpose of this chapter is to provide a comprehensive list of uses which are permitted, conditionally permitted, or prohibited in the various zoning districts, as represented by Table 13-30, LAND USE MATRIX. In evaluating a proposed use, the following criteria shall also be considered:

(a) Uses determined as *permitted* may be subject to a discretionary review when construction is proposed, pursuant to CHAPTER III PLANNING APPLICATIONS.

(b) Uses proposed in the Planned Development zones are subject to verification of consistency with the master plan adopted for Planned Development zones. A proposed use not expressly allowed by the adopted master plan may require additional discretionary review pursuant to Table 13-30, LAND USE MATRIX.

(c) All listed uses in the matrix are subject to verification of compliance with density and floor area ratio limits, parking requirements and performance standards which may, in certain cases, prevent the establishment of the use.

(d) Any proposed use not listed in the LAND USE MATRIX shall be reviewed by the Development Services Director to determine its similarity to another listed use. If no substantial similarity exists, the proposed use shall require approval of a conditional use permit prior to establishment of the use.

(e) For the purpose of Table 13-30, LAND USE MATRIX, the various zoning districts are labeled as follows:

- Residential zones: R1, R2-MD, R2-HD, and R3
- Commercial zones: AP, CL, C1, C2, C1-S, and TC
- Industrial zones: MG and MP
- Planned Development Residential zones: PDR-LD, PDR-MD, PDR-HD, and PDR-NCM
- Planned Development Commercial zone: PDC
- Planned Development Industrial zone: PDI
- The Parking zone: P
- Institutional and Recreational zones: I & R and I & R-S

(f) For zoning districts located in a specific plan area, please refer to the appropriate specific plan text to determine if any additional regulations related to land uses are applicable.

(g) For the mixed-use overlay district located in an urban plan area, please refer to the appropriate urban plan text for additional regulations related to development standards and allowable land uses as applicable.

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																				
	R1	R2MD	R2HD	R3	AP	CL	C1	C2	C1S[1]	TC[1]	MG	MP	PDRLD[1]	PDRMD[1]	PDRHD[1]	PDRNCM[1]	PDC[1]	PDI[1]	I&R[1]	I&RS[1]	P
RESIDENTIAL USES																					
1. Single-family dwellings (single housekeeping units)	P[4]	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P	P	•	•	•
2. Multi-family dwellings	•	P	P	P	•	•	•	•	•	P	•	•	P	P	P	P	P	P	•	•	•
2.1 Common interest developments, residential	•	P	P	P	•	•	•	•	•	P	•	•	P	P	P	P	P	P	•	•	•
2.2 Small lot subdivisions, residential	•	P	P	P	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
3. Mobile home parks	•	C	C	C	•	•	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•
4. Boardinghouse, small[7]	•	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P	P	•	•	•
5. Boardinghouse, large[7]	•	C	C	C	•	•	•	•	•	•	•	•	•	C	C	C	C	C	•	•	•
6. Residential care facility, 6 or fewer persons (State licensed)	P	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P	P	P	•	•
7. Group homes, 6 or fewer	S	S[6]	S[6]	S[6]	•	•	•	•	•	•	•	•	S[6]	S[6]	S[6]	S[6]	S[6]	S[6]	P	•	•
7.1. Sober living homes, 6 or fewer	S[5]	S[6]	S[6]	S[6]	•	•	•	•	•	•	•	•	S[6]	S[6]	S[6]	S[6]	S[6]	S[6]	P	•	•
8. Residential care facility, 7 or more	•	C[6]	C[6]	C[6]	•	•	•	•	•	•	•	•	•	C[6]	C[6]	C[6]	C[6]	C[6]	P	•	•
9. Group homes, 7 or more	•	C[6]	C[6]	C[6]	•	•	•	•	•	•	•	•	•	C[6]	C[6]	C[6]	C[6]	C[6]	P	•	•
9.1 Sober living homes, 7 or more	•	C[6]	C[6]	C[6]	•	•	•	•	•	•	•	•	•	C[6]	C[6]	C[6]	C[6]	C[6]	P	•	•
10. Referral facility (Subject to the requirements of Section 13-32.2 Referral facility).	•	C[2]	C[2]	C[2]	•	•	•	C[2]	•	•	•	•	•	C[2]	C[2]	•	•	•	•	•	•

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

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TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																				
	R1	R2MD	R2HD	R3	AP	CL	C1	C2	C1S[1]	TC[1]	MG	MP	PDRLD[1]	PDRMD[1]	PDRHD[1]	PDRNCM[1]	PDC[1]	PDI[1]	I&R[1]	I&RS[1]	P
11.Single room occupancy residential hotel (subject to City Council Policy 500-5)	•	•	•	•	•	•	C[2]	C[2]	•	•	•	•	•	•	•	•	•	•	•	•	•
ACCESSORY USES																					
12. Reserved for future use.																					
13. Animals, keeping of	SEE TITLE 3, ANIMALS AND FOWL																				
14. Antennas: Amateur radio, Satellite dish, Communication	SEE CHAPTER IX, ARTICLE 2, ANTENNAS																				
15. Reserved for future use																					
15.1 Incidental residential use that includes a toilet in combination with a bathtub or shower. This applies to an accessory use contained in a detached structure, or contained within the main structure with no interior connection between the main and incidental use.	C	MC	MC	MC	•	•	•	•	•	•	•	•	C	MC	MC	MC	MC[3]	MC[3]	•	•	•
16. Day care facilities (15 children or more) (see also Nursery schools)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	•

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17. Family day care - large (7-14 children) (subject to the requirements of Section 13-37 LARGE FAMILY DAY CARE HOMES)	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2,3]	P[2,3]	P	•	•
18. Family day care - small (up to 8 children)	P	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P[3]	P[3]	P	•	•
19. Garage/yard sales - no more than 2 events permitted a year, not to exceed 3 consecutive days	P	P	P	P	•	•	•	•	•	•	•	•	P	P	P	P	P[3]	P[3]	•	•	•
20. Reserved for future use.																					
21. Home occupations (subject to the requirements of CHAPTER IX, ARTICLE 6, HOME OCCUPATIONS)	P[2]	P[2]	P[2]	P[2]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2,3]	P[2]	P[2]	P[2]	P[2]	P[2,3]	P[2,3]	P[2]	•	•
22. Home occupations that generate traffic and do not involve more than one customer/client at a time or more than 8 customers/clients per day (subject to the requirements of CHAPTER IX, ARTICLE 6, HOME OCCUPATIONS)	MC[2]	MC[2]	MC[2]	MC[2]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2,3]	MC[2]	MC[2]	MC[2]	MC[2]	MC[2,3]	MC[2,3]	MC[2,3]	•	•
22.1. Nonresidential accessory uses in a residential development not otherwise specified in this table	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•

Chapter IV Citywide Land Use Matrix

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

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22.2 Second Unit (subject to the requirements of CHAPTER V, SECTION 13-35, SECOND UNITS)	P[2]	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
22.3 Temporary real estate and construction offices (subject to the requirements of CHAPTER IX, ARTICLE 10, TEMPORARY TRAILERS)	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]
INSTITUTIONAL AND RECREATIONAL USES																					
23. Cemeteries	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•
24. Churches and other places of religious assembly (Subject to the requirements of ARTICLE 4.5 DEVELOPMENT STANDARDS FOR CHURCHES AND OTHER PLACES OF RELIGIOUS ASSEMBLY)	C[2]	C[2]	C[2]	C[2]	C[2]	C[2]	P[2]	P[2]	C[2]	C[2]	P[2]	P[2]	C[2]	C[2]	C[2]	C[2]	C[2]	C[2]	P[2]	C[2]	•
25. Civic and community clubs	C	C	C	C	C	C	P	P	P	P	C	C	C	C	C	C	C	C	C	•	•
26. Convalescent hospitals; Nursing homes	•	C	C	C	C	C	C	C	•	•	•	•	•	•	•	•	•	•	P	•	•
27. Country clubs; golf courses	C	C	C	C	•	•	•	•	•	•	•	•	C	C	C	C	•	•	P	C	•
28. Crematories - See also Mortuaries services	•	•	•	•	•	•	•	C	•	•	C	C	•	•	•	•	•	•	C	•	•
29. Fairgrounds; Outdoor festival (permanent)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•
30. Hospitals, general	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	P	•	•
31. Libraries, privately-operated	C	C	C	C	•	•	C	C	C	C	C	C	C	C	C	C	C	C	P	C	•

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

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	R1	R2MD	R2HD	R3	AP	CL	C1	C2	C1S[1]	TC[1]	MG	MP	PDRLD[1]	PDRMD[1]	PDRHD[1]	PDRNCM[1]	PDC[1]	PDI[1]	I&R[1]	I&RS[1]	P
31a. Medical marijuana dispensary	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
31b. Marijuana and/or medical marijuana cultivation	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
32. Mortuary services without crematories	•	•	•	•	C	C	C	C	C	•	C	C	•	•	•	•	•	•	C	•	•
33. Nursery schools - see also Day care facilities for 15 or more children	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	•
34. Parks and playgrounds	C	C	C	C	•	•	•	•	•	C	•	•	C	C	C	C	C	C	P	P	•
35. Public offices and facilities, such as city halls, courthouses, police/fire stations, etc.	C	C	C	C	C	C	P	P	P	P	C	C	C	C	C	C	C	C	P	•	•
36. Schools: primary, secondary and colleges	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	•
37. Schools: trade and vocational	•	•	•	•	•	MC	P	P	P	P	MC	MC	•	•	•	•	P	MC	P	P	•
38. Senior congregate care facility	•	C	C	C	C	C	C	C	C	C	•	•	•	C	C	C	C	•	C	•	•
39. Swap meets	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	C	•
39A. Emergency Shelters	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	P	•	•	•
SPECIAL SEASONAL EVENTS																					
40. Reserved.																					

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

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41. Christmas tree lots; Pumpkin patches; Fireworks stands; Produce stands (subject to the requirements of TITLE 9, CHAPTER II, REGULATION OF CERTAIN BUSINESSES)	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	•	P[2]	P[2]	P[2]	P[2]	•
COMMERCIAL AND INDUSTRIAL USES																					
42. Acupressure; Massage (subject to the requirements of TITLE 9, CHAPTER II, ARTICLE 22, MASSAGE ESTABLISHMENTS AND PRACTITIONERS)	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	P[2]	•	•	•	•
43. Adult businesses - See Sexually-oriented businesses																					
44. Aggregate batch plants; Rock or asphalt crushing; Sand blasting	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
45. Ambulance services	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	MC	•	•	•	•	MC	MC	•	•	•
46. Amusement centers (subject to the requirements of CHAPTER IX, ARTICLE 5, ELECTRONIC GAME MACHINES)	•	•	•	•	•	•	C[2]	C[2]	C[2]	C[2]	•	•	•	C[2]	C[2]	C[2]	C[2]	•	•	•	•

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47. Animal hospitals; Veterinary services (Kenneling only when incidental to principal hospital use)	•	•	•	•	•	C	C	P	P	C	C	C	•	•	•	•	P	•	•	•	•
48. Animal shelters, pounds, kennels, training schools	•	•	•	•	•	•	•	C	•	•	C	C	•	•	•	•	•	•	C	•	•
48a. Antique malls	•	•	•	•	•	•	P	P	P	•	MC	MC	•	•	•	•	P	MC	•	•	•
49. Artists, sculptors studios	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•
50. Auction houses	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•
51. Automobile - See Motor vehicle																					
52. Banks; Savings and Loans; and other Financial institutions	•	•	•	•	P	P	P	P	P	P	•	•	•	P	P	P	P	P	•	•	•
53. Bars; Nightclubs - See Establishments where food or beverages are served																					
54. Barber and beauty shops	•	•	•	•	•	P	P	P	P	P	•	•	•	P	P	P	P	P	•	•	•
55. Billiards parlors	•	•	•	•	•	•	C	C	C	C	C	C	•	C	C	C	C	C	•	•	•
56. Botanical gardens; Zoos	•	•	•	•	•	•	C	C	C	C	•	•	•	•	•	•	•	•	C	•	•
57. Bowling centers	•	•	•	•	•	•	C	C	C	C	•	•	•	•	•	C	C	•	•	•	•
58. Breweries; Distilleries	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	•	•	•
59. Reserved																					

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60. Building supplies; Hardware stores (retail)	•	•	•	•	•	•	P	P	P	•	•	•	•	P	P	P	P	•	•	•	•
61. Business services - See Offices																					
62. Car washes	•	•	•	•	•	•	C	C	C	C	C	C	•	C	C	C	C	C	•	•	•
63. Carts - Outdoor retail sales in conjunction with an established business	•	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	•	MC	MC	MC	MC	MC	MC	•	•
64. Catering	•	•	•	•	•	MC	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•
65. Coffee roasting	•	•	•	•	•	•	•	•	•	•	MC	MC	•	•	•	•	•	•	•	•	•
66. Coffee roasting (in conjunction with establishments where food or beverages are served)	•	•	•	•	•	•	MC	MC	MC	MC	MC	MC	•	MC	MC	MC	MC	MC	•	•	•
67. Commercial art; Graphic design	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•
68. Commercial testing laboratories	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•
69. Computer and data processing	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•
70. Contracting: General contractors; Operative builders	•	•	•	•	•	C	C	P	C	•	P	P	•	•	•	•	•	P	•	•	•

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

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LAND USES	ZONES																			
	R1	R2MD	R2HD	R3	AP	CL	C1	C2	C1S[1]	TC[1]	MG	MP	PDRLD[1]	PDRMD[1]	PDRHD[1]	PDRNCM[1]	PDC[1]	PDI[1]	I&R[1]	I&RS[1]	P
71. Convenience stores; Mini-markets (subject to the requirements of CHAPTER IX, ARTICLE 16, LIQUOR STORES, CONVENIENCE STORES, AND MINI-MARKETS)	•	•	•	•	•	•	C[2]	C[2]	C[2]	C[2]	•	•	•	•	C[2]	C[2]	C[2]	•	•	•	•
72. Department stores (retail)	•	•	•	•	•	•	P	P	P	P	•	•	•	•	•	•	P	•	•	•	•
73. Electronic game machines (4 or more), incidental to the primary use, (subject to the requirements of CHAPTER IX, ARTICLE 5, ELECTRONIC GAME MACHINES) –Excluding Amusement centers listed separately	•	•	•	•	•	MC[2]	MC[2]	MC[2]	MC[2]	MC[2]	MC[2]	MC[2]	•	MC[2]	MC[2]	MC[2]	MC[2]	MC[2]	•	•	•
74. Engineering; Architectural; and Surveying services - See Offices																					
75. Entertainment, live or public	•	•	•	•	•	SEE TITLE 9, ARTICLE 11, REGULATORY PERMITS FOR PUBLIC ENTERTAINMENT							•	SEE TITLE 9, ARTICLE 11, REGULATORY PERMITS FOR PUBLIC ENTERTAINMENT							•
76. Establishments where food or beverages are served	•	•	•	•	•	SEE CHAPTER V, ARTICLE 4, ESTABLISHMENTS WHERE FOOD OR BEVERAGES ARE SERVED							•	SEE CHAPTER V, ARTICLE 4, ESTABLISHMENTS WHERE FOOD OR BEVERAGES ARE SERVED						•	•	•
77. Exhibition of products produced on premises or available for wholesale distribution	•	•	•	•	•	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•

Chapter IV Citywide Land Use Matrix

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

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78. Flower stands - See also Carts	•	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	•	MC	MC	MC	MC	MC	MC	•	•
79. Furniture repair and refinishing with incidental sales	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	•	P	•	•	•
80. Grocery stores - See also Supermarkets; Excluding Convenience stores; and Liquor stores listed separately	•	•	•	•	•	•	P	P	P	P	•	•	•	MC	MC	MC	MC	•	•	•	•
81. Hazardous waste facilities, Off-Site (subject to CHAPTER IX ARTICLE 9, OFF-SITE HAZARDOUS WASTE FACILITIES)	•	•	•	•	•	•	C[2]	C[2]	C[2]	C[2]	C[2]	C[2]	•	•	•	•	C[2]	C[2]	C[2]	•	•
82. Heliports; Helistops	•	•	•	•	•	•	•	•	C	C	C	C	•	•	•	•	C	C	C	C	•
83. Hotels- - Excluding Motels listed separately	•	•	•	•	•	•	C	C	C	P	•	•	•	C	C	C	P	•	•	•	•
84. Landscape services (installation and maintenance)	•	•	•	•	•	MC	MC	P	P	•	P	P	•	•	•	•	•	P	•	•	•
85. Laundry, cleaning and garment services, including plants	•	•	•	•	•	P	P	P	P	P	P	P	•	P	P	P	P	P	•	•	•
86. Leather tanning and finishing	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	C	•	•	•
87. Limousine services	•	•	•	•	•	C	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•
88. Liquor stores (subject to the requirements of CHAPTER IX, ARTICLE 16, LIQUOR STORES, CONVENIENCE STORES, AND MINI-MARKETS)	•	•	•	•	•	•	C[2]	C[2]	C[2]	C[2]	•	•	•	•	•	•	C[2]	•	•	•	•

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

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89. Lumber and building materials dealers, (wholesale)	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•
90. Manufacturing: Light **EXCEPT** the following which are prohibited: • Manufacture of fertilizer • Manufacture of products involving the use of explosives • Manufacture of rubber (including tires), steel	•	•	•	•	•	•	•	•	•	•	P[2]	P[2]	•	•	•	•	•	P[2]	•	•	•
91. Manufacturing of chemical products, paints, pharmaceuticals, and plastics	•	•	•	•	•	•	•	•	•	•	C[2]	C[2]	•	•	•	•	•	C[2]	•	•	•
92. Manufacturing of stone, clay, glass and concrete products **EXCEPT** the following which are prohibited: • Manufacture of flat glass • Manufacture of cement and structural clay products • Manufacture of concrete, gypsum and plaster products • Manufacture of abrasive and asbestos products • Manufacture of nonclay refractories and crucibles • Processing and preparation of clay, ceramic and refractory minerals	•	•	•	•	•	•	•	•	•	•	P[2]	P[2]	•	•	•	•	•	P[2]	•	•	•

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

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93. Manufacturing or processing of foods and beverages **EXCEPT** the following which are prohibited: • Meat and poultry packing plants • Grain mills • Sugar refining • Fats and oils processing mills • Seafood canneries and packaging (See also Breweries; Distilleries; Coffee roasting)	•	•	•	•	•	•	•	•	•	•	P[2]	P[2]	•	•	•	•	•	P[2]	•	•	•
94. Massage - see also Acupressure (subject to the requirements of TITLE 9, CHAPTER II, ARTICLE 22, MASSAGE ESTABLISHMENTS AND PRACTITIONERS))	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	P[2]	•	•	•	•
95. Medical laboratories	•	•	•	•	MC	MC	P	P	P	P	MC	MC	•	•	•	•	MC	MC	•	•	•
96. Metal fabrication, welding, foundry, die casting (subject to Section 13-54(a) PERFORMANCE STANDARDS)	•	•	•	•	•	•	•	•	•	•	P[2]	P[2]	•	•	•	•	•	•	•	•	•
97. Motels- (subject to requirements of CHAPTER IX, ARTICLE 8, MOTELS) Excluding Hotels listed separately	•	•	•	•	•	•	C[2]	C[2]	•	•	•	•	•	•	•	•	•	•	•	•	•
98. Motion picture and television studios	•	•	•	•	C	C	C	C	•	•	P	P	•	•	•	•	P	P	•	•	•

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

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99. Motion picture theaters and other theaters NOT WITHIN 200' of residential zones	•	•	•	•	•	•	P	P	P	P	•	•	•	•	•	•	P	•	•	•	•
100. Motion picture theaters and other theaters WITHIN 200' of residential zones	•	•	•	•	•	•	C	C	C	C	•	•	•	•	•	•	C	•	•	•	•
101. Motor oil, used - collection facility (subject to the requirements of CHAPTER IX, ARTICLE 9, OFF-SITE HAZARDOUS WASTE FACILITIES)	•	•	•	•	•	•	P[2]	P[2]	P[2]	•	P[2]	P[2]	•	•	•	•	P[2]	P[2]	P[2]	P[2]	•
102. Motor vehicle, Boat, and Motorcycle retail sales, leasing, rentals and service WITH 2 or more outdoor display parking spaces	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•
103. Motor vehicle, Boat, and Motorcycle retail sales, leasing, and rentals WITH 1 or less outdoor display parking space and no service (subject to verification of parking availability)	•	•	•	•	•	•	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•
103.1. Motor vehicle and Boat dismantling for salvage purposes	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
104. Motor vehicle service stations	•	•	•	•	•	•	C	C	C	•	•	•	•	•	•	•	C	•	•	•	•
105. Motor vehicle service stations with concurrent sale of alcoholic beverages (subject to requirements of CHAPTER IX, ARTICLE 3, CONCURRENT SALE OF ALCOHOLIC BEVERAGES AND MOTOR VEHICLE FUEL)	•	•	•	•	•	•	C[2]	C[2]	C[2]	•	•	•	•	•	•	•	C[2]	•	•	•	•

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106. Motor vehicle; Boat; and Motorcycle repair services (including body and paint work), NOT WITHIN 200' of residential zone (subject to Section 13-54(b))	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•
107. Motor vehicle; Boat; and Motorcycle repair services (including body and paint work), WITHIN 200' of residential zone (subject to Section 13-54(b))	•	•	•	•	•	•	C	C	C	•	C	C	•	•	•	•	C	C	•	•	•
108. Nurseries (retail with no bulk fertilizer)	•	•	•	•	•	C	C	P	P	•	C	C	•	•	•	•	•	•	•	•	•
109. Offices: Central administrative	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•
110. Offices: Engineering; Architectural; and Surveying services; Management; Consulting and public relations	•	•	•	•	P	P	P	P	P	P	P	P	•	MC	MC	MC	P	P	•	•	•
111. Offices: General	•	•	•	•	P	P	P	P	P	P	MC	MC	•	MC	MC	MC	P	P	•	•	•
112. Reserved																					
113. Offices: Medical and dental	•	•	•	•	P	P	P	P	P	P	•	•	•	MC	MC	MC	P	MC	MC	•	•
114. Offices: Services to businesses such as bookkeeping and data processing	•	•	•	•	P	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•

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115. Off-street parking lots and structures including related maintenance buildings	•	•	•	•	C	C	C	C	C	P	C	C	•	•	•	C	C	C	C	C	P
116. Off-street parking lots and structures, incidental uses within	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	MC	•	•	•	MC	MC	MC	MC	MC	MC
117. Oil fields; Oil wells (see CHAPTER XIV, OIL DRILLING)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
118. Pawn shops	•	•	•	•	•	C	C	C	C	•	•	•	•	•	•	•	•	•	•	•	•
119. Photocopying; Blueprinting and related services	•	•	•	•	•	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•
120. Photofinishing laboratories	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•
121. Photofinishing stores	•	•	•	•	•	P	P	P	P	P	•	•	•	•	•	•	P	P	•	•	•
122. Photography: Commercial	•	•	•	•	P	P	P	P	P	P	MC	MC	•	•	•	•	P	MC	•	•	•
123. Photography: Portrait studio	•	•	•	•	P	P	P	P	P	P	•	•	•	•	•	•	P	MC	•	•	•
124. Physical fitness facilities	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•
125. Printing and publishing	•	•	•	•	•	•	MC	P	MC	MC	P	P	•	•	•	•	P	P	•	•	•
126. Recording studios	•	•	•	•	•	•	MC	MC	MC	•	MC	MC	•	•	•	•	MC	MC	•	•	•

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127. Recycling and collection facilities for nonhazardous materials	•	•	•	•	•	MC	MC	MC	MC	•	MC	MC	•	•	•	•	MC	MC	MC	MC	•
128. Research and development laboratories	•	•	•	•	C	C	C	P	C	C	P	P	•	•	•	•	•	P	•	•	•
129. Restaurants - See Establishments where food or beverages are served																					
130. Retail: General - Excluding Antique malls, Pawn shops, Supermarkets, Grocery stores, Convenience stores; and Liquor Stores listed separately	•	•	•	•	•	P	P	P	P	P	•	•	•	P	P	P	P	P	•	•	•
131. Retail, incidental sales to the main use (subject to the requirements of Section 13-54(a) Incidental retail sales)	•	•	•	•	P	P	P	P	P	P	P[2]	P[2]	•	P	P	P	P	P[2]	•	•	•
132. Retail: Nonstore	•	•	•	•	P	P	P	P	P	P	P	P	•	P	P	P	P	P	•	•	•
133. Rifle, pistol, and firing ranges	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	C	•	•
134. Sexually-oriented businesses (subject to the requirements of TITLE 9, CHAPTER IV AND TITLE 13, CHAPTER IX, SEXUALLY-ORIENTED BUSINESSES)	•	•	•	•	•	P[2]	P[2]	P[2]	P[2]	•	•	•	•	•	•	•	P[2]	•	•	•	•
135. Skating rinks	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	C	C	C	C	C	•
135a. Smoking Lounge (Subject to CHAPTER IX, ARTICLE 19, SMOKING & VAPING USES)	•	•	•	•	•	•	•	•	C[2]	•	•	P[2]	•	•	•	•	C[2]	•	•	•	•

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

1. Uses proposed in this zone are subject to verification of consistency with the adopted master plan. Uses not specified in the master plan, could be allowed, subject to the review process indicated in this matrix, if the proposed use is determined to be compatible with the adopted master plan.
2. This use is subject to the requirements of the referenced Municipal Code article or section.
3. If residential uses exist, accessory uses shall be permitted.
4. For the purposes of this table, the symbols in the non-shaded areas shall have the following meaning: C - Conditional Use Permit; MC - Minor Conditional Use Permit; P - Permitted; • - Prohibited
5. 650 foot separation required between sober living homes, or from state licensed alcohol or drug abuse recovery or treatment facilities in the R1 zone. CMMC 13-311(a)(10)(i)

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																			
	R1	R2MD	R2HD	R3	AP	CL	C1	C2	C1S[1]	TC[1]	MG	MP	PDRLD[1]	PDRMD[1]	PDRHD[1]	PDRNCM[1]	PDC[1]	PDI[1]	I&R[1]	I&RS[1]	P
135b. Smoking/Vaping Retailer (Subject to CHAPTER IX, ARTICLE 19, SMOKING & VAPING USES)	•	•	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•	P[2]	P[2]	P[2]	P[2]	P[2]	•	•	•
136. Storage of chemicals and allied products (except as incidental use)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
137. Storage of explosives	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
138. Storage of fertilizer	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	•	•	•
139. Storage of motor vehicles- outdoor (not including impound yard)	•	•	•	•	•	•	C	C	C	•	MC	MC	•	•	•	•	C	MC	•	•	•
139a. Storage of motor vehicles- indoor only (not including impound yard)	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•
140. Storage of petroleum and coal products	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
141. Storage of rock, sand, crushed aggregate and gravel	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	•	•	•	•
142. Studios: Dance; Martial arts; Music, etc.	•	•	•	•	•	•	P	P	P	MC	MC	MC	•	MC	MC	MC	P	MC	•	•	•
143. Supermarkets - See also Grocery stores	•	•	•	•	•	•	P	P	P	P	•	•	•	MC	MC	MC	MC	•	•	•	•
144. Tattoo parlors	•	•	•	•	•	•	C	C	C	•	•	•	•	•	•	•	C	•	•	•	•
145. Tire sales and installation NOT WITHIN 200 feet of residential zone	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	•	P	P	•	•	•

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

1. Uses proposed in this zone are subject to verification of consistency with the adopted master plan. Uses not specified in the master plan, could be allowed, subject to the review process indicated in this matrix, if the proposed use is determined to be compatible with the adopted master plan.
2. This use is subject to the requirements of the referenced Municipal Code article or section.
3. If residential uses exist, accessory uses shall be permitted.
4. For the purposes of this table, the symbols in the non-shaded areas shall have the following meaning: C - Conditional Use Permit; MC - Minor Conditional Use Permit; P - Permitted; • - Prohibited; and S – Special Use Permit
5. 650 foot separation required between sober living homes, or from state licensed alcohol or drug abuse recovery or treatment facilities. CMMC 13-311(a)(10)(i).
6. Subject to the separation requirement set forth in Section 13-322(a)(3) and 13-323(b).
7. Small boardinghouses shall locate at least 650 feet from any other small boardinghouse. Large boardinghouses shall be located at least 1,000 feet away from any other boardinghouse.
8. Uses prohibited in the base zoning district of a mixed-use overlay zone shall also be prohibited in the overlay zone

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																			
	R1	R2MD	R2HD	R3	AP	CL	C1	C2	C1S[1]	TC[1]	MG	MP	PDRLD[1]	PDRMD[1]	PDRHD[1]	PDRNCM[1]	PDC[1]	PDI[1]	I&R[1]	I&RS[1]	P
146. Tire sales and installation WITHIN 200 feet of residential zone	•	•	•	•	•	•	MC	MC	MC	•	MC	MC	•	•	•	•	MC	MC	•	•	•
147. Tow companies with or without impound yard	•	•	•	•	•	•	C	C	C	•	MC	MC	•	•	•	•	•	MC	•	•	•
148. Transfer station for refuse, sewage treatment	•	•	•	•	•	•	•	•	•	•	C	C	•	•	•	•	•	C	C	•	•
149. Trucking: Local and long distance	•	•	•	•	•	•	•	C	•	•	P	P	•	•	•	•	•	C	•	•	•
150. Warehouses, Mini (subject to the requirements of CHAPTER IX, ARTICLE 7, MINI-WAREHOUSES)	•	•	•	•	•	•	C[2]	C[2]	C[2]	•	MC[2]	MC[2]	•	•	•	•	•	MC[2]	•	•	•
151. Warehouses, Public	•	•	•	•	•	•	C	C	C	•	P	P	•	•	•	•	•	P	•	•	•
152. Warehousing of durable and nondurable goods **EXCEPT** livestock and poultry - See also Storage	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•
153. Wholesale trade of motor vehicles, boats and motorcycles WITH outdoor storage of vehicles	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•
154. Wholesale trade of motor vehicles, boats and motorcycles WITHOUT outdoor storage of vehicles	•	•	•	•	•	MC	MC	P	P	P	P	P	•	P	P	P	P	P	•	•	•

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

1. Uses proposed in this zone are subject to verification of consistency with the adopted master plan. Uses not specified in the master plan, could be allowed, subject to the review process indicated in this matrix, if the proposed use is determined to be compatible with the adopted master plan.
2. This use is subject to the requirements of the referenced Municipal Code article or section.
3. If residential uses exist, accessory uses shall be permitted.
4. For the purposes of this table, the symbols in the non-shaded areas shall have the following meaning: C - Conditional Use Permit; MC - Minor Conditional Use Permit; P - Permitted; • - Prohibited
5. 650 foot separation required between sober living homes, or from state licensed alcohol or drug abuse recovery or treatment facilities in the R1 zone. CMMC 13-311(a)(10)(i)

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																			
	R1	R2MD	R2HD	R3	AP	CL	C1	C2	C1S[1]	TC[1]	MG	MP	PDRLD[1]	PDRMD[1]	PDRHD[1]	PDRNCM[1]	PDC[1]	PDI[1]	I&R[1]	I&RS[1]	P
155. Wholesale trade of durable, nondurable goods, **EXCEPT** livestock, poultry and perishable goods	•	•	•	•	•	MC	MC	P	P	P	P	P	•	P	P	P	P	P	•	•	•

Revised 3/98 Ord. 98-5; 4/00 Ord. 00-5; 2/01 Ord. 01-1; 3/02 Ord. 02-4; 6/02 Ord. 02-12; 2/05 Ord. 05-2; 7/05 Ord. 05-11; 9/06 Ord. 06-18; 10/11 Ord. 11-10

1. Uses proposed in this zone are subject to verification of consistency with the adopted master plan. Uses not specified in the master plan, could be allowed, subject to the review process indicated in this matrix, if the proposed use is determined to be compatible with the adopted master plan.
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5. 650 foot separation required between sober living homes, or from state licensed alcohol or drug abuse recovery or treatment facilities. CMMC 13-311(a)(10)(i).
6. Subject to the separation requirement set forth in Section 13-322(a)(3) and 13-323(b).
7. Small boardinghouses shall locate at least 650 feet from any other small boardinghouse. Large boardinghouses shall be located at least 1,000 feet away from any other boardinghouse.
8. Uses prohibited in the base zoning district of a mixed-use overlay zone shall also be prohibited in the overlay zone

CHAPTER V. DEVELOPMENT STANDARDS
ARTICLE 1. RESIDENTIAL DISTRICTS

Sec. 13-31. PURPOSE

The purpose of this article is to achieve the following:

(a) Ensure adequate light, air, privacy and open space for each dwelling unit.

(b) Minimize traffic congestion and avoid overloading of public services and utilities.

(c) Protect residential neighborhoods from excessive noise, illumination, unsightliness, odor, smoke and other objectionable influences.

(d) Locate development which retains the scale and character of existing residential neighborhoods and facilitates the upgrade of declining and mixed-density residential neighborhoods.

(e) Provide for the creation and ministerial consideration of second units in the R1 zone (Single-Family Residential District) at the allowable General Plan density for the lot.

Sec. 13-32. DEVELOPMENT STANDARDS

Table 13-32 identifies development standards in the residential zones, with the exception of development standards for common interest developments (see ARTICLE 2 COMMON INTEREST DEVELOPMENTS). See also ARTICLE 9 GENERAL SITE IMPROVEMENT STANDARDS of this chapter for additional requirements for all the residential zones.

Sec. 13-32.1. GENERAL GROUP HOME STANDARDS

The City Council may adopt general standards that may be applied to group home applications on a case-by-case basis. The final review authority may use these standards to impose conditions upon discretionary approvals to achieve the purposes set forth in Section 13-31 and to maintain neighborhood stability and cohesiveness by regulating transient residents.

Sec. 13-32.2. REFERRAL FACILITY.

The following standards are applicable to referral facilities:

(a) No referral facility may be located within 500 feet of property that is zoned as R-1 or PDR-LD, or within 500 feet of a school, park, place of worship, or licensed day care facility.

(b) A referral facility must have a manager on-site, 24-hours every day to ensure the orderly operation of the facility and its compliance with all applicable laws, regulations, and conditions.

(c) No referral facility shall admit a resident who has been convicted of any crime involving physical force against a person, illegal possession of a weapon, possession, or use of a weapon in the commission of a crime, or a felony involving a controlled substance."

Sec. 13-33. ACCESSORY BUILDINGS AND STRUCTURES

(a) Accessory buildings or structures constructed closer than 75 feet from the front property line or on the front one-half of the lot, whichever is less, shall be reviewed by the Planning Division for adequate screening and compatibility with the main structure.

(b) Underground structures including fallout shelters shall be allowed to be constructed on any part of the lot provided they are built below grade level.

(c) Shipping containers are prohibited in residential zones.

Sec. 13-34. BLUFF-TOP DEVELOPMENT

No building or structure shall be constructed closer than 10 feet from a bluff crest, unless permitted by a minor conditional use permit. Approval of the minor conditional use permit requires satisfaction that the building or structure will not:

(a) Endanger stability of the slope;

(b) Substantially interfere with access for fire protection; and

(c) Detract from the visual identity and integrity of the bluffs.

Sec. 13-35. SECOND UNITS

Pursuant to Government Code § 65852.2, local governments have the authority to adopt regulations designed to promote second units. A second unit which conforms to the requirements of this Section shall not be considered to exceed the allowable density for the lot upon which it is located and shall be deemed to be a residential use which is consistent with the General Plan designation and zoning classification for the lot.

The following criteria constitute the standards that the City shall use to evaluate a proposed second unit.

(a) A Land Use Restriction requiring that the primary dwelling unit be owner occupied shall be recorded on the property prior to the issuance of a building permit for the second unit and shall be valid as long as the second unit exists.

(b) A second unit shall be limited to a lot in the R1 zone with a minimum lot size of 8,500 square feet.

(c) A second unit shall not be intended for sale but may be rented.

(d) The primary dwelling unit shall be a single-family residence.

(e) If detached from the primary dwelling unit, the second unit size shall not exceed 1,200 square feet.

(f) If attached to the primary dwelling unit, the second unit size shall not exceed 30 percent of the existing living area of the primary dwelling unit.

(g) Two open parking spaces shall be provided for the second unit. In conjunction with a second-unit application, the parking required for the primary dwelling unit shall be in compliance with the current parking requirements as specified in CHAPTER VI OFF-STREET PARKING STANDARDS and shall not be attributed to the second unit. The parking for the second unit does not need to be covered.

(h) A second unit shall comply with the residential development standards shown in TITLE 13, CHAPTER V, TABLE 13-32 and shall be subject to all applicable residential design guidelines.

(i) An application for a second unit shall be considered ministerially by the Development Services Director or his/her designee. Exception: Where deviations from the residential development standards are requested, the second unit application is subject to the application processing procedures as set forth in TITLE 13, CHAPTER III PLANNING APPLICATIONS. An appeal shall be in accordance with TITLE 2, CHAPTER IX APPEAL, REHEARING AND REVIEW PROCEDURE.

(j) An application for a second unit involving second story construction may be subject to minor design review pursuant to TITLE 13, CHAPTER III PLANNING APPLICATIONS.

Sec. 13-36. Reserved for future use.

TABLE 13-32
RESIDENTIAL DEVELOPMENT STANDARDS

STANDARDS	R1	R2-MD	R2-HD	R3
Minimum Lot Area for newly subdivided lots	6,000 square feet	12,000 square feet	12,000 square feet	12,000 square feet
Minimum Lot Width for newly subdivided lots	Interior lot: 50 feet Corner lot: 60 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width. An exception to this requirement is when the existing R-1 lot (that is proposed to be subdivided) has an average depth that equals or exceeds 200 feet.	Interior lot: 100 feet Corner lot: 100 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width, with the exception of common interest developments.		
Maximum Number of Stories & Building Height	2 stories/27 feet for residential land uses. The maximum number of stories and building height for nonresidential land uses shall be determined in conjunction with the conditional use permit review process. Note: Lofts, as defined in section 13-6, 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. 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.)	1 dwelling unit per 6,000 square feet (Note: Only 1 dwelling unit is permitted per lot.)	1 dwelling unit per 3,630 square feet 1 unit per 3,000 square feet for legal lots existing as of March 16, 1992, that are less than 7,260 square feet in area but not less than 6,000 square feet in area.	1 dwelling unit per 3,000 square feet	1 dwelling unit per 2,178 square feet
Minimum Open Space	40% of total lot area	40% of total lot area		
Distance Between Buildings	10-foot minimum between main buildings 6-foot minimum between main buildings and accessory structures			
Driveway width	For all individual driveways: 10 foot minimum width For lots less than 50 feet wide: 26 foot maximum width[1] For lots greater than 50 feet wide: Driveway width shall be a maximum of 50 percent of the lot width, or a maximum 36 foot width, whichever is less.[1]	Same as R1, except 16-foot minimum driveway is required if the driveway serves tenants and/or guest parking for more than one dwelling unit.		
	1. The maximum driveway width standards are only applicable to the construction of new single-family residences.			
Driveway length	Straight-in driveways to garages shall have a minimum length of 19-feet from the ultimate property line.			

TABLE 13-32
RESIDENTIAL DEVELOPMENT STANDARDS

STANDARDS	R1	R2-MD	R2-HD	R3
Storage	Not applicable.	Each unit shall be provided with 200 cubic feet of securable storage exterior to the unit. If this storage is provided within the garage or carport it shall be located so as not to obstruct the required clear dimensions of the covered parking space (per the City of Costa Mesa Parking Design Standards) at any point less than 4 feet above the finished surface level of the parking stall.		
Mechanical equipment, excluding antennas and flush-mounted solar panels on roofs.	Roof-top location is prohibited on single-family dwelling units. All other locations: Screening required from public rights-of way and adjacent properties. Antennas are subject to Chapter IX, Article 2 Antennas.			
SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS AND STRUCTURES (Minimum distances given, unless otherwise noted. All setbacks from streets are measured from the ultimate property line shown on the Master Plan of Highways).				
Front	20 feet			
Side	Interior property line: 5 feet. Note: Accessory structures that do not exceed 6½ feet in height in the R1 zone or 15 feet in height in the other residential zones may have a zero side setback. Property line abutting a public street: 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 property line. Property line abutting an alley: 5 feet.			
Rear (not abutting a publicly dedicated alley)	20 feet for 2 story structures. 10 feet for 1 story structures (15-foot maximum height) provided that maximum rear yard coverage is not exceeded. Note: Accessory structures that do not exceed 6½ feet in height in the R1 zone or 15 feet in height in the R2 zones may have a zero rear yard setback, except on corner lots in the R2 zones. Corner lots in the R2-MD, R2-HD & R3 zones: a. Where the rear property line of a corner lot adjoins the side property line of another lot, no detached accessory structure shall be allowed on the corner lot, except within the rear quarter of the corner lot farthest from the side street. b. Where the rear property line of a corner lot abuts a public or private street, accessory structures shall maintain setbacks for main structures.			15 feet for 2 story structures. 10 feet for 1 story structures (15-foot maximum height). Note: Accessory structures that do not exceed 15 feet in height may have a zero rear yard setback, except on corner lots (see R2-MD and R2-HD column for setbacks for corner lots).
Rear Yard Coverage (Maximum)	Rear (not abutting a publicly dedicated alley, street, or park): Main Buildings: 25% of rear yard area.* Accessory Buildings: 50% of rear yard area.* * Rear yard area equals lot width, measured from side property line to side property line, multiplied by 20 feet. Rear abutting a publicly dedicated alley, street or park: Not applicable			Not applicable
Rear Abutting a Publicly Dedicated Alley, Street, or Park	5 feet; however, garages may be required to setback further to ensure adequate back up distance. Rear Yard Coverage does not apply. Note: Accessory structures that do not exceed 6½ feet in height in the R1 zone or 15 feet in height in the other residential zones may have a zero rear yard setback, except on corner lots in the R2 and R3 zones where accessory structures shall maintain setbacks for main structures.			
Bluff Top Setback	No building or structure closer than 10 feet from bluff crest (see Section 13-34 BLUFF-TOP DEVELOPMENT).			
PROJECTIONS (Maximum amount of projections given)				
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.			

TABLE 13-32
RESIDENTIAL DEVELOPMENT STANDARDS

STANDARDS	R1	R2-MD	R2-HD	R3
Open, unenclosed stairways.	2 feet 6 inches into required setback or building separation area.			
Chimneys	2 feet above maximum building height.			
Fireplaces	2 feet into required setback or building separation area.			
PARKING (See Chapter VI).				
LANDSCAPING (See also Chapter VII).				
Landscaping Required.	All unpaved areas visible from the public right-of-way shall be landscaped and the landscaping shall be maintained in a healthy condition, free of dying, dead, diseased, decayed, discarded, and/or overgrown vegetation.	See Chapter VII, LANDSCAPING**.**		
In all zones except R-1, landscaped parkways with a combined width of 10 feet, but not less than 3 feet on one side, shall be provided along the sides of interior private streets and/or common driveways. The parkway on the house side of private streets or common driveways shall be a minimum of 5 feet in width.				
SIGNS (See Chapter VIII).				
POOLS AND SPAS				
Above-ground pools and spas shall not be located in the required front yard setback from a public street and are subject to 5-foot side and 10-foot rear yard setbacks for main structures. Additional setbacks may be applicable pursuant to building code requirements.				
FENCES AND WALLS				
Fences and walls placed between the property line and required setback line for main buildings shall conform the City's walls, fences, and landscaping standards. See ARTICLE 9 GENERAL SITE IMPROVEMENT STANDARDS of this chapter for further information.				

Sec. 13-37. LARGE FAMILY DAY CARE HOMES

Applications for large family day care homes shall be submitted to the Planning Division for development review per CHAPTER III PLANNING APPLICATIONS, prior to the commencement of the use. A large family day care home may only be permitted in a single-family dwelling and shall not be located within 700 feet of an existing large family day care home on the same street or block, unless the applicant applies for and obtains approval of a minor conditional use permit. Pursuant to Section 1597.46 of the State Health and Safety Code, a large family day care home shall not be subject to provisions of the California Environmental Quality Act.

The City Council may adopt general standards that may be applied to large family day care home applications on a case-by-case basis. The final review authority may use these standards to impose conditions upon the approval to achieve the purposes set forth in Section 13-31 and to maintain neighborhood stability and cohesiveness.

Sec. 13-38. ADDITIONAL PROPERTY DEVELOPMENT STANDARDS FOR THE MULTIPLE-FAMILY RESIDENTIAL DISTRICTS

(a) If the proposed residential project is to be located in proximity to a freeway, major arterial, airport or any other source of significant noise, an acoustical evaluation of the working drawings may be required to be submitted by an acoustical engineer for approval by the City. The noise levels shall certify that the construction will reduce interior noise levels to 45 CNEL and exterior noise levels to 65 CNEL.

(b) Reserved for future use.

(c) Additional conditions or special requirements may be reasonably applied by other City departments (e.g., Fire Department) to ensure that the proposed residential development is compatible and harmonious with existing developments in the vicinity, and to protect the public health, safety and general welfare. If such conditions are applied, the conditions must be fulfilled or a security posted to ensure completion of the conditions to the satisfaction of the appropriate department prior to final occupancy.

ARTICLE 2. RESIDENTIAL COMMON INTEREST DEVELOPMENTS

Sec. 13-39. PURPOSE

The purpose of this article is to regulate the placement of residential common interest development projects and the conversion of existing apartments to common interest developments consistent with the form of ownership and occupancy of such projects pursuant to applicable laws for the general health, safety and welfare of the public.

Sec. 13-40. PLANNING APPLICATION REQUIRED

(a) Residential common interest development projects are permitted in appropriate residential or planned development zones, subject to the approval of the following planning application, as applicable. This requirement is in addition to other permits or certificates required by law.

(1) All new residential common interest development projects shall be processed according to the design review procedures contained in CHAPTER III PLANNING APPLICATIONS.

(2) Conversion of occupied or previously occupied apartment complexes to residential common interest development projects shall be subject to Sections 13-41 RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS AND REQUIREMENTS and 13-42 RESIDENTIAL COMMON INTEREST DEVELOPMENT CONVERSIONS and shall be processed according to the residential common interest development conversion procedures contained in CHAPTER III PLANNING APPLICATIONS.

(3) Reserved.

(4) All residential common interest development projects require the approval of tentative or final tract or parcel maps as required by law. A tentative tract map or parcel map shall not be required until either a design review or residential common interest development conversion has been approved; however, the map may be processed concurrently.

(b) No person shall construct, sell, lease, convey, maintain or use a residential common interest development project within the City without first complying with the provisions of this article.

Sec. 13-41. RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS AND REQUIREMENTS

(a) **Applicability.** The provisions of this section shall apply to all proposed new residential common interest development projects and the conversion of existing apartments to residential common interest developments.

(b) **Development standards.** Table 13-41(b) identifies the development standards for residential common interest 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.

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

a. Structures having dwelling units attached side by side shall avoid the long-row effect by being composed of no more than 6 dwelling units. Alternative designs which accomplish the same purpose may be approved by the final review authority.

b. Structures having dwelling units attached side by side shall avoid the long-row effect with a break in the facade by having an offset in the front building line of at least 4 feet for every 2 dwelling units within such structure. Alternate designs which accomplish the same purpose may be approved by the final review authority.

c. Consideration shall be given to the effect of proposed development on the light, air and privacy of adjacent properties.

(3) 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 association's 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 6-foot high opaque fences and permanently maintained landscaping.

(4) For high-rise residential projects, see the North Costa Mesa Specific Plan for additional development standards.

(5) The developer shall install an on-site lighting system 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.

(6) 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.

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TABLE 13-41(b) RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS		
STANDARDS	**SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)**	**OTHER UNITS**
Individual Dwelling Unit Minimum Lot Area	All zones: 3,000 square feet with an overall average of 3,500 square feet. The required common lot shall not be included in the calculation of lot area. Note: Lot sizes may be reduced proportionately if other useable open space is provided within the overall development.	No minimum requirement.
Common lot required	All projects shall be designed with a minimum of one lot to be held in common ownership and maintained by a homeowners association. This lot shall be used for common driveways, parking areas, and at least 10 feet of street setback landscaped areas.	
Maximum Number of Stories & Building Height	2 stories/ 27 feet, except as allowed in the Planned Development or Town Center zoning districts. Note: Lofts, as defined in section 13-6, 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:	40% of total lot area. *Exception*: For high-rise residential projects, see the North Costa Mesa Specific Plan.	
Individual Dwelling Unit Lot:	40% overall, with a minimum 400 square-foot area with no dimension less that 15 feet.	Not applicable.
Private Open Space:	Same as individual dwelling unit lot above.	An adjoining patio required with no dimension less than 10 feet. *Exception*: Not applicable to high-rise residential projects in the North Costa Mesa Specific Plan.
Common Open Space	Common open space areas shall be designed and located within the development to allow maximum use by all residents. Enclosed buildings used for recreation or leisure facilities should not be used to satisfy more than 15 per cent of required open space.	
Distance between buildings	10-foot minimum between main buildings 6-foot minimum between main buildings and accessory structures	
Driveway width	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 length	Straight-in driveways to garages shall have a minimum length of 19-feet from the ultimate property line.	
Storage	Not applicable.	Each unit shall be provided with 200 cubic feet of securable storage exterior to the unit. If this storage is provided within the garage or carport it shall be located at the front of the parking area so as not to obstruct the required clear dimensions of the covered parking space (per the City of Costa Mesa Parking Design Standards) at any point less than 4 feet above the finished surface level of the parking stall. *Exception*: Not applicable to high-rise residential projects in the North Costa Mesa Specific Plan.

TABLE 13-41(b)
RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS

STANDARDS	SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)	OTHER UNITS
Mechanical equipment, excluding antennas and flush-mounted solar panels on roofs .	Roof-top location is prohibited.	Screening required from public rights-of-way and adjacent properties.
SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS AND STRUCTURES (Minimum distances given, unless otherwise noted. All setbacks from streets to development lots are measured from the ultimate property line shown on the Master Plan of Highways).		
Front Development Lot:	20 feet	20 feet
Individual Dwelling Unit Lot:	None	Not applicable
Side (interior) Development Lot:	5 feet	
Side (street side, if applicable) Development Lot:	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 property line.	
Rear (not abutting a publicly dedicated alley) Development Lot:	20 feet for 2 story structures in R2-MD and R2-HD zones; 15 feet for 2 story structures in the R-3 zone. 10 feet for 1 story structures (15-foot maximum height) provided that maximum rear yard coverage is not exceeded. *Exception:* Rear yard coverage does not apply to the R-3 zone. *Note:* Accessory structures that do not exceed 15 feet in height may have a zero rear yard setback, except on corner lots. Corner lots in the R2-MD, R2-HD & R3 zones: a. Where the rear property line of a corner lot adjoins the side property line of another lot, no detached accessory structure shall be allowed on the corner lot, except within the rear quarter of the corner lot farthest from the side street. b. Where the rear property line of a corner lot abuts a public or private street, accessory structures shall maintain setbacks for main structures.	
Rear Yard Coverage (Maximum) in the R2-MD and R2-HD zones	Main Buildings: 25% of rear yard area.* Accessory Buildings: 50% of rear yard area.* * Rear yard area equals lot width, measured from side property line to side property line, multiplied by 20 feet.	
Rear Abutting a Publicly Dedicated Alley	5 feet; however, garages may be required to set back further to ensure adequate back up distance. Rear Yard Coverage does not apply. Note: Accessory structures that do not exceed 15 feet in height may have a zero rear yard setback, except on corner lots where accessory structures shall maintain setbacks for main structures.	
Bluff Top Setback	No building or structure closer than 10 feet from bluff crest (see Section 13-34 BLUFF-TOP DEVELOPMENT).	

TABLE 13-41(b)
RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS

STANDARDS	SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)	OTHER UNITS
PROJECTIONS (maximum depth of projections given)		
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.	2 feet 6 inches into required setback or building separation area.	
Chimneys	2 feet above maximum building height.	
Fireplaces	2 feet into required setback or building separation area.	
PARKING (See Chapter VI).		
2-car garage required.	Yes	Not required.
Automatic roll-up garage door with remote controlled door opener required.	Yes	Yes, if garages are provided.
Location of Covered Parking	Required covered tenant 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.	
LANDSCAPING		
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.		
Landscape parkways with a combined width of 10 feet, but not less than 3 feet on one side, shall be provided along the sides of interior private streets and/or common driveways. The parkway on the house side of private streets or common driveways shall be a minimum of 5 feet in width.		
SIGNS (See Chapter VIII).		
POOLS AND SPAS		
Above-ground pools and spas shall not be located in the required front yard setback from a public street and are subject to 5-foot side and 10-foot rear yard setbacks for main structures. Additional setbacks may be applicable pursuant to building code requirements.		
FENCES AND WALLS		
Fences and walls placed between the property line and required setback line for main buildings shall conform the City's walls, fences, and landscaping standards. See ARTICLE 9 GENERAL SITE IMPROVEMENT STANDARDS of this chapter for further information.		

(c) **Documents required.**

(1) A project may be approved subject to submission of all organizational documents setting forth a plan or manner of permanent care and maintenance of open spaces, recreational areas and common facilities pursuant to State law (Civil Code 1350-1359). No such documents shall be acceptable until approved by the City Attorney as to legal form and effect, and by the Planning Division as to suitability for the proposed use of the open areas.

(2) The developer shall file a declaration of covenants to be submitted with the application for approval, which will govern the association. The provisions shall include, but not be limited to, the following:

a. The homeowners' association shall be established prior to the sale of any unit(s).

b. Membership shall be mandatory for each owner and any successive owner.

c. Provisions to restrict parking upon other than approved and developed parking spaces and to require that garages be kept available for tenant parking shall be written into the covenants, conditions and restrictions for each project.

d. If the development is constructed in increments or phases which require one or more final maps, reciprocal covenants, conditions, and restrictions and reciprocal management and maintenance agreements shall be established which will cause a merging of increments as they are completed, and embody one homeowners' association with common areas for the total development.

e. The declaration of covenants shall contain language or provisions substantially as follows:

i. "The covenants, conditions and restrictions of this declaration shall run to the City of Costa Mesa insofar as they shall apply to the maintenance of the "common areas" as herein defined."

ii. "In the event the association or other legally responsible person(s) fail to maintain the common area in such manner as to cause same to constitute a public nuisance, the City may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon the common area, individual units or the whole thereof as provided by law."

Sec. 13-42. RESIDENTIAL COMMON INTEREST DEVELOPMENT CONVERSIONS – ADDITIONAL STANDARDS

(a) **Applicability.** The provisions of this section shall apply to all conversions of occupied or previously occupied apartments to residential common interest developments proposed on a real property within the appropriately zoned districts. These provisions are in addition to those set forth in Section 13-41 RESIDENTIAL COMMON INTEREST DEVELOPMENTS STANDARDS AND REQUIREMENTS. To request a conversion, the applicant must provide evidence that the proposed project complies with the following requirement:

(1) If new or recent construction, the apartment complex has received final building permit approvals from the City.

(b) **City Council Findings.**

(1) The City Council finds and declares that that the conversion of existing apartment buildings into common interest development projects may diminish the supply of rental housing and displace residents unreasonably.

(2) The City Council further finds to avoid the foregoing problems and to reduce the displacement of long-term residents, particularly senior citizens and low- and moderate-income families and families with school-age children, the City Council finds and declares it necessary and proper to regulate such conversions by the provisions herein for the health, safety, and welfare of the general public.

(3) The City Council further finds it is the intent of these regulations to protect the interests of the community and prospective purchasers by requiring the applicant to provide certain information regarding the condition of the structure and to require reasonable improvements to ensure quality and to protect the health, safety, and general welfare of the public.

(4) The City Council further finds that conversion of occupied or previously occupied residential apartments to condominiums (residential common interest developments) shall be prohibited from and after December 31, 2011, for any project which does not meet each and every development standard for common interest developments in place at the time of the proposed conversion, including but specifically not limited to, number of parking spaces, on-site open space, landscaping and setbacks.

(c) Reserved.

(d) **Inspection fee.** The applicant shall pay an inspection fee, established by the City Council, to determine compliance of the existing units with all appropriate building codes as noted in Section 13-42(f)(2).

(e) **Documents required.** The applicant shall submit the following documents in addition to those set forth in Section 13-41(c) RESIDENTIAL COMMON INTEREST DEVELOPMENTS. To the extent applicable, the following report requirements may be satisfied by submission of copies of similar reports filed with State agencies. The reports shall include information on what improvements, if any, shall be accomplished by the applicant and when such improvements shall be completed. All improvements cited in the reports, whether required or voluntary, shall be placed as conditions of approval in conjunction with the approval of the request to convert apartments to a common interest development and shall be completed prior to recordation of the subdivision map.

(1) Tenant rights. Written proof of compliance with the requirements of applicable State statutes regarding the rights of existing tenants of the project.

(2) Structural report. A detailed structural report by a California-registered structural or civil engineer identifying the following information:

a. Date of original construction of all structures.

b. Any evidence of soils problems.

c. The condition of the building foundations, walls, ceilings, windows, doors, recreational facilities, parking facilities, and drainage facilities.

d. The condition of refuse disposal facilities; swimming pools, saunas/spas, fountains; fireplaces; and exterior lighting.

e. Compliance of all bedroom windows with the current California Building Code dimensions for emergency egress. Non-compliant windows shall be identified for replacement or other appropriate remediation.

f. Certification that all walls and floor/ceiling assemblies comply with current code requirements for sound transmission. Non-compliant walls and floor/ceiling assemblies shall be identified for replacement or other appropriate remediation.

g. Certification that the building's wood frames, sill plates, anchor bolts, connections, and foundation have been inspected and have a minimum life of 25 years and that all substandard elements have been identified for replacement or other appropriate remediation.

(3) Pest report. A report by a California-licensed structural termite and pest control specialist certifying whether or not all attached or detached structures are free of infestation and structural damage caused by pests and/or dry rot. The report shall describe what procedures are necessary to eliminate infestation or damage, if present.

(4) Paint report. A report by a California-licensed painting contractor verifying the condition of the paint on all building interior and exterior surfaces. A statement that new paint will be applied on all building interior and exterior surfaces may take place of the paint report. The statement shall include the brand name of the paint and the exterior colors to be used. For exterior surfaces, a minimum of three colors should be applied.

(5) Mold report. A report by a California-licensed mold specialist certifying whether or not all attached or detached structures are free of mold. The report shall describe what procedures are necessary to eliminate mold, if present.

(6) Mechanical equipment report. A report by a California-registered mechanical engineer certifying that all appliances and mechanical equipment for heating and cooling comply with the current California Mechanical Code. The proper measures to remediate any noncompliant appliances and mechanical equipment shall be identified.

(7) Electrical report. A report by a California-registered electrical engineer certifying that all electrical systems comply with the California Electrical Code. The proper measures to remediate the noncompliant system components shall be identified.

(8) Plumbing report. A report by a California-licensed plumbing contractor certifying that all plumbing systems comply with the current California Plumbing Code. All above ground plumbing that does not comply with the current code shall be identified for replacement. Included in this report shall be plumbing systems associated with any swimming pool, sauna, spa, and/or fountain. A camera test of the sewer lateral shall also be conducted under the direction of the applicable sanitary district, and any substandard sewer laterals shall be identified for replacement by the sanitary district. Onsite sewer clean-outs shall be indicated for installation pursuant to the direction of the applicable sanitary district.

(9) Roof report. A report by a California-licensed roofing contractor verifying that the roofs of all structures have an estimated remaining physical life of at least 25 years. A statement that new roof material will be applied may take place of the roof report. The statement shall include the specifications of the proposed roofing material.

(10) Asbestos report. A report by a California-licensed asbestos specialist indicating that the property does not pose any health hazards related to asbestos. The proper measures to remediate asbestos shall be identified, if necessary. This report is only required for buildings that were constructed prior to 1980.

(f) **Review procedures.** The following are processing requirements in addition to those set forth in CHAPTER III PLANNING APPLICATIONS.

(1) Upon receipt of the application and all required documents, the Planning Division shall submit copies of applicable reports or documents to the Fire Department, Building Safety Division and other appropriate departments.

(2) The Development Services Director shall require an inspection of all buildings and structures in the existing development. An inspection report shall be prepared at or under his/her direction identifying all items found to be in violation of current code requirements for such buildings or structures, or found to be hazardous.

(3) The Fire Marshal may inspect the project to determine the sufficiency of fire protection systems serving the project and report on any deficiencies.

(4) The Planning Division may submit copies of such documents required in subsection (e) to other departments for their review and requirements.

(5) The Planning Division shall review the property report submitted by the applicant and may require its revision and resubmission if found inadequate in providing the required information.

(6) The Planning Division shall keep and maintain the copies of all required reports, as public records, for no less than 5 years, and shall send copies to the California Real Estate Commissioner as may be required by law.

(7) A final inspection report shall be made by the Building Official, upon request of the applicant, indicating the compliance with all the imposed requirements.

(g) **Approval criteria.**

(1) The final review authority shall utilize the development standards and requirements of this article as criteria in the approval of the conversion as herein provided.

(2) No residential common interest development conversion shall be approved until all required documents have been submitted, reviewed and found to comply with the provisions of applicable State law and this Zoning Code.

(3) All dwelling units shall be required to comply with current requirements for energy insulation, sound transmission control and fire detection systems.

(4) The City Council may adopt general standards that may be applied to residential common interest development conversion applications on a case-by-case basis. The final review

authority may use these standards to impose conditions of approval on residential common interest development conversion applications to achieve the purpose of this article.

(h) **Conversion Standards.** The project shall be brought into compliance with the following minimum construction standards, unless the Building Official approves an alternate method of construction. Prior to recordation of the subdivision map, applicable building permits shall be obtained, and all improvements shall be constructed, inspected, and receive final City approval for the required improvements in this section and for any health and safety code violations.

(1) Life Safety Standards. The following improvements shall be provided in accordance with the provisions of the California Building Code or any successor statute or regulation, unless otherwise noted.

a. Draft stops shall be installed in conformance with the current California Building Code.

b. Each unit shall have access to the electrical branch circuits that serve the unit, and each unit shall have a minimum a 100-amp service.

c. Smoke detectors shall be installed and operating. All existing hard-wired units shall be in working order and any additional smoke detectors that are required by code shall be installed.

d. Ground fault circuit interrupter protection shall be provided where required by the currently adopted electrical code.

e. Buildings that contain three or more stories or 16 or more dwelling units shall be provided with both a manual and an automatic fire alarm system in public areas.

f. Doors opening into public corridors shall conform to code requirements, including being self-closing and latching.

g. Interior doors opening into enclosed stairways shall be fire rated and self-closing and latching.

h. All public corridors shall have illuminated exit signs indicating the path of travel along the exit system and emergency backup power shall be provided for the exit signs.

i. Emergency backup power shall be provided for egress lighting in all public areas, including corridors, stairways, lobbies, attached parking garages and elevator cabs and shall provide a minimum illumination of one foot-candle at the floor level.

j. When applicable, a means of two-way communication shall be provided between all elevator cabs and the outside of the elevator.

k. Portable fire extinguishers shall be provided in accordance with the California Fire Code or any successor statute or regulation.

(2) Plumbing Requirements. The following improvements shall be provided in accordance with the provisions of the California Plumbing Code or any successor statute or regulation.

a. A temperature and pressure relief valve shall be provided for all water heaters.

b. Water heaters shall be seismically braced with a minimum of two straps.

c. Water heaters shall be properly vented to the outside and shall be provided with sufficient combustion air.

d. Potable water shall have a backflow protection where necessary to prevent potential cross connection.

e. Dishwashers shall be connected to the drainage system through an approved air gap fitting.

(3) Security Requirements. The following improvements shall be provided in accordance with the provisions of the California Building Code or any successor statute or regulation.

a. Openings into individual dwelling units shall comply with the security provisions.

b. Doors will be equipped with appropriate deadbolt locks.

c. Required egress windows in sleeping rooms shall not be blocked by a security grill or grate, unless it has an approved release device.

(4) Compliance with Zoning Code provisions. With the exception of density standards, the project shall comply with all requirements of this Zoning Code, including but not limited to building setbacks, distance between buildings, parking, open space, and landscaping requirements, unless any Zoning Code requirement is superseded by an adopted specific plan or urban plan. The final review authority may approve a deviation from a Zoning Code standard in conjunction with the review of the conversion request, in conformance with the findings in Section 13-29(g)(10) and provided that the following minimum standards are met.

a. If existing onsite parking does not conform to current requirements, at a minimum 2.5 parking spaces for every 2 to 3 bedroom units, and 1.5 parking spaces for every studio and/or 1 bedroom unit shall be provided. Additionally, one covered space shall be assigned to each unit. In no circumstance shall approval of a conversion application result in fewer onsite parking spaces than the number of spaces that existed onsite prior to the application submittal.

b. If existing onsite open space does not conform to current requirements for the development lot, at a minimum 30% of the total lot area shall qualify as open space.

(5) Refurbishing and Restorations. All main buildings, structures, walls, fences, patio enclosures, carports, accessory buildings, sidewalks, driveways, landscaped areas, and additional elements as required by the final review authority shall be refurbished and restored as appropriate for a high standard of appearance, quality, and safety. Specific improvements include:

a. Installation of all remedial improvements identified in the reports submitted pursuant to by Section 13-42(e) Documents Required.

b. Installation of appropriate improvements that ensure acceptable sound transmission levels between units in each building and between units and parking facilities in conformance with the current California Building Code.

c. Installation of insulation in all walls and ceilings that has a minimum value of R-13 for walls and R-30 for ceilings.

d. Replacement of all gas lines (both interior and exterior) that do not comply with current code and conduct appropriate pressure test.

e. Provision of individual washer/dryer hook-ups for each unit.

f. Installation of double-glazed, low-E windows and exterior doors.

g. Installation of new sinks, faucets, toilets, and tubs/showers. Low water flow plumbing fixtures are recommended.

h. Installation of new appliances. Energy-efficient appliances are recommended.

i. Install new stucco, paint, and flooring as needed.

j. Waterproofing all exterior landings, staircases, and balconies.

k. Installation of roof-top solar energy panels is encouraged.

(6) Condition of Equipment and Appliances. The developer shall provide a one-year warranty to the buyer of each unit at the close of escrow on any appliance included in the unit as a condition of sale, including, but not limited to, dishwasher, garbage disposal, stove, oven, refrigerator, hot water tank, forced air unit, and air conditioner. At such time as the homeowners' association takes over management of the project, the developer shall provide written certification to the association that any improvements that are to be owned in common by the association, such as pools, spas, pool/spa equipment and any other appliances and mechanical equipment are in operable working condition. The developer shall also provide a one-year warranty on these appliances and mechanical equipment.

(7) Public Report. Prior to the submittal of the recorded subdivision map with the State Department of Real Estate, the developer shall submit to the Planning Division a copy of the preliminary public report, which shall list all structural and site improvements that were made to the conversion project.

(8) Onsite Utilities. The developer shall underground all onsite utilities. In addition, all onsite utilities, such as gas, electricity, and water, shall be separately metered for each unit. Common areas may also require separate utility meters pursuant to the utility agency requirements.

ARTICLE 2.5. RESIDENTIAL SMALL LOT SUBDIVISIONS

Sec. 13-42.1. PURPOSE

The purpose of this article is to regulate development and subdivision of small lots within residential zoning districts and overlay districts where residential and live/work projects are permitted. The ownership and occupancy of these developments shall be subject to applicable laws for the general health, safety and welfare of the public. This type of subdivision is intended to provide flexible development standards and to promote a wider range of homeownership of individual lots in multiple-family residential and overlay zoning districts.

Sec. 13-42.2. PLANNING APPLICATION REQUIRED

a) Small lot subdivisions are permitted in appropriate residential or urban plan overlay districts, 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 shall be processed according to the design review procedures contained in Section 13-29.
   2) All small lot development projects 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.

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.

Sec. 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 overlay zones where residential and live/work development are permitted.

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 facades, 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. Structures having dwelling units attached side by side shall be composed of no more than 4 dwelling units.
c. Structures having dwelling units attached side by side shall include a break in the façade by having an offset in the front building line.
d. Structures 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 6-foot high opaque fences and permanently maintained landscaping.

TABLE 13-42
SMALL LOT SUBDIVISION STANDARDS

STANDARDS	SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)
Maximum Number of Stories & Building Height	2 stories/ 27 feet, except as allowed in the Westside Overlay Districts. Note: Lofts, as defined in section 13-6, 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)	30% 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.
Minimum Open Space (individual unit)	200 square feet with no dimension less than 10 feet.
Development Lot	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.

TABLE 13-42 SMALL LOT SUBDIVISION STANDARDS	
STANDARDS	**SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)**
Parking	• Three bedroom or more units (including a den or home office) – two garage spaces and two open parking spaces • Two bedrooms or less units (including a den) – one garage space and two open parking • No tandem parking is permitted for open or guest parking spaces or garages. • 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. • 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.
Distance between buildings	No minimum distance required subject to compliance with Building and Fire Code standards.
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	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. 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.
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.
Front Development Lot:	20 feet
Side yard (interior)	5 feet
Rear yard (interior)	10 feet
Side (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.
Rear Abutting a Publicly Dedicated Alley	5 feet; however, garages may be required to set back further to ensure adequate back up distance. Rear Yard Coverage does not apply.
Bluff Top Setback	No building or structure closer than 10 feet from bluff crest (see Section 13-34 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.

TABLE 13-42 SMALL LOT SUBDIVISION STANDARDS	
STANDARDS	**SINGLE-FAMILY UNITS (located on individual dwelling unit lots and excluding townhouses)**
Open, unenclosed stairways.	Not permitted
Chimneys	May extend 2 feet above maximum building height.
Automatic roll-up garage doors	Required
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.
LANDSCAPING	
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.	
SIGNS (See Chapter VIII).	
FENCES AND WALLS	
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.	

c) Documents Required.

1. Project approval is subject to submission of complete organizational documents setting forth a plan or manner of permanent care and maintenance of any open spaces, recreational areas and commonly used areas/facilities. No such documents shall be acceptable until approved by the City Attorney as to legal form and effect, and by the Planning Division as to suitability for the proposed use of the open areas

2. Prior to entering into a sales agreement for any property within a small lot subdivision, the developer shall disclose general information regarding the property to the future homebuyers, including but not limited to the following:
    a. The type, thickness, and R-value of the insulation that has been installed in the home
    b. Any exposed hazards during and after construction (Lead-based paint, asbestos, etc.)
    c. Uses other than residential in proximity to the project
    d. Unusual adjacent zoning
    e. Distance to the airport if within two miles

f. Where soils, filled ground and geologic information is available
g. 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
h. If there is fill in excess of 2 feet
i. Schools servicing subdivision any special conditions
j. Any unusual flooding conditions
k. Conditions of approval by the City and any resale restrictions
l. Dedications and easements
m. Project phasing plan
n. CC&Rs

3. All small lot subdivisions shall file a declaration of covenants to be submitted with the application for approval. The declaration of covenants shall include, but not be limited to, the following provisions.

a. The homeowners' association or a maintenance association (as applicable) shall be established prior to the sale of any unit(s).

b. Membership in the homeowners' or maintenance association shall be mandatory for each owner and any successive owner.

c. Provisions to restrict parking upon other than approved and developed parking spaces and to require that garages be kept available for resident parking shall be written into the covenants, conditions and restrictions for each project.

d. If the development is constructed in increments or phases which require one or more final maps, reciprocal covenants, conditions, and restrictions and reciprocal management and maintenance agreements shall be established which will cause a merging of increments as they are completed, and embody one homeowners' association with common areas for the total development.

e. The declaration of covenants shall contain language or provisions substantially as follows:

i. "The covenants, conditions and restrictions of this declaration shall run to the City of Costa Mesa insofar as they shall apply to the maintenance of the "common areas" as herein defined."

ii. "In the event the association or other legally responsible person(s) fail to maintain the common area in such manner as to cause same to constitute a public nuisance, the City may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon the common area, individual units or the whole thereof as provided by law."

ARTICLE 3. COMMERCIAL DISTRICTS

Sec. 13-43. PURPOSE

The purpose of this article is to achieve the following:

(a) Provide adequate space to meet the needs of commercial development.

(b) Minimize traffic congestion and avoid overloading of utilities.

(c) Protect "sensitive" areas from excessive noise, illumination, unsightliness, odor, smoke and other objectionable influences associated with commercial areas.

(d) Promote high standards of site planning and landscape design for commercial development.

Sec. 13-44. DEVELOPMENT STANDARDS

Table 13-44 identifies development standards for the various commercial zones. See also ARTICLE 9 GENERAL SITE IMPROVEMENT STANDARDS of this chapter for additional requirements.

Sec. 13-45. ADDITIONAL PROPERTY DEVELOPMENT STANDARDS FOR THE COMMERCIAL DISTRICTS

(a) Reserved for future use.

(b) The maximum building area shall not exceed the floor area ratios (FAR) established in the General Plan for the applicable General Plan land use designation as described further in ARTICLE 8 FLOOR AREA RATIOS of this chapter.

(c) If a master plan is required for a project, all development must conform to the master plan as approved by the final review authority.

(d) Additional conditions or special requirements may be reasonably applied by other City departments to ensure that the proposed development is compatible and harmonious with existing development in the vicinity and to protect the public health, safety and general welfare. If such conditions are applied, the conditions must be fulfilled or a security posted to ensure completion of the conditions to the satisfaction of the appropriate department prior to final occupancy.

(e) The service and/or repair of motor vehicles and boats is also subject to Section 13-54(b) ADDITIONAL PROPERTY DEVELOPMENT STANDARDS IN THE INDUSTRIAL DISTRICTS.

(f) In the TC district, the required landscaped side and rear setbacks from public streets may include architectural features (such as arcades, awnings, and canopies), public art, and hardscape features (such as paving, patios, planters, and street furniture) if the City Council determines that:

(1) These other features provide usable, visually interesting pedestrian amenities and facilitate pedestrian circulation;
(2) These additional features enhance the overall urban design concept of the master plan and promote the goals of the General Plan and applicable specific plan;
(3) Adequate landscaping is retained to shade the outdoor use areas and to complement the architecture and design of buildings and pedestrian areas; and
(4) The design of the rear and side setback areas will be compatible with contiguous development.

(g) In the TC district, buildings may encroach into the required side and rear setbacks adjacent to public streets if the City Council determines that:

(1) An adequate, well-defined pedestrian circulation system is provided within the master plan;
(2) Pedestrian-oriented landscaped and/or public use areas (plazas, patios, etc.) are provided within the master plan;
(3) The reduced open space area will not be detrimental to developments on contiguous properties;
(4) The reduced building setback will not deprive the street nor other properties of necessary light and air; and
(5) These additional features enhance the overall urban design concept of the master plan and promote the goals of the City's General Plan and applicable specific plan.

TABLE 13-44
COMMERCIAL PROPERTY DEVELOPMENT STANDARDS

DEVELOPMENT STANDARDS	P	AP	CL	C1	C2	C1-S	TC
Minimum Lot Area for newly created lots	6,000 square feet			12,000 square feet		5 acres	See Master Plan
Minimum Lot Area	6,000 square feet			12,000 square feet		5 acres	20 acres
Minimum Lot Width for newly subdivided lots	120 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width.			120 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width.			None
Maximum Floor Area Ratio	Refer to Chapter V Article 8 FLOOR AREA RATIOS.						
Maximum Building/Structure Height	2 stories/30 feet						None
SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS AND STRUCTURES (Minimum distances given, unless otherwise noted. All setbacks from streets are measured from the ultimate property line shown on the Master Plan of Highways.)							
Front	20 feet						
Side (Interior)	15 feet on one side and 0 feet on the other side. *Exception:* If the side property line is adjacent to a residential zone, all buildings shall maintain a side setback from the residential property line of 2 times the building height at all locations.						None
Rear (Interior)	0 feet *Exception:* If the rear property line is adjacent to a residential zone, all buildings shall maintain a rear setback from the residential property line of 2 times the building height at all locations.						None
Side or Rear abutting a public street	20 feet for secondary, primary or major streets per the Master Plan of Highways. 15 feet for all other streets.						20 feet- See also Section 13-45(f) and (g).
PROJECTIONS (Maximum depth of projections given)							
Roof or Eaves overhang; Awning	2 feet 6 inches into required side setback. 5 feet into required front or rear setback.						None
Open, unenclosed Stairways.	2 feet 6 inches into required setback area.						None
PARKING (See Chapter VI).							
LANDSCAPING (See Chapter VII).							
SIGNS (See Chapter VIII).							
ADDITIONAL DEVELOPMENT STANDARDS							
Planned Signing Program	Not required					Required (see CHAPTER VIII SIGNS).	
Master Plan	Not required					Required- The final review authority is the Planning Commission (see CHAPTER III PLANNING APPLICATIONS).	
Uses Underroof	All uses shall be conducted underroof except as allowed by a minor conditional use permit or as permitted elsewhere in this Zoning Code. *Exception:* Sidewalk and parking lot sales may be allowed for a maximum of 4 sales per fiscal year with a maximum length of 3 days per sale and subject to obtaining a business permit.						
Outdoor Storage (incidental to the main use)	Permitted when: Storage does not interfere with required parking or vehicular access; storage is not in required setback area abutting a public right-of-way; storage does not decrease required landscaping; storage is completely screened from view from street or adjacent properties; storage complies with all						

TABLE 13-44 COMMERCIAL PROPERTY DEVELOPMENT STANDARDS							
DEVELOPMENT STANDARDS	**P**	**AP**	**CL**	**C1**	**C2**	**C1-S**	**TC**
	applicable codes and regulations including, but not limited to, the Uniform Fire Code. Shipping containers shall also comply with setback requirements for structures, floor area ratio standards, and parking requirements. Permanent foundations shall be required for shipping containers. Storage not meeting these criteria requires approval of a minor conditional use permit.						

ARTICLE 4. ESTABLISHMENTS WHERE FOOD OR BEVERAGES ARE SERVED

Sec. 13-46. PURPOSE

The purpose of this article is to regulate and provide development standards for establishments where food or beverages are served. The proximity of residential uses to these types of establishments is a concern of this article. Where the distance criterion of 200 feet from residentially-zoned property is given in this article, it shall be measured from the property line of the site to the property line of the nearest residentially-zoned property.

Sec. 13-47. PERMITTED AND CONDITIONALLY PERMITTED USES

Establishments where food or beverages are served are subject to the review and approval procedures shown in Table 13-47. In instances where more than one review procedure is applicable to an establishment, the more stringent procedure shall apply.

Sec. 13-48. GENERAL DEVELOPMENT STANDARDS

Establishments where food or beverages are served are subject to the following development standards.

(a) Outdoor seating areas are permitted provided that that area does not encroach into required street setback, parking and circulation, or interior landscaped areas; except as approved through the issuance of a minor conditional use permit or as allowed in certain planned development zones.

(b) All establishments shall comply with the applicable standards and review procedures indicated in Table 13-47, as well as with all other development standards of the appropriate zoning district.

(c) Seasonal events that include live entertainment, dancing, and/or amplified music may be allowed without a conditional use permit or live entertainment permit provided that it complies with the following standards. Each establishment is limited to four nonconsecutive events per calendar year.

  (1) The event shall not exceed 1 day in duration;

  (2) The event shall be conducted entirely indoors; and

  (3) The event shall comply with Chapter XII NOISE CONTROL.

TABLE 13-47
PERMITTED AND CONDITIONALLY PERMITTED USES

LOCATION AND OPERATIONAL CHARACTERISTICS	C1-S	C1	C2	CL	TC	PD	MG	MP
Establishments with 300 square feet or less of public area.	P[1,2] or P	P	P	MC	P[1] or P	P[1] or P	P	P
Establishments with more than 300 square feet of public area.	P[1] or P	P	P	MC	P[1] or P	P[1] or P	MC	MC
EXCEPTIONS								
Located within 200 feet of a residential zone. (Subject to the requirements of Section 13-49 DEVELOPMENT STANDARDS FOR ESTABLISHMENTS WITHIN 200 FEET OF RESIDENTIALLY ZONED PROPERTY)	P[1] or P	P	P	MC	P[1] or P	P[1] or P	P	P
Sale of alcoholic beverages for on-site consumption after 11:00 p.m. and/or provision of live entertainment or dancing located within 200 feet of a residential zone.	P[1] or C	C	C	C	P[1] or C	P[1] or C	C	C
Sale of alcoholic beverages for on-site consumption after 11:00 p.m. and/or provision of live entertainment or dancing located not within 200 feet of a residential zone.	P[1] or MC	MC	MC	MC	P[1] or MC	P[1] or MC	MC	MC
Drive-through operations. (Subject to the requirements of Section 13-50 DEVELOPMENT STANDARDS FOR DRIVE-THROUGH OPERATIONS)	P[1] or MC	MC	MC	MC	P[1] or MC	P[1] or MC	MC	MC
Establishments with less than 300 square feet of public area located in a multi-tenant center where 30% or more of the tenants are similar businesses, i.e., establishments with less than 300 square feet of public area.	P[1] or MC	MC	MC	MC	P[1] or MC	P[1] or MC	MC	MC
Establishments with a micro brewery	P[1] or C	C	C	C	P[1] or C	P[1] or C	C	C

1. Pursuant to an approved master plan which specifies these operational characteristics and/or location of the business.

2. For the purposes of this table, the symbols in the non-shaded areas shall have the following meaning: P= Permitted; MC= Minor Conditional Use Permit; C= Conditional Use Permit.

Sec. 13-49. DEVELOPMENT STANDARDS FOR ESTABLISHMENTS WITHIN 200 FEET OF RESIDENTIALLY-ZONED PROPERTY

Establishments where food or beverages are served that are within 200 feet of residentially-zoned property shall comply with the following development standards, unless the standards are modified through the issuance of a minor conditional use permit or conditional use permit.

(a) All exterior lighting shall be shielded and/or directed away from residential areas.

(b) Outdoor public communication systems shall not be audible in adjacent residential areas.

(c) Trash facilities shall be screened from view and designed and located appropriately to minimize potential noise and odor impacts to adjacent residential areas.

(d) Outdoor seating areas shall be oriented away or sufficiently buffered from adjacent residential areas.

(e) For new construction, a landscaped planter area, a minimum of 5 feet in width, shall be provided as an additional buffer to adjacent residential areas. The planter area shall contain appropriate plant materials to provide an immediate and effective screen. Plant materials shall meet with the approval of the Planning Division. For remodels, the Planning Division may also require the construction of a landscaped planter area to buffer adjacent residential areas, if feasible.

(f) For new construction, all interior property lines abutting residentially-zoned property shall have a minimum 6 foot high masonry wall, as measured from the highest grade. An 8 foot high masonry wall may be required, based on the establishment's operational characteristics, in order to provide additional protection to adjacent residential uses. A planning application may be required for walls exceeding 6 feet in height. For remodels, the Planning Division may also require the construction of a masonry wall to buffer adjacent residential areas, if feasible.

(g) Hours of operation for customer service shall not occur any time between 11:00 p.m. and 6:00 a.m..

(h) Truck deliveries shall not occur anytime between 8:00 p.m. and 7:00 a.m..

Sec. 13-50. DEVELOPMENT STANDARDS FOR DRIVE-THROUGH OPERATIONS

Establishments with drive-through operations shall comply with the following development standards, unless the standards are modified through the issuance of a minor conditional use permit.

(a) Drive-through lanes shall not obstruct the circulation routes necessary for ingress or egress from the property, parking areas (including back-out of parking spaces), and pedestrian walkways.

(b) Each drive-through lane shall be striped, marked or otherwise distinctly delineated, and shall be a minimum of 11 feet wide.

(c) On-site entrances to drive-through lanes shall be setback a minimum of 25 feet from drive approaches from public or private streets or alleys.

(d) Each drive-through lane shall be a minimum of 160 feet in length, unless modified by the Zoning Administrator. The length of the drive-through lane shall be measured from its entrance point to the pick-up window.

(e) Vehicle stacking areas of drive-through lanes shall be a minimum distance of 10 feet from outdoor seating and play areas.

(f) Application for a minor conditional use permit shall include an operation statement indicating the physical improvements and operational measures proposed to minimize idling vehicle emissions.

(g) Establishments within 200 feet of residentially-zoned property shall also be subject to the development standards contained in Section 13-49 DEVELOPMENT STANDARDS FOR ESTABLISHMENTS WITHIN 200 FEET OF RESIDENTIALLY-ZONED PROPERTY.

Sec. 13-51. APPLICABILITY

(a) The provisions of this article shall apply to all new establishments where food or beverages are served which are proposed. The provisions of this article shall not apply to existing uses, even when they undergo a change of ownership, unless one or more of the conditions described in subsection (b) are met.

(b) The provisions of this article shall apply, as appropriate, to any existing use where food or beverages are served under the following circumstances:

(1) A change of operational characteristics that includes one or more of the following items:

a. An extension of the hours of operation for customer service between 11 p.m. and 6 a.m., if the establishment is within 200 feet of residentially-zoned property.

b. The introduction of the sale of alcoholic beverages for on-site consumption between 11 p.m. and 2 a.m..

c. The introduction of live entertainment or dancing, or the cumulative expansion of 100 square feet or more of the area devoted to dancing during the lifetime of the establishment.

d. The introduction of drive-through operations or the expansion of the existing drive-through operations.

e. Alterations resulting in a cumulative increase of 100 square feet or more in the floor area devoted to customer service, e.g., food and/or beverage service or entertainment, during the lifetime of the establishment.

f. A change from any type of Alcoholic Beverage Control license to any of the following Alcoholic Beverage Control license types: 40 (on-sale beer); 42 (on-sale beer and wine for public premises); 48 (on-sale general for public premises); or 61 (on-sale beer for public premises), provided that the establishment is open for customer service anytime between the hours of 11 p.m. and 2 a.m..

(2) A cumulative expansion of 100 square feet or more of the gross floor area during the lifetime of the establishment.

(3) Discretionary review by the final review authority shall be limited to the change in operational characteristics or the expansion in the area devoted to customer service.

ARTICLE 4.5. DEVELOPMENT STANDARDS FOR CHURCHES AND OTHER PLACES OF RELIGIOUS ASSEMBLY

Sec. 13-51.50 PURPOSE

The purpose of this article is to regulate and provide development standards for churches and other places of religious assembly to ensure land use compatibility with adjacent land uses. The proximity of residential uses to this type of assembly use is a concern of this article. Where the distance criterion of 200 feet from residentially-zoned property is given in this article, it shall be measured from the property line of the site to the property line of the nearest residentially-zoned property.

Sec. 13-51.51 PERMITTED AND CONDITIONALLY PERMITTED USES

Churches and other places of religious assembly are subject to the review and approval procedures shown in Table 13-30 CITY OF COSTA MESA LAND USE MATRIX and the applicable development standards contained in this article. Other land uses such as, but not limited to, day care facilities, nursery schools, schools, primary and incidental retail sales, such as a bookstore, and services to businesses, that are not the primary function of a church or other place of religious assembly, shall be subject to the review and approval procedures shown in Table 13-30 CITY OF COSTA MESA LAND USE MATRIX for that specific land use.

Sec. 13-51.52 GENERAL DEVELOPMENT STANDARDS

Churches and other places of religious assembly are subject to the following development standards.

(a) Outdoor activity areas are permitted provided that that area does not encroach into required street setback, parking and circulation, or interior landscaped areas; except as approved through the issuance of a minor conditional use permit.

(b) Accessory facilities in the same or separate building are permitted, including classrooms, assembly rooms, restrooms, kitchen, and a library.

(c) All churches and other places of religious assembly shall comply with the review procedures indicated in Table 13-30, as well as with all other applicable development standards of this Title.

Sec. 13-51.53 DEVELOPMENT STANDARDS FOR CHURCHES AND OTHER PLACES OF RELIGIOUS ASSEMBLY WITHIN 200 FEET OF RESIDENTIALLY-ZONED PROPERTY

In addition to the General Development Standards required under Section 13-51.52, churches and other places of religious assembly that are within 200 feet of residentially-zoned property shall comply with the following development standards, unless the standards are modified through the issuance of a conditional use permit.

(a) All exterior lighting shall be shielded and/or directed away from residential areas.

(b) Outdoor public communication systems shall not be audible in adjacent residential areas.

(c) Trash facilities shall be screened from view and designed and located appropriately to minimize potential noise and odor impacts to adjacent residential areas.

(d) Outdoor activity areas shall be oriented away or sufficiently buffered from adjacent residential areas to prevent disturbance of the peaceful use of such areas by residents.

(e) For new construction, a landscaped planter area, a minimum of 5 feet in width, shall be provided as an additional buffer to adjacent residential areas. The planter area shall contain appropriate plant materials to provide an immediate and effective screen. Plant materials shall meet with the approval of the Planning Division. For interior alterations, the Planning Division may also require the construction of a landscaped planter area to buffer adjacent residential areas, if feasible.

(f) For new construction, all interior property lines abutting residentially-zoned property shall have a minimum six-foot high masonry wall, as measured from the highest grade. An eight-foot high masonry wall may be required, based on the church's/place's of religious assembly operational characteristics, in order to provide additional protection to adjacent residential uses. A planning application may be required for walls exceeding six (6) feet in height. For interior alterations, the Planning Division may also require the construction of a masonry wall to buffer adjacent residential areas, if feasible.

(g) Hours of operation for religious services shall not occur any time between 11:00 p.m. and 6:00 a.m.

(h) Truck deliveries shall not occur anytime between 8:00 p.m. and 7:00 a.m.

ARTICLE 5. INDUSTRIAL DISTRICTS

Sec. 13-52. PURPOSE

The purpose of this article is to achieve the following:

(a) Preserve and enhance the environmental aesthetics and quality for those who live and work in the community.

(b) Ensure the long term productivity and viability of the community's diversified economic base by maintaining developments of light industry, manufacturing, research and development and office uses.

(c) Provide levels of public improvements and services necessary to support the existing level of business activity, and allow for the expansion of business opportunities in the future at a level no greater than can be supported by the infrastructure.

Sec. 13-53. DEVELOPMENT STANDARDS

Table 13-53 identifies development standards in the industrial zones. See also ARTICLE 9 GENERAL SITE IMPROVEMENT STANDARDS of this chapter for additional requirements.

Sec. 13-54. ADDITIONAL PROPERTY DEVELOPMENT STANDARDS FOR THE INDUSTRIAL DISTRICTS

(a) **Incidental retail sales.** Incidental retail sales may be allowed in conjunction with an industrial use provided that the retail sales floor area does not exceed twenty percent of the gross floor area or 1,000 square feet, whichever is less, and the retail products are related to the primary industrial use. Incidental retail sales that do not meet the floor area limitation shall be subject to review and approval of a minor conditional use permit.

(b) **Service and repair of motor vehicles and boats.** The service and repair operations shall be subject to the following:

(1) All operations shall be conducted within an enclosed building.

(2) All areas or structures in which such operations are conducted shall be so located or treated as to prevent annoyance or a detriment to any other existing on-site uses and surrounding properties.

(3) All activities shall be confined to 7:00 a.m. to 7:00 p.m. when located within 200 feet of residentially zoned property measured from lot line to lot line.

(4) No damaged or inoperable boats or vehicles shall be stored for purposes other than repair.

(c) **Other requirements.**

(1) The maximum building area shall not exceed the floor area ratios established in the General Plan for the applicable General Plan land use designation as described further in ARTICLE 8 FLOOR AREA RATIOS of this chapter.

(2) Additional conditions or special requirements may be reasonably applied by other City departments to ensure that the proposed development is compatible and harmonious with existing development in the vicinity and to protect the public health, safety and general welfare. If such conditions are applied, the conditions must be fulfilled or a security posted to ensure completion of the conditions to the satisfaction of the appropriate department prior to final occupancy.

TABLE 13-53 INDUSTRIAL DEVELOPMENT STANDARDS		
DEVELOPMENT STANDARD	**MG**	**MP**
Minimum Lot Area for newly subdivided lots	10,000 square feet	30,000 square feet
Minimum Lot width for newly subdivided lots	120 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, required minimum lot width.	
Maximum Floor Area Ratio	Refer to Chapter V, Article 8 FLOOR AREA RATIOS.	
Maximum Building/Structure Height	2 stories/30 feet	3 stories/45 feet
SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS AND STRUCTURES (Minimum distances given, unless otherwise noted. All setbacks are measured from the ultimate property line shown on the Master Plan of Highways.)		
Front	Interior lot: 10 feet Corner lot: 15 feet *Exception:* If the property is adjacent to a residential zone on either side, the front setback is 20 feet.	All lots: 20 feet
Side	Interior lot: 0 feet Corner lot: 15 feet on the street side *Exception:* If the side property line is adjacent to a residential zone, all buildings shall maintain a side setback from the residential property line of 2 times the building height at all locations.	Interior lot: 10 feet Corner lot: 20 feet on the street side *Exception:* If the side property line is adjacent to a residential zone, all buildings shall maintain a side setback from the residential property line of 2 times the building height at all locations.
Rear (Interior)	All lots: 0 feet *Exception:* If the rear property line is adjacent to a residential zone, all buildings shall maintain a rear setback from the residential property line of 2 times the building height at all locations.	
Rear abutting a public street	10 feet	20 feet
PROJECTIONS (Maximum depth of projections given)		
Roof or Eaves overhang; Awning	2 feet 6 inches into required side setback. 5 feet into required front or rear setback.	
Open, unenclosed Stairways.	2 feet 6 inches into required setback area.	
PARKING (See Chapter VI).		
LANDSCAPING (See Chapter VII).		
SIGNS (See Chapter VIII).		
ADDITIONAL DEVELOPMENT STANDARDS		
Planned Signing Program	Not required.	
Uses Underroof	All uses shall be conducted underroof except as may be permitted by a minor conditional use permit or as permitted elsewhere in this Zoning Code. *Exception:* Sidewalk and parking lot sales may be allowed on the basis of a maximum of 4 sales per fiscal year with a maximum length of 3 days per sale and subject to obtaining a business permit.	
Outdoor Storage (incidental to main use)	Permitted when: Storage does not interfere with required parking or vehicular access; storage is not in required setback area abutting a public right-of-way; storage does not decrease required landscaping; storage is completely screened from view from street or adjacent properties; and storage complies with all applicable codes and regulations including, but not limited to, the Uniform Fire Code. Shipping containers shall also	

TABLE 13-53 INDUSTRIAL DEVELOPMENT STANDARDS		
DEVELOPMENT STANDARD	**MG**	**MP**
	comply with setback requirements for structures, floor area ratio standards, and parking requirements. Permanent foundations shall be required for shipping containers. Storage not meeting these criteria requires approval of a minor conditional use permit.	

ARTICLE 5.5 NON-RESIDENTIAL COMMON INTEREST DEVELOPMENTS

Sec. 13-54.50. PURPOSE

The purpose of this article is to regulate the placement of non-residential common interest development projects and the conversion of existing non-residential developments to common interest developments consistent with the form of ownership and occupancy of such projects pursuant to applicable laws for the general health, safety, and welfare of the public.

Sec. 13-54.51. PLANNING APPLICATION REQUIRED

(a) Non-residential common interest development projects are permitted in appropriate commercial, industrial, or planned development zones, subject to the approval of the following planning application, as applicable. This requirement is in addition to other permits or certificates required by law.

(1) All new non-residential common interest development projects shall be processed according to the design review procedures contained in CHAPTER III PLANNING APPLICATIONS.

(2) Conversion of occupied or previously occupied non-residential developments to common interest development projects shall be subject to Sections 13-54.52 NON-RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS AND REQUIREMENTS and 13-54.53 NON-RESIDENTIAL COMMON INTEREST DEVELOPMENT CONVERSIONS – ADDITIONAL STANDARDS and shall be processed according to the non-residential common interest development conversion procedures contained in CHAPTER III PLANNING APPLICATIONS.

(3) All non-residential common interest development projects require the approval of tentative or final tract or parcel maps as required by law. A tentative tract map or parcel map shall not be required until either a design review or non-residential common interest development conversion has been approved; however, the map may be processed concurrently.

(b) No person shall construct, sell, lease, convey, maintain or use a non-residential common interest development project within the City without first complying with the provisions of this article.

Sec. 13-54.52. NON-RESIDENTIAL COMMON INTEREST DEVELOPMENT STANDARDS AND REQUIREMENTS

(a) **Applicability.** The provisions of this section shall apply to all proposed new non-residential common interest development projects and the conversion of existing non-residential to common interest developments.

(b) **City Council Finding.** The City Council finds and declares it is the intent of these regulations to protect the interests of the community and prospective purchasers by requiring the applicant to provide certain information regarding the condition of the structure and to require reasonable improvements to ensure quality and to protect the health, safety, and general welfare of the public.

(c) **Development standards.** The development standards of the applicable zoning district shall be applied to the common interest development, including the conversion of occupied or previously occupied projects (see Section 13-54.53(h)(3)). Exception: Newly created individual unit lots shall be exempt from the development standard for minimum lot area for newly subdivided lots. 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) All projects shall be designed with a minimum of one lot to be held in common ownership

and maintained by a property owners association. This lot shall be used for common driveways, parking areas, and street setback landscaped areas.

(2) 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.

(3) Parking shall conform to CHAPTER VI OFF-STREET PARKING STANDARDS, a parking space allocation plan shall be submitted to the Planning Division in conjunction with application for a non-residential common interest development.

(4) 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.

(d) **Documents required.**

(1) A project may be approved subject to submission of all organizational documents setting forth a plan or manner of permanent care and maintenance of open spaces, parking areas and common facilities pursuant to State law. No such documents shall be acceptable until approved by the City Attorney as to legal form and effect, and by the Planning Division as to suitability for the proposed use of the open areas.

(2) The developer shall file a declaration of covenants to be submitted with the application for approval, which will govern the association. The provisions shall include, but not be limited to, the following:

a. The property owners' association shall be established prior to the sale of any unit(s).

b. Membership shall be mandatory for each owner and any successive owner.

c. Provisions to restrict parking upon other than approved a parking spaces shall be written into the covenants, conditions and restrictions for each project. Additionally, a clear designation of parking and signage rights shall be included and a method to resolving disagreements. The provisions shall include the following:

i. “The City of Costa Mesa Zoning Code regulates the uses of property, allowable signage, and required parking. The City shall not issue a building permit or a sign permit unless it is first authorized by the property owner’s association. This authorization shall be submitted with any application to the City. This provision may not be modified without the written consent of the City.”

d. If the development is constructed in increments or phases which require one or more final maps, reciprocal covenants, conditions, and restrictions and reciprocal management and maintenance agreements shall be established which will cause a merging of increments as they are completed, and embody one property owners' association with common areas for the total development.

e. The declaration of covenants shall contain language or provisions substantially as follows:

i. "The covenants, conditions and restrictions of this declaration shall run to the City of Costa Mesa insofar as they shall apply to the maintenance of the "common areas" as herein defined.”

ii. "In the event the association or other legally responsible person(s) fail to maintain the common area in such manner as to cause same to constitute a public nuisance, the City may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon the common area, individual units or the whole thereof as provided by law."

Sec. 13-54.53. NON-RESIDENTIAL COMMON INTEREST DEVELOPMENT CONVERSIONS -- ADDITIONAL STANDARDS

(a) **Applicability.** The provisions of this section shall apply to all conversions of occupied or previously occupied non-residential developments to common interest developments proposed on a real property within the appropriately zoned districts. These provisions are in addition to those set forth in Section 13-54.52 NON-RESIDENTIAL COMMON INTEREST DEVELOPMENTS.

(b) **Restrictions in Urban Plan areas.** Conversions of occupied or previously occupied non-residential developments to common interest developments shall only be permitted in an urban plan area if the final review authority finds and determines that the proposed conversion is consistent with the applicable mixed-use overlay zoning district. Specifically, the proposed conversion supports a mixed-use development or a similar land use that is not allowed in the base zoning district, or the proposed conversion project is a residential common interest development that is permitted by either the base or overlay zoning district.

(c) **Inspection fee.** The applicant shall pay an inspection fee, established by the City Council, to determine compliance of the existing units with all appropriate building codes, as noted in subsection (e)(2).

(d) **Documents required.** The applicant shall submit the following documents in addition to those set forth in Section 13-54.52(c) NON-RESIDENTIAL COMMON INTEREST DEVELOPMENTS. To the extent applicable, the following report requirements may be satisfied by submission of copies of similar reports filed with State agencies. The reports shall include information on what improvements, if any, shall be accomplished by the applicant and when such improvements shall be completed. All improvements cited in the reports, whether required or voluntary, shall be placed as conditions of approval in conjunction with the approval of the request to convert to a common interest development, and the improvements shall be completed prior to recordation of the subdivision map.

(1) Structural report. A detailed structural report by a California-registered structural or civil engineer identifying the following information:

a. Date of original construction of all structures.

b. Any evidence of soils problems.

c. The condition of the building foundations, walls, ceilings, windows, doors, parking facilities, drainage facilities, refuse disposal facilities; and exterior lighting.

d. Certification that all walls and floor/ceiling assemblies comply with current code requirements for sound transmission. Non-compliant walls and floor/ceiling assemblies shall be identified for replacement or other appropriate remediation.

e. Certification that the building's wood frames, sill plates, anchor bolts, connections, and foundation have been inspected and have a minimum life of 25 years and that all substandard elements have been identified for replacement or other appropriate remediation.

(2) Pest report. A report by a California-licensed structural termite and pest control specialist certifying whether or not all attached or detached structures are free of infestation and structural damage caused by pests and/or dry rot. The report shall describe what procedures would be necessary to eliminate infestation or damage, if present.

(3) Paint report. A report by a California-licensed painting contractor verifying the condition of the paint on all building interior and exterior surfaces and an estimate of the remaining physical life of the paint. A statement that new paint will be applied on all building interior and exterior surfaces may take place of the paint report. The statement shall include the brand name of the paint and the exterior colors to be used. For exterior surface, a minimum of three colors should be applied.

(4) Mold report. A report by a California-licensed mold specialist certifying whether or not all attached or detached structures are free of mold. The report shall describe what procedures would be necessary to eliminate mold, if present.

(5) Mechanical equipment report. A report by a California-registered mechanical engineer certifying that all appliance and mechanical equipment for heating and cooling comply with the current California Mechanical Code. The proper measures to remediate any noncompliant appliances and mechanical equipment shall be identified.

(6) Electrical report. A report by a California-registered electrical engineer certifying that all electrical systems comply with the California Electrical Code. The proper measures to remediate the noncompliant system components shall be identified.

(7) Plumbing report. A report by a California-licensed plumbing contractor certifying that all plumbing systems comply with the current California Plumbing Code. All above ground plumbing that does not comply with the current code shall be identified for replacement. A camera test of the sewer lateral shall also be conducted under the direction of the applicable sanitary district, and any substandard sewer laterals shall be identified for replacement by the sanitary district. Onsite sewer clean-outs shall be indicated for installation pursuant to the direction of the applicable sanitary district.

(8) Roof report. A report by a California-licensed roofing contractor verifying that the roofs of all structures have an estimated remaining physical life of at least 25 years. A statement that new roof material will be applied may take place of the roof report. The statement shall include the specifications of the proposed roofing material.

(9) Asbestos report. A report by a California-licensed asbestos specialist indicating that the property does not pose any health hazards related to asbestos. The proper measures to remediate asbestos shall be identified, if necessary. This report is only required for buildings that were constructed prior to 1980.

(e) **Review procedures.** The following are processing requirements in addition to those set forth in CHAPTER III PLANNING APPLICATIONS.

(1) Upon receipt of the application and all required documents, the Planning Division shall submit copies of applicable reports or documents to the Fire Department, Building Safety Division and other appropriate departments.

(2) The Development Services Director shall require an inspection of all buildings and structures in the existing development. An inspection report shall be prepared at or under his/her direction identifying all items found to be in violation of current code requirements for such buildings or structures, or found to be hazardous.

(3) The Fire Marshal may inspect the project to determine the sufficiency of fire protection systems serving the project and report on any deficiencies

(4) The Planning Division may submit copies of such documents required in subsection (d) to other departments for their review and requirements.

(5) The Planning Division shall review the property report submitted by the applicant and may require its revision and resubmission if found inadequate in providing the required information.

(6) The Planning Division shall keep and maintain the copies of all required reports, as public records, for no less than 5 years, and shall send copies to the California Real Estate Commissioner as may be required by law.

(7) A final inspection report shall be made by the Building Official, upon request of the applicant, indicating the compliance with all the imposed requirements.

(f) **Approval criteria.**

(1) The final review authority shall utilize the development standards and requirements of this article as criteria in the approval of the conversion as herein provided.

(2) No non-residential common interest development conversion shall be approved until all required documents have been submitted, reviewed and found to comply with the provisions of applicable State law and this Zoning Code.

(3) All units shall be required to comply with current requirements for vibration transmission, energy insulation, sound transmission control (both interior and exterior), and fire detection systems.

(4) Each unit shall be separately metered for gas, electricity, and water, unless the declaration of covenants provides for the association to take responsibility of the utilities.

(5) The City Council may adopt general standards that may be applied to non-residential common interest development conversion applications on a case-by-case basis. The final review authority may use these standards to impose conditions of approval on non-residential common interest development conversion applications to achieve the purpose of this article.

(g) **Conversion Standards.** The project shall be brought into compliance with the following minimum construction standards, unless the Building Official approves an alternate method of construction. Prior to recordation of the subdivision map, applicable building permits shall be obtained, and all improvements shall be constructed, inspected, and receive final City approval for the required improvements in this section and for any health and safety code violations.

(1) Life Safety Standards. The following improvements shall be provided in accordance with the provisions of the California Building Code or any successor statute or regulation, unless otherwise noted.

a. Each unit shall have access to the electrical branch circuits that serve the unit.

b. Smoke detectors shall be installed and operating. All existing hard-wired units shall be in working order and any additional smoke detectors that are required by code shall be located and installed.

c. Ground fault circuit interrupter protection shall be provided where required by the currently adopted electrical code. Portable fire extinguishers shall be provided in accordance with the California Fire Code or any successor statute or regulation.

d. Portable fire extinguishers shall be provided in accordance with the California Fire Code or any successor statute or regulation.

(2) Plumbing Requirements. The following improvements shall be provided in accordance with the provisions of the California Plumbing Code or any successor statute or regulation.

a. A temperature and pressure relief valve shall be provided for all water heaters.

b. Water heaters shall be seismically braced with a minimum of two straps.

c. Water heaters shall be properly vented to the outside and shall be provided with sufficient combustion air.

d. Potable water shall have a backflow protection where necessary to prevent potential cross connection.

(3) Compliance with Zoning Code provisions. With the exception of building intensity (floor area ratio) standards, the project shall comply with all requirements of this Zoning Code, including but not limited to building setbacks, distance between buildings, parking, open space, and landscaping requirements, unless any Zoning Code requirement is superseded by an adopted specific plan or urban plan. The final review authority may approve a deviation from a Zoning Code standard in conjunction with the review of the conversion request, in conformance with the findings in Section 13-29(g)(10).

(4) Refurbishing and Restorations. All main buildings, structures, walls, fences, carports, accessory buildings, sidewalks, driveways, landscaped areas, and additional elements as required by the final review authority shall be refurbished and restored as appropriate for a high standards of appearance, quality, and safety. Specific improvements include:

a. Installation of all remedial improvements identified in the reports submitted pursuant to by Section 13-54.53(d) Documents Required.

b. Installation of appropriate improvements that ensure acceptable sound transmission levels between units in each building in conformance with the current California Building Code.

c. Replacement of all gas lines (both interior and exterior) that do not comply with current code and conduct appropriate pressure test.

d. Installation of double-glazed, low-E windows and exterior doors.

e. Installation of new sinks, faucets, and toilets. Low water flow plumbing fixtures are recommended.

f. Waterproof all exterior landings and staircases.

ARTICLE 6. PLANNED DEVELOPMENT

Sec. 13-55. PURPOSE

It is the purpose and intent of this article to:

(a) Provide a method by which appropriately located areas of the City can be developed utilizing more imaginative and innovative planning concepts than would be possible through strict application of existing zoning and subdivision regulations. It is intended that these developments will meet the broader goals of the General Plan and Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures, and protection of the integrity of neighboring development.

(b) Furthermore, it is the intention of the City to provide a more efficient use of land, additional alternative environments and the allocation and maintenance of more privately controlled and usable open space.

Sec. 13-56. MASTER PLAN REQUIRED

All development proposed in the Planned Development districts requires approval of a master plan pursuant to CHAPTER III PLANNING APPLICATIONS. The final review authority for the master plan shall be the Planning Commission.

(a) **Preliminary master plan.** At the applicant's option, a preliminary master plan may be processed in advance of the master plan pursuant to CHAPTER III PLANNING APPLICATIONS. The purpose of the preliminary master plan shall be to determine the general location, type, and intensities of uses proposed in large scale planned developments prior to the preparation and submittal of more detailed development plans. Preliminary master plans may also be used as the conceptual plan for long-term or phased planned developments.

Upon approval of the preliminary master plan, development plans for individual components or phases of the planned development shall be required and shall be processed according to the provisions for master plans in CHAPTER III PLANNING APPLICATIONS. The subsequent plans shall be consistent with the parameters and general allocation and intensity of uses of the approved preliminary master plan. At the time of approval of the preliminary master plan, the Planning Commission may determine that subsequent development plans may be approved by the Zoning Administrator. In such cases, development plans will be forwarded by the Zoning Administrator, upon an appeal filed pursuant to TITLE 2, CHAPTER IX APPEAL, REHEARING AND REVIEW PROCEDURE, or upon motion by the Planning Commission or City Council.

(b) **Amendments to the master plan.**

(1) Minor changes: Minor changes in the location, siting, or character of buildings and structures may be authorized by the Planning Division if required by engineering specifications or other circumstances not foreseen at the time the master plan was approved. No change authorized under this section may cause any of the following:

a. A change in the use of character of the development;
b. An increase in the overall density of the development;
c. An increase in overall coverage of structures;
d. A reduction or change in character of approved open space;
e. A reduction of required off-street parking;
f. A detrimental alteration to the pedestrian, vehicular and bicycle circulation and utility networks;
g. A reduction in required street pavement widths.

(2) Major amendments. Substantial amendments to the master plan encompassing one or more of the minor changes listed in subparagraphs (1a) through (1g), or any other proposed change determined by the Development Services Director as a major amendment, shall be subject to review and approval by the Zoning Administrator. Furthermore, if the major amendment results in an overall building square footage that exceeds the maximum density or building square footage allowed by the approved master plan, the Zoning Administrator must find that the major amendment is consistent with the density, floor area ratio, and trip budget standards established by the General Plan, as applicable.

(c) **Minor additions in an existing planned development.**

(1) Residential buildings – single-story additions. Minor single-story additions to existing residential buildings not meeting the criteria below may be approved by minor modification if the Planning Division finds that the proposed construction does not materially affect the required open space, site coverage, or parking of the planned development.

a. Unenclosed patio covers. Unenclosed patio covers in planned development residential zones, which meet the following setback criteria may be approved by the Planning Division:

i. Side setback- 5 feet or equivalent to main structure, whichever is less.

ii. Rear setback- 10 feet or 5 feet for small lot developments.

b. Enclosed Patios and room additions. Enclosed patios and room additions may be permitted pursuant to the parameters for such additions established in the master plan. In cases where the master plan does not include criteria for future enclosed patios and/or room additions, the addition may be permitted if the required open space percentage is met on the affected lot and the addition meets the setbacks established for patio covers with the exception of small lot developments for which the setback standards established in Table 13-58 shall be applied.

(2) Residential buildings- second-story additions. In cases where the master plan does not include criteria for future second-story additions, the Planning Division may approve any proposed second-story addition that meets the setback standards established in subsection (1) and all of the following criteria. Any second-story addition that does not meet all of the following criteria will be subject to minor design review.

a. Complies with residential design guidelines adopted by the City Council; and

b. Does not materially affect the required open space, site coverage, or parking of the planned development.

(3) Non-residential buildings. Minor additions to existing non-residential buildings may be approved by development review if the Planning Division finds that the proposed construction does not materially affect required open space, floor area ratio, and parking requirements specified in the approved master plan. Furthermore, if the minor addition results in an overall building square footage that exceeds the maximum building square footage allowed by the approved master plan, the Planning Division must find that the minor addition is consistent with the floor area ratio and trip budget standards established by the General Plan, as applicable.

Sec. 13-57. SITE DESIGN CONCEPT

A variety of building products are encouraged in the design of projects in the Planned Development zones, thereby maximizing project excellence. Complementary uses, as appropriate, are also encouraged.

(a) **Planned Development Residential.**

(1) Within the low-density zone: Small-lot, single-family detached residential developments including clustered development, zero lot line development and conventional development are appropriate.

(2) Within the medium density, high density, and north Costa Mesa zones: Single-and multiple-family residential developments containing any type or mixture of housing units, either attached or detached, including but not limited to, clustered development, townhouses, patio

homes, detached houses, duplexes, garden apartments, and high rise apartments or common interest developments are appropriate.

(3) As a complementary use, nonresidential use of a religious, educational, or recreational nature may be allowed if the Planning Commission finds the use to be compatible with the Planned Development residential project.

(4) As a complementary use in the PDR-MD, PDR-HD and PDR-NCM zones, nonresidential uses of a commercial nature may be allowed if the Planning Commission finds the uses to be compatible with the Planned Development Residential project and if the FAR does not exceed that established for the Neighborhood Commercial General Plan land use designation.

(b) **Planned Development Commercial.**

(1) Retail shops, offices and service establishments, including but not limited to, hotels, restaurants, theaters, museums, financial institutions and health clubs are appropriate. These uses are intended to serve adjacent residential areas, as well as the entire community and region.

(2) As complementary uses, residential (density maximum of 20 dwelling units per acre, unless otherwise noted in the General Plan and/or specific plan) and industrial uses as well as other commercial and noncommercial uses of a similar or supportive nature to the uses noted in this subsection may be allowed if the Planning Commission approves the uses as compatible with the Planned Development Commercial project based on compatible uses listed in the General Plan for the applicable land use designation subject to FAR limits. For the 1901 Newport Plaza property, a site-specific FAR of 0.70 for the commercial component and site-specific density of 40 dwelling units per acre for the residential component were established for 1901 Newport Boulevard pursuant to General Plan amendment GP-02-04.

(c) **Planned Development Industrial.**

(1) Large industrial developments with ample open space and landscaping typifies projects in this district.

(2) As complementary uses, nonindustrial uses of a commercial nature or residential nature (density maximum of 20 dwelling units per acre) may be allowed if the Planning Commission finds the uses to be compatible with the Planned Development Industrial project based on compatible uses listed in the General Plan for the applicable land use designation subject to FAR limits.

Sec. 13-58. DEVELOPMENT STANDARDS

Table 13-58 identifies development standards in the planned development zones. See also ARTICLE 9 GENERAL SITE IMPROVEMENT STANDARDS of this chapter for additional requirements.

Sec. 13-59. MAXIMUM DENSITY CRITERIA

(a) The provision of affordable housing shall be necessary to reach the maximum density for the North Costa Mesa residential district.

(b) Density increments up to the maximum shown in Table 13-58 may be approved in order to provide an incentive for design excellence. Criteria for density increments include, but shall not be limited to, the following (except that criteria (6) through (10) shall not apply to small-lot, single-family development):

(1) Preservation of natural features that enhance the development and will benefit the community (including trees, scenic points, view corridors, historic buildings or locations, unique geological formations and other community assets).
(2) Provision of distinctive design, including site planning, structural design, architectural treatments, landscaping and integration into the community.
(3) Provision of usable open space in excess of the required amount.
(4) Enlargement of the required perimeter open space.
(5) Utilization of non-depletable energy sources for water heating and/or space heating.
(6) Provision of low and moderate income housing as a portion of the total development.
(7) Provision of all or part of the required parking within the principal structure(s) (i.e., subterranean, tuck under, etc.).
(8) Provision of facilities for the storage of recreational vehicles.
(9) Provision in the project's circulation system for the separation of pedestrian, vehicular and bicycle traffic through the inclusion of bicycle and pedestrian trails that link with citywide networks.
(10) Project location is adjacent to or within ¼ mile of a public transit facility or route.

TABLE 13-58
PLANNED DEVELOPMENT STANDARDS

DEVELOPMENT STANDARD	PDR-LD	PDR-MD	PDR-HD	PDR-NCM	PDC	PDI
Maximum Density per Section 13-59 MAXIMUM DENSITY CRITERIA. (dwelling units per acre)	8	12	20 Note: See North Costa Mesa Specific Plan for exceptions. Note: The maximum density for 2277 Harbor Boulevard is 54 dwelling units per acre (C0-14-02)	35	20 Note: The maximum density for 1901 Newport Boulevard is 40 dwelling units per acre. See North Costa Mesa Specific Plan for exceptions.	
Density in Mixed Use Projects	The density of the residential component of a mixed use Planned Development shall be calculated by dividing the total number of dwelling units proposed by that portion of the total site area[1] devoted to residential uses, including required parking, landscaping, open space, and driveways to serve the residential component. The density permitted within the residential component shall be determined by the criteria established in Section 13-59 MAXIMUM DENSITY CRITERIA.					
Maximum Site Coverage[2] NOTE: Site coverage of multi-story projects with integrated parking structures shall be based upon the usable floor area at the street or grade level, exclusive of parking areas, driveways, plazas, courtyards or pedestrian walkways.	Not applicable				30% outside the Downtown Redevelopment Project Area 35% within the Downtown Redevelopment Project Area	50%
Perimeter Open Space per Section 13-61 PERIMETER OPEN SPACE CRITERIA.	20 feet abutting all public rights-of-way, excluding alleys (may be reduced in the PDC and PDR-NCM zones pursuant to Section 13-61 PERIMETER OPEN SPACE CRITERIA).					
Open Space	45% of total site area[1], inclusive of Perimeter Open Space. See Section 13-60 REQUIRED OPEN SPACE CRITERIA FOR PLANNED DEVELOPMENT RESIDENTIAL.		42% of total site area[1], inclusive of Perimeter Open Space. See Section 13-60 REQUIRED OPEN SPACE CRITERIA FOR PLANNED DEVELOPMENT RESIDENTIAL. See North Costa Mesa Specific Plan for exceptions.		See Perimeter Open Space and CHAPTER VI PARKING.	
Bluff-top Setback.	No building or structure closer than 10 feet from bluff crest (see Section 13-62(h) ADDITIONAL DEVELOPMENT STANDARDS).					

[1] Site area is defined as the area equal to the original lot size, less the area occupied by adjacent dedicated streets.

[2] Site coverage is defined as that portion of the site area within planned development commercial and industrial projects occupied by buildings. Site coverage shall not include parking structures, surface parking lots, driveways, plazas, courtyards or sidewalks.

TABLE 13-58 PLANNED DEVELOPMENT STANDARDS						
DEVELOPMENT STANDARD	**PDR-LD**	**PDR-MD**	**PDR-HD**	**PDR-NCM**	**PDC**	**PDI**
Minimum Development Lot Area required for a rezone	1 acre					
Maximum Floor Area Ratio	Refer to CHAPTER V, ARTICLE 8 FLOOR AREA RATIOS.					
PARKING (See Chapter VI).						
LANDSCAPING (See Chapter VII).						
SIGNS (See Chapter VIII).						

TABLE 13-58 (CONTINUED)
PLANNED DEVELOPMENT STANDARDS

DEVELOPMENT STANDARD	PDR-LD	PDR-MD	PDR-HD	PDR-NCM	PDC	PDI
PROJECTIONS (Maximum depth of projections given)						
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.	2 feet 6 inches into required setback area.					
Chimneys	2 feet above maximum building height.					
Fireplaces	2 feet into required setback or building separation area					
ADDITIONAL DEVELOPMENT STANDARDS						
Uses Underroof	All nonresidential uses shall be conducted underroof except as allowed by a minor conditional use permit or as permitted elsewhere in this Zoning Code. Exceptions include sidewalk sales and parking lot sales which are allowed on the basis of a maximum of 4 sales per fiscal year with a maximum length of 3 days per sale and subject to obtaining a business permit.					
Outdoor Storage (incidental to main use)	Permitted in non-residential areas of a planned development when: Storage does not interfere with required parking or vehicular access; storage is not in required setback area abutting a public right-of-way; storage does not decrease required landscaping; storage is completely screened from view from street or adjacent properties; and storage complies with all applicable codes and regulations including, but not limited to, the Uniform Fire Code. Shipping containers shall also comply with setback requirements for structures, floor area ratio standards, and parking requirements. A permanent foundations shall be required for shipping containers. Storage not meeting these criteria requires approval of a minor conditional use permit.					
Master Plan Required	Yes. Preliminary master plan is optional pursuant to Section 13-56(a).					
Common Interest Developments	Permitted. Refer to CHAPTER V, ARTICLE 2. COMMON INTEREST DEVELOPMENTS. In any instance where the development standards in CHAPTER V, ARTICLE 2 conflict with the development standards in this article, the development standards in this article shall take precedence.					
SMALL LOT RESIDENTIAL PROJECTS						
Minimum Lot Size	5,000 square feet with an overall average of 5,500 square feet.	3,000 square feet with an overall average of 3,500 square feet.	Not applicable.			
	The required perimeter open space and any common lot shall not be included in the calculation of lot size. Note: Lot sizes may be reduced proportionately if other useable open space is provided within the overall development.					
Minimum Lot Width	40 feet					
Maximum Number of Stories & Building Height	2 stories/27 feet Note: Lots, as defined in section 13-6, without exterior access and having only clerestory windows will not be regarded as a story. See also Attic discussion below.					

TABLE 13-58 (CONTINUED)

PLANNED DEVELOPMENT STANDARDS

DEVELOPMENT STANDARD	PDR-LD	PDR-MD	PDR-HD	PDR-NCM	PDC	PDI
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. 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.					
Private Open Space for Individual Dwelling Unit Lots	40% overall, with a minimum 400 square-foot area with no dimension less than 15 feet.					
Mechanical equipment, excluding antennas and flush-mounted solar panels on roofs.	Roof-top location is prohibited.					
Minimum Front Setback for Individual Dwelling Unit Lots	5 feet *Exception:* If a sidewalk is provided along the front of the lot, the garage shall be setback less than 9 feet or more than 23 feet from the face of the street curb. If a sidewalk is not provided along the front of the lot, the garage shall be either setback 5 feet or more than 19 feet from the face of the street curb.					
Minimum Side Setback for Individual Dwelling Unit Lots	0 feet on one side; 10 feet combination of both sides.					
Minimum Rear Setback for Individual Dwelling Unit Lots	5 feet					
2-car garage required	Yes					
Automatic Garage Door Opener	Required - if garage is setback less than 9 feet from the face of the street curb.					
Pools and Spas	Above-ground pools and spas shall not be located in the required front yard setback from a public street and are subject to 5-foot side and rear yard setbacks for main structures. Additional setbacks may be applicable pursuant to building code requirements.					

Sec. 13-60. REQUIRED OPEN SPACE CRITERIA FOR PLANNED DEVELOPMENT RESIDENTIAL

(a) The required open space shall be land areas that are not occupied by buildings, structures, parking areas, driveways, streets or alleys. Landscaped roof areas or decks may not be calculated as part of the required open space, except as allowed in the North Costa Mesa Specific Plan. The open space shall be devoted to landscaping, preservation of natural features, patios and recreational areas and facilities.

(b) At least 50 percent of the required open space shall be designed for the common use of the residents of the Planned Development, except for small-lot, single-family development. In projects consisting of small-lot single-family common interest developments resulting in fewer than 12 units, the required perimeter landscape buffer required in Table 13-58 shall be the only open space required to be designed for common use. Additional common open space may be provided in the interior of such projects if such open space enhances the overall project design. The remaining required open space shall be equally provided to each dwelling unit.

(c) In projects consisting of small-lot, single-family subdivisions resulting in 12 or more units, the required open space shall consist of the perimeter landscape buffer required in Table 13 58 and a common recreational open space area in the interior of the project to provide recreational facilities for children.

(d) Common open space may be distributed throughout the Planned Development and need not be in a single large area.

(e) All or part of the area required may be provided in the common open space for multiple-story apartments or common interest developments where dwelling units have no ground floor access, or where for other reasons the Planning Commission finds that the provision of all or part of the required private open space in the aforementioned manner is impractical or undesirable. In such cases, each dwelling unit above the first floor shall be provided with patio or deck area of not less than one 100 square feet. The required area may be provided in one or more patios or decks. In such cases, each dwelling unit shall be provided with a private patio or deck with no dimension less than 5 feet.

(f) Landscape parkways with a combined width of 10 feet, but not less than 3 feet on one side, shall be provided along the sides of interior private streets and/or common driveways. The parkway on the house side of private streets or common driveways shall be a minimum of 5 feet in width.

Sec. 13-61. PERIMETER OPEN SPACE CRITERIA

This area shall be kept free of buildings and structures and permanently maintained in landscaping. If the design of this buffer area enhances the overall development plan and is readily accessible to the residents of the planned development, it may be included as partial fulfillment of the common open space requirements listed in Section 13-60 REQUIRED OPEN SPACE CRITERIA FOR PLANNED DEVELOPMENT RESIDENTIAL.

Exceptions:

(a) In Planned Development Commercial and Planned Development Residential-North Costa Mesa districts, the required perimeter open space may include, in addition to landscaping, architectural features (such as arcades, awnings, and canopies) and hardscape features (such as paving, patios, planters, and street furniture) if the Planning Commission determines that:

  (1) These other features provide usable, visually interesting pedestrian amenities and facilitate pedestrian circulation.

  (2) These additional features enhance the overall urban design concept of the Planned Development and promote the goals of the General Plan, applicable specific plan, and/or Redevelopment Plan.

  (3) Adequate landscaping is retained to shade the outdoor use areas and to complement the architecture and the design of buildings and pedestrian areas; and

(4) The design of the perimeter setback area will be compatible with contiguous development.

(b) In Planned Development Commercial and Planned Development Residential-North Costa Mesa districts, buildings may encroach into the required perimeter open space if the Planning Commission determines that:

(1) An adequate, well-defined pedestrian circulation system is provided within the planned development;

(2) Pedestrian oriented landscaped and/or public use areas (plazas, patios, etc.) are provided within the planned development;

(3) The reduced open space area will not be detrimental to developments on contiguous properties;

(4) The reduced building setback will not deprive the street nor other properties of necessary light and air; and

(5) These additional features enhance the overall urban design concept of the Planned Development and promote the goals of the City's General Plan, applicable specific plan and/or Redevelopment Plan.

Sec. 13-62. ADDITIONAL DEVELOPMENT STANDARDS

(a) **Maintenance of common facilities.**

(1) A planned development shall be approved subject to the submission of legal instruments setting forth a plan or manner of permanent care and maintenance of all common open space, recreational vehicle storage areas, and other facilities provided in the final development plan. No such instrument shall be acceptable until approved by the City Attorney as to legal form and effect, and the Planning Division as to suitability for the proposed use of the common space and subject facilities.

The declaration of covenants shall contain language or provisions substantially as follows:

a. "The covenants, conditions and restrictions of this declaration shall run to the City of Costa Mesa insofar as they shall apply to the maintenance of the "common areas" as herein defined."

b. "In the event the association or other legally responsible person(s) fail to maintain the common area in such manner as to cause same to constitute a public nuisance, the City may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon the common area, individual units or the whole thereof as provided by law."

(2) The common open space, recreational vehicle storage areas and other facilities provided may be conveyed to a public agency or private association. If the common open space, recreational vehicle storage areas or recreational facilities are conveyed to a private association, the developer shall file as part of the aforementioned instruments a declaration of covenants and restrictions that will govern the association. The provisions shall include, but not be limited to the following:

a. The private association must be established prior to sale of any unit(s).

b. Membership must be mandatory for the original buyer and any successive buyer.

c. The private association must be responsible for liability insurance, local taxes (if any) and the maintenance of common open space, recreational vehicle storage areas and other facilities.

d. Each member of the association shall be assessed a pro rata share of the costs incurred by the association.

e. The private association must be able to adjust any assessments to meet changed needs.

(3) The Planning Commission may also require dedication of development rights or scenic easements to assure that common open space shall be maintained.

(b) **Traffic circulation.**

(1) Primary vehicular access points to the planned development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian and bicycle traffic. Minor streets within the planned development shall not be connected to streets outside the development in such a manner as to encourage their use by through traffic.

(2) Where appropriate, the internal circulation system shall provide pedestrian and bicycle paths that are physically separated from vehicular traffic to serve residential, nonresidential and recreational facilities provided in or adjacent to the planned development. Where designated bicycle paths or trails exist adjacent to the planned development, safe, convenient access shall be provided. The Planning Commission may require, when necessary, pedestrian and/or bicycle overpasses, underpasses or traffic signalization in the vicinity of schools, playgrounds, parks, shopping areas or other uses that may generate considerable pedestrian and/or bicycle traffic.

(c) **Streets.**

(1) The design of public and private streets within a planned development shall reflect the nature and function of the street. Existing City standards of design and construction may be modified only as is deemed appropriate by the Planning Commission after recommendation by the City Engineer, Planning Division, Fire Chief and Police Chief. Right-of-way, pavement and street widths may only be reduced by the Planning Commission where it is found that the final master plan for the planned development provides for the separation of vehicular and pedestrian traffic; that access for public safety and service vehicles is not impaired; and that adequate off-street parking has been provided.

(2) All private streets within a planned development shall be dedicated to the City as utility easements where the easements are necessary.

(3) All private streets shall be conveyed to a private association where one exists as established by subsection (a).

(4) If the private association or person(s) owning the private streets in a planned development should in the future request that any private streets be changed to public streets, the private association or owner(s) shall agree that before consideration for acceptance by the City the private association or owner(s) will bear the full costs of reconstruction of any other action necessary to make the streets conform to the applicable standards for public streets. The private association or owner(s) shall also agree that these streets shall be made to conform and be dedicated to public use without compensation to the private association or owner(s).

(d) **Parking.**

(1) Parking shall be provided per CHAPTER VI OFF-STREET PARKING STANDARDS. In addition, the Planning Commission may determine that storage areas for boats, trailers, campers and other recreational vehicles shall be required, where the necessity for such facilities has been demonstrated and where such facilities will preserve the required off-street parking for the use of automobiles.

(2) Parking areas, covered or open, in any planned development shall be screened from view from any public right-of-way. (Exception: single-family, small lot subdivisions.)

(e) **Development standards for mixed use planned developments.**

(1) Nonresidential development in Planned Development Residential districts shall comply with the following criteria:

a. Commercial components of Planned Development Residential projects shall comply with the permitted uses, site coverage and parking requirements of the Planned Development Commercial district.

b. Commercial development within a planned development shall be located so as to be accessible in a manner that does not create traffic congestion or hazards to any street. Location, off-street parking and loading requirements shall be determined as appropriate to the particular planned development. Consideration shall be given to anticipated pedestrian, bicycle, and vehicular traffic, adjacent development that may provide multiple use of off-street parking facilities and the types of commercial use provided.

c. Parking areas, service areas, buffers, entrances, exits, yards, courts, landscaping, graphics and lighting shall be designed as integrated portions of the total planned development and shall protect the residential character.

(2) Complementary residential and industrial uses within the Planned Development Commercial district shall comply with the permitted uses, density or site coverage, and parking requirements of the Planned Development Residential and Planned Development Industrial districts or any applicable specific plan.

(3) Complementary commercial and residential uses within the Planned Development Industrial district shall comply with the permitted uses, site coverage or density, and parking requirements of the Planned Development Commercial and the Planned Development Residential districts.

(f) **Building spacing, setback, yard and building height requirements.**

(1) Each planned development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walls, barriers, landscaping and sound reducing construction techniques shall be used as appropriate for the aesthetic enhancement of property and the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.

(2) Unless otherwise noted in this article, no specific yard, setbacks or building height requirements shall be imposed in the planned development district, except as provided in the master plan; provided, that the spirit and intent of this section and the Planned Development ordinance are met.

(g) **Noise attenuation.** When, in the opinion of the Planning Division, a proposed Planned Development may be situated in a noise environment, which will adversely affect future residents, an acoustical analysis shall be required. An acoustical evaluation of the working drawings of the proposed residential project shall be submitted to the Planning Division by a licensed acoustical engineer prior to the issuance of building permits. The engineer shall certify that the construction will reduce residential interior noise levels to 45 CNEL or less and residential exterior noise levels in common and private open space areas to 65 CNEL or less. An exception to the 65 CNEL exterior noise standard is for high-rise residential developments in the North Costa Mesa Specific Plan area. See Chapter XIII. NOISE CONTROL for additional information. Building occupancy will be granted upon submittal of a field test report from a licensed acoustical engineer certifying that the above standards have been met. The method of field testing shall be approved by the Planning Division.

(h) **Bluff-top setback.** No building or structure shall be constructed closer than 10 feet from a bluff crest, unless it is determined that the building or structure will not:

(1) Endanger stability of the slope;
(2) Substantially interfere with access for fire protection; and
(3) Detract from the visual identity and integrity of the bluffs.

Sec. 13-63. PHASED PLANNED DEVELOPMENTS

If the sequence of construction of various portions of the master plan is to occur in stages, then the open space and/or recreational facilities shall be developed in proportion to the number of dwelling units intended to be developed during any given stage of construction.

ARTICLE 7. INSTITUTIONAL AND RECREATIONAL AND INSTITUTIONAL AND RECREATIONAL SCHOOL DISTRICTS.

Sec. 13-64. PURPOSE

This article is intended to provide development standards for both publicly and privately owned land which provide recreation, open space, health, public service and educational opportunities.

Sec. 13-65. SPECIAL DISTRICT REQUIREMENTS

(a) Uses incidental to the main function of the development may be permitted upon approval by the Planning Commission through the adoption or amendment of the master plan.

(b) In the I&R-S zones, site plans shall meet the requirements of all State agencies having jurisdiction over the design, construction and operation of public and private school facilities.

Sec. 13-66. DEVELOPMENT STANDARDS

Table 13-66 identifies development standards in the institutional and recreational zones. See also ARTICLE 9 GENERAL SITE IMPROVEMENT STANDARDS of this chapter for additional requirements.

TABLE 13-66
DEVELOPMENT STANDARDS FOR I & R AND I & R-S ZONES

DEVELOPMENT STANDARDS	**I & R and I & R-S**
Minimum Lot Area	6,000 square feet
Minimum Lot Width	60 feet
Maximum Floor Area Ratio	Refer to Chapter V, Article 8 FLOOR AREA RATIOS.
Maximum Building Height	4 stories south of the I-405 Freeway except that special purpose housing (e.g., affordable, elderly and student housing) may be granted additional building height.
SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS AND STRUCTURES (Minimum distances given, unless otherwise noted. All setbacks from streets are measured from the ultimate property line shown on the Master Plan of Highways.)	
Front	20 feet
Side or Rear, abutting a secondary, primary or major street	20 feet
Side or Rear, abutting all other streets	10 feet
Interior Lot Line	5 feet. Additional setback may be required by the Planning Commission if deemed necessary to protect adjacent land uses.
PARKING (See Chapter VI).	
LANDSCAPING (See Chapter VII).	
SIGNS (See Chapter VIII).	
ADDITIONAL DEVELOPMENT STANDARDS	
Planned Signing Program	Not required
Master Plan	Required
Uses conducted underroof	All uses permitted shall be conducted underroof. *Exception:* Uses which are incidental to and an integral part of the use conducted underroof may be conducted onsite in the open, pursuant to the approval of a minor conditional use permit.

ARTICLE 8. FLOOR AREA RATIOS

Sec. 13-67. PURPOSE

The purpose of this article is to define the maximum building intensity for nonresidential developments.

Sec. 13-68. DEFINITIONS

The following definition shall be used to interpret this portion of the Zoning Code:

Project. A development proposal submitted under a single ownership or control at the time of the initial plan submittal and approval. A project may be subdivided or developed in phases by subsequent multiple owners. However, the initial building intensity established by the initial project approval shall be maintained throughout the development of the entire project.

Sec. 13-69. FLOOR AREA RATIO ESTABLISHED

The project shall not exceed the Floor Area Ratio (FAR) established in the General Plan for the applicable land use designation as shown in Table 13-69, unless a deviation is allowed by the General Plan.

TABLE 13-69
MAXIMUM FLOOR AREA RATIOS

GENERAL PLAN LAND USE DESIGNATION	HIGH TRAFFIC USES[1]	MODERATE TRAFFIC USES[2]	LOW TRAFFIC USES[3]	VERY LOW TRAFFIC USES[4]
Commercial-Residential	0.20	0.30	0.40	-
Neighborhood Commercial	0.15	0.25	0.35	0.75
General Commercial	0.20	0.30	0.40	0.75
Commercial Center	0.30	0.35	0.45	0.75
Regional Commercial[5]	-	0.652/0.89	-	-
Urban Center Commercial[5]	-	0.50	0.60	-
Light Industry	0.15	0.25	0.35	0.75
Industrial Park	0.20	0.30	0.40	0.75
Public/Semi-Public	0.25 and 0.01 for golf courses			
Fairgrounds	0.10			

1. For **commercial designations**, high traffic uses are those which generate more than 75 daily trip ends per 1,000 square feet of gross floor area. For **industrial designations**, high traffic uses are those which generate more than 15 daily trip ends per 1,000 square feet of gross floor area.
2. For **commercial designations**, moderate traffic uses are those which generate between 20 and 75 daily trip ends per 1,000 square feet of gross floor area. For **industrial designations**, moderate traffic uses are those which generate between 8 and 15 daily trip ends per 1,000 square feet of gross floor area.
3. For **commercial designations**, low traffic uses are those which generate between 3 and 20 daily trip ends per 1,000 square feet of gross floor area. For **industrial designations**, low traffic uses are those which generate between 3 and 8 daily trip ends per 1,000 square feet of gross floor area.
4. For **commercial and industrial designations**, very low traffic uses are those which generate less than 3 daily trip ends per 1,000 square feet of gross floor area.
5. Maximum FAR standards in the Regional Commercial and Urban Center Commercial designations shall be further limited by the maximum AM peak hour and PM peak hour trip budget as established in the General Plan.

ARTICLE 9. GENERAL SITE IMPROVEMENT STANDARDS

Sec. 13-70. PURPOSE

The purpose of this article is to identify additional development standards for all zoning districts. The following standards shall apply to new developments and to major alterations, additions or improvements to existing developments that exceed fifty (50) per cent of the gross floor area of the existing improvements on the same site (an "existing development").

Sec. 13-70.1 Definitions. For purposes of this article, the following definitions shall apply:

Improvements. Any major alteration, addition or improvement to an existing development in an R1 zone that exceeds fifty (50) per cent of the gross floor area of the existing improvements on the same site.

Program. That particular portion(s) of the Citywide Missing Sidewalk Program adopted by the city council that specifically address missing sidewalks in R1 zones as such is incorporated in the city's annual parkway maintenance projects.

Sidewalk: A concrete walkway adjacent to the street and within the public right of way, used primarily for pedestrian traffic that is constructed pursuant to city's standard No. 411. The term "sidewalk" does not include a driveway approach, curb or gutter.

Street Segment: That portion of a street lying between one street intersection and the next closest intersection.

Sec. 13-71. UTILITY REQUIREMENTS

(a) No utility equipment or facility such as gas meters, electrical meters, telephone pedestal mounted terminal boxes, surface mounted electrical transformers, fire hydrants or any other potential obstruction shall be located within the approved parking and/or turn radius area unless installed underground in a vault having an approved traffic lid. All such equipment or facilities located aboveground shall comply with the requirements and meet with the approval of the planning division and serving utility.

(b) Installation or relocation of all utility equipment or facilities shall be performed in a manner so as to obscure the installation of said equipment or facility from view from any place on or off the property. The installation or relocation of the equipment or facility shall comply with the requirements and meet with the approval of the public utility and planning division.

(c) Sewer and water system improvements shall comply with the requirements and meet with the approval of the serving utility.

(d) As an additional requirement only for new developments, new construction or as a condition of approval of a new tract, a revised or reactivated tract or any parcel map, all utilities shall be installed underground on the building site in accordance with the serving utilities' rules, regulations and tariffs on file with the State Public Utilities Commission. The development services director may waive the required undergrounding whenever it is found and determined that such installation is not practically feasible due to economic or technological factors found to exist at the site. Provided, however, that all required termination facilities on the structure and conduit, at least to the outer wall, at a point designated by the serving utility, shall be furnished and installed to facilitate future connection to an underground system.

Sec. 13-72. SITE IMPROVEMENT REQUIREMENTS

(a) All abutting public rights-of-way shall be fully improved to the ultimate right-of-way as required by the master plan of highways, adopted specific plans, or applicable standards and codes under the direction of the public services department except for the installation of sidewalks for existing single family residences in an R1 zone subject to Sec. 13-72.1.

(b) Portland cement concrete driveway approaches shall be installed per City of Costa Mesa Standard Plans. The size, type and location shall be approved by the transportation services engineer.

(c) In cases where existing curb cuts will not be used, they shall be replaced with standard curb and gutter under the direction of the public services department.

(d) Portland cement concrete sidewalks shall be installed per City of Costa Mesa Standard Plans under the direction of the public services department except for the installation of sidewalks for existing single-family residences in an R1 zone subject to Sec. 13-72.1.

(e) Prior to the issuance of a building permit, the developer shall obtain necessary street work permits authorizing construction as indicated in subsections (a), (b), (c), and (d).

Section 13-72.1 R1 Sidewalk Construction

(a) This section applies to existing single-family residences in R1 zones only. The purpose of this section is to provide alternatives to the requirement that owners of existing developments in an R1 zone install a sidewalk when they undergo major alterations, additions or improvements that would otherwise require installation of a sidewalk pursuant to Sec. 13-72.

(b) Nothing in this section shall prevent the city from using its own funds to install sidewalks on any street otherwise subject to this article.

(c) An owner of a single-family residence in an R1 zone shall either:

(1) Construct a sidewalk as required by Sec. 13-72; or

(2) Pay to the city, an amount equal to the cost of sidewalk construction, in lieu of actual construction, as calculated by the City Engineer. Said payment will be based on the average bid unit price accepted by the city for its annual parkway maintenance project and the actual linear feet of the property owner's front property line; or

(3) Satisfy the requirements of subdivision (d) herein below.

(d) Notwithstanding the city's goal of installing sidewalks in all R1 zones throughout the city, it is recognized that there may be neighborhoods in the city that desire to retain a more rural appearance.

(1) Therefore, if an owner of a single-family residence in an R1 zone meets all of the following criteria at the time of application for a permit for construction of the improvement, the owner may "opt out" and will not be required to comply with the provisions of Sec. 13-72.1(c)(1) or (2).

i. The property owner must submit a notarized written statement to the city clerk that includes signatures from at least two-thirds (2/3) of the other property owners on his/her side of a street segment. The notarized statement shall be on

a form provided by the city and shall acknowledge that the person signing the statement is the property owner, identified as the owner of record of said property as reflected in the most recent County Assessor's parcel roll and that said property owner does not want sidewalks installed on their side of their street segment; and

ii. There can be no more than ten (10%) percent of the frontage of the side of the street segment in question improved with existing sidewalk within the public right of way.

(2) The City Engineer, or his designee shall establish a procedure to verify the information required by Sec. 13-72.1(d) and monitor the properties that have qualified under the opt out provision of this chapter.

(3) No property owner on a side of street segment that has opted out pursuant to this section may obtain a permit for, or later decide to install a sidewalk on a property that has opted out, regardless of whether that property owner actually provided a signed statement unless that property owner has complied with subsection 13-72.1(d)(4) below.

(4) A property owner, may cancel his/her street segment's "opting out" of the sidewalk construction program and install a sidewalk adjacent to their property by obtaining notarized signatures from at least two-thirds (2/3) of the property owners on their side of their street segment.

(e) Any payment received by a property owner in lieu of actual construction pursuant to Sec. 13-72.1(c)2 shall be placed in a separate account and, along with any interest earnings on said account, be used solely to pay for the city's future construction of new sidewalks in R1 zones constructed pursuant to the City's Program.

Sec. 13-73. TRASH ENCLOSURES

(a) In non-residential zones, trash enclosures shall be provided under the direction of the Planning Division. In residential zones, trash enclosures shall be required for residential projects of five or more dwelling units. Exceptions to the required trash enclosure in residential projects may be granted by the final review authority, and are subject to the following provisions:

(1) A written determination by the Costa Mesa Sanitary District and/or any contract trash collection service that on-site trash collection service can be provided to each individual dwelling unit;

(2) A recorded land use restriction prohibiting trash collection in the public right-of-way;

(3) Provision of an adequate on-site storage area for trash containers that is screened from on- and off-site views; garage storage of trash containers shall only be permitted if the storage does not affect the required vehicle storage area; and

(4) A limitation of no more than two trash containers per dwelling unit.

(b) The design of trash enclosure(s) shall conform to City standards on file in the Planning Division.

(c) Temporary receptacles, as approved by the Public Services Department for the purposes of public participation in the collection of recyclable products, shall not be considered a trash bin, container or receptacle subject to the requirements of this section. For the purposes of this section, temporary shall mean a period, or periods, of time not exceeding ninety (90) days during any twelve (12) month period.

Sec. 13-74. ELEVATION AND SCREENING REQUIREMENTS

(a) The finished elevations of all buildings, structures, walls and fences shall be approved by the Planning Division prior to issuance of building permits.

(b) All trash containers and mechanical equipment, such as air conditioning compressors, duct work, and vents shall be screened from public rights-of-way and adjacent properties.

(c) Temporary receptacles, as approved by the Public Services Department for the purposes of public participation in the collection of recyclable products, shall not be considered a trash bin, container or receptacle subject to the requirements of this section. For the purposes of this section, temporary shall mean a period, or periods, of time not exceeding ninety (90) days during any twelve (12) month period

Sec. 13-75. FENCES AND WALLS

(a) In residential zones, including planned development, except R-1:

(1) All interior property lines of the master development lot shall have 6-foot high solid opaque walls or fences that conform to the City's Walls, Fences and Landscaping Standards.

(2) All exterior property lines of the master development lot shall have solid masonry walls that conform to the City's Walls, Fences and Landscaping Standards in respect to height and location as well as the following standards. The final review authority shall approve the wall location, height, masonry materials, and finish.

(i) Only one type of wall design with the appropriate mix of masonry materials and finishes shall be permitted for the development lot.

(ii) Wall materials such as uncolored cinder block shall be treated with a decorative finish that complements and enhances the project and surrounding neighborhood.

(iii) Exceptions to the requirements stated in (2)(i) through (2)(ii) may be approved by the final review authority. These exceptions may include, but are not limited to, combination masonry walls with vinyl fencing, stained/treated wood, wrought iron fencing, green wall, and green sustainable composite materials.

(iv) The Development Services Director shall review and approve any future additions to the exterior walls, after project completion, which shall be constructed of materials which are either identical and/or compatible with the original wall.

(b) In commercial zones, including planned development: All interior property lines abutting residentially-zoned property shall have solid masonry walls, at least 6 feet but no more than 8 feet in height, unless an environmental study requires additional height.

(c) In industrial zones, including planned development: A solid masonry wall, at least 6 feet in height shall be constructed along all property lines which abut a residential or commercial zone. The maximum wall height shall not exceed 8 feet, unless an environmental study requires additional height.

(d) If a fence or wall is constructed adjacent to a public street, the fence or wall shall be approved by the Planning Division in terms of its compatibility and harmony with the proposed building and site development and buildings and site developments existing or approved for the general neighborhood. For arterial streets that are adjacent to residential developments, new arterial walls shall comply with the City's Streetscape and Median Development Standards. No fence or wall located in any street setback shall obscure the required street setback landscaping in the commercial and industrial zones.

(e) Fences and walls placed on interior property lines or between the property line and the required setback line for main buildings shall conform to the City's Walls, Fences and Landscaping Standards.

(f) Fences and walls located in proximity to street intersections or where a driveway intersects a sidewalk shall conform to the City's Walls, Fences and Landscaping Standards.

(g) The standards referred to in subsections (e) and (f) shall be adopted by resolution of the City Council.

(h) It shall be unlawful to construct, install, maintain or allow to exist any barbed wire, razor wire, concertina ribbon or similar item in any required setback abutting a public right-of-way. In all other locations, barbed wire, razor wire, concertina ribbon and similar items shall maintain a minimum vertical clearance of 6 feet 8 inches from grade.

(i) It shall be unlawful to install, maintain or allow to exist any electrified fence or any glass, nails or similar items embedded in walls or fences at any location.

(j) Chain link fences. In all non-residential zones, chain link fencing is prohibited in any required setback abutting a public right-of-way. In all residential zones, chain link fencing is prohibited in any area visible from a public street or alley.

1. Chain link fence removal. A property owner of any residential or planned development property that has an existing chain link fence visible from a public street or alley, shall remove the chain link fence at such time the property owner obtains a building permit, or cumulative building permits over a consecutive twelve month period, for property improvements valued at $30,000 or more. The chain link fence shall be completely removed prior to the finalization of the last building permit(s) that exceeds the $30,000 valuation.

(k) Security gates, in all zones, are subject to review and approval by the Planning Division in conjunction with the Fire Department and Transportation Division.

Sec. 13-76. RIGHT-OF-WAY DEDICATIONS

(a) Wherever acquisition of private property is deemed necessary for right-of-way improvement purposes pursuant to the Master Plan of Highways or adopted standards and codes maintained by the Public Services Department, the owner of the property shall be required to dedicate or make an irrevocable offer to dedicate the needed right-of-way in accordance with subsection (b) as a condition of issuance of a building permit or other permit authorizing expansion of the property's usage, or of approval for recordation of a subdivision map. For the purposes of this section, "expansion of property usage" means physical increase in structural area, or increase in land use intensity, likely to result in increased traffic generation. The amount of land to be dedicated shall be that existing between the centerline of the street or other right-of-way and the ultimate right-of-way established in the Master Plan of Highways, the Master Plan of Bikeways, an adopted specific or precise plan or an adopted street alignment plan.

(b) Dedication shall be required for any project that will significantly increase the projected number of vehicle trip-ends per day. Allocation of trip-ends shall be based on a schedule of trip generation factors developed and maintained by the Public Services Department. A significant increase in the projected number of vehicle trip-ends per day shall be deemed to occur and dedication shall be required when any of the following circumstances exist:

(1) Where dedication may be required pursuant to provisions of the State Subdivision Map Act.

(2) Where the site is presently unimproved, vacant or not occupied and the project is likely to result in at least 200 trip-ends per day.

(3) Where the existing use(s) on the site generates fewer than 5,000 vehicle trip-ends per day (24-hour period) and the project is likely to result in an increase of 30 per cent or more, provided the increase is at least 200 trip-ends per day.

(4) Where the existing uses(s) on the site generates between 5,000 and 15,000 vehicle trip-ends per day (24-hour period) and the project is likely to result in an increase of 20 per cent or more in the number of vehicle trip-ends per day.

(5) Where the current use(s) on the site generates more than 15,000 vehicle trip-ends per day (24-hour period) and the project is likely to result in an increase of 10 per cent or more in the number of vehicle trip-ends per day.

(6) Where the above criteria are not met but the Public Services Director and the Planning Commission or the City Council determines that the project will have a detrimental impact on pedestrian or vehicular traffic circulation, because of the nature of the proposed use, its location, or other circumstances applicable to the project site.

(c) **Relief.** Whole or partial relief from the dedication requirements of this section may be granted by the Planning Commission or City Council in conjunction with the review of any application which is subject to dedication. Relief may be granted only in the following circumstances:

(1) When the amount of land needed for right-of-way improvement exceeds 15 per cent of the existing gross lot area, relief may be granted for that portion in excess of 15 per cent.

(2) When the decision-making body determines that the dedication requirement is not reasonably related to the project, dedication may be waived entirely or in part.

(3) When the dedication requirement is based on the projected number of trip-ends per day for a use not listed on the schedule of trip generation factors developed and maintained by the Public Services Department, dedication may be waived if an independent traffic study, paid for by the applicant and prepared pursuant to procedures established by the Public Services Department, states that the use will generate less traffic than the threshold needed to require dedication pursuant to subsection (b).

ARTICLE 10. FLOODWAY AND FLOODPLAIN DISTRICTS

Sec. 13-77. PURPOSE

The Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City Council of Costa Mesa does hereby adopt floodplain management regulations of the National Flood Insurance Program, subject to amendments as provided by law and contained elsewhere in this chapter. The provisions of this article are supplemental to those of the National Flood Insurance Program.

The floodway and floodplain districts and regulations are intended to be applied to those areas of the City which, under present conditions, are subject to periodic flooding and accompanying hazards. The objectives of the floodway and floodplain districts include:

(a) Prevention of loss of life and property and minimization of economic loss caused by flood flows.

(b) Establishment of criteria for land management and land use in floodprone areas that are consistent with the criteria promulgated by the Federal Emergency Management Agency for the purpose of providing flood insurance eligibility for property owners.

(c) Prohibition of encroachments, new construction or other improvements or development that would obstruct or divert the flow of floodwaters within a regulatory floodway.

(d) Regulation and control of use of land below the elevation of the design flood flow within the remainder of the floodplain.

Sec. 13-78. DEFINITIONS

The following words and phrases shall have the definition and construction set forth in this section as used in this article, unless otherwise provided:

Area of shallow flooding. A designated AH or AO zone on the flood insurance rate map (FIRM) in which:

(a) The base flood depths range from one to 3 feet; and

(b) A clearly defined channel does not exist; and

(c) The path of flooding is unpredictable and indeterminate; and

(d) Velocity flow may be evident.

Area of special flood hazard. The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

Base flood. The flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE). The elevation shown on the Flood Insurance Rate Map for zones AE, AH, A1-30, VE and V30 that indicates the water surface elevation resulting from a flood that has a one percent or greater chance of being equaled or exceeded in any given year.

Design flood. That flood against which protection is to be provided by means of land use regulation, flood protective or flood control works. For the purposes of this article, the design flood shall be at the 100-year recurrence interval, corresponding to the base flood as defined above.

Development. Any man-made change to improved or unimproved real estate, including but not limited to

buildings or other structures, grading or paving located within the flood hazard area.

Flood. A general and temporary condition of partial or complete inundation of land areas from the overflow of inland and tidal waters, and the rapid accumulation of runoff of surface waters from any source and mudslides (i.e., mudflows) which are proximately caused or precipitated by accumulations of water on or under the ground.

Flood hazard area. An area having flood, mud-slide (i.e., mudflow) and flood-related erosion hazards, or as shown on a sectional district map, flood insurance rate map (FIRM) or flood boundary and floodway map.

Flood insurance rate map (FIRM) and flood boundary and floodway map. The official maps published by the Federal Insurance Administration (dated December 3, 2009, and any subsequent amendments or revisions thereof) on which are delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood insurance study. The "Flood Insurance Study for the City of Costa Mesa, California, Orange County" (dated December 3, 2009; and any subsequent revisions or updates thereof) prepared by the Federal Insurance Administration providing flood profiles, as well as the boundaries and the water surface elevations of the base flood, including the flood boundary and flood-way map.

Floodplain. The land area adjacent to a watercourse, and other land areas susceptible to being inundated by water from any source (see definition of "flood").

Floodplain Administrator. The Development Services Director, or his designee, is appointed to administer and enforce the floodplain management regulations.

Flood proofing. Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, and structures and their contents.

Flood protection system. Those physical structural works for which funds have been authorized, appropriated and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a flood hazard and the extent of the depth of associated flooding. Such a system typically included channels, storm drains or levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Flood related erosion. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining, caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or by an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

Floodway. The channel of a river or other watercourse and adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floodway fringe. The area of the floodplain on either side of the “floodway” where encroachment may be permitted.

Lowest floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that the enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this article.

Land use district symbol. The applicable designation for the zoning of property, contained in this title.

Manufactured home. Any structure that is transportable in one or more sections, built on a permanent chassis, and designated to be used with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

Manufactured home park or subdivision. Any lot (or abutting lots) of land divided into 2 or more manufactured home lots for rent or sale.

New construction. For floodplain management purposes, new construction signifies structures for which the “start of construction” commenced on or after (December 15, 1980- date of first Costa Mesa Floodplain Ordinance), and includes any subsequent improvements to such structures.

Structure. Anything constructed or erected requiring a fixed location on the ground or attached to something having a fixed location on the ground except business signs and other improvements of a minor character. For floodplain management purposes, "structure" means a walled and roofed building, including a gas or liquid storage tank that is principally above ground, and includes a manufactured home.

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its prior undamaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement. Any repair, reconstruction or improvement of a structure, the cost of which equals to or exceeds 50 percent of the appraised value or which involves 50% or more of the existing square footage of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

Start of construction. The date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include the following:

(a) Land preparation, such as clearing, grading and filling;

(b) Installation of streets and/or walkways;

(c) Excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor

(d) Installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Violation. The failure of a structure or other development to be fully compliant with this ordinance. A structure or other development without elevation certificate, other certification, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as the documentation is provided.

Sec. 13-79. APPLICATION

(a) In any base flood district, when the property is included within a designated flood hazard area shown on the adopted Orange County (countywide) Flood Insurance Rate Map (FIRM) dated December 3, 2009, or a subsequent FIRM, of flood boundary and floodway maps as published by the Federal Emergency Management Agency (FEMA), the additional requirements, limitations and standards contained in this article shall apply.

(b) Flood hazard areas shall be identified and mapped, based upon:

(1) The base flood and criteria set forth by the "Flood Insurance Study for the City of Costa Mesa, California, Orange County" (preliminary study dated December 3, 2009, and any subsequent amendments or revisions thereof). If FEMA has not provided base flood elevations in the study, such base flood data shall be obtained from other available sources or studies meeting with City approval; or,

(2) The design flood as determined from engineering studies reviewed and found satisfactory by the City as approved by the City Council.

(c) The following documents are hereby adopted for the application of floodway area regulations only: (1) all the standards of Sections 59.1, 59.22, 60.1, 60.2, 60.3, 60.6, 65.3 of the National Flood Insurance Program, (2) The Orange County (countywide) FIRM and flood boundary and floodway maps as zoning district maps (dated December 3, 2009, and any subsequent amendments or revisions thereof), and (3) Flood Insurance Study for the City of Costa Mesa (dated December 3, 2009, and any subsequent revisions or updates thereof).

(d) **Disclaimer of Liability.** The degree of flood protection by this ordinance is considered reasonable but does not imply total flood protection.

(e) **Severability.** If any section, provision, or portion of the ordinance is deemed unconstitutional or invalid by a court, the remainder of the ordinance shall be effective."

(f) **Compliance.** No structure or land shall thereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the requirements (including violations of conditions and safeguards) shall constitute a misdemeanor. Nothing herein shall prevent the City of Costa Mesa from taking such lawful actions as is necessary to prevent or remedy any violations.

(g) **Abrogation and Greater Restrictions.** This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(h) **Variance Procedure.** Consistent with the requirements of the National Flood Insurance Program.

Sec. 13-80. USES PERMITTED IN THE FLOODWAY AREAS.

(a) The following uses shall be allowed in the floodway areas:

(1) Flood control channels, levees, spreading basins and grounds, roads, bridges, storm drains and other flood control facilities and devices where the design has been approved by the Director of the Environmental Management Agency and the Board of Supervisors of Orange County or the Public Services Director and the City Council.

(2) General agricultural uses including farming or pastures provided there are no permanent structures, landfill, storage of materials or equipment or stream alterations that would result

in any diversion or increase in flood levels within the designated floodway.

(3) Public utility transmission lines and conduits.

(4) Recreation areas, parks, fishing lakes, riding and hiking trails, golf courses, athletic fields and similar open space uses not including any permanent structures or improvements.

(b) The following uses are prohibited in the floodway areas:

(1) Any permanent structures or buildings excepting those necessary for conveyance of flood and drainage waters and for transit of public utilities and roads.

(2) Dwelling units.

(3) Landfills, excavations, improvements, developments or encroachments that would obstruct or create debris-catching obstacles to passage of a design flood, or cause a cumulative increase in the elevation of the design flood-water profile at any point, or would tend to broaden the floodplain or divert flood flows out of the regulatory floodway or in any way impair the design flood conveyance capacity of the regulatory floodway or cause a potential hazard to public safety or property resulting from flood flows.

(4) Storage or disposal of floatable substances or materials, dangerous chemicals, explosives, flammable liquids or other toxic materials.

(c) Additional uses not specifically listed above as either a permitted or prohibited use may be considered for approval as a conditional use, according to the procedures set forth in CHAPTER III PLANNING APPLICATIONS. However, no use permit shall be approved unless the following finding can be made:

(1) The proposed project, alone or in combination with any existing developments, will not endanger public safety, will not restrict the carrying capacity of the regulatory floodway, will not increase flood heights and will not increase the velocity of floodwaters.

(2) Applicants for conditional use permits shall be required to submit studies, plans or other evidence prepared by a registered professional engineer or architect to support the required findings necessary for approval of the use permit.

Sec. 13-81. USES PERMITTED IN THE DESIGNATED FLOODWAY FRINGE AND SPECIAL FLOOD HAZARD AREAS INDICATED ON THE FLOOD INSURANCE RATE MAP.

(a) **Permitted uses.**

(1) All permitted uses in the floodway areas.

(2) New structures and improvements, including the placement of buildings within the floodway fringe or special flood hazard areas developed in conformance with the provisions of Section 13-82(d) PROCEDURES AND DEVELOPMENT STANDARDS through 13-82(f), inclusive.

(b) **Prohibited uses.**

(1) Landfills, excavations, improvements, developments or encroachments that will obstruct or create debris-catching obstacles to passage of the design flood, or that cause a cumulative increase in the elevation of the design flood-water profile more than one foot at any point, or that will tend to broaden or direct flood flows out of the natural floodplain, or otherwise cause a potential hazard to public safety or property resulting from flood flows in the floodway fringe or special flood hazard areas.

(2) Storage of floatable substances or materials.

(3) Storage or disposal of chemicals, explosives, flammable liquids or other toxic materials in areas or structures that have not been made floodproof.

(c) **Conditional uses.**

(1) Additional uses not specifically listed above as either a permitted or prohibited use may be considered for approval as a conditional use, according to the procedures set forth in CHAPTER III PLANNING APPLICATIONS. However, no conditional use permit shall be approved unless the following finding can be made:

a. The proposed project, along or in combination with any existing developments, will not endanger public safety, will not increase flood heights, and will not increase the velocity of floodwaters.

(2) Applicants for conditional use permits shall be required to submit studies, plans or other evidence prepared by a registered professional engineer or architect to support the required findings necessary for approval of the conditional use permit.

Sec. 13-82. PROCEDURES AND DEVELOPMENT STANDARDS FOR FLOODWAY AREAS

(a) **Review procedures.** Pursuant to FEMA's National Flood Insurance Program regulations, the Floodplain Administrator shall review projects proposed in areas subject to the floodway areas district regulations to determine compliance with the provisions of this article. Specific responsibilities shall include, but not be limited to:

(1) Require permits for all proposed development within special flood hazard areas on the City's FIRM;

(2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;

(3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall (a) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, (b) be constructed with materials resistant to flood damage, (c) be constructed by methods and practices that minimize flood damages, and (d) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(4) Review subdivision proposals and other proposed new development to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that (a) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (b) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (c) adequate drainage is provided to reduce exposure to flood hazards;

(5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems;

(6) Require that all new subdivision proposals and other proposed new developments (including proposals for subdivisions greater than 50 lots or 5 acres whichever is the lesser), include within such proposals base flood elevation data.

(b) **Submittal requirements.** All development, subdivision, structure and substantial improvement proposals shall include submittal of detailed drainage studies and plans drawn to scale showing the nature, location, dimensions and elevation of the area in question, and all existing or proposed structures, fill, storage of materials, drainage facilities and their locations. Specifically, the following information is required:

(1) Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures; in Zone AO and Zone AH, elevation of existing and proposed elevation of lowest floor of all structures.

(2) Proposed elevation in relation to mean sea level to which any structure will be floodproofed.

(3) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria contained in this article.

(4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development. The plans, floor height information, and certifications shall be maintained on file by the Development Services Department for flood insurance reference purposes.

(c) **Notification of Other Agencies.** The following submissions are necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements are based on current data.

(1) **Alteration or relocation of watercourse.** The Floodplain Administrator shall notify adjacent communities and the State Department of Water Resources prior to approval of any project which would alter or relocate a watercourse having an effect on the flood hazard areas shown on the flood insurance rate maps and submit evidence of such notification to the appropriate Federal agency. Any approval action for such project shall require that maintenance is provided within the altered or relocated portion of a watercourse so that the flood-carrying capacity of the watercourse is not diminished.

(2) **Base Flood Elevation changes due to physical alterations.**

a. The floodplain administrator shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a Letter of Map Revision (LOMR) within 6 months of information becoming available or project completion, whichever comes first.

b. The floodplain administrator shall ensure that all LOMR's for flood control projects are approved prior to the issuance of building permits. Building Permits must not be issued based on Conditional Letters of Map Revision (CLOMR's). Approved CLOMR's allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

(d) **Standards of construction.** In all areas of special flood hazards, the following standards are required:

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

(2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage using methods and practices that minimize flood damage.

(3) New construction and substantial improvement of any structure shall have the lowest floor, including basement, elevated to or above the base flood elevation. Nonresidential structures may meet the standards in subsection (d)(5). Upon completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered professional engineer or surveyor and provided to the Development Services Department.

(4) New construction and substantial improvement of any structure in Zone AO and Zone AH shall have the lowest floor, including basement, elevated to or above the depth number specified on the FIRM. If there is no depth number on the FIRM, the lowest floor, including basement, shall be elevated at least 2 feet above the highest adjacent grade. Nonresidential structures may meet the standards in subsection (d)(5). Upon completion of the structure, a registered professional engineer shall certify that the elevation of the structure meets this standard and such certification shall be provided to the Development Services Department.

(5) Nonresidential construction shall either be elevated in conformance with subsections (d)(3) or (d)(4) or, together with attendant utility and sanitary facilities:

a. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of flood water.

b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects on buoyancy; and

c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. The certifications shall be provided to the Development Services Department.

(6) For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

a. A minimum of 2 openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

b. The bottom of all openings shall be no higher than one foot above grade.

c. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

d. Within Zones AH and AO, adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures are required.

(e) **Standards for utilities.**

(1) All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from systems into floodwaters.

(2) Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(3) Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(f) **Standards for subdivisions.**

(1) All preliminary subdivision proposals shall identify the flood hazard area and the elevation of the base flood.

(2) All final subdivision plans will provide the elevation of proposed structure(s) and pads. If the site is filled above the base flood, the final pad elevation shall be certified by a registered professional engineer or surveyor and such certification shall be provided to the Development Services Department.

(3) All subdivision proposals shall be consistent with the need to minimize flood damage.

(4) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

(5) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

(g) **Construction standards for manufactured homes and manufactured home parks and subdivisions.**

(1) All manufactured homes and additions to manufactured homes shall be anchored to resist flotation, collapse, or lateral movement.

(2) For newly placed manufactured homes, new manufactured home parks or subdivisions, expansions to existing manufactured home parks or subdivisions, and repair, reconstruction, or improvements to existing manufactured home parks or subdivisions that equal 50 percent or greater of the value of the streets, utilities, and pads, (before the repair, reconstruction, or improvements commenced), the following standards shall apply:

a. Adequate surface drainage and access for a hauler shall be provided.

b. All manufactured homes shall be placed on pads or lots elevated on compacted fill or on pilings so that the lowest floor of the manufactured home is at or above the base flood level. If elevated on pilings, the following standards shall also apply:

i. The lots or pads shall be large enough to accommodate steps;

ii. The pilings shall be placed in stable soil no more than 10 feet apart; and

iii. Reinforcement shall be provided for pilings more than 6 feet above ground

level.

(3) Written certification of compliance with the standards contained in this section shall be provided by the installer of the manufactured home, the developer of the manufactured home park of subdivision, or the State agency responsible for regulating placement. The certification shall be maintained on file by the Development Services Department for flood insurance purposes.

(4) No manufactured home shall be placed in a floodway area.

(h) **Findings.**

(1) Application for a permit may be denied where the Floodplain Administrator is unable to find that:

a. The development will not produce a significant risk to human life in the event of the design flood;

b. The development is designed and sited so as to offer minimal obstruction to the flow of floodwater; and

c. The development will not create a potential hazard or otherwise adversely affect property because of diversions, increased heights or velocities of floodwaters or because of increased debris or otherwise adversely affect the safety, use or stability of any public way, drainage channel or adjacent property during a flood condition.

Sec. 13-83. EXCEPTIONS TO DESIGNATED FLOOD HAZARD AREA

The Floodplain Administrator may determine that certain properties within a floodplain district are not required to comply with the provisions of this article, "floodplain" district, when it can be shown that any of the following circumstances or conditions are present:

(a) The zoning map includes property within a floodway district that is found not to be within a floodplain area due to incorrect preparation of the zoning map or to physical alteration or surrounding property which effectively removed the subject property from the floodplain area. The Floodplain Administrator’s determination shall be based on a study of topographic and design flood elevation contours on the subject property, and on such additional information as is found necessary or appropriate.

(b) Flood protective or flood control work, adequate to protect against the design flood and in compliance with County flood control and flood protective standards and policies, has been completed. The Director's finding shall confirm that any stream, channel, storm drain or landfill improvements fully offset flood surface elevations established by the applicable floodplain map; and that if the property is included on a flood insurance rate map or a flood boundary and floodway map, all such flood protective or flood control work has been approved by the appropriate Federal agency and the property removed from the floodplain designation on such maps.

ARTICLE 11. MIXED-USE OVERLAY DISTRICT

Sec. 13-83.50. PURPOSE

It is the purpose and intent of this article:

(a) To meet General Plan goals to create new housing opportunities in commercial, industrial, and residential areas by allowing mixed-use developments that exhibit excellence in design, site planning, integration of uses and structures, and protect the integrity of neighboring development.

(b) To encourage mixed-use development projects, as allowed by an adopted urban plan, that combines residential and nonresidential uses, including office, retail, business services, personal services, public spaces and uses, and other community amenities as a means to revitalize a defined area in the city without exceeding the development capacity of the General Plan transportation system.

(c) To encourage a full array of different land use types and structures, including reuse of existing structures, to create an active city life and enhance business vitality.

(d) To ensure the appearance of buildings complementary to the existing architectural character of the area in which they are located and that on-site residential and nonresidential uses are compatible.

(e) To ensure compatibility of mixed-use development projects with existing and future allowable development in surrounding zoning districts.

(f) To allow residents of a live/work unit, including artists, designers, craftspeople, professionals and small-business entrepreneurs, to maintain a business and living space under common ownership.

(g) To allow conversion of commercial or industrial properties to residential developments pursuant to the standards of an adopted urban plan.

Sec. 13-83.51. DEFINITIONS

The following words, terms and phrases, when used in this article, shall have the meanings assigned to them in this section, except where the context clearly indicates a different meaning.

Base zoning district. A zoning district identified as R2-MD, R2-HD, R3, PDR-MD, PDR-HD, CL, C1, C2, MG, or I&R within which only certain land uses and structures are permitted, or conditionally permitted, and certain regulations are established for development of land.

Live/Work Unit. A type of mixed-use development with an integrated residence and working space that is occupied/utilized by a single household in a structure and that is located in a building that has been designed or structurally modified to accommodate joint residential occupancy and work activity.

Mixed-use building. A building that is occupied, arranged, designed, or intended for combinations of land uses; including but not limited to residential, commercial, office, civic, cultural, educational, or recreational uses. A mixed-use building contains residential and nonresidential uses where the dwelling units are typically located on the upper levels and the nonresidential uses on the lower levels of the building. A mixed-use building may also consist of live/work units under a common ownership or residential units that may be owned and occupied separately from the nonresidential space.

Mixed-use development. A development that includes the following: (a) nonresidential and residential uses on the same development site, such as but not limited to, residential, office, retail, or public uses; (b) nonresidential and residential units are not necessarily located in the same building.

Overlay Zone. A zoning district that applies another set of zoning provisions to a specified area within an existing zoning district. The overlay zone supercedes the zoning regulations of the base zoning district, unless otherwise indicated.

Urban Plan. A regulating document that sets forth allowable uses, development standards, and land use regulations relating to the nature and extent of land uses and structures.

Sec. 13-83.52. MIXED-USE DEVELOPMENT TYPES

The adopted urban plan shall identify the appropriate mixed-use type for the overlay area. These types may include the following:

(a) **Live/Work Unit**. A type of mixed-use development that combines work and living quarters in the same building that has been designed or structurally modified to accommodate joint residential occupancy and work activity by a single household.

A live/work unit consists of the following:

(1) Living/sleeping area, kitchen, and sanitary facilities in conformance with the State Building Code; and

(2) Adequate working space accessible from the living area, reserved for, and regularly used by, one or more of the persons residing in the space.

(b) **Commercial/Residential Unit.** A type of vertical mixed-use development where nonresidential and residential uses are located in the same building and where the dwelling units are typically located on the upper levels and the nonresidential uses are located on the lower levels. Persons residing in the residential component do not necessarily work in or own any portion of the nonresidential component. This product type may also be designed so that nonresidential and residential uses are located adjacent to one another on the same or adjoining lots of the same development site and in separate buildings.

(c) **Residential Unit.** A residential unit located in a larger residential development.

Sec. 13-83.52. APPLICATION REVIEW PROCEDURES IN MIXED-USE OVERLAY DISTRICT

(a) **Mixed-Use Development Plan Screening Application required**. All residential and mixed-use development projects proposed in the mixed-use overlay district shall submit a screening application for consideration by City Council, as described in Section 13-28(g)(4) of the Zoning Code.

(b) **Master Plan required**. All development proposed in the mixed-use overlay district requires approval of a master plan pursuant to CHAPTER III PLANNING APPLICATIONS. The final review authority for the master plan shall be the Planning Commission. Refer to Section 13-28(g), master plan, regarding the following: preliminary master plans and amendments to the master plan.

(c) **Master Plan Findings for Mixed-Use Overlay District**. The approval of the master plan for a residential or mixed-use development project in the mixed-use overlay district shall be subject to the following findings:

(1) The project is consistent with the General Plan, meets the purpose and intent of the mixed-use overlay district, and the stated policies of the Urban Plan as applicable.

(2) The project includes adequate resident-serving amenities in the common open space areas and/or private open space areas in areas including, but not limited to, patios, balconies, roof terraces, walkways, and landscaped areas.

(3) The project is consistent with the compatibility standards for residential development in that it provides adequate protection for residents from excessive noise, odors, vibration, light and glare, and toxic emanations.

(4) The proposed residences have adequate separation and screening from adjacent commercial/industrial uses through site planning considerations, structural features, landscaping, and perimeter walls.

(d) Deviation from Development Standards. A deviation from the mixed-use development standards may be approved through the master plan process provided that the following findings are made.

(1) The strict interpretation and application of the mixed-use overlay district's development standards would result in practical difficulty inconsistent with the purpose and intent of the General Plan and Urban Plan, while the deviation to the regulation allows for a development that better achieves the purposes and intent of the General Plan and Urban Plan.

(2) The granting of a deviation results in a mixed-use development which exhibits excellence in design, site planning, integration of uses and structures and compatibility standards for residential development.

(3) The granting of a deviation will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Sec. 13-83.53. MIXED-USE DEVELOPMENT STANDARDS

The development regulations of the base zoning district shall be superseded by the overlay district standards in this article or in the adopted urban plan, unless otherwise noted.

(a) **Floor-Area-Ratio (FAR).** As established by the General Plan, the maximum FAR for mixed-use development is 1.0. An increase to 1.25 FAR may be allowed for mixed-use developments that exhibit design excellence and are consistent with the deviation findings described in Section 13-83.52 of the Zoning Code.

(b) **Allowable Uses.** Allowable and prohibited uses shall be determined in the adopted urban plan for the mixed-use overlay area.

(c) **Residential Component.**

(1) **Location.** In vertical mixed-use developments, residential uses shall be limited to floors above or behind the lower-level nonresidential uses. Lobbies, entryways, and other nonhabitable space for residential uses may be located on the street level. In horizontal mixed-use projects, siting commercial uses along the public frontage is recommended.

(2) **Common Open Space.** The common open space areas with resident-serving amenities should be centrally located within the development as an internal courtyard/common area shielded by on-site structures and should be accessed by the residents through landscaped walkways.

(3) **Single-family detached residences.** A small lot, single-family detached residential development is prohibited in a mixed-use development unless otherwise indicated in the Urban Plan.

(4) **Ownership required**. For live/work lofts, the residential space shall not be sold, rented, or leased as a separate living unit from the nonresidential space, either as a condominium or community apartment. No portion of any live/work unit shall be further divided for purposes of leasing, subleasing, or renting. The residential space of the live/work loft must be occupied by the same individual(s) who are conducting business activity in the nonresidential space. In mixed-use developments where nonresidential and residential units are distinctly located in individual units, these units may be held under separate ownership/occupancy.

(d) **Nonresidential component.**

(1) **Location**. Vertical mixed-use buildings shall be comprised of nonresidential uses limited to the ground or lower levels of a mixed-use building. Mixed-use buildings shall be located so as to be accessible in a manner that does not create traffic congestion or hazards to any street. Location of off-street parking and loading areas shall be determined as appropriate to the particular mixed-use development. Consideration shall be given to anticipated pedestrian, bicycle, and vehicular traffic, adjacent development that may provide multiple use of off-street parking facilities and the types of commercial use provided.

(2) **Project design features**. The nonresidential component of the mixed-use development shall incorporate parking areas, service areas, buffers, entrances, exits, yards, courts, landscaping, graphics and lighting as integrated portions of the overall mixed-use

development.

(e) **Planned signing program**. A planned signing program is required for any nonresidential component of a mixed-use development.

(f) **Additional development standards.** The adopted urban plan shall contain development standards that are applicable to a particular mixed-use overlay area.

Sec. 13-83.54. MIXED-USE COMPATIBILITY STANDARDS

The following standards are intended to ensure compatibility of uses in the mixed-use overlay district.

(a) **Restriction on activities.** Commercial or light industrial uses within mixed-use development projects shall be designed and operated, hours of operation limited, so that residents are not exposed to offensive noise, including noise from traffic, trash collection, routine deliveries or late night activity. Deliveries from heavy trucks at the project site between 8:00 p.m. and 6:00 a.m. should be expressly prohibited.

(b) **Noise and Groundborne Vibrations.** Title 13, Chapter XIII, Noise Control, of the Costa Mesa Municipal Code provides a definition of exterior areas of multi-family residential projects in residential and mixed-use developments within the Mixed-Use Overlay District. All residential development within the Mixed-Use Overlay District are subject to the City's interior and exterior residential noise standards as applicable and the Lmax standard for residential interior exposure, as indicated in Chapter XIII of Title 13. Residential uses should be oriented away from odor-generating structures and loading docks used by heavy trucks.

(c) **Lighting.** Outdoor lighting associated with industrial/commercial uses should not adversely impact adjacent residential uses, but should provide sufficient illumination for use, access, and security. Such lighting should not blink, flash, or oscillate.

(d) **Windows.** Residential building windows abutting industrial or commercial uses should not directly face windows of these adjacent properties unless privacy tinting, architectural elements, structures, landscaping, or other features provide adequate screening and privacy protection.

(e) **Security.** Residential units should be designed to ensure the security of residents through the provision of secured entrances and exits that are separate from the non-residential uses on the same site. Residential units should be directly accessible to parking areas. Non-residential and residential uses should not have common entrance hallways or common balconies. These separations should be shown on the development plan and the separations should be permanently maintained.

Sec. 13-83.55. PHASED MIXED-USE DEVELOPMENTS

If the sequence of construction of various portions of the master plan is to occur in stages, then the open space and/or recreational facilities should be developed in proportion to the number of live/work and/or dwelling units intended to be developed during any given stage of construction.

CHAPTER VI. OFF-STREET PARKING STANDARDS
ARTICLE 1. RESIDENTIAL DISTRICTS

Sec. 13-84. PURPOSE

The purpose of this article is to establish parking requirements for the residential zones. The provisions of this article shall apply to the R1, R2-MD, R2-HD and R3 zones, and to the residential portions of the Planned Development and Institutional and Recreational zones. *Exception:* These parking standards do not apply to high-rise residential developments in the North Costa Mesa Specific Plan; see the specific plan for applicable parking rates.

Sec. 13-85. PARKING REQUIRED

In the residential districts, the following minimum off-street parking spaces shall be provided. The parking spaces shall provide safe and adequate ingress and egress and shall be maintained in connection with the building or structure and use of land.

(a) **R1 zone and small-lot single-family common interest developments (excluding townhouses).** At the time of the construction of a residence, off-street parking in the form of a garage and open parking shall be provided as follows:

TABLE 13-85(a)

Off-Street Parking Standards for Single-Family Detached Residences in R1 zone and Small-Lot, Detached, Residential Common Interest Developments

Single-Family Detached Residence with 4 Bedrooms or Fewer		
Garage Parking Spaces	**Open Parking Spaces[1]**	**Total Parking Spaces**
2	Lots without garage access from alley: 2	4
	Lots with garage access from alley: 1	3
Single-Family Detached Residence with 5 Bedrooms or More[2]		
New Construction		
Garage Parking Spaces[2]	**Open Parking Spaces[1, 2]**	**Total Parking Spaces**
3	Lots without garage access from alley: 2	5
	Lots with garage access from alley: 1	4
Bedroom Additions		
Garage Parking Spaces	**Open Parking Spaces[1, 2]**	**Total Parking Spaces**
2	Lots without garage access from alley: 2	4
	Lots with garage access from alley: 1	3

1. In R1 zones, required open parking may be provided in a garage or on a minimum 19-foot long, individual driveway leading to a garage. In common-interest developments, required open parking may be provided on an individual unit's driveway or within the common area. Open parking provided as tandem spaces is subject to approval of a minor conditional use permit.
2. For single-family detached residences with five bedrooms or more, tandem parking of up to two standard vehicles is permitted in the garage as it relates to new construction. Tandem garage parking shall exclusively consist of two standard parking spaces.

(1) Required garage dimensions: Each garage space shall have interior dimensions that are a minimum 10 feet wide by 20 feet long, unobstructed inside measurements. Each residence shall have no more than 700 square feet of garage area unless authorized by a minor conditional use permit.

(2) Application to an existing residence: The off-street parking requirements stated above shall not be applied to an existing residence at the time the residence is increased in size and/or the number of bedrooms is increased unless the total number of bedrooms is increased to 5 or more bedrooms.

(3) With approval of a minor modification, the Planning Division may allow the retention of an existing driveway access from a street to satisfy open parking requirements, at such time that garage access is proposed from an abutting alley.

(b) **R2-MD, R2-HD, R3, PDR-LD, PDR-MD, PDR-HD, PDR-NCM and residential components of developments in the PDC and PDI zones.** At the time of the construction of any building and/or when a structure is enlarged or increased by adding a bedroom(s), required parking shall be provided per Table 13-85. Exceptions:

(1) For lots that are zoned multiple-family residential and contain only one single-family detached residence, the parking requirements in Table 13-85(a) shall be applied.

(2) For individual lots in common-interest developments that contain only one single-family detached residence (excluding townhouses), the parking requirements in Table 13-85(a) shall be applied.

(c) **Reduction of required parking prohibited.** A property owner or property manager shall make available to tenants and guests the parking required by this subsection. No property owner or property manager shall lease, rent, sell, or otherwise make unavailable to residents and guests required parking. Furthermore, the rental of a dwelling unit shall be deemed to include the exclusive use of at least one covered parking space and equal access to the required open spaces reserved for residents.

(d) **Parking for second units.** Two open parking spaces shall be provided for the second unit. In conjunction with a second-unit application, the parking required for the primary dwelling unit shall be in compliance with the current parking requirements as specified in CHAPTER VI OFF-STREET PARKING STANDARDS and shall not be attributed to the second unit. The parking for the second unit does not need to be covered.

Sec. 13-86. PARKING REQUIRED IN MIXED-USE OVERLAY ZONE

In the mixed-use overlay zone, residential parking rates are provided in the applicable urban plan.

Sec. 13-87. GENERAL DEVELOPMENT STANDARDS

General development standards for parking areas applicable to the residential zones are contained in ARTICLE 3 DEVELOPMENT STANDARDS of this chapter.

Table 13-85
RESIDENTIAL PARKING STANDARDS

UNIT SIZE	TENANT COVERED PARKING [1]	TENANT OPEN PARKING [2,3,4,6]	GUEST PARKING [5,6]
BACHELOR	1	.5	.5
1 BEDROOM	1	1.0	.5
2 BEDROOMS	1	1.5	.5
3 BEDROOMS OR MORE	1	2.5	.5

(1) If covered parking for apartments is provided in a parking structure and there is more than one parking space in any parking structure, then there shall be no solid walls constructed to separate individual parking spaces.

(2) Open tenant parking spaces required by this section shall be distributed throughout the project at convenient locations and shall be screened from view from any public right-of-way. Open tenant parking may be provided as covered parking.

(3) For projects on individual driveways that are at least 19 feet long and lead to a garage space(s) or a carport space(s), the driveway area may be used for satisfying tenant open parking requirements.

(4) Open parking can be reduced by .25 space per unit for one bedroom and larger units if the covered parking is provided within either a carport or a parking structure. For purposes of this section, a parking structure shall be defined as: a structure designed and constructed to provide covered automobile parking where parking spaces are located in a common area with no walls or other physical separations between spaces. Open parking requirements may be met by excess covered parking.

(5) Guest parking shall be clearly marked and permanently maintained for individuals visiting within the development. Guest parking spaces shall not be allowed on individual driveways.

Guest parking may be reduced to .25 space per unit for each unit above 50 in a large residential development.

(6) Fractions equal to or above one-half (0.5) shall be rounded up. For rounding purposes, the tenant parking requirements shall be added together; guest parking shall be rounded up separately.

ARTICLE 2. NONRESIDENTIAL DISTRICTS

Sec. 13-88. PURPOSE

The purpose of this article is to establish parking requirements for all nonresidential zones, nonresidential components of the Planned Development Residential zones and to mixed-use developments in all zones.

Sec. 13-89. PARKING REQUIRED

The minimum amount of off-street parking as established in Table 13-89 shall be provided at the time:

(a) Any building and/or structure is constructed;

(b) Any building or structure is enlarged or increased in capacity by adding gross floor area, gross leasable area or seats;

(c) A specific use is proposed for a building site; or

(d) An existing use is changed to one which requires additional parking.

At all times, with the exception of the provisions of Section 13-98 DECLARATION OF LAND USE RESTRICTION , parking shall be provided according to the requirements of Table 13-89.

Sec. 13-89.5. REDUCTION IN PARKING REQUIREMENTS

Where it can be shown that the required parking for a nonresidential land use will substantially exceed the demand of the actual use, the Zoning Administrator may, by minor conditional use permit, allow a reduction in the amount of required parking. The Zoning Administrator may place the following conditions on the approval of the minor conditional use permit:

(a) Allow such excess parking to be provided as landscaping, plazas, courtyards, or similar open space feature.

(b) Require recordation of a land use restriction that restricts the future use of the property to ensure adequate parking availability.

Sec. 13-90. PARKING FOR USES NOT SPECIFIED

The parking requirements for the uses not specified in Table 13-89 shall be determined by the Planning Division. The determination shall be based upon the requirements for the most comparable use specified in this chapter or other appropriate sources.

Sec. 13-91. GENERAL DEVELOPMENT STANDARDS

General development standards for parking areas applicable to the nonresidential zones are contained in ARTICLE 3 DEVELOPMENT STANDARDS of this chapter.

TABLE 13-89
NONRESIDENTIAL PARKING STANDARDS

USE	PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)
Retail; Offices; Central Administrative Offices;	4 spaces per 1,000 square feet with a minimum of 6 spaces
Establishments Where Food or Beverages are Served with a maximum of 300 sq.ft. of Public Area[1]	4 spaces per 1,000 square feet with a minimum of 6 spaces[2]
Office Buildings exceeding two stories in height and 100,000 square feet in area	3 spaces per 1,000 square feet
Banks; Savings and Loans; Credit Unions	5 spaces per 1,000 square feet with a minimum of 6 spaces
Medical and Dental offices; Acupressure; Massage	6 spaces per 1,000 square feet with a minimum of 6 spaces
Furniture and Appliance Stores with floor area greater than 5,000 square feet	2 spaces per 1,000 square feet with a minimum of 20 spaces
Churches; Theaters; Mortuaries; Auditoriums; Services and Fraternal Clubs and Lodges; Amphitheaters and other similar places of assembly	Within the main auditorium or assembly area: 1 space for each 3 fixed seats or 1 space for every 35 square feet of seating area if there are no fixed seats. 18 lineal inches of bench shall be considered equal to one fixed seat.
Racquetball and Tennis Facilities	3 spaces per court plus parking required for incidental uses such as restaurants which shall be calculated as noted below.
Establishments Where Food or Beverages are Served with more than 300 square feet of Public Area[1]	10 spaces per 1,000 square feet for the first 3,000 square feet [2] 12 spaces per 1,000 square feet for each additional 1,000 square feet above the first 3,000 square feet [2]
Health Clubs; Spas; Figure Salons; Skating Rinks; Game Arcades	10 spaces per 1,000 square feet
Bowling Alleys	3 spaces per lane plus parking required for incidental uses such as restaurants which shall be calculated as noted under "Establishments Where Food or Beverages are Served".
Trade Schools; Business Colleges; Dancing and Music Academies	10 spaces per 1,000 square feet
Garden centers; Plant nurseries	4 spaces per 1,000 square feet of gross floor area, and 2 spaces per 1,000 square feet of outdoor display area.
Motels	1 space for each rentable unit without cooking facilities. Each rentable unit with cooking facilities shall be governed by residential parking standards.
Hotels	1 space for each two rentable units plus 10 spaces per 1,000 sq. ft. for the first 3,000 sq. ft., and 20 spaces per 1,000 sq. ft. for each additional 1,000 sq. ft. above the first 3,000 sq. ft. for restaurant, banquet, meeting room and kitchen spaces.

[1] Establishments limited to seating for 12 or fewer persons prior to June 4, 1997 shall remain at that seating limit unless additional parking is provided pursuant to this Zoning Code. [2] The outdoor patio seating area(s) shall be added to the gross floor area of the building for purposes of determining the required parking. [3] The final review authority may apply a maximum credit of one parking space due to the provision of bicycle racks. This credit shall only apply to the overall parking supply and not to multiple uses.

When the approval of a use permit is required, the final review authority may require additional parking spaces at a ratio not to exceed 30 spaces per 1,000 square feet of floor area of the entire building. Factors that may warrant additional parking include, but are not limited to, the provision of entertainment and/or dancing, or substantial ratio of floor area devoted to bar as compared to restaurant use. The maximum parking rate shall be applicable to uses that have substantially maximized the building's occupancy due to design and provision of concentrated uses.

TABLE 13-89 NONRESIDENTIAL PARKING STANDARDS	
USE	**PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)**
Smoking Lounges	17 spaces per 1,000 square feet
Establishments with Live Entertainment, i.e. go-go dancers, topless dancers, bikini dancers	1 parking space for each person for the first 100 persons as authorized by capacity signs posted by the fire department; 1 parking space for each 2 persons for every 101 to 300 persons as authorized by capacity signs posted; 1 parking space for each 3 persons for every 301 plus persons as authorized by capacity signs posted by the fire department.
Shopping Centers with a minimum of 600,000 square feet of contiguous gross leasable area: <u>Main Structure (or group of abutting structures)</u> Retail	 5 spaces per 1,000 square feet of gross leasable area
Establishments where food or beverages are served occupying 5% or less of the total contiguous gross leasable area	1 space per 1,000 square feet of gross leasable area
Establishments where food or beverages or served in excess of 5% of the total contiguous gross leasable area	5 spaces per 1,000 square feet of gross leasable area
Office Space occupying 10% or less of the total contiguous gross leasable area	None
Office Space in excess of 10% of the total contiguous gross leasable area	4 spaces per 1,000 square feet of gross leasable area with a minimum of 6 spaces
Theaters (cumulative) 750 seats and less more than 750 seats	 5 spaces per 1,000 square feet of gross leasable area 5 spaces per 1,000 square feet of gross leasable area plus 3 spaces for each additional 100 seats
<u>Uses within free-standing structures</u> Establishments where food or beverages are served	 10 spaces per 1,000 square feet of gross leasable area
All others	Pursuant to this table
Mixed Use Developments	When there are mixed uses within a single development which share the same parking facilities, the total requirement for parking shall be determined as outlined in "City of Costa Mesa Procedure for Determining Shared Parking Requirements" which are included herein by this reference and which may be amended from time to time by resolution of the City Council. A greater reduction in parking than would be allowed under this procedure may be approved by minor conditional use permit where it can be demonstrated that less parking is needed due to the hours of operation or other unusual features of the users involved. For mixed-use developments located in the Mixed-Use Overlay zone, refer to the applicable urban plan for parking rates.

TABLE 13-89 NONRESIDENTIAL PARKING STANDARDS	
USE	**PARKING RATIO PER GROSS FLOOR AREA (except as noted otherwise)**
Industrial	3 parking spaces shall be provided per 1,000 square feet of gross floor area for the first 25,000 square feet of building; 2 parking spaces shall be provided per 1,000 square feet of gross floor area between 25,000 and 50,000 1square feet of building; and One and one-half parking spaces shall be provided per 1,000 square feet of gross floor area over 50,001 square feet of building.

ARTICLE 3. DEVELOPMENT STANDARDS

Sec. 13-92. PURPOSE

The purpose of this article is to ensure that adequate area is allocated for the consistent development of parking and loading areas.

Sec. 13-93. GENERAL STANDARDS

All parking areas shall be constructed in accordance with the following standards:

(a) **Driveway width.**

(1) In residential projects, driveways providing access to one dwelling unit shall be at least 10 feet wide. Driveways providing access to 2 or more dwelling units shall be at least 16 feet wide. Driveways providing straight-in access from a public street to a garage shall be at least 19 feet long (as measured from the property line) except in the planned development zones (see CHAPTER V, ARTICLE 6 PLANNED DEVELOPMENT).

(2) In commercial, industrial and institutional projects, all two-way driveways shall be at least 20 feet wide, and all one-way driveways shall be at least 14 feet wide.

(3) For all projects, shared driveway access between adjoining properties is subject to approval of a minor conditional use permit.

(b) **Garage door widths.** In residential developments with garages, the width of the garage doors shall be 8 feet for single doors and 16 feet for double doors.

(c) **Landscaping.** For all projects landscaping shall be developed pursuant to CHAPTER VII LANDSCAPING STANDARDS.

(d) **Lighting.** All required parking areas and driveways shall be illuminated under the direction of the Planning Division. Lights used to illuminate parking areas shall be directed away from any adjoining premises located in any residential zone under the direction of the Planning Division.

(e) **Prohibited parking.** In all zones, no parking shall be permitted in any required setback areas abutting a public street except in a driveway serving the garage of only one dwelling unit. ***Exception:*** In the R1 zone, the Planning Division may allow, by approval of a minor modification, the retention of an existing driveway access from a street to satisfy open parking requirements, at such time that garage access is proposed from an abutting alley.

(f) **Screening.** In residential zones, except for single-family detached homes, parking visible from a public street shall be screened in a manner acceptable to the Planning Division.

(g) **Marking.** Except for single-family detached homes, every parking space shall be clearly marked and such marking shall be maintained in a visible and legible manner.

(h) **Wheel stops.** The Planning Division may require that parking be designed to overhang landscaped areas by up to 2 feet or that concrete wheel stops be installed. Any broken or damaged wheel stop shall be replaced.

(i) **Paving.** Off-street parking areas and driveways shall be paved with asphaltic or concrete surfacing, unless approved otherwise by the Development Services Department. The parking and driveways shall be graded and drained to dispose of all surface water to a public right-of-way or storm drain under the direction of the City Engineer. In residential zones, the paving under required covered parking spaces shall be Portland cement concrete.

(j) **Parking spaces and back-up aisles.** Parking spaces and back-up aisles shall conform to "City of Costa Mesa Parking Design Standards" which are included herein by this reference and which may be amended from time to time by resolution of the City Council, unless an alternative plan is approved by the Planning Division.

(k) **Ramp slopes.** Ramp slopes shall conform to "City of Costa Mesa Ramp Slope Standards" which are included herein by this reference and which may be amended from time to time by resolution of the City Council. Ramp slopes which do not meet the ramp slope standards may be approved by minor conditional use permit.

(l) **Diagonal or perpendicular parking stalls.** When diagonal or perpendicular parking stalls are provided only on one side of a driveway, the opposite side shall be clearly posted "NO PARKING, TOW AWAY ZONE."

(m) **Location of parking spaces.** Except in common interest developments, all required off-street parking spaces shall be located on the same lot as the use for which it is required except that such required spaces may be permitted at other locations when and as authorized by a conditional use permit.

(n) **Vehicular circulation.** Parking areas shall provide internal circulation or sufficient designated turnaround space pursuant to the "City of Costa Mesa Parking Design Standards".

(o) **Garages in nonresidential developments.** Required parking for nonresidential projects shall not be enclosed with a garage, unless authorized by a minor conditional use permit. A development review is required for enclosing excess parking spaces with a garage.

Sec. 13-94. SMALL CAR PARKING

(a) With the exception of projects in the R-1 zone, residential projects, with more than 25 required parking spaces, may be allowed a maximum of 10 percent small car spaces if authorized by minor conditional use permit. When small car spaces are provided, each dwelling unit shall be assigned one covered, standard-size parking space.

(b) For nonresidential projects with more than 25 required parking spaces, a maximum of 10 percent of required parking may be designated as small car spaces if authorized by minor conditional use permit.

(c) In all zones, the small car spaces shall comply with City of Costa Mesa standards and shall be clearly marked "SMALL CAR ONLY" or "COMPACT" under the direction of the Planning Division. The distribution, location, and marking of small car spaces shall be subject to the approval of the Planning Division.

Sec. 13-95. ACCESSIBLE PARKING FOR HANDICAPPED PERSONS

Accessible parking for handicapped persons shall be provided as required by Title 24 of the State Administrative Code. In administering the Code requirements, fractions equal to or above 0.5 shall be rounded up to the next whole number.

Sec. 13-96. PARKING SPACES PERMANENTLY AVAILABLE FOR AUTOMOBILE PARKING

In nonresidential projects, all parking spaces as provided for by this chapter shall be made permanently available for automobile parking for employees working at the premises, customers and guests having lawful reason to be at the premises for which such parking is required. It shall be unlawful for any owner, lessee, tenant or any person having control of the operation of any premises for which parking is required by this chapter to prevent, prohibit or restrict authorized persons from using parking provided for such persons under the provisions of this chapter, except that parking fees may be charged and valet parking

may be offered when and as authorized by a conditional use permit.

Sec. 13-97. RESERVED

Sec. 13-98. DECLARATION OF LAND USE RESTRICTION

The Planning Division may require that a declaration of Land Use Restriction be recorded to ensure that future property owners are informed of use restrictions resulting from the number of parking spaces provided.

Sec. 13-99. VEHICLE STANDING, LOADING AND UNLOADING

In commercial or industrial projects:

(a) Vehicle standing, loading and unloading shall be conducted so as not to interfere with normal use of streets, sidewalks, driveways and on-site parking.

(b) Vehicle loading areas may be provided under the direction of the Planning Division. No loading area shall encroach into a required building setback along a public right-of-way. All loading areas or loading docks shall be screened from public view under the direction of the Planning Division.

Sec. 13-100. TRANSPORTATION DEMAND MANAGEMENT REQUIREMENTS

Commercial, industrial and/or mixed use projects, which are estimated to employ 100 or more persons, may also be subject to CHAPTER IX SPECIAL LAND USE REGULATIONS, ARTICLE 12 TRANSPORTATION DEMAND MANAGEMENT.

CHAPTER VII. LANDSCAPING STANDARDS

Sec. 13-101. PURPOSE

(a) It is the purpose of this chapter to establish reasonable requirements and standards for the design, installation, water conservation, and maintenance of landscape and irrigation to:

(1) Enhance the aesthetic appearance of the City by providing standards relating to quality, quantity, and functional aspects of landscaping for developments in all areas of the City.

(2) Address water conservation measures through the landscape and irrigation design.

(3) Encourage sustainable landscapes through landscape techniques that conserve, recycle, and reuse the resources that are invested in landscapes.

(4) Encourage landscape design that protects public health, safety, and welfare by minimizing the impact of all forms of physical and visual pollution, erosion, and unsightly conditions. This includes promoting the use of canopy trees in parking lots, and limiting the overall use of palm trees.

(5) Deter graffiti on walls, break up continuous asphalt and/or concrete surfaces on existing properties, screen incompatible land uses, cool and shade vehicles and hardscape areas, preserve the integrity of neighborhoods, and enhance pedestrian and vehicular corridors.

(6) Encourage applicants to take full advantage of the wide range of drought tolerant landscape materials and low water flow irrigation systems available within the framework established by this chapter.

(7) Establish water efficient landscape regulations, pursuant to State Assembly Bill 1881 and as effective as the State Model Water Efficient Landscape Ordinance.

(8) Promote the design, installation, and maintenance of landscaping in a manner that conserves regional water resources by ensuring that landscaping projects are not unduly water-needy and that irrigation systems are appropriately implemented to minimize water waste.

(9) Refer to the “Water Efficient Landscape Guidelines” adopted by City Council Resolution No. 10-2 to provide procedural and design guidance for project applicants for specified landscape installation or rehabilitation projects except for the R1 (single-family residential) district.

Sec. 13-101.1 APPLICABILITY

(a) The provisions of this chapter apply to all zoning districts in the City.

(b) Landscaping and irrigation which is a part of a registered historical site, public park, or golf course facility, or new or rehabilitated cemeteries may be exempted from the provisions of this chapter when deemed necessary and appropriate by the planning division and consistent with the state’s requirements.

(c) The Water Efficient Landscape Guidelines shall apply to projects that meet the following criteria unless exempted pursuant to the Water Efficiency Landscape Guidelines:

1. New landscape installations or landscape rehabilitation projects in nonresidential zones (except for cemeteries) with a landscaped area equal to or greater than 2,500 square feet.

2. New landscape installations or landscape rehabilitation projects in multi-family residential zones with a landscaped area equal to or greater than 2,500 square feet.

3. New golf courses and parks.

4. Modified landscaped area greater than 2,500 square feet affecting at least 50 percent of the total landscaped area; and planned to occur within one year.

Sec. 13-102. DEFINITIONS

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Canopy trees. Deciduous and evergreen trees that have spreading branches, creating rounded- or flattened-shaped crowns, and which provide shade from the sun. Canopy trees provide a better shade coverage than columnar-shaped trees or palms.

Compost. Biologically decomposed organic material which includes grass clippings, leaves and other garden debris and which may also contain vegetable and fruit refuse.

Deciduous. Any plant that sheds all of its leaves at one time each year (usually fall) is deciduous.

Drip Line. The circle that could be drawn on the soil around a tree directly under the tips of its outermost branches.

Drought tolerant plant material. Those plants that tolerate heavy clay to sandy soils with use of limited supplemental water. The plants are able to thrive with deep, infrequent watering once their root systems are established (3-12 month average time period). Plants include those that naturally grow in areas of limited natural water supply (native and non-native plant species) and are adaptable to weather and soil conditions prevalent in Costa Mesa.

Dry landscape materials. Substances originating from a living organism, such as mulch and ground bark, and natural landscape design elements, such as boulders and dry bed streams.

Espalier. A tree or shrub trained so that its branches grow in a flat pattern against a wall or fence, on a trellis, or along horizontal wires.

Evergreen. An evergreen plant never loses all its leaves at one time.

Hydroseeding. A commercial method of turf or groundcover seed application which is sprayed onto soil prepared for planting. Hydroseeding is a slurry of seeds, soil amendments, and fertilizer, and is usually used on large, open areas.

Invasive plants. Plants that have aggressive growing and/or rooting characteristics which allow the plants or their roots to penetrate into other planting areas, such as turf, and groundcover, or into hardscape areas, such as sidewalks, curbs, and streets (usually to compete for water).

Low water flow irrigation. A system of watering plant material using drip/trickle, reduced water emitting devices, low precipitation heads, soaker lines, or other similar mechanisms, which restricts the amount of water in gallons per minute to allow for deep percolation into the soil. The low water flow irrigation system, combined with watering practices outlined in this chapter, will reduce water loss through evaporation, wind drift and overwatering.

Mulch. Shredded or chipped wood from tree branches and trunks and from uncontaminated wood products or lumber; this material is often mixed with leaves and grass clippings for optimal effect.

Pruning. Skilled cuts, as defined by International Society of Arborists (ISA) standards, on established plants for purposes of maintaining plant health (removal of dead, diseased, or injured wood); controlling or directing growth; increasing quality or yield of flowers or fruit; or training young plants to position their main branches or to ensure strong structure. Pruning involves minor cutting to minimize plant decay, and to retain the natural shape of the plant, except as applied to formal hedges, espalier, and topiary.

Thinning. A form of pruning involving the removal of lateral branches at their point of origin or the shortening of a branch to a smaller later branch, in order to open the plant (usually a tree) to sunlight while accentuating its natural form.

Topiary. A technique of pruning and training shrubs and trees into formalized shapes resembling such things as animals and geometric figures.

Topping or heading back. A severe form of pruning, involving the cutting of current or 1-year-old growth to a bud, or cutting older branches back to a stub or a tiny twig.

Turf. (Also known as lawn) A thick-matted groundcover material consisting of one or several types of grasses, which is grown on open space areas (for active or passive use) or as a groundcover. To look its

best, and because most grasses withstand heavy foot-traffic, turf is usually kept mowed.

Uncontaminated wood products. Materials made from untainted or non-chemically treated wood or lumber that have been chipped or shredded into mulch or bark.

Sec. 13-103. GENERAL PROVISIONS AND SUBMITTAL REQUIREMENTS

(a) Requirements: Landscape and irrigation plans shall be required for all development projects requiring discretionary land use approval and for all City-initiated projects. For landscape projects subject to the Water Efficiency Landscape Guidelines, landscape plans shall be prepared and certified by a California licensed landscape architect.

(b) Process:

(1) The plans shall be submitted to and approved by the planning division prior to issuance of any building permits, and shall be prepared in accordance with requirements listed in this chapter, Water Efficiency Landscape Guidelines (as applicable) and the City's Streetscape and Median Development Standards, which are incorporated herein by this reference, and which may be amended from time to time by resolution of the City Council All unpaved areas shall be planted with an effective combination of trees, groundcover, turf, shrubbery and/or approved dry landscape materials.

(2) Landscape and irrigation plans shall be fully dimensioned and shall include, but shall not be limited to, the following:

a. List of plants (common and Latin names)
b. Plant size
c. Location
d. Irrigation plan
e. Hardscape (sidewalks, driveways, 6" continuous concrete curbing)
f. Water elements
g. Decorative features (boulders, sculptures, arbors, etc.)
h. Planting and irrigation details
i. Maintenance information
j. Any other information deemed necessary by the planning division

(3) **Modifications**: Any modification to an approved landscape or irrigation plan must be approved by the planning division prior to installation of the landscaping or irrigation system.

(4) **Approval**: All plan approvals are subject to and dependent upon the applicant complying with all applicable ordinances, codes, regulations, and adopted policies. All landscape plans for projects subject to the Water Efficiency Landscape Guidelines shall be prepared under the direction of a California licensed landscape architect.

(5) All landscaping and irrigation materials shall be properly installed, inspected, and maintained in a healthy condition, prior to release of building utilities or the issuance of a Certificate of Occupancy, whichever is applicable or occurs first. Final inspection approvals or occupancy clearance shall not be granted until all of the landscaping and irrigation are installed in accordance with the approved plans.

(6) **Conflicting code sections**: When the provisions of this chapter conflict with other sections of the Municipal Code, the more stringent shall apply.

Sec. 13-104. LANDSCAPE PLAN OBJECTIVES

(a) Each landscape plan shall be compatible with the shape and topography of the site and architectural characteristics of structure(s) on the site. Each landscape plan shall be compatible with the character of adjacent landscaping, provided the quality of the adjacent landscaping meets the standard of these guidelines. However, it is not the intent of this section to require the use of identical plant materials or landscape designs. Where existing mature landscaping is in good, healthy condition, every effort shall be made to retain trees and mature landscaping.

(b) Each landscape plan shall illustrate a concern for design elements such as balance, scale, texture, form, water conservation, and unity.

(c) Each landscape plan shall address the functional aspects of landscaping such as grading, drainage, minimal runoff, erosion prevention, wind barriers, provisions for shade and reduction of glare, and water conservation. Each landscape plan shall demonstrate a concern for solar access, including exposure and shading of window areas.

(d) Landscaping shall be used to relieve solid, unbroken elevations, soften continuous wall expanses and deter graffiti.

(e) Landscaping shall be required to screen storage areas, trash enclosures, parking areas, public utilities, freeways, highways, and other similar land uses or elements which do not contribute to the enhancement of the surrounding area. Where possible, planting islands and perimeter landscaping shall be designed as concave-shaped swales instead of convex-shaped berms in order to capture runoff and reduce dependence on water. If mounding or berms are required as part of a project, the slopes shall not exceed a 3:1 (horizontal: vertical) ratio, nor shall they exceed 3 feet in height. Where plants are required for screening, such screening shall consist of the use of evergreen shrubs (minimum 5 gallons), vines and/or evergreen trees closely spaced.

(f) Water elements (pools, ponds, fountains, and other similar ornamental water features) incorporated into the project shall be of a design, shape, and size that minimizes water loss through evaporation. Recirculating water shall be used for decorative water features.

(g) Landscape and irrigation plans shall be designed and implemented to meet the water conservation measures described in the Water Efficient Landscape Guidelines as applicable.

Sec. 13-105. LANDSCAPING REQUIREMENTS

(a) All required setbacks abutting a public right-of-way shall be landscaped (except for walks and driveways which provide access from a public right-of-way).

(b) Except in residential, and institutional and recreational zones, parking areas shall be landscaped pursuant to the following standards:

(1) **Commercial zones, including planned development commercial:** 25 square feet of irrigated landscaping shall be provided for each parking space provided other than spaces within a parking structure.

Exception: In the TC (Town Center) district, all parking areas not within parking structures shall be provided with irrigated landscaping at the rate of 15 square feet per parking space. Included in the required landscaping shall be one tree for every 8 surface parking spaces.

(2) **Industrial zones, including planned development industrial:** 15 square feet of irrigated landscaping shall be provided for each parking space provided other than spaces within a parking structure.

(2A) **Mixed-use overlay zone:** Landscaping should predominately consist of California native plants and should be provided as described in the appropriate Urban Plan document.

(3) **All zones**: Landscaping shall be distributed throughout the parking area and shall be in addition to the required street setback landscaping.

(4) **Parking structure landscape requirements:** In lieu of the required square footage of landscaping per space, parking structures shall be developed with perimeter landscaping under the direction of the planning division. The landscaping shall consist of tall-growing canopy trees, with a tree size mix as follows: One tree for every 100 sq. ft. of perimeter landscape area: 30%,15 gallon trees; 50%, 24- inch box trees; and 20%, 36-inch or greater box trees. In addition, landscaping shall be provided on the upper levels of parking structures with more than 2 parking levels, when these structures are visible from public streets. Perimeter planter boxes, with provisions for drainage, shall be permanently mounted or designed into the structure, incorporating cascading plants. A drip irrigation system, on an automatic timer shall be used to irrigate the plant material.

(c) Perimeter landscaping adjacent to property lines is encouraged in parking areas. Planter area curbs are encouraged to be used in place of wheel stops.

(d) All landscaping shall be separated from parking and vehicular circulation areas by a raised, continuous 6-inch Portland cement concrete curb. Alternative designs which accomplish the same purpose may be approved by the planning division.

(e) The planning division may require landscaping in excess of the minimum area specified for a proposed development, provided the additional landscaping is necessary to:

(1) Screen adjacent uses from parking areas, activities, storage or structures that could cause a negative impact on adjacent uses based on aesthetics, noise, odors, etc.; or

(2) Provide landscaping that is compatible with neighboring uses; or

(3) Provide landscaping (shrub or vine) to deter placement of graffiti on walls.

(f) Landscaping located in proximity to street intersections, or where a driveway intersects a sidewalk, shall conform to the "Walls, Fences, and Landscaping" standards which are established by resolution of the city council.

(g) It shall be unlawful to plant, maintain, or allow to exist any thorn-bearing plant material contiguous to any public right-of-way.

(h) In all residential zones, except R-1, landscape parkways with a combined width of 10 feet, but not less than 3 feet on one side, shall be provided along the sides of interior private streets and/or common driveways. The parkway on the house side of private streets or common driveways shall be a minimum of 5 feet in width.

Sec. 13-106. REQUIRED LANDSCAPING MATERIALS

(a) All required landscaped areas, including landscaped areas within parking lots, shall consist of drought tolerant plant material and shall meet the following minimum requirements:

(1) **Tree count:** One tree (15-gallon or larger) shall be provided for every 200 square feet of landscaped area. 50 percent of all trees shall be evergreen. 25 percent of the required trees shall be 24-inch box or larger. Canopy trees for parking lot areas shall be included in the tree calculation. Canopy trees shall be installed throughout parking lot areas at the ratio of one tree per 6 parking spaces, with an average of 36 square feet of planter area provided per tree. Upon written request, the number of required trees may be reduced by the planning division when it is determined that an alternative design will meet the intent of section 13-104, LANDSCAPE PLAN OBJECTIVES.

a. **Tree count exception**: One tree (minimum 24-inch box or larger) shall be provided for every 300 square feet of landscaped area for automobile dealerships.

(2) **Tree selection:** Trees shall be selected based on their suitability and sustainability in tree wells, narrow planters, and medians. Trees shall also be selected on the basis of quality and diversity as indicated below:

a. 24-inch box trees shall be a minimum 8 feet in height as measured from top of soil line in the box, and shall have a caliper of approximately 3 inches in diameter, 18 inches above the top of the root ball, or meeting with approval by the planning division. Selected trees shall be healthy, vigorous, and free from plant disease and insect pests. Selected trees shall be symmetrical and typical for variety and species. All trees shall have a normal and healthy root system free from being root bound. 15-gallon trees recently transplanted into 24-inch box, and 24-inch box recently transplanted into 36-inch box, and so forth, shall not be substituted for the required tree size.

b. Trees shall be selected from either the City's Recommended Street Tree Palette (Appendix B) or Private Property Tree Palette (Appendix D), included in the Streetscape and Median Development Standards. Trees not selected from these sources shall be approved or disapproved by the planning division based on the objectives in this chapter.

c. All trees shall be staked in accordance with standards contained in the Streetscape and Median Development Standards.

d. At least 2 different tree species shall be identified on plans and installed as part of the project landscaping.

e. Palm trees shall not be used in the landscaped street setback, except as an accent plant to highlight main driveway entrances, to accessorize the front of a building, or for unique or theme uses. Two palms shall constitute one tree in the ratio of required trees for required landscape areas. Palm trees shall not be used as a parking lot tree.

(3) **Shrub count:** One shrub shall be provided for every 25 square feet of open space. 60 per cent of the required shrubs shall be a minimum of 5 gallons. Upon written request, the number of required shrubs may be reduced by the planning division when it is determined that an alternative design will meet the objectives in this chapter.

(4) **Groundcover:** At least 70 per cent of all landscaped areas containing trees and shrubs shall be underplanted with groundcover, with the remaining areas to incorporate a minimum two-inch layer of uncontaminated compost or mulch as required per Water Efficient Landscape Guidelines. Decorative (commercial) bark is not acceptable. Groundcover shall be planted in a triangular-spaced pattern to ensure 100 percent coverage within one year of planting. A minimum 2-foot diameter clearance, measured from each tree trunk, shall be maintained free of groundcover or turf. Uncontaminated shredded mulch or compost shall be applied and maintained in these areas.

(5) **Turf:** Turf incorporated into the landscape design shall not exceed thresholds established by the Guidelines, except for active play areas such as parks, sports fields and gold courses All turf shall be of a drought tolerant variety. Redwood headerboard, or other material acceptable by the planning division, shall be installed to separate turf from planter and groundcover areas.

(b) Street trees located within the public parkway, or any public right-of-way, shall be approved by the public services department.

(c) The plant material selected shall be suitable for the given soil and climate conditions. Plant selection shall take into consideration water conservation through appropriate use, and groupings of plants that are well adapted to particular sites and to particular watering needs, climatic, geological or topographical conditions.

(d) Materials such as crushed rock, redwood chips, pebbles and stone are not satisfactory substitutes for live plant materials although their limited use may be approved by the planning division. Uncontaminated mulch, shredded bark, or compost may be used to fulfill part of the groundcover requirement as noted in section 13-106(a). Uncontaminated mulch, shredded bark, and/or compost used as a groundcover shall maintain a consistent 2-inch minimum layer and provide complete coverage under shrubs and trees.

(e) Artificial plants are prohibited.

(f) **Water Conservation:** For projects that are subject to Water Efficient Landscape Guidelines, landscape and irrigation plans shall meet all the specified requirements.

Sec. 13-107. IRRIGATION REQUIREMENTS

(a) Irrigation and drip systems shall be provided in accordance with Section 2.5 of the Water Efficient Landscape Guidelines. All landscaped areas as specified in the Guidelines shall be provided with an approved irrigation system. Landscaped areas shall be provided with an automatically time-controlled sprinkler system when the site is zoned commercial or industrial, or when the site is zoned residential and permits more than 2 dwelling units.

(b) **Irrigation system:** The irrigation and/or drip system shall consist of underground piped water lines with low water flow sprinklers and/or a drip or trickle irrigation system as specified in the Guidelines. The system chosen shall be designed to provide adequate coverage to all plant material, existing and proposed. Water meter and line sizes shall be calculated from total water demand, which should be, at least, the sum of the maximum irrigation demand and all building demand. Due to varying irrigation requirements, separate control valves and/or sprinkler/emitter heads shall be used when shrubs and turf all appear on the same landscape plan. The irrigation system shall be designed so that overspray, runoff, and low-head drainage onto streets, sidewalks, windows, walls, and fences are minimized. Automatic systems for watering cycles shall be scheduled to maximize ground infiltration rates and further minimize runoff.

(c) **Acceptable watering time:** Landscaped areas should be watered consistent with the requirements

of the applicable water district to provide maximum benefit to the plant material and to reduce unnecessary water loss through drift and evaporation.

(d) **Reclaimed water systems:** Irrigation systems for projects one acre or more in area shall use reclaimed water whenever such water is available to the site. The systems shall be subject to appropriate health standards and review by the applicable water agency.

Sec. 13-108. LANDSCAPE MAINTENANCE

(a) **Responsibility of the property owner:** The property owner is responsible for the maintenance of the landscaping on their property. Any dead, dying, or diseased trees, shrubbery, vines, groundcover, or turf, must be replaced within 60 days of written notice from the development services or public services departments. Tree stakes shall be removed when no longer needed to support the tree. Landscaping shall be maintained in an orderly and healthy condition. This shall include proper pruning according to International Society of Arborists (ISA) standards, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and application of appropriate quantities of water to all landscaped areas. Compost and/or mulch used as a groundcover shall maintain a consistent 2-inch minimum layer over soil.

(b) **Tree pruning**: Topping or heading back of trees are unacceptable pruning methods because the severity of this type of pruning will ruin the natural shape of ornamental trees, and will generate weak new growth which is prone to breaking. The damage created by topping or heading back is difficult to correct. Topping or heading back shall not be used in-lieu of pruning or thinning.

(c) **Tree removal:** Trees shall not be destroyed or removed without prior city approval. Site plans which identify existing and replacement trees shall be submitted to the planning division for review, along with written request and justification for the removal. Additionally, the planning division may require a report prepared by a California licensed arborist. Where possible, and under the direction of the planning division, replacement trees shall be of a size consistent with that to be removed. Trees may be replaced upon approval of plans by the planning division.

(d) **Water conservation required:** Landscape maintenance practices shall be employed which foster long-term landscape water. The practices may include, but not be limited to, performing routine irrigation system repair and adjustments, scheduling irrigation based on the California Irrigation Management Information System, use of moisture-sensing or rain shut-off devices, conducting water audits and prescribing the amount of water applied per landscaped acre.

(e) Violation of subsections (a-d) of this section shall be enforceable under section 1-33 of this Code, irrespective of the negligence or intent of the violator to cause, allow, or facilitate the destruction, improper maintenance, or removal of any trees, landscaping or irrigation.

CHAPTER VIII. SIGNS
ARTICLE 1. PURPOSE AND SCOPE

Sec. 13-109. PURPOSE AND INTENT

The purpose of this chapter is to regulate the type, size and placement of signs on properties in the city in such a way as to balance the identification and communication needs of businesses with traffic safety and the needs of the citizens for a pleasant, uncluttered environment in which to live, work and play. It is the intent of this chapter to implement the goals of the General Plan to create and maintain an aesthetically pleasing and functional environment and to create an environment where business can succeed while being in harmony with other City goals.

Sec. 13-110. SCOPE

The scope of this chapter is limited to the physical regulation of on-site and off-site signs. This chapter does not limit the informational contents of a sign, nor does it limit the use of signs not visible from off site. This chapter does not regulate product displays, flags of any nation or of the State of California, governmental signs, or any display or construction not defined herein as a sign.

ARTICLE 2. GENERAL PROVISIONS

Sec. 13-111. DEFINITIONS

As used in this chapter, the following terms shall have the meanings set forth below:

Advertising statuary. An imitation, representation or similitude of a person or thing which is sculptured, molded, modeled, or cast in any solid or plastic substance, material, or fabric and used for commercial purposes.

Area (of sign). The area included within the outer dimensions of a sign. The area of multiple face signs and advertising statuary shall mean one-half the total surface area. In the case of "skeleton letters" or other signs placed on a wall without any border, the area shall be the sum of the areas of each letter or figure. The area of each letter or figure shall be computed by enclosing the letter or figure within sets of parallel lines.

Balloon sign. Any inflatable object having no dimension that exceeds 24 inches, including, but not limited to, objects made of plastic, cloth, rubber, or canvas, having the shape of any object, and regardless of whether or not it contains copy.

Banner, flag, or pennant. Any cloth, bunting, plastic, paper, or similar material used for advertising purposes on private property and not within the public_right-of-way. Flags of a nation or of the State of California, displayed as such in an appropriate manner, are excepted from these regulations. See also **Street banner.**

Billboard. A sign that advertises a business, product, service or activity,which is not available at or is not conducted on the premises on which the sign is located.

Changeable copy sign. A sign whose copy consists of non-electronic detachable lettering or numbers that must be manually installed, usually on a series of parallel tracks, including, but not limited to, service station price signs and theater marquees.

Construction site sign. A sign located on a construction site used to identify the name of the future site occupant and which may include the names, addresses, and telephone numbers of businesses directly related to the construction project, including but not limited to the architect, engineer, contractor and financing entity.

Contiguous window area. Total surface area of a window or individual windowpanes separated only by vertical or horizontal mullions.

Convenience sign. A sign not larger than 9 square feet, providing directional information and designed to be viewed on site or adjacent to the site by pedestrians and/or motorists. The term convenience sign shall also include electronic time/temperature signs.

Electronic changeable copy sign. A sign that uses video displays, lamps, fiber optics, light emitting diodes (LEDs) liquid crystal displays, plasma displays, or any other mechanical or light emitting medium to convey messages, movement, or animation imagery during or between messages.

For sale sign. A real estate sign indicating that the premises on which the sign is located, or any portion thereof, is for sale, lease or rent.

Freestanding sign. A sign supported permanently upon the ground by poles, braces or other supports, and not attached to any building.

Governmental sign. A sign installed by the City or other public agency pursuant to City approval, including, but not limited to, signs for motorist or pedestrian safety.

Height (of sign). The vertical distance from grade to the highest point of the sign or sign structure.

Illegal sign. Any sign installed or modified in violation of the Costa Mesa Municipal Code at the time the sign was installed or modified.

Illumination - exterior. Illumination cast on a sign from an exterior source, such as a floodlight.

Illumination - interior. Illumination generated from the interior of a sign.

Illumination - interior with opaque background. Interior illumination of a sign where the background of the sign face is opaque and only the copy is illuminated.

Inflatable sign. Any inflatable object having any dimension in excess of 24 inches, including, but not limited to, objects made of plastic, cloth, rubber, or canvas, having the shape of any object, and regardless of whether or not it contains copy.

Mural or super graphic. A large image, picture, or design painted on or affixed to the exterior of a building or structure. A mural or super graphic is a sign only if it is related by language and/or logo to the advertisement of any product or service or the identification of any business.

Neighborhood identification sign. A sign identifying the entrance to a residential area consisting of 5 or more acres.

Nonconforming sign. A sign which was legally installed under laws or ordinances in effect at the time of its installation, but which is in conflict with the current provisions of this chapter.

Open house sign. A real estate sign with the words "Open House" as the primary copy for the premises on which the sign is located.

Painted wall sign. Any sign painted directly on the exterior surface of a building or structure, except awnings or canopies. (See “mural or super graphic”.)

Permanent window sign. A sign that is placed on or behind a window for a period of time in excess of 60 days. Paper or cardboard signs, or signs painted directly onto the surface of a window, are not considered permanent window signs, regardless of the duration of display.

Political campaign sign. A sign indicating the name and/or picture of an individual seeking election to a public office, or concerning any issue, ballot measure or ballot proposition in a municipal, community, state or federal election, or pertaining to the advocating by persons, groups, or parties of political views or policies regarding a matter to be voted on in a forthcoming election.

Portable sign. Any sign which can be moved from place to place which is not permanently affixed to the ground or to a building. The term portable sign includes, but is not limited to, any sign affixed to an automobile, truck, trailer, or other vehicle where such sign solicits patronage to a specific business by means of parking such a vehicle primarily for the purpose of advertising such business. The term portable sign shall also include a sign posted in or on a vehicle parked on public or private property without written consent of the property owner, advertising that vehicle for sale.

Public baseball/softball field. Any baseball and/or softball field owned, rented, or leased by the City or used by the City under a joint use agreement.

Public property. Any building, park, grounds, structures, or other real property (collectively referred to as “property” for the purpose of this definition) owned, rented, or leased by the City not within the public right-of-way or any such property used by the City under a joint use agreement. For the purposes of this definition, public property does not include public baseball and softball fields.

Public right-of-way. Any public sidewalk, street, alley or highway improved to allow vehicular and pedestrian access and adjacent City landscape areas including trees therein, traffic control devices, street name signs, fire hydrants and other structures, under the ownership and jurisdiction of the City or the State.

Real estate sign. A temporary sign placed for the purposes of advertising the premises on which the sign is located as either for sale, lease or rent, and includes "for sale sign" and "open house sign".

Sign. Any medium for visual communication, including its copy, structure and component parts, which is used or intended to be used to attract attention to, or identify, or advertise a business, product, service, activity, or location or to provide information. "Sign" includes statuary and graphic wall designs used for advertising purposes. "Sign" includes billboards, but does not include handbills.

Site. One or more parcels of land identified by the assessor's records and for which an integrated building development exists or has been proposed.

Street banner. Any cloth, bunting, plastic, paper, or similar material used for advertising purposes on

a light standard within the public right-of-way.

Street. A public or private alley, street or highway improved to allow vehicular access.

Temporary window sign. A non-illuminated sign placed on or behind a window for a period of time not in excess of 60 days for the purpose of advertising special sales, prices, products or services, including paper or cardboard signs, or signs painted directly onto the surface of a window.

Sec. 13-112. PROHIBITED SIGNS

The following types of signs are prohibited in all zones:

(a) Signs which incorporate any flashing, moving, or intermittent lighting;
(b) Signs which by color, wording, design, location, or illumination resemble, obstruct, or conflict with any traffic-control device or with safe and efficient flow of traffic;
(c) Signs that create a safety hazard by obstructing the clear view of or passage of pedestrian and vehicular traffic;
(d) Banners, flags, and pennants except as authorized in Table 13-115;
(e) Street banners in the public right-of-way, except as authorized by Section 13-118;
(f) Signs projecting into or located in the public right-of-way, except governmental signs or other types of signs as authorized by Sections 13-123.5 and 127 or Chapter II of Title 19;
(g) Inflatable signs (and balloons) larger than 24 inches in any dimension;
(h) Portable signs, except as authorized by Section 13-123.5 and Table 13-115;
(i) Mechanical movement;
(j) Signs which project above a parapet or the highest point of the roof;
(k) Signs on public property; and
(l) Electronic changeable copy signs, except theater marquees and time/temperature signs.

ARTICLE 3. SIGN REGULATIONS

Sec. 13-113. GENERAL REQUIREMENTS

Unless otherwise provided in this chapter, erection, relocation or modification of all signs shall be in accordance with the requirements of this article, including the specific regulations listed in Table 13-115.

Sec. 13-114. PERMITS REQUIRED

Where indicated in Table 13-115 and Section 13-118 the erection, relocation, or modification of signs shall require permits and payment of fees as described in Article 7 Administration and Enforcement of this chapter. No permit shall be required under this chapter for maintenance of a sign or for change of copy on a changeable copy sign. The requirements of this chapter are in addition to the requirements of the Uniform Building Code, National Electrical Code and other applicable codes.

Sec. 13-115. SIGNS REGULATIONS AND DESIGN STANDARDS

Table 13-115 indicates the maximum allowed area, height, number, and other design restrictions for both permanent and temporary signs.

TABLE 13-115. SIGN REGULATIONS

PERMANENT SIGNS

	RESIDENTIAL ZONES	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
TOTAL SIGN AREA PER STREET FRONTAGE	**Residential uses:** 1.0 sq. ft per unit, not to exceed 90 sq. ft. (25 sq. ft. minimum for sites with 4 or more units). **Permitted non-residential uses:** 30 sq. ft. for sites less than 1 acre. 45 sq. ft. for sites of 1 acre or more.	1.0 sq. ft. per ft. of lot width + 0.5 sq. ft. per ft. of lot depth		30 sq. ft. for sites less than 1 acre. 45 sq. ft. for sites of 1 acre or more.
	Total area of all permanent signs (freestanding signs and building signs) may not exceed TOTAL SIGN AREA PER STREET FRONTAGE. See Section 13-116 for commercial or industrial signs located within 200 ft. of residentially-zoned property.			
FREESTANDING SIGNS PERMIT REQUIRED	Yes			
DEVELOPMENT STANDARDS	1. Must be located in landscaped planter equal to twice the sign area. 2. May not obstruct visibility for motorists or pedestrians at driveways or intersections. 3. May not obstruct visibility of legal signs on adjacent site(s). 4. May not consist of a pole sign with a visible cylindrical pole structure(s). 5. Planning Division may require freestanding signs to incorporate street address if address on building is not visible from public streets: 6 inches high minimum in residential zones 8 inches high minimum in non-residential zones The address area, up to 6 sq. ft., is not counted against allowable sign area. Address must be integrated into the design of the sign and placed at such an elevation so as not to be obstructed by landscaping. 6. See Section 13-116 if located within 200 ft. of residentially-zoned property.			

TABLE 13-115. SIGN REGULATIONS

PERMANENT SIGNS (continued)

	RESIDENTIAL ZONES	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
FREESTANDING SIGNS (continued)				
MAXIMUM AREA	30 sq. ft. (Includes both on-site and neighborhood identification signs.)	Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage.		15 sq. ft. for sites less than 1 acre. 30 sq. ft. for sites of 1 acre or more.
MAXIMUM HEIGHT	7 ft.	12 ft.	7 ft.	
NUMBER & SEPARATION	300 ft. separation between freestanding signs on same site.			
ILLUMINATION	Exterior, or interior with opaque background. No flashing or blinking allowed.	No flashing or blinking allowed.		Exterior, or interior with opaque background. No flashing or blinking allowed.
VERTICAL CLEARANCE	8 ft. minimum clearance over pedestrian circulation areas. 16 ft. minimum clearance over parking and vehicular circulation areas.			

TABLE 13-115. SIGN REGULATIONS

PERMANENT SIGNS (continued)

	RESIDENTIAL ZONES	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
FREEWAY-ORIENTED FREESTANDING SIGNS				
PERMIT REQUIRED	Prohibited	Yes	Prohibited	
MAXIMUM AREA AND HEIGHT	N/A	For commercial properties of one acre or more, within 300 feet of a freeway exit: One freeway-oriented sign may be allowed, not to exceed 230 sq. ft. and 32 ft. high.	N/A	
ILLUMINATION	N/A	No flashing or blinking	N/A	
VERTICAL CLEARANCE	N/A	8 ft. minimum clearance over pedestrian circulation areas. 16 ft. minimum clearance over parking and vehicular circulation areas.	N/A	

TABLE 13-115. SIGN REGULATIONS

PERMANENT SIGNS (continued)

	RESIDENTIAL ZONES	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
BUILDING WALL SIGNS PERMIT REQUIRED	Yes			
MAXIMUM AREA	Total area of all permanent building wall signage may not exceed TOTAL SIGN AREA PER STREET FRONTAGE.	Each single tenant may be allowed a maximum of 1.5 sq. ft. of building wall signage per lineal foot of building frontage of the business. If the building frontage of any such use is less than 25 lineal feet, only one sign, having a maximum area of 25 square feet, may be permitted.		
ILLUMINATION	Exterior, or interior with opaque background. No flashing or blinking allowed.	No flashing or blinking allowed.		Exterior, or interior with opaque background. No flashing or blinking allowed.
NUMBER	N/A	**Single tenant buildings:** A maximum of three wall signs per street frontage. **Multi-tenant buildings**: One wall sign per business on each street frontage. *Exception:* A tenant with more than 10,000 square feet of floor area in a multi-tenant building shall be permitted a maximum of three wall signs per business/street frontage. **Buildings with more than 2 stories and 30 feet in height:** No sign is permitted above the first floor of any building except for a single sign per street frontage on the uppermost portion of the building fascia identifying either the street address, name of the building, major tenant and/or logo. Street address up to 6 square feet per story shall not be counted toward allowable sign area.		N/A

TABLE 13-115 SIGN REGULATIONS (CONTINUED)				
PERMANENT SIGNS (continued) and TEMPORARY SIGNS				
	RESIDENTIAL	**COMMERCIAL ZONES**	**INDUSTRIAL ZONES**	**INSTITUTIONAL ZONES**
LOCATION	Signs may only be attached to a building wall abutting a public street or on-site parking area serving the subject building, unless otherwise approved by the Planning Division.			
VERTICAL CLEARANCE	Awning, canopy and projecting signs: 8 ft. minimum clearance over pedestrian circulation areas. 16 ft. minimum clearance over parking and vehicular circulation areas.			
MURALS AND SUPER GRAPHICS PERMIT REQUIRED	Yes			
DEVELOPMENT STANDARDS	Subject to approval by the Planning Division. The purpose of the Planning Division approval is to verify that it is not a sign.			
PAINTED WALL SIGNS PERMIT REQUIRED	Yes			
MAXIMUM AREA	Total area of all painted wall signs may not exceed 10% of total allowed sign area per street frontage.			
PERMANENT WINDOW SIGNS PERMIT REQUIRED	Yes			
MAXIMUM AREA	1. 20% of contiguous window area maximum. 2. Window sign area in excess of the above maximum may be permitted if it can be shown that the merchandise offered for sale cannot be adequately displayed and, therefore, justifies substitution of additional window signage for merchandise display, subject to written approval by the Planning Division or Zoning Administrator. Total of permanent and temporary window sign area shall not exceed 50% of contiguous window area.			
CONVENIENCE SIGNS PERMIT REQUIRED	Yes			
DEVELOPMENT STANDARDS	1. 9 sq. ft. maximum per sign. 2. Not counted against allowable sign area. 3. Placement and height subject to approval of Planning Division.			
SIGNAGE IN MIXED-USE OVERLAY DISTRICT	Refer to the appropriate Urban Plan for signage regulations in the mixed-use overlay district.			

TABLE 13-115 SIGN REGULATIONS (CONTINUED)				
TEMPORARY SIGNS				
	RESIDENTIAL ZONES	**COMMERCIAL ZONES**	**INDUSTRIAL ZONES**	**INSTITUTIONAL ZONES**
CONSTRUCTION SIGNS PERMIT REQUIRED	Yes			
DEVELOPMENT STANDARDS	1. One per street frontage. 2. 64 sq. ft. maximum. 3. 16 ft. high maximum. 4. Must be removed within 1 year after installation, or within 30 days of final inspection, whichever occurs first.			
REAL ESTATE SIGNS (No permits are required.)				
FOR SALE SIGNS	1. One per street frontage. 2. 5 sq. ft. maximum. 3. 6 ft. high maximum.	1. One per street frontage. 2. 32 sq. ft. maximum. 3. 12 ft. high maximum.		
OPEN HOUSE SIGNS	1. One per street frontage. 2. 3 sq. ft. maximum. 3. 5 ft. high maximum.	Prohibited		
POLITICAL CAMPAIGN SIGNS ON PRIVATE PROPERTY	5 sq. ft. maximum per sign. Subject to Section 13-123.	Subject to Section 13-123.		
PORTABLE SIGNS WITHIN THE PUBLIC RIGHT-OF-WAY	Subject to Section 13-123.5.			
TEMPORARY SIGNS ON PUBLIC PROPERTY PERMIT REQUIRED	Subject to Section 13-118.1			

TABLE 13-115 SIGN REGULATIONS (CONTINUED)				
TEMPORARY SIGNS				
	RESIDENTIAL ZONES	**COMMERCIAL ZONES**	**INDUSTRIAL ZONES**	**INSTITUTIONAL ZONES**
TEMPORARY WINDOW SIGNS (No permits are required.)	Prohibited	1. 20% of contiguous window area maximum. 2. Window sign area in excess of the above maximum may be permitted if it can be shown that the merchandise offered for sale cannot be adequately displayed and, therefore, justifies substitution of additional window signage for merchandise display, subject to written approval by the Planning Division or Zoning Administrator. Total of permanent and temporary window sign area shall not exceed 50% of contiguous window area. 3. Time limit shall not exceed 60 days.		Prohibited
APARTMENT FLAGS (No permits are required.)	1. 1 per 60 ft. of lot frontage (minimum of 2). 2. 15 sq. ft. maximum. 3. 18 ft. high maximum. 4. Must be maintained in good condition; removed or replaced if torn, faded or dirty.	Prohibited		
OTHER FLAGS AND PENNANTS	Flags of a nation or the State displayed in an appropriate manner are allowed. Flags displaying products, logos and/or business names are prohibited. Pennants are prohibited.			
BALLOON SIGNS (less than 24 inches) (No permits are required.)	Prohibited	Allowed, subject to the following: 1. May not extend beyond any property line or over any public right-of-way, regardless of wind conditions. 2. Must be securely anchored. 3. May not be released into the air. 4. Metallic balloons are prohibited.		Prohibited
INFLATABLE SIGNS (over 24 in.)	Prohibited			

TABLE 13-115 SIGN REGULATIONS (CONTINUED)

TEMPORARY SIGNS (continued)

	RESIDENTIAL	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
BANNERS ON PRIVATE PROPERTY PERMIT REQUIRED. MAXIMUM AREA	0.5 sq. ft. per unit. Maximum area: 100 sq. ft. per site.	0.5 sq. ft. per lineal foot of building frontage facing the street. Minimum entitlement: 25 sq. ft. per tenant. Maximum area: 75 sq. ft. per tenant.		
TIME LIMITS	A maximum display time of 60 days per calendar year. Exception: For residential developments of 100 units or more, a maximum display time of 120 days per calendar year.			
DEVELOPMENT STANDARDS	1. The entire surface of the banner must be securely affixed to either a building wall of the business being advertised (the building wall must abut a public street or on-site parking area serving the business being advertised), or to the sign face of a freestanding sign. 2. May not be attached to any staff, pole, line, framing, vehicle or similar support. 3. May not project above roof. 4. Must be maintained in good condition; removed or replaced if torn, faded or dirty. 5. Limit one banner per tenant or building occupant on each street frontage maximum. 6. Banners are permitted only as a means of temporary advertisement, such as for new businesses, grand openings, or similar special events, and may not be used as permanent signs. 7. Prior to the installation of a banner, a permit shall be obtained from the Planning Division. A city-issued decal shall be attached to face of the banner in the lower right-hand corner. The banner and any support elements shall be promptly removed at the expiration of the banner permit.			
BANNERS WITHIN THE PUBLIC RIGHT-OF-WAY	See Sec. 13-118 Street Banners			
BANNERS ON PUBLIC BASEBALL AND/OR SOFTBALL FIELDS PERMIT REQUIRED	Subject to Section 13-118.2			

Sec. 13-116. SIGNS ADJACENT TO RESIDENTIAL ZONES

In commercial and industrial zones, all signs located within 200 feet of residentially-zoned property shall conform to the following restrictions:

(a) Freestanding signs shall be limited to 7 feet in height unless non-illuminated or placed in such a location that visibility from residentially-zoned property within 200 feet is completely obscured by permanent structures on the commercially- or industrially-zoned property.

(b) Building signs shall be placed no higher than the first story level unless non-illuminated or located so as not to be visible from residentially-zoned property within 200 feet.

(c) Signs that do not comply with the requirements of paragraphs (a) and (b) above may be authorized as part of a Planned Signing Program, if the Zoning Administrator finds that the proposed sign(s) will not have adverse visual impacts on residentially-zoned property within 200 feet.

Sec. 13-117. MAINTENANCE OF PERMANENT SIGNS

All signs shall be maintained in a safe, structurally sound condition and in good repair at all times. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. Defective, damaged or substantially deteriorated signs may be ordered to be repaired or abated as provided for in applicable codes and ordinances.

Sec. 13-118. STREET BANNERS

Special event banners and holiday banners may be placed in the public right-of-way after obtaining the necessary approval as required by the applicable City Council Policy.

Sec. 13-118.1. TEMPORARY SIGNS ON PUBLIC PROPERTY

(a) **Applicability.** The placement of temporary signs on public property shall be limited to only those signs that advertise City-sponsored or City-permitted events or activities. As used in this section, these include, but are not limited to, events or activities of Youth Program User Groups 1 and 3, as defined in the Athletic Field/Facility Use and Allocation Policy.

(b) **Permit Required.** Temporary signs for City-sponsored events may be placed on public property after obtaining the necessary permit from the Recreation Manager.

(c) **Standards.**

(1) **Acceptable Temporary Sign Location:** Signs may be placed only on a building wall or perimeter wall or fence of the public property. The sign shall not project above the building parapet or the highest point of the roof or above the perimeter wall and/or fence. The sign shall not be attached to any staff, pole, line, framing, vehicle, or similar support.

(2) **Illumination:** The sign shall not be illuminated.

(3) **Maximum Size:** The total signage shall not exceed 80 square feet, and individual signs shall not exceed 40 square feet.

(4) **Number of Signs:** Limit one temporary sign per User Group per street frontage at any given time.

(5) **Installation:** The entire surface of the sign must be securely fastened to the building or perimeter wall and/or fence.

(6) **Maintenance Required:** The applicant shall maintain all signs in good condition, and the applicant shall remove or replace any sign that is torn, faded, dirty, or defaced, including by graffiti.

(7) **Installation Period:** Temporary signs may be displayed a maximum of 30 days. Specific dates and time for the signs' installation and removal may be subject to change by the City in order to minimize impacts to the public.

(8) **Sign Removal:** All signs that are not removed by the applicant by the approved removal date shall constitute a public nuisance subject to summary removal by the City.

Sec. 13-118.2. BANNERS ON PUBLIC BASEBALL AND SOFTBALL FIELDS

(a) **Applicability.** Only Youth Program User Groups 1 and 3 shall be able to request approval to install banners on a public baseball or softball field that has been permitted for their use by the City. Youth Program User Groups 1 and 3 are defined in the City of Costa Mesa Athletic Field/Facility Use and Allocation Policy.

(b) **Permit Required.** Banners may be placed on public baseball and/or softball fields after obtaining the necessary permit from the Recreation Manager.

(c) **Standards.**

(1) **Acceptable Banner Location:** Banners shall only be displayed on the field's outfield fence and shall only face the field's interior.

(2) **Banner Composition:** Banner copy and/or logos shall be limited to one side of the banner, and the banner shall be made of durable cloth, bunting, plastic, or similar material.

(3) **Maximum Size:** Individual banners shall not exceed 40 square feet.

(4) **Installation:** The banner's surface must be tautly and securely fastened to the outfield fence of the field by a minimum of four contact points.

(5) **Maintenance Required:** The applicant shall maintain all banners in good condition, and the applicant shall remove or replace any banner that is torn, faded, dirty or defaced, including by graffiti.

(6) **Installation Period:** Banners shall be installed no sooner than seven days prior to the baseball and/or softball season's commencement and shall be removed within seven days of the season's close. Specific dates and time for the banners' installation and removal may be subject to change by the City in order to minimize impacts to the public.

(7) **Banner Removal:** All banners that are not removed by the applicant by the approved removal date shall constitute a public nuisance subject to summary removal by the City.

Sec. 13-119. BILLBOARDS

The area of any billboard that was legally erected before October 6, 1984, shall not be included in the calculation of sign area for the site on which it is located until any new building is placed or constructed on that site, after which the calculation of sign area shall include the area of all billboards on the site, regardless of time of construction.

ARTICLE 4. SPECIAL PROCEDURES

Sec. 13-120. PLANNED SIGNING PROGRAMS

Signs may be authorized as part of a Planned Signing Program even if they do not conform to all specific regulations contained elsewhere in this chapter. A Planned Signing Program is intended to provide maximum incentive and latitude to encourage variety and good design, and to allow response to special circumstances, but shall not be used to circumvent the objectives of this chapter.

(a) To encourage consistency of design and regulation, an association of similar businesses may submit a Planned Signing Program for a number of non-contiguous sites.

(b) **Procedure**. A Planned Signing Program shall be processed as a minor conditional use permit in accordance with provisions contained in CHAPTER III PLANNING APPLICATIONS.

(c) **Review Standards.** A Planned Signing Program may be approved only if the following findings are made:

(1) The proposed signing is consistent with the intent of this chapter and the General Plan.

(2) The proposed signs are consistent with each other in design and construction - taking into account sign style and shape, materials, letter style, colors and illumination.

(3) The proposed signs are compatible with the buildings and developments they identify - taking into account materials, colors and design motif.

(4) Approval does not constitute a grant of special privilege or allow substantially greater overall visibility than the standard ordinance provisions allow.

ARTICLE 5. NONCONFORMING SIGNS

Sec. 13-121. DETERMINATION OF LEGAL NONCONFORMITY

An existing sign which does not conform to the specific provisions of this chapter may be eligible for the designation "legal nonconforming" and may continue to be used and maintained, including change of copy, provided that:

(a) The sign was installed in conformance with a valid permit and complied with all applicable laws and ordinances on the date it was installed.

(b) The sign is properly maintained and does not in any way endanger the public.

Sec. 13-122. LOSS OF LEGAL NONCONFORMING STATUS

(a) A legal nonconforming sign may lose this designation if:

(1) The sign is removed or relocated for any period of time except to be replaced by a new sign of the same type which reduces the nonconformity by at least 50 percent;

(2) The structure or size of the sign is altered in any way except to reduce its nonconformity by at least 50 percent; or

(3) The sign is damaged or destroyed by any means to an extent of more than 50 percent of its total replacement cost.

(b) When a legal nonconforming sign loses this designation, it shall be brought into conformance with the provisions of this chapter or removed from the site within 90 days.

(c) Per Section 5491.1(e) of the Business and Professions Code, any amendment to Chapter VIII of Title 13 applies only to new on-premises advertising displays as defined in Business and Professions Code Section 5490.

Sec. 13-122.1. ELECTRONIC CHANGEABLE COPY SIGNS

Existing, legal nonconforming electronic changeable copy signs shall, no later than September 1, 2002, be modified so that no message or display shall contain movement or animation, nor be displayed for a duration of less than four seconds.

ARTICLE 6. POLITICAL CAMPAIGN SIGNS

Sec. 13-123. POLITICAL CAMPAIGN SIGNS

(a) Any person, party, entity, or group posting political campaign signs within the boundaries of the City shall first file a statement with the City Clerk designating the person or entity responsible for posting the political campaign signs in the City and liable for the estimated actual cost of removal of the political campaign signs to ensure compliance with the provisions of this ordinance, and such statement shall certify to the City Clerk that consent has been obtained from the owners, lessees or occupants of non-publicly owned real property prior to placement of political campaign signs thereon. Only one political campaign sign statement is required of any party or group, regardless of the number of individuals posting signs on its behalf.

(b) All political campaign signs shall be removed not later than 10 days following the date of any election to which they pertain, if any.

(c) No political campaign sign shall be placed or posted on any public property or utility pole, except on or within a public right-of-way pursuant to the provisions of Section 13-123.5 Portable Signs within Public Right-of-Way.

(d) No political campaign sign shall be lighted, either internally or externally.

(e) No political campaign sign shall be placed in a manner that would obstruct visibility to pedestrian or vehicular traffic.

ARTICLE 6.5 PORTABLE SIGNS WITHIN PUBLIC RIGHT-OF-WAY

Sec. 13-123.5 PORTABLE SIGNS WITHIN PUBLIC RIGHT-OF-WAY.

(a) **Standards.** A portable sign may be placed on or within the public right-of-way without a permit, provided it complies with the following requirements:

(1) **Size and height.** The maximum size shall not exceed five square feet and the maximum height shall not be more than three feet above grade.

(2) **Identification**. The owner of the sign(s) shall affix its name, address and telephone number to the sign prior to installation of the sign.

(3) **Location.** The location for installation of a portable sign within the public right-of-way shall be subject to the following:

a. The sign may be placed in any landscaped parkway but not within the center median of any street or highway. Tree wells shall not be considered a landscaped parkway for the purposes of this section;

b. The sign shall not overhang any street, curb, sidewalk, or driveway;

c. The sign shall not be within 15 feet of any fire hydrant;

d. The sign shall not be within 15 feet of the edge of any driveway nor within 15 feet of any intersection of an alley, street, or highway, as measured from the midpoint of the corner radius;

e. The sign shall not be placed within the public right-of-way adjacent to any property zoned I & R, or I & R-S;

f. The sign shall not be affixed to traffic control devices, government signs, light standards, utility poles, bus shelters, or other structures, posts, fences, shrubs or trees.

(4) **Installation.** The installation of the portable sign shall not cause damage to the public right-of-way;

(5) **Time period**. A portable sign shall only be displayed during the time period between 6 a.m. on Friday to 6 p.m. on Sunday of any week period.

(6) **Number.** The total number of portable signs per owner or its agent pursuant to this section shall not exceed 10 signs in the city at any one time.

(b) **Exceptions.** The requirements of this section shall not apply to a portable sign with a total area of not more than five square feet that is carried by a person within the public right-of-way unless prohibited by Section 13-112.

ARTICLE 7. ADMINISTRATION AND ENFORCEMENT

Sec. 13-124. APPLICATION FOR PERMITS

Application for a permit for the erection, relocation or modification of a sign shall be made to the Development Services Department on forms provided, and shall be accompanied by plans and other necessary information as required by the Development Services Department.

Sec. 13-125. FEES

Fees for sign permits and Planned Signing Programs shall be established by resolution of the City Council.

Sec. 13-126. SIGNS RELATING TO INOPERATIVE ACTIVITIES

When a business or activity is no longer in operation on a site, all signs relating to the activity shall be removed, or copy obliterated, within 60 days after the activity has vacated the premises.

Sec. 13-127. SIGNS PROHIBITED ON PUBLIC PROPERTY OR PUBLIC RIGHT-OF -WAY REMOVAL; ABATEMENT COST RECOVERY

(a) **Prohibition.** Except as provided in Sections 13-118 and 13-123.5 and Chapter II of Title 19, no person shall erect, place, paint, mark, or display or cause to be erected, placed, painted, marked, or displayed any sign in, under, on or over any public property or on or within any public right-of-way with respect to which the City has jurisdiction. As used in this section, "person" means a natural person, association, partnership, firm, corporation, or trust or the employee or agent thereof. A violation of this section may be prosecuted as a criminal violation pursuant to Section 1-33, or be subjected to civil fine pursuant to Section 1-34, et seq. Criminal prosecution or imposition of civil fine shall not preclude, nor be precluded by, abatement of such signs or parts thereof pursuant to this section.

(b) **Removal.** Any sign posted in violating of the provisions of this section may be removed by any employee of the City duly authorized to do so by the Development Services Director. The owner of a seized sign will be given notice by the City within 10 days of the seizure in those cases where the name and address or other means of contact are provided upon the seized sign. The notice will indicate the seizure and the owner's right to a hearing and recovery of the sign. An owner who files a request for a hearing within 15 days of the seizure shall be given a hearing by the Director within 10 days of such request to determine if the seized sign was posted in violation of this section and/or if any abatement costs imposed are unreasonable. If at a hearing it is determined the sign was not posted in violation of this section, the owner may recover the sign without any cost or other charge for the removal. If a sign is not claimed by an owner by the end of 15 days after seizure nor is a hearing requested, the City may dispose of the sign without further notice.

Failure of the City to give or failure of the owner to receive notice of the seizure shall not subject the City or any of its officers or employees to any civil liability or invalidate any other action taken pursuant to this section.

(c) **Exception.** The provisions of this section shall not prohibit the posting of any notice in the manner required by law or by the order of any court of this state.

(d) **Court Action.** The City Attorney is authorized and may institute an action in any court of competent jurisdiction to restrain, enjoin, or abate any sign(s) found to be in violation of this chapter and as provided by law.

(e) **Abatement Cost Recovery.** Any sign posted in violation of the provisions of this section is a public nuisance. The owner of an illegally posted sign and the person or entity responsible for posting the sign shall be jointly and severally civilly liable and indebted to the City for the reasonable cost of removal and storage of the seized sign which shall be in addition to any other civil or criminal penalty

provided by law. The Development Services Director may determine and assess these costs. The City may require payment of these costs prior to returning a sign to an owner, unless a hearing has determined there was no violation or modifies the amount of the costs. The Development Services Director is authorized to recover abatement costs of less than $5,000.00 in any lawful manner and may initiate a small claims court action to recover such costs.

Sec. 13-128. ENFORCEMENT

It shall be unlawful to construct, erect, install, alter, modify or maintain a sign except in compliance with the provisions of this chapter. The provisions of this chapter shall be enforceable, and violations shall be punishable, pursuant to Sections 13-16 and 13-127 and Section 1-33 et seq. of this Code.

CHAPTER IX. SPECIAL LAND USE REGULATIONS
ARTICLE 1. SEXUALLY-ORIENTED BUSINESSES

Sec. 13-129. PURPOSE AND INTENT

The purpose and intent of this article are to regulate sexually-oriented businesses which, unless closely regulated, tend to have serious negative secondary effects on the community, which effects include, but are not limited to, the following: depreciation of property values and increase in vacancies in residential and commercial areas in the vicinity of sexually-oriented businesses; interference with residential property owners' enjoyment of their property when such property is located in the vicinity of sexually-oriented businesses as a result of increases in crime, litter, noise and vandalism; higher crime rates in the vicinity of sexually-oriented businesses; and blighting conditions such as low-level maintenance of commercial premises and parking lots, which thereby have a deleterious effect upon adjacent areas. Special regulation of these businesses is necessary to prevent these adverse effects and the blighting or degradation of the neighborhoods in the vicinity of the sexually-oriented businesses.

It is neither the intent nor the effect of this article to impose limitations or restrictions on the content of any communicative material. Similarly, it is neither the intent nor the effect of this article to restrict or deny access by adults to communication materials or to deny access by the distributors or exhibitors of sexually-oriented businesses to their intended market.

Nothing in this article is intended to authorize, legalize or permit the establishment, operation or maintenance of any business, building or use which violates any City ordinance or any statute of the State of California regarding public nuisances, unlawful or indecent exposure, sexual conduct, lewdness or obscene or harmful matter or the exhibition or public display thereof.

Notwithstanding any other provision of Title 13 of the “City of Costa Mesa Planning, Zoning and Development Code”, the regulations set forth under this article shall apply specifically to sexually-oriented businesses. To the extent there are any inconsistencies between the provisions of Sections 13-1 through 13-128 and the provisions of this Article 1, the provisions of this article shall govern.

Sec. 13-130. DEFINITIONS

The following words and phrases shall, for the purposes of this Article, be defined as follows, unless it is clearly apparent from the context that another meaning is intended.

Adult arcade. An establishment where, for any form of consideration, one or more motion picture projectors, video cassette players, slide projectors or similar machines, for viewing by five or fewer persons each, are used on a regular and substantial basis to show films, motion pictures, video cassettes, slides or other photographic reproductions characterized by an emphasis on material depicting, describing or relating to “specified sexual activities” and/or “specified anatomical areas”.

Adult bookstore/novelty store. An establishment which on a regular and substantial basis sells or rents, or offers for sale or rental, for any form of consideration, any one or more of the following:

(a) Books, magazines, periodicals or other printed matter, or photographs, films, sculptures, motion pictures, video cassettes, slides or other visual representations which are characterized by an emphasis on material depicting, describing or relating to “specified sexual activities” and/or “specified anatomical areas”;

(b) Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities".

Adult cabaret. A nightclub, restaurant or similar establishment which, for any form of consideration, and on a regular and substantial basis, features live performances by topless and/or bottomless dancers, dance instructors, go-go dancers, exotic dancers, strippers or entertainers or similar performances characterized by an emphasis on "specified anatomical areas" and/or by "specified sexual activities".

Adult dance studio. Any business or establishment which provides for members of the public a partner for dance where the partner, or the dance, is distinguished or characterized by an emphasis on matter involving, depicting, describing, or relating to "specified sexual activities" and/or "specified anatomical areas".

Adult hotel or motel. A hotel or motel or similar business establishment offering public accommodations for any form of consideration which on a regular and substantial basis (1) provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by an emphasis on material depicting, describing or relating to "specified sexual activities" and/or "specified anatomical areas"; and/or (2) rents, leases, or lets any room for less than a six (6) hour period, or rents, leases or lets any single room more than twice in a twenty-four (24) hour period.

Adult motion picture theater. An establishment which, for any form of consideration, is used on a regular and substantial basis to show films, motion pictures, video cassettes, slides or similar photographic reproductions to more than five (5) persons, and where such material is characterized by an emphasis on material depicting, describing or relating to "specified sexual activities" and/or "specified anatomical areas".

Adult theater. A theater, concert hall, auditorium or similar establishment which, for any form of consideration, and on a regular and substantial basis, features live performances which are characterized by an emphasis on "specified anatomical areas" and/or "specified sexual activities".

Employee. A person who works or performs in a sexually-oriented business regardless of whether or not the person is paid a salary, wage or other compensation by the business.

Establishment. Establishment of a sexually-oriented business includes any of the following:

(a) The opening or commencement of any such business as a new business;

(b) The conversion of an existing business, whether or not a sexually-oriented business, to any of the sexually-oriented businesses defined herein;

(c) The addition of any of the sexually-oriented businesses defined herein to any other existing sexually-oriented business; or

(d) The relocation of any such sexually-oriented business.

Figure model. Any person who, for pecuniary compensation, consideration, hire, or reward, poses in a modeling studio to be observed, sketched, painted, drawn, sculptured, photographed or otherwise depicted.

Modeling studio. A business which provides, for pecuniary compensation, monetary or other consideration, hire or reward, figure models who, for the purposes of sexual stimulation of patrons, display "specified anatomical areas" to be observed, sketched, photographed, painted,

sculpted or otherwise depicted by persons paying such consideration. "Modeling studio" does not include schools maintained pursuant to standards set by the State Board of Education. "Modeling studio" further does not include a studio or similar facility owned, operated, or maintained by an individual artist or group of artists, and which does not provide, permit or make available "specified sexual activities".

Nudity or a state of nudity. The showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple or areola, or the showing of the covered male genitals in a discernibly turgid state.

Off-premises. Any business where the primary services or entertainment are provided at a location or locations other than the premises of the subject business.

Operate a sexually-oriented business. As used in this article, "operate a sexually-oriented business" means the supervising, managing, inspecting, directing, organizing, controlling or in any way being responsible for or in charge of the conduct of activities of a sexually-oriented business or activities within a sexually-oriented business.

Person. Any individual, firm, association, partnership, corporation, joint venture, trust or combination of individuals or persons.

Public park. A park, playground, swimming pool, beach, pier, athletic field, or similar recreational facility within the City which is under the control, operation or management of the City or the County of Orange.

Regular and substantial basis. An activity or performance shall be deemed to be on a regular or substantial basis when it constitutes more than twenty-five percent (25%) of the total performance time, stock-in-trade, revenue, floor space, advertisement or similar element of the business. For purposes of this definition, revenue shall include gross revenue generated by the business, including revenue received by performers and others who work as independent contractors. For purposes of this definition, the floor space devoted to a regulated activity shall include all the area devoted to the activity, including but not limited to, display area, sales area, performance areas, viewing areas, dressing rooms, and all aisles and pathways between and within such areas.

Religious institution. A structure which is used primarily for religious worship and related religious activities within the City.

Residential use. Any lot located within the R1, R2-MD, R2-HD, R3, PDR-LD, PDR-MD, PDR-HD and PDR-NCM zones of the City.

School. Any child care facility, or an institution of learning for minors, whether public or private, which offers instruction in those courses of study required by the State Education Code or which is maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, junior high school, senior high school or any special institution of education within the City, but it does not include vocational or professional institution of higher education, including a community or junior college, college or university.

Semi-nude. A state of dress in which clothing covers no more than the genitals, pubic region, buttocks, areola and nipple of the female breast, as well as portions of the body covered by supporting straps or devices. Semi-nude shall also include a person with partial clothing to include lingerie or similar clothing where "specified anatomical areas" are exposed.

Sexual encounter establishment. An establishment, other than a hotel, motel or similar establishment offering public accommodations which, for any form of consideration, provides a place where two (2) or more persons may congregate, associate or consort in connection with "specified sexual activities" and/or the exposure of "specified anatomical areas." This definition does not include an establishment where a medical practitioner, psychologist, psychiatrist or similar professional person licensed by the state engages in sexual therapy.

Sexually-oriented business. A business which is conducted exclusively for the patronage of adults and as to which minors are specifically excluded from patronage, either by law and/or by the operators of such business, and which is characterized by an emphasis on "specified sexual activities" and/or "specified anatomical areas". Sexually-oriented business also means and includes any adult arcade, adult bookstore/novelty store, adult cabaret, adult dance studio, adult hotel or motel, adult motion picture theater, adult theater, sexual encounter establishment, modeling studio, and any other business or establishment that, on a regular and substantial basis, offers its patrons entertainment or services which involve, depict, describe or relate to "specified sexual activities" and/or "specified anatomical areas".

Specified anatomical areas. Includes any of the following:

(a) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areola; or

(b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered; or

(c) Any device, costume or covering that simulates any of the body parts included in subsection (a) or (b) above.

Specified sexual activities. Includes any of the following:

(a) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;

(b) Sex acts, actual or simulated, including intercourse, oral copulation, anal intercourse, oral/anal copulation, bestiality, flagellation or torture in the context of a sexual relationship, and any of the following depicted sexually-oriented acts or conduct: anilingus, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zooerasty;

(c) Masturbation of human or animal, actual or simulated;

(d) Clearly depicted specified anatomical areas in a state of sexual arousal, stimulation or tumescence;

(e) Human or animal masturbation, sodomy, oral copulation, coitus, ejaculation; and

(d) Excretory functions, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities described in subdivisions (a) through (e) of this subsection.

Substantial enlargement. An increase, over the lifetime of the business, of more than ten percent (10%) or one hundred (100) square feet, whichever is less, in the portion of the floor area of a business which is devoted to products, services or entertainment with an emphasis on material depicting, describing or relating to "specified anatomical areas" and/or "specified sexual activities".

Transfer of ownership or control of a sexually-oriented business. "Transfer of ownership or control of a sexually-oriented business" shall mean and include any of the following;

(a) The sale, lease or sublease of the business; or

(b) The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange or similar means; or

(c) The establishment of a trust, gift or other similar legal device which transfers ownership or control of the business, including the transfer by bequest or other operation of law upon the death of a person possessing the ownership or control.

Sec. 13-131. EXCEPTIONS TO THE ARTICLE

This article shall not apply to any of the following businesses or activities:

(a) Any massage establishment or massage practitioner holding a valid current license issued pursuant to the provisions of Title 9 of this Municipal Code.

(b) Any "off-premises" massage, escort or similar service holding a valid current license issued pursuant to the provisions of Title 9 of this Municipal Code.

(c) Any treatment administered in good faith in the course of the practice of any healing art or profession by any person holding a valid license or certificate issued by the state to practice any such art or profession under the provisions of the State Business and Professions Code or any other state law.

Sec. 13-132. ESTABLISHMENT OF SEXUALLY-ORIENTED BUSINESS

The establishment of a sexually-oriented business shall be permitted only in the CL, C1, C2, C1-S or PDC Zones and shall be subject to the following regulations.

(a) A sexually-oriented business shall be subject to the following restrictions:

(1) Not within five hundred (500) feet of any area zoned for and/or lawfully operated as a residential use;

(2) With the exception of the PDC Zone, not within one thousand (1,000) feet of any other sexually-oriented business;

(3) Not within one thousand (1,000) feet of any school, public park, or religious institution;

(4) Not within any redevelopment area or the Newport Boulevard Specific Plan area.

(5) With the exception of the PDC zone, no building, premises, structure or portion thereof, that contains one sexually-oriented business shall contain any other kind of sexually-oriented business.

(6) For those sexually-oriented businesses located within the PDC zone, no lease or occupied space or portion thereof containing one sexually-oriented business shall contain any other kind of sexually-oriented business.

(7) The floor area of any sexually-oriented business shall not be increased in any building, premises, structure or portion thereof containing another sexually-oriented business.

(b) Each such sexually-oriented business must, prior to commencement or continuation or substantial enlargement of such business, first apply for and receive a sexually-oriented business license in accordance with the provisions in Chapter IV, Title 9 of the City of Costa Mesa Municipal Code.

(c) Each person who engages in or participates in any live performance involving, depicting, describing or relating to specified anatomical areas or specified sexual activities in a sexually-oriented business shall first apply for and receive a sexually-oriented business performer license.

Sec. 13-133. MEASUREMENT OF DISTANCE

With the exception of sexually-oriented businesses located within the PDC Zone, the distance between any two (2) sexually-oriented businesses shall be measured in a straight line, without regard to the boundaries of the city and to intervening structures, from the closest property line of the lot of each business. The distance between any sexually-oriented business and any residential use, religious institution, school, or public park shall also be measured in a straight line, without regard to the boundaries of the city and to intervening structures, from the nearest portion of the property line of the lot where such sexually-oriented business is conducted, to the nearest property line of a residential use, religious institution, school, or public park.

Sec. 13-134. MISDEMEANOR OFFENSES

In addition to all other offenses specified in this article, municipal code, county ordinances and state statutes, a sexually-oriented business shall be subject to the following restrictions:

(a) Notwithstanding that it is not a criminal offense for a person to operate or cause to be operated a sexually-oriented business to be in violation of the nudity limitations under Chapter IV, Title 9, it shall be unlawful and a misdemeanor to establish, substantially enlarge or operate a sexually-oriented business within the city without first complying with the provisions of this article;

(b) It shall be unlawful and a misdemeanor to operate or cause to be operated a sexually-oriented business outside of the commercial zones specified in Section 13-132, ESTABLISHMENT OF SEXUALLY-ORIENTED BUSINESSES;

(c) It shall be unlawful and a misdemeanor to operate or cause to be operated a sexually-oriented business within one thousand (1,000) feet of any religious institution, school, or public park or within five hundred (500) feet of any area zoned for and/or lawfully operated as a residential use.

(d) With the exception of sexually-oriented businesses located within the PDC zone, it shall be unlawful and a misdemeanor to operate or cause to be operated a sexually-oriented business within one thousand (1,000) feet of another sexually-oriented business.

(e) It shall be unlawful and a misdemeanor to operate or cause to be operated a sexually-oriented business within any redevelopment area or the Newport Boulevard Specific Plan area.

(f) With the exception of sexually-oriented businesses located within the PDC zone, it shall be unlawful and a misdemeanor to cause or permit the operation, establishment or maintenance of more than one sexually-oriented business within the same building, structure or portion thereof, or to cause the increase of floor area of any sexually-oriented business in any building, structure or portion thereof containing another sexually-oriented business.

(g) For those sexually-oriented businesses located within the PDC Zone, it shall be unlawful and a misdemeanor to cause or permit the operation, establishment or maintenance of more than one sexually-oriented business within the same leasing or occupied space or portion thereof containing another sexually-oriented business.

Sec. 13-135. VIOLATIONS/PENALTIES

With the exception of any violation of the nudity limitation under Chapter IV, Title 9, any firm, corporation or person, whether as principal, agent, employee or otherwise, violating or causing the violation of any of the provisions of this article shall be guilty of a misdemeanor, and any conviction thereof shall be punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. Notwithstanding any violation of the nudity limitation under Chapter IV, Title 9, any violation of the provisions of this article shall constitute a separate offense for each and every day during which such violation is committed or continued.

Sec. 13-136. PUBLIC NUISANCE

In addition to the penalties set forth in Section 13-135 Violations/Penalties, any sexually-oriented business which is operating in violation of this article or any provision thereof or Chapter IV of Title 9, or any provision thereof, is hereby declared to constitute a public nuisance and, as such, may be abated or enjoined from further operation.

Sec. 13-137. OTHER REGULATIONS

(a) Any sexually-oriented business lawfully operating on February 22, 1994, that is in violation of this article, shall be deemed a nonconforming use. A nonconforming sexually-oriented business will be permitted to continue for a period of one (1) year, with a possible one (1) year extension, for a total time period not to exceed (2) years, unless sooner terminated for any reason or voluntarily discontinued for a period of thirty (30) days or more. An application for a one (1) year extension for extenuating circumstances may be granted by the Planning Commission only upon a convincing showing of extreme financial hardship by the sexually-oriented business. Such nonconforming sexually-oriented business shall not be increased, enlarged, extended or altered except that the use may be changed to a conforming use. If two (2) or more sexually-oriented businesses are within one thousand (1,000) feet of one another and otherwise in a permissible location, the sexually-oriented business which was first established and has continually operated at the particular location is the conforming use and the later established business(es) is nonconforming.

(b) Any sexually-oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the location, subsequent to the grant or renewal of a sexually-oriented business permit and/or license, of a school, public park, or religious institution within one thousand (1,000) feet and/or residential use within five hundred (500) feet of the sexually-oriented business. This provision applies only to the renewal of a valid permit and/or license and does not apply when an application for a permit and/or license is submitted after a permit and/or license has expired or has been revoked.

Sec. 13-138. RESERVED

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ARTICLE 2. ANTENNAS

Sec. 13-139. PURPOSE

The purpose of this article is to identify the regulations and permit requirements for antennas.

Sec. 13-140. APPLICABILITY

The regulations of this article shall apply to satellite dish, amateur radio and communication antennas. These antennas are permitted as either accessory uses or conditional uses and are subject to the development standards contained in this article.

(a) **Exemption**. Antennas meeting all of the following criteria are exempt from the regulations of this article:

(1) The antenna and associated support structure are supported primarily by attachment to a building.
(2) The antenna, including associated support structure, does not weigh more than 80 pounds.
(3) The antenna, excluding associated support structure, does not exceed 4.4 square feet in effective wind load area.
(4) Attachment of the antenna and associated support structure to a building does not require modification or reinforcement of load bearing elements of the building in order to support the antenna and associated support structure at wind speeds up to 70 miles per hour.
(5) The environmental radio frequency radiation generated by the antenna does not exceed ANSI/IEEE standards, except as categorically excluded by the Federal Communications Commission.

Sec. 13-141. PERMIT REQUIREMENTS

Table 13-141 indicates whether a proposed antenna is a permitted accessory use or whether a minor conditional use permit is required, pursuant to Section 13-144 MINOR CONDITIONAL USE PERMIT REQUIREMENTS. Building permits shall be required prior to installation of any antenna unless the antenna is exempt from this article.

TABLE 13-141
ANTENNA REVIEW REQUIREMENTS

ANTENNA TYPE	RESIDENTIAL ZONE	NONRESIDENTIAL ZONE
Satellite Dish Antenna, Receiving	P[1,3]	P[1]
Satellite Dish Antenna, Transmitting	MC[2]	MC[2]
Amateur Radio Antenna	P[1]	P[1]
Communication Antenna, Receiving	P[1]	P[1]
Communication Antenna, Transmitting	•	P[1]
EXCEPTIONS		
Antennas that meet the following criteria may be processed as a development review: a. Roof-top location; b. Screened from off-site properties by an existing parapet, mechanical screen, or similar structure; c. Complies with Section 13-142 DEVELOPMENT STANDARDS with the exception of the maximum height standard; and d. Antenna is permitted in the zone.		

1. Subject to compliance with the development standards in Section 13-142 DEVELOPMENT STANDARDS; proposed antennas not in compliance with the applicable development standards shall require the approval of a minor conditional use permit.
2. Subject to compliance with the development standards in Section 13-142 DEVELOPMENT STANDARDS**.**
3. For the purposes of this table, the symbols in the non-shaded areas shall have the following meaning: P= Permitted; MC= Minor Conditional Use Permit; •= Prohibited

Sec. 13-142. DEVELOPMENT STANDARDS

Table 13-142 identifies the development standards for antennas. Proposed antennas not in compliance with the applicable development standards shall require the approval of a minor conditional use permit pursuant to Section 13-144 Minor Conditional Use Permit Requirements.

TABLE 13-142
ANTENNA DEVELOPMENT STANDARDS

STANDARDS	SATELLITE DISH	AMATEUR RADIO	COMMUNICATION
Maximum Height (measured from the property's grade to the highest point of the antenna)			
Residential Zone *or* Nonresidential Zone Adjacent to a Residential Zone:	15 feet	75 feet	30 feet
Other Nonresidential Zone:	Not to exceed allowable building height	Same as above.	Same as above.
Front Yard Location Permitted	No		
Side and Rear Setbacks (setbacks apply to antenna support structure and to arrays and projections attached thereto, unless otherwise noted)			
Residential Zone:	Side: Comply with setbacks for accessory structures, with a minimum setback of 5 feet. Rear: Ground-mounted antenna support structures may be located in a required rear yard if located as far forward as possible from the rear property line. Minimum of 5 feet for arrays and projections attached to the antenna support structure.		
Nonresidential Zone:	Side and Rear: Comply with setbacks for main structures, with a minimum setback of 5 feet. *Exception:* Side and/or Rear, when adjacent to a Residential Zone: Minimum of 5 feet from the residential property line. Additionally, the antenna support structure shall be located as far as possible from the residential property line.		
Roof-mounted Location	Shall be located on the portion of the roof farthest from any adjacent street, residential zone (if applicable), bluff, and/or park, whichever location will result in the least visual impact.		
Maximum Number			
Residential Zone *or* Nonresidential Zone adjacent to a Residential Zone:	One *Exception:* Legally subdivided residential units in small lot subdivision projects, and units in Planned Unit Development projects with individual lots, shall each be allowed one satellite dish antenna unless otherwise prohibited.	One antenna support structure in excess of 30 feet. One whip antenna in excess of 30 feet. *Note:* There is no limit on the number of antennas which do not exceed 30 feet in height.	One antenna support structure.
Other Nonresidential Zone:	No regulation.	No regulation.	No regulation.

TABLE 13-142
ANTENNA DEVELOPMENT STANDARDS

STANDARDS	SATELLITE DISH	AMATEUR RADIO	COMMUNICATION
Maximum Diameter			
Residential Zone *or* Nonresidential Zone adjacent to a Residential Zone:	10 feet	Any dish-shaped element attached to an antenna: 2 feet *Exception:* Any dish-shaped element in excess of 2 feet in diameter that is attached to an antenna shall require approval of a Minor Conditional Use Permit and comply with the Satellite Dish Antenna Development Standards regarding maximum height (applicable to dish element only) diameter, screening and materials, as applicable.	
Other Nonresidential Zone:	No regulation.	Dish-shaped elements in excess of 2 feet in diameter shall comply with the Satellite Dish Antenna Development Standards regarding maximum height (applicable to dish element only) and materials.	
Screening Required			
Residential Zone *or* Nonresidential Zone adjacent to a Residential Zone:	Screening, either partial or total, may be required by the Planning Division when the antenna is visible from off-site. The screening may consist of a solid, opaque fence, wall, vegetation, landscaping and/or any other material deemed acceptable by the Planning Division.	Ground-mounted: No regulation. Roof-mounted: Antennas less than 30 feet in height: No regulation. Antennas 30 feet or more in height: Screening may be required in Nonresidential Zones if necessary to lessen visual impacts on the adjacent Residential Zone(s), under the direction of the Planning Division.	Ground-mounted: No regulation. Roof-mounted: Screening may be required if necessary to lessen visual impacts, under the direction of the Planning Division.
Other Nonresidential Zone:	No regulation.		Same as above.
Color	All antennas visible from off-site shall be finished in a color deemed unobtrusive to the neighborhood in which it is located, under the direction of the Planning Division.		
Signs	No sign of any kind shall be posted or displayed on any antenna.		
Radiofrequency (RF) Radiation	No transmitting antenna or facility, except as categorically excluded by the Federal Communication Commission, shall exceed the radiofrequency (RF) radiation and Maximum Permissible Exposure (MPE) limits for electrical and magnetic field strength and power density established by the National Council on Radiation Protection and Measurements (NCRP) and the 1992 ANSI/IEEE for an "uncontrolled environment". It shall be the responsibility of the applicant to provide evidence of compliance with applicable standards.		
Wiring	All electrical and antenna wiring shall be encased in tubing or other devices acceptable to the Planning Division and/or concealed to the maximum extent feasible to minimize visual impact.		
Materials	When the antenna exceeds 6 feet in height above grade, the dish-shaped element shall be of a mesh construction.	Not applicable.	
Other Requirements	Ground-mounted antennas shall not reduce the area required for parking, internal circulation or other development standards in this Zoning Code. All antennas shall be permanently mounted, and no antenna may be installed on a portable or movable structure.		

Sec. 13-143. NONCONFORMING ANTENNAS

(a) **Satellite dish antennas**. Any satellite dish antenna in existence as of May 4, 1994 for which valid building permits have been issued, shall be considered legal non-conforming, and may be maintained, enlarged, expanded or changed in accordance with the provisions of this article.

(b) **Amateur radio antennas.**

(1) Any amateur radio antenna that was in existence as of September 7, 1989, may continue as a nonconforming development and need not comply with the development standards contained in Section 13-142 DEVELOPMENT STANDARDS, provided that a record of its size, location, height and any other information deemed necessary by the Development Services Director is on file with the Planning Division. In order to secure any right under this section, the amateur radio antenna owner must have established this record by May 7, 1990. The amateur radio antenna owner is responsible for providing the necessary information to the City for inclusion in the record of nonconforming amateur radio antennas.

(2) Replacement of an amateur radio antenna support structure shall be subject to all applicable regulations and issuance of appropriate permits. However, the supported antenna, including the array, may be replaced without issuance of a new building permit, provided the replacement antenna does not exceed the maximum weight, dimensions or wind load area specified in the current building permit or record on file with the Planning Division.

(3) Nonconforming amateur radio antennas which have been registered with the City as of May 7, 1990, may be enlarged, expanded or relocated only if the enlargement, expansion or relocation does not result in a greater nonconformity with the development standards specified in this article, or with NCRP and the 1992 ANSI/IEEE regulations regarding environmental radiofrequency radiation, except as categorically excluded by the Federal Communications Commission.

(4) Nonconforming amateur radio antennas which have not been registered with the City as of May 7, 1990, may be enlarged, expanded, changed in use, increased in power, or relocated provided that the enlargement, expansion, change in use, or increase in power, is in compliance with NCRP and the 1992 ANSI/IEEE regulations regarding environmental radiofrequency radiation, except as categorically excluded by the Federal Communications Commission and the antenna complies with applicable provisions of this article.

(c) **Communication antennas.**

(1) Any communication antenna in existence as of May 4, 1994 for which valid building permits have been issued, shall be considered legal and may be maintained, enlarged, expanded or changed in accordance with the provisions of subsection (2).

(2) A nonconforming communication antenna with valid building permits may be enlarged, expanded or relocated only if the enlargement, expansion or relocation does not result in a greater nonconformity with the development standards specified in this article, and provided the antenna complies with the NCRP and the 1992 ANSI/IEEE regulations regarding environmental radiofrequency radiation. A nonconforming communication antenna with valid building permits may be changed in use and/or power, and/or converted to a transmitting antenna provided that ANSI/IEEE regulations regarding environmental radiofrequency radiation are complied with in addition to compliance with applicable requirements of this article, including Table 13-141 ANTENNA REVIEW REQUIREMENTS.

Sec. 13-144. MINOR CONDITIONAL USE PERMIT REQUIREMENTS

All requests for installation of antennas not satisfying the criteria identified in Section 13-142 DEVELOPMENT STANDARDS may be approved by minor conditional use permit consistent with the requirements of this section and CHAPTER III PLANNING APPLICATIONS.

(a) **Requirements**. An application for a minor conditional use permit shall be made and processed in accordance with the procedures set forth in CHAPTER III PLANNING APPLICATIONS, with the following exceptions:

(1) The application fee shall not be applicable for amateur radio antennas.

(2) Applications for a minor conditional use permit where the proposed antenna(s) will not conform with applicable development standards shall include statements of the reasons why strict conformance with the development standards specified will:

a. Unreasonably limit, or prevent, reception or transmission of signals;

b. Result in excessive expense in light of the cost of purchase, installation and operation of the antenna(s).

(3) When a proposed FCC-regulated transmitting facility will expose the public or workers to levels that exceed ANSI/IEEE RF radiation standards, the FCC-required Environmental Evaluation must be submitted with the minor conditional use permit application.

(b) **Findings**. In addition to the findings specified in Section 13-29(g)(2) CONDITIONAL USE PERMIT AND MINOR CONDITIONAL USE PERMIT FINDINGS, the following findings shall be made:

(1) Strict conformance with the development standards specified will unreasonably limit, or prevent, reception or transmission of signals, or result in excessive expense in light of the cost of purchase, installation and operation of the antenna(s).

(2) The deviation from applicable development standards represents the minimum adjustment necessary to prevent unreasonable limitations on the reception or transmission of signals.

(c) **Conditions.** In approving a minor conditional use permit, the final review authority may impose reasonable conditions necessary to minimize the impact of the installation or operation of the antenna(s) on the public or other properties or improvements within the immediate vicinity of the antenna(s), consistent with this article.

Sec. 13-145. COMPATIBILITY OF REGULATIONS

Notwithstanding the regulations contained in this article, the provisions of this code shall comply with the regulations of the Federal Communications Commission, as may be amended, that apply to satellite, amateur radio or communication antennas. A franchisee under the provisions of Title 19 pertaining to cable television franchises shall comply with the regulations in this article.

ARTICLE 3. CONCURRENT SALE OF ALCOHOLIC BEVERAGES AND MOTOR VEHICLE FUEL

Sec. 13-146. PURPOSE

The purpose of this article is to establish the processing procedures and development standards for the concurrent sale of alcoholic beverages and motor vehicle fuel.

Sec. 13-147. CONDITIONAL USE PERMIT REQUIRED; EXCEPTION

It shall be unlawful to sell any alcoholic beverage on the same building site where motor vehicle fuel is sold unless the concurrent sale of alcoholic beverages and motor vehicle fuel is specifically allowed by a conditional use permit issued for the site. This requirement shall not apply where the dispensing and sale of motor vehicle fuel is separated by at least 300 feet from the building where alcoholic beverages are sold.

Sec. 13-148. PROCEDURE

A conditional use permit for concurrent sales of alcoholic beverages and motor vehicle fuels shall be granted or denied by the Planning Commission pursuant to the procedures set forth in CHAPTER III PLANNING APPLICATIONS.

Sec. 13-149. CONDITIONS, DISCRETIONARY

A conditional use permit may be granted if the requirements of CHAPTER III PLANNING APPLICATIONS are satisfied, and may be made subject to conditions as the final review authority may deem desirable to protect the public health, safety, or general welfare. The conditions may include, but shall not be limited to, the following:

(a) Compliance with applicable development standards and other applicable ordinance requirements.

(b) Specification of the hours when the business may be in operation.

(c) Any other conditions generally applicable to conditional use permits for automobile service stations.

(d) Any conditions needed to mitigate potential adverse environmental effects of the use.

Sec. 13-150. CONDITIONS, MANDATORY

The following conditions shall be imposed on all conditional use permits granted pursuant to this article:

(a) As of January 1, 1988, no alcoholic beverage shall be displayed within 5 feet of the cash register or the front door unless it is in a cooler which was permanently affixed prior to January 1, 1988.

(b) No sale of alcoholic beverages shall be made from a drive-in window.

(c) No alcoholic beverages shall be sold or displayed outdoors.

(d) No display or sale of alcoholic beverages shall be made from an ice tub.

(e) No alcoholic beverage advertising shall be located on motor fuel islands, and no self-illuminated advertising for alcoholic beverages shall be located on buildings or windows.

(f) Employees on duty between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age to sell alcoholic beverages.

Sec. 13-151. APPLICATION TO EXISTING BUSINESSES

Any business actually and lawfully engaged in the sale of alcoholic beverages and motor fuel from the same site before August 17, 1988 shall be permitted to continue to do so, subject to all applicable provisions of State law and this Code, and subject to all conditions of the conditional use permit(s) issued for the site; provided, however, that after January 1, 1990, such businesses shall also comply with all the conditions set forth in Section 13-150 CONDITIONS, MANDATORY.

ARTICLE 4. DENSITY BONUSES AND OTHER INCENTIVES

Sec. 13-152. PURPOSE

The purpose of this article is to provide incentives for the production of affordable housing, senior housing, and child care facilities in compliance with State Government Code Section 65915 et. seq. regarding Density Bonuses and Other Incentives.

Sec. 13-153. QUALIFIED PROJECT

To qualify for a density bonus and concessions or other incentives, the developer of a proposed housing project of at least 5 units, must provide housing units affordable to certain income households, donate land, and/or construct a child care facility pursuant to State Government Code Section 65915 et. seq.

Sec. 13-154. APPLICATION AND REVIEW PROCESS

(a) **Preliminary application.** A developer of a qualified housing project and/or child care facility may submit a preliminary application pursuant to this article prior to the submittal of any formal requests for approvals for a housing project development.

Within 30 days of receipt of the application, the Planning Division shall provide to the applicant, the procedures for compliance with this article, a copy of this article and related policies, the pertinent sections of the State Codes to which reference is made in this article, and an application.

(b) **Submittal.** The completed formal application shall include the following information.

(1) A legal description of the total site proposed for development including a statement of present ownership and present and proposed zoning.

(2) A letter signed by the present owner stating how the project will comply with State Government Code Section 65915 et. seq. and stating what is being requested of the City, i.e., density bonus and specific concessions or incentives.

(3) A pro-forma for the proposed project to justify the requested concession or incentive and to establish the land valuation per dwelling unit of bonus units. The applicant shall show that any requested waiver or reduction of a development standard is necessary to make the housing units economically feasible.

(4) A management plan for complying with the maintenance of the designated units regarding income qualification documentation and rent or sale price documentation.

(5) Site plan and supporting plans per the planning application submittal requirements.

(c) **Review.** The review of an application for a density bonus and concession or incentive request shall be processed as a planning application pursuant to CHAPTER III PLANNING APPLICATIONS. The Planning Division shall review the application for its conformance with State Government Code Section 65915 et. seq. and applicable City Codes and make a report to the Planning Commission. If the application involves a request for direct financial incentives, then any action by the Planning Commission on the application shall be advisory only, and the City Council shall have the authority to make the final decision on the application.

Sec. 13-55 through 13-58. Reserved for future use.

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ARTICLE 5. ELECTRONIC GAME MACHINES

Sec. 13-159. PURPOSE

The purpose of this article is to identify the development standards for regulating electronic game machines.

Sec. 13-160. CONDITIONAL USE PERMIT REQUIRED

It shall be unlawful and a misdemeanor to establish or operate 4 or more electronic game machines upon the premises of any business establishment without first obtaining the discretionary approval noted below, in addition to other permits or certificates required by law.

(a) A minor conditional use permit shall be required when the proposed electronic game machines are incidental to the primary use of a business establishment.

(b) A conditional use permit shall be required when the proposed electronic game machines are the primary use of the business establishment.

Sec. 13-161. DEVELOPMENT STANDARDS

The following development standards and regulations shall apply to all business establishments containing 4 or more electronic game machines in the City and shall be conditions imposed upon the granting of any minor conditional use permit or conditional use permit. Additional development standards of the applicable zoning district shall also be applied as appropriate.

(a) All electronic game machines within the premises shall be visible to and supervised by an adult attendant. The attendant shall be present at all times when any electronic game machine is being operated.

(b) The supervision of the patrons on the premises shall be adequate to ensure there is no conduct that is detrimental to the public health, safety and general welfare.

(c) During the school year, minors between the ages of 5 and 18 years shall not be allowed to operate electronic game machines Monday through Friday, except legal school holidays, between the hours of 8:00 a.m. and 3:00 p.m. unless accompanied by a parent, legal guardian or an authorized agent of the school district. It shall be the responsibility of the adult attendant to enforce this regulation.

(d) Outside security lighting shall be provided under the direction and upon the recommendation of the Development Services and/or Police Departments.

Sec. 13-162. NONCONFORMING BUSINESS AMORTIZATION

Any premises containing 4 or more electric game machines as defined in this article, in existence and lawfully operating as of December 15, 1981, shall by December 15, 1982 either obtain a conditional use permit or terminate the nonconforming use.

ARTICLE 6. HOME OCCUPATIONS

Sec. 13-163. PURPOSE

The City Council hereby finds and declares that residential use of residentially zoned property is the primary use. That subject to regulation and control, the property may have a secondary use of a business or commercial nature so long as the secondary use is compatible with a residential environment.

Sec. 13-164. PERMITS REQUIRED

No person shall engage in a home occupation, as defined in this Zoning Code, within any residentially zoned area of the City without first applying for and securing a permit. No business license shall be issued until a home occupation permit has been approved and issued. Home occupations that generate customer traffic and do not involve more than one customer/client at a time and no more than 8 customers/clients per day require the approval of a minor conditional use permit pursuant to CHAPTER III PLANNING APPLICATIONS.

Sec. 13-165. APPLICATION PROCEDURES

(a) Applications for home occupation permits shall be filed with the Finance Division on forms provided and must be accompanied by an application for a business license for the work anticipated and the required fee.

(b) The Planning Division shall review all such permit applications within 4 days of the proper filing to determine compliance with the purpose and intent of this article and the standards set forth in Section 13-168 EVALUATION STANDARDS. The Planning Division may require additional information from the applicant in order to make the determination.

(c) The Planning Division shall approve, approve with modifications, or deny any application for a permit, based upon determination in accordance with the standards set forth in Section 13-168 EVALUATION STANDARDS.

Sec. 13-166. PERMIT FEE

Fees due, if any, shall be under the business license provisions of this Municipal Code.

Sec. 13-167. TERM OF PERMIT

Any issued home occupation permit shall remain valid until revoked and shall not be transferred, assigned or used by any person other than the original permittee, nor shall such permit authorize any home occupation at any location other than the designated one for which the permit was issued.

Sec. 13-168. EVALUATION STANDARDS

The Planning Division shall apply the following standards in evaluating each application to determine if the anticipated home occupation may be allowed:

(a) There shall be no employment of persons other than permanent residents of the premises.

(b) There shall be no direct sale of products, either wholesale or retail on the premises.

(c) No more than one room in the dwelling may be used for the home occupation.

(d) No building, space outside of the main building, or garage, attached or detached, shall be used for the home occupation. Storage of necessary supplies or equipment used in the home occupation may be permitted in a garage if the storage does not diminish the usable parking space in the garage.

(e) There shall be no use of utilities or community facilities beyond that normal to the residential use of the property.

(f) No use of material or mechanized equipment not recognized as being associated with a normal household use or hobby is permitted.

(g) The structure or appearance of the exterior of the dwelling shall not be altered or remodeled for home occupational purposes either by color, materials, construction, lighting, or in any other way. No part of the interior of the structure shall be remodeled for home occupation purposes other than the interior of the room where the home occupation is being conducted.

(h) No signs shall be displayed in connection with the home occupation, and there shall be no advertising using the home address, with the exception of advertising in the telephone directory.

(i) The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises, other than a vehicle of no more than one ton capacity, owned by the operator of the home occupation, which shall be stored in an entirely enclosed garage. The storage of equipment such as trailers, tractors, trucks in excess of one ton, wheeled construction equipment, etc. is not permitted.

(j) The home occupation shall not generate pedestrian or vehicular traffic beyond that normal to the neighborhood where it is located.

(k) The home occupation shall not result in or generate parking or storing of commercial vehicles on public streets. Commercial vehicles are defined in the State Vehicle Code and, in addition, shall include construction equipment and any other mobile paraphernalia used in connection with the home occupation.

Sec. 13-169. REVOCATION AND APPEAL PROCEDURES

(a) Any home occupation permit may be revoked by the Planning Division at any time after its issuance if the Planning Division notifies the permittee, in writing, of the decision to revoke the permit. The notice shall state the reasons for the action and shall refer to the appeal procedures prescribed in TITLE 2, CHAPTER IX APPEAL, REHEARING AND REVIEW PROCEDURE. The existence of any one or more of the following factors shall be sufficient grounds for revocation of the permit:

(1) Violation of any requirement of Section 13-168 EVALUATION STANDARDS;
(2) That the use has become detrimental to the public health or safety, or is deemed to constitute a nuisance;
(3) That the permit was obtained by misrepresentation;
(4) That the use for which the permit was granted has ceased or has been suspended for 6 consecutive months or more; or
(5) That the conditions of the premises, or of the district of which it is a part, have changed so that the use may no longer be justified under the purpose of this article.

(b) The decision of the Planning Division may be appealed pursuant to TITLE 2, CHAPTER IX APPEAL, REHEARING AND REVIEW PROCEDURE.

ARTICLE 7. MINI-WAREHOUSES

Sec. 13-170. PURPOSE

The purpose of this article is to identify the development standards for mini-warehouses.

Sec. 13-171. DEVELOPMENT STANDARDS

(a) **Exterior finish.** The exteriors shall be of finished quality. Metal containers are prohibited.

(b) **Landscaping.** A landscaped strip, a minimum of 5 feet in width, shall be provided where subject property abuts any residential district. The 5 foot landscaped strip shall be designed to provide screening of the site from residential properties.

(c) **Screening.** A minimum 6 foot high decorative block wall shall be installed along property lines and street setback lines under the direction of the Planning Division. Overhead access doors shall be screened from off-site.

(e) **Use restrictions.**

(1) No facility shall be used for:

a. Any business activity (other than rental of storage units) including miscellaneous or garage sales, and transfer/storage businesses which utilize vehicles as part of the business; or
b. Servicing or repair of motor vehicles, boats, trailers, lawn mowers, or any similar equipment.

(2) All rental contracts shall include clauses prohibiting:

a. The storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals; and
b. The use of the property for uses other than storage.

(3) A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval and all applicable ordinances. This requirement may be waived by the final review authority, if alternative security measures are found acceptable.

(f) **Parking requirements.**

(1) 2 covered parking spaces adjacent to the manager's quarters, if applicable.

(2) One parking space for every 200 storage cubicles or fraction thereof shall be located adjacent to the project office. A minimum of 2 such spaces shall be provided.

(3) Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least 26 feet wide when cubicles open onto one side of the lane only and at least 30 feet wide when cubicles open onto both sides of the lane.

(4) Required parking spaces may not be rented as, or used for vehicular storage. However, additional parking area may be provided for recreational vehicle storage, provided that it is adequately screened under the direction of the Planning Division.

ARTICLE 8. MOTELS

Sec. 13-172. PURPOSE AND INTENT

The purpose of this article is to establish operational and development standards, and requirements for motels which will ensure the continued availability of transient visitor and automobile tourist lodging within the City and to ensure the continued use of motels in the manner intended to provide such lodging.

Sec. 13-173. DEFINITIONS

A. "Long-term occupancy" shall mean any occupancy in a motel in the city for a period exceeding thirty (30) consecutive days or thirty (30) days within any sixty (60) consecutive day period.

B. "Short-term occupancy" shall mean any occupancy of a motel in the city for a period that does not fall within the definition of a long-term occupancy.

Sec. 13-174. OPERATIONAL AND DEVELOPMENT STANDARDS

The following operational and development standards shall apply to all motels in the city and shall be included in conditions imposed upon the granting of any conditional use permit for such business, unless specifically modified by the conditional use permit:

(a) No property owner, motel operator or manager shall rent a room for a period that exceeds thirty (30) consecutive days or thirty (30) days within any sixty (60) consecutive day period, unless the property owner or motel operator has obtained a conditional use permit authorizing long-term occupancies pursuant to section 13-175.3.

(b) On-site management shall be available 24 hours a day.

(c) Each guest room shall be provided regularly-scheduled maid and housekeeping services. Such services shall be provided at least once every three (3) days during any consecutive occupancy and at least once between each occupancy.

(d) In-room telephone service for emergency response purposes shall be provided in all guest rooms of the motel.

(e) Persons responsible for the renting of a room in any motel shall provide their name and permanent address, as verified by presentation of a valid driver's license or other valid identification, and the license number, state of license, make, model and year of any vehicle parked on-site or off-site. The registration information shall also include the dates of occupancy, length of stay and room rate. Such information shall be maintained for at least one year past the last day of stay of the guest.

(f) No room, suite or bed shall be assigned or rented more than once within any twenty-four (24) hour period.

(g) The property owner/motel operator shall comply with the provisions of Chapter IV of Title 16 of the Costa Mesa Municipal Code pertaining to the operator's responsibility for the collection of transient occupancy tax.

(h) The business shall be conducted, at all times, in a manner that will allow the safe and quiet enjoyment of the surrounding neighborhood which includes, but is not limited to, security and operational measures to comply with this requirement.

Sec. 13-175. APPLICATION TO EXISTING BUSINESSES

The requirements of this chapter, specifically including the long-term occupancy restrictions in Section 13-174.A, shall apply to all motels in the city, whether it is new or was in existence prior to the effective date of this ordinance.

Sec. 13-175.1 APPLICATION TO EXISTING TENANTS

A. Nothing in this chapter shall require an existing tenant of a long-term occupancy, established prior to the effective date of this chapter, to move out of a unit they are already occupying. Those pre-existing long-term occupancies may continue pursuant to the terms of the existing lease or agreement, until that tenancy terminates by its own terms under the law.

B. Whenever a long-term occupancy terminates, for whatever reason, the property owner/motel operator shall not re-lease that unit for a new long-term occupancy, except to the degree the motel will be in compliance with the requirements of this chapter.

Sec. 13-175.2 PROCEDURE FOR COMPLIANCE

A. Within thirty (30) days of the effective date of this ordinance, the city shall notify the owners and operators of each motel in the city of the ordinance's adoption. The City shall send a copy of the ordinance, a "long-term occupancy form", and a schedule for compliance via certified return receipt mail. If a notice is returned, the city shall send the notice via standard U.S. Mail.

B. Within thirty (30) days of the mailing of the notice in Section 13-175.2.A, the property owner/motel operator shall submit a fully completed "long-term occupancy form" to the city that provides the total number of rooms used as long-term occupancies during the preceding sixty (60) days; identify the long-term occupant by a valid driver's license or other valid identification; the make, year, and model of any vehicle parked on-site or off-site; and any other information to demonstrate compliance with the ordinance. If a property owner/motel operator fails to submit the long-term occupancy form, in addition to taking any other action authorized by law, the city shall estimate the total number of rooms used as long-term occupancies at zero (0).

Sec. 13-175.3 CONDITIONAL USE PERMIT FOR LONG-TERM OCCUPANCIES

A property owner/motel operator may apply for a conditional use permit authorizing the facility to exceed the long-term occupancy limits in Section 13-174.A, subject to restrictions of the issuing authority. In order to be granted a conditional use permit under this section, the property owner/motel operator must demonstrate compliance with, and the city shall make a finding that, each of the following standards have been met:

A. The motel must have a minimum of at least seventy-five (75) rooms.

B. Fireproof safety deposit boxes must be available to all occupants of the motel.

C. Each guest room shall be provided regularly-scheduled maid, mail and housekeeping services. Such services shall be provided at least once every three (3) days during any consecutive occupancy and at least once between each occupancy.

D. Each room shall be a minimum of three hundred seventy-five (375) square feet.

E. The motel shall maintain on-site laundry services, available for use by guests.

F. The proposed use is compatible with the surrounding neighborhood, uses, zoning and General Plan.

G. Each guest room shall have a full equipped kitchen with an area for the preparation of food, and include the following: sink, cook top, over and/or microwave oven, and refrigerator.

Sec. 13-175.4 TERMINATION OF TENANCY

The provisions of this article shall not be used to terminate a tenancy in violation of the requirements of California Civil Code Section 1940 et. seq.

ARTICLE 9. OFF-SITE HAZARDOUS WASTE FACILITIES

Sec. 13-176. PURPOSE

The purpose of this article is to establish land use regulations and a permit process for controlling the location, design, maintenance and safety of off-site hazardous waste facilities pursuant to Chapter 6.5 of Division 20 of the State Health and Safety Code and the County Hazardous Waste Management Plan.

Sec. 13-177. DEFINITIONS

The following words and phrases shall, for the purpose of this article, be defined as follows, unless it is clearly apparent from the context that another meaning is intended.

Applicant. Any person applying to the City for a conditional use permit concerning a proposed hazardous waste facility, as defined under the term "proponent" of the State Health and Safety Code Section 25199.1(i).

General fund. The State of California General Fund.

Appeal board. A board designated by the Governor to review the following types of appeals pursuant to State Health and Safety Code Section 25199.9. The procedures and requirements for an appeal to the Appeal Board shall be pursuant to State Health and Safety Code Sections 25199.9 - 25199.14.

(a) An appeal by the applicant of the disapproval by the City of a hazardous waste facility application;

(b) An appeal by the applicant of one or more conditions of approval placed by the City on an approved hazardous waste facility application; and

(c) An appeal by an interested person which is based solely on the grounds that the conditions of approval imposed by the City on an approved hazardous waste facility application do not adequately protect the public health, safety or welfare.

(d) An appeal of all other City land use decisions as specified in State Health and Safety Code Section 25199.9

Hazardous waste. A waste - as defined in State Health and Safety Code Section 25117.

Interested person. A person, as defined in State Health and Safety Code Sections 25118 and 25124, who participates in one or more public meetings or hearings held to consider an application for a conditional use permit for a proposed hazardous waste facility. "Participation" as defined in the State Health and Safety Code, Section 25199.1(c) includes, but is not limited to, the giving of oral or written testimony at a meeting or hearing, submission of questions at a meeting or hearing, or attendance at a meeting or hearing.

Local Assessment Committee (LAC). A State-required committee as defined by State Health and Safety Code Section 25199.7(d) of locally appointed representatives, designed to negotiate with the proponents of a proposed hazardous waste facility.

Office of Permit Assistance (OPA). The State of California Office of Permit Assistance.

Off-site hazardous waste facility. A facility, as defined in State Health and Safety Code Section 25117.1, that accepts hazardous wastes that are generated at another location (off-site) and serves more than one producer of hazardous waste. Types of facilities include, but are not limited to:

(a) Incineration facility, (i.e., rotary kiln, fluid bed, etc.);
(b) Residual repository (receives only residuals from hazardous waste treatment facilities);
(c) Stabilization/solidification facilities;
(d) Chemical oxidation facilities;
(e) Neutralization/precipitation facilities; or
(f) Transfer/storage facilities.

Proposed hazardous waste facility. A specific off-site hazardous waste facility project proposal.

Sec. 13-178. APPLICABILITY

(a) The specific requirements of this article are applicable to the siting, construction, and/or retrofit of any facility proposed for the treatment, storage, transfer and disposal of hazardous waste generated from other sources (off-site) as defined in Section 13-177 DEFINITIONS. The off-site facility definition in Section 13-177 DEFINITIONS does not apply to: a) Transportable Treatment Units (TTU), which are designed to be moved either intact or in modules and which are intended to be operated at a given location for a limited period of time, or b) permanent on-site hazardous waste facilities at locations where hazardous waste is produced, and which are owned by, leased to, or under the control of the producer of the waste. All such facilities (i.e., off-site, on-site, and TTUs) shall be subject to State licensing for installation and operation and appropriate review by the City.

(b) **Used motor oil collection facilities.** The provisions of this article shall not apply to used motor oil collection facilities that meet the following criteria:

(1) The facility is for collection only; no processing of the used motor oil shall occur at the site.
(2) The storage of the used motor oil is short-term (less than 90 days).
(3) The collection facility is incidental to the main use of the property.
(4) The collection facility complies with development standards for outdoor storage.

Sec. 13-179. CONDITIONAL USE PERMIT REQUIRED

(a) It shall be unlawful to establish and operate an off-site hazardous waste facility without first obtaining a conditional use permit. The conditional use permit shall require approval of the City Council.

(b) Off-site hazardous waste facilities may be allowed in the MP and MG industrial zones, subject to the issuance of a conditional use permit and pursuant to the provisions of this article and CHAPTER III PLANNING APPLICATIONS. Other zoning districts where off-site hazardous waste facilities may be considered are C1, C2, C1-S, PDC, TC, PDI, and I&R, provided a finding is made by the City Council that the proposed facility is of a purpose, scale, and operation that is compatible with the intent of the applicable zoning district and General Plan designation; the issuance of a conditional use permit shall also be required. This requirement is in addition to other permits required by law. Where this article does not provide specific direction, the provisions of other applicable chapters and articles of this Zoning Code shall apply.

(c) A conditional use permit application for a proposed hazardous waste facility shall be accompanied by all processing fees as established by resolution of the City Council.

Sec. 13-180. APPLICATION REQUIREMENTS

The Development Services Director shall prescribe the application form and information necessary to process the conditional use permit. In addition, the Development Services Director may require that the following information accompany the application:

(a) A map depicting the distance from the project property lines to the nearest residential structure, residential zone, and General Plan residential land use designation.
(b) Identification of surrounding zoning and land uses.
(c) Project proximity to 100-year floodplain areas.
(d) Project proximity to any known earthquake fault zones.
(e) The relationship of the proposed project to all above ground water supplies as well as known underground aquifers that could possibly suffer contamination.
(f) Existing and proposed utilities which service or will be needed to service the facility.
(g) A preliminary geological study of the property and surrounding area which includes a soils analysis that is to the depth of known aquifers, regardless of the potability of those aquifers.
(h) Identification of all wastewater, treated and untreated, to be generated by the proposed facility and the method and place of final discharge. Surface water runoff shall also be addressed.
(i) Identification of the amounts (tonnage) and types of hazardous wastes to be treated at the proposed facility; the sources of these wastes; the ultimate disposition of the wastes; and the anticipated life of the facility. Information shall be provided on the amounts, sources and types of hazardous wastes to be treated based on an actual survey of the industries to be served and, thereby, representative of the wastes that will be processed at the facility.
(j) For properties within a 300-foot radius of the boundary of the project site, the applicant shall provide a surrounding ownership map, a list of names and mailing addresses of all property owners and tenants within the radius area, and 5 sets of mailing labels for all tenants and owners of record per the specifications of the Planning Division. A greater radius of notification, up to a 1000 feet, may be required at the discretion of the Development Services Director.
(k) A public involvement/participation plan for the proposed project which provides adequate forums to receive public testimony in an effort to identify and mitigate all public concerns prior to the public hearings.
(l) The proposed monitoring program to ensure on an ongoing basis that there is no unintentional release of any hazardous substance from the site. This program shall include any ongoing monitoring necessary by other permitting agencies including but not limited to the Southern California Air Quality Management District, Environmental Protection Agency, Air Resources Board and Regional Water Quality Control Board.
(m) A preliminary emergency contingency plan designed to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste or hazardous waste constituents to the air, soil or surface water. The plan shall provide for its immediate implementation whenever there is a fire, explosion or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.
(n) The proposed closure plan which identifies the steps necessary to completely or partially close the facility at any point during its operating life and to permanently close the facility at the end of its intended operating life.
(o) An analysis of how the proposed project complies with the siting criteria for off-site hazardous waste facilities described in the County Hazardous Waste Management Plan. The siting criteria may be obtained from the Planning Division.
(p) Documentation that all applicable permits, licensing and certification requirements under Chapter 6.5, Division 20, of the State Health and Safety Code have been obtained.
(q) Other information as required by the Development Services Director.

Sec. 13-181. ENVIRONMENTAL REVIEW

The project shall be subject to environmental analysis according to the City's established procedures pursuant to the California Environmental Quality Act. Fees for the environmental review shall be established by resolution of the City Council.

Sec. 13-182. PROCEDURES

The following procedures are for the purpose of identifying the steps for processing a conditional use permit application for a proposed hazardous waste facility in compliance with State Health and Safety Code Section 25199.7:

(a) At least 90 days before filing a conditional use permit application for a proposed hazardous waste facility, the applicant shall file a notice of intent to make an application with the Office of Permit Assistance (OPA) in the State's Office of Planning and Research (OPR) and with the Development Services Director. The notice of intent shall contain a complete description of the nature, function and scope of the project. The OPA shall immediately notify affected State agencies of the notice of intent. The City shall publish a notice in a newspaper of general circulation in the area affected by the proposed project, shall post notices in the location where the project is proposed, and shall notify, by a direct mailing, the owners of record and tenants of all property within a 300 foot radius of the boundary of the project site. A greater radius of notification, up to 1000 feet, may be required at the discretion of the Development Services Director. A notice of intent is not transferable to a location other than the location specified in the notice, and it shall remain in effect for one year from the date it is filed or until it is withdrawn by the applicant, whichever is earlier.

The applicant shall also provide for the notification area, a surrounding ownership map, a list of names and mailing addresses of all tenants and property owners of record, and one set of mailing labels for all tenants and property owners per the specifications of the Planning Division.

The City shall impose a fee upon the applicant equal to the cost of notification required by this section. The fee shall be established by resolution of the City Council.

(b) Within 90 days after a notice of intent is filed with the OPA, the OPA shall convene a public meeting within the City to inform the public on the nature, function, and scope of the proposed project and the procedures that are required for approving the project application. The Development Services Director shall coordinate with OPA regarding the meeting's location and time and shall provide a notice of the meeting.

(c) Anytime after receiving a notification of the filing of a notice of intent, but no later than 30 days after the application is accepted as complete, the City Council shall appoint a seven-member Local Assessment Committee (LAC) in conformance with State Health and Safety Code Section 25199.7(d). The City shall provide staff resources to assist the LAC in performing its duties. The City shall charge the applicant a fee to cover the City's costs of establishing and convening the LAC; the fee shall be established by City Council resolution and shall accompany the conditional use permit application.

(d) The Development Services Director shall notify the OPA within 10 days after the conditional use permit application is accepted as complete. Within 60 days after receiving this notice, the OPA will convene a meeting of the lead and responsible agencies for the project, the applicant, the LAC and the interested public, for the purpose of determining the issues which concern the affected agencies and the public pursuant to State Health and Safety Code Section 25199.7(e). The meeting shall take place in the City and shall be noticed pursuant to subsection (a).

(e) Following the meeting as specified in subsection (d), the applicant and the LAC shall meet and confer on the proposed hazardous waste facility for the purpose of establishing the terms and conditions under which the project will be acceptable to the community.

(f) If the LAC finds that it requires assistance and independent advice to adequately review a proposed project, it may request technical assistance grants from the City to enable the LAC to hire a consultant to assist and/or advise the LAC. The LAC may use the available technical assistance grant funds to hire a consultant to do either or both of the following:

(1) Assist the LAC in reviewing and evaluating the project's application, environmental documents and any other documents, materials and information that are required by a public agency in connection with the conditional use permit application.

(2) Advise the LAC in its meetings and discussion with the applicant to seek agreement on the terms and conditions under which the project will be acceptable to the community.

The applicant shall pay a fee, in addition to the fee set forth in subsection (c), to the City equal to the amount of any technical assistance grant provided to the LAC. The City shall deposit any fee imposed in an account created in the City, maintain records of all expenditures from the account, and return any unused funds and accrued interest at the legal rate to the applicant upon completion of the review of the proposed project.

(g) If the LAC and the applicant cannot resolve any differences through the meetings, the OPA may assist in this resolution pursuant to State Health and Safety Code Section 25199.4.

(h) At the request of the applicant, the City Council shall, within 60 calendar days after the application is determined complete, issue an initial written determination on whether the hazardous waste facility is consistent with both the General Plan and Zoning Code in effect at the time the application was received, and the County Hazardous Waste Management Plan.

(i) Upon completion of the project review by the LAC, and all necessary environmental review, the Planning Commission shall hold a public hearing on the conditional use permit and make its recommendation to the City Council in writing. The recommendation shall include a statement of whether or not the proposed hazardous waste facility complies with the findings contained in Section 13-184 FINDINGS.

(j) After the Planning Commission has made its recommendation, the City Council shall hold a public hearing and shall approve, disapprove, or conditionally approve the request based on the findings contained in Section 13-184 FINDINGS and, where applicable, the findings contained in Section 13-179(b) CONDITIONAL USE PERMIT REQUIRED.

The City Council may impose conditions on granting a conditional use permit in order to achieve the purposes of this article and the General Plan and to protect the health, safety, and general welfare of the community.

(k) An applicant may file an appeal of a decision made by the City Council with the appeal board as provided in State Health and Safety Code Section 25199.9.

Sec. 13-183. PUBLIC NOTICES

Public notices required by this article shall be given consistent with the requirements of State Government Code Section 65091 and shall be given, at least 10 days prior to the date of the public hearing, in all of the following manners:

(a) Mailing by first class mail or delivery to the applicant, to each owner of record of the property affected, and to all owners of property of record within the required notification area.

(b) Mailing by first class mail or delivery to Mesa Consolidated Water District and/or Santa Ana Heights Water Company, Costa Mesa Sanitary District, County Sanitation Districts of Orange County, and Newport Mesa Unified School District and/or Santa Ana Unified School District.

(c) Mailing by first class mail to any person and/or agency that has filed a written request with the Development Services Director.

(d) Publication at least once in a newspaper of general circulation published and circulated in the City.

Sec. 13-184. FINDINGS

At a minimum, the following findings shall be made in writing by the City Council prior to approval of a conditional use permit:

(a) The proposed hazardous waste facility is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

(b) 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.

(c) 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.

(d) The project will not be detrimental to the health, safety or general welfare of the community.

(e) The project site is or will be adequately served by roads and other public or private service facilities.

(f) The project will be consistent with the Regional Fair Share Facility Needs Assessment, siting policies, and facility siting criteria established in the County Hazardous Waste Management Plan.

(g) Where applicable, the findings in Section 13-179(b) CONDITIONAL USE PERMIT REQUIRED.

Sec. 13-185. APPEALS

(a) In the event the City Council approves the conditional use permit, its action shall be final unless appealed pursuant to subsection (b).

(b) An applicant or an interested person may file an appeal of a land use decision made by the City Council to the appeal board within 30 days after the date the City Council takes final action on the conditional use permit pursuant to the procedures set forth in State Health and Safety Code Sections 25199.9 - 25199.14.

ARTICLE 10. TEMPORARY TRAILERS

Sec. 13-186. PERMIT REQUIRED

It is unlawful to place, use or occupy any trailer coach, mobile home or modular structure of a temporary nature for residential or nonresidential use upon any property without a permit. This regulation does not apply to storage of trailers or to those that are used as dwelling units within an authorized trailer park or mobile home park.

Sec. 13-187. TEMPORARY REAL ESTATE AND CONSTRUCTION OFFICES

Temporary trailers may be approved by the Planning Division for real estate offices related to the sale of lots or dwelling units in any approved subdivision and for construction offices related to approved development occurring on the same site. The approval period shall be limited to a period of one year; extensions of time may be granted by the Development Services Director for good cause. Building permits shall be required.

Sec. 13-188. OTHER USES

(a) With the exception of a real estate office noted above, a minor conditional use permit shall be required for the use of a temporary trailer on any property. Application for a minor conditional use permit shall be made and processed in accordance with the procedures set forth in CHAPTER III PLANNING APPLICATIONS.

(a) The approval shall typically be limited to one year; however, the Zoning Administrator may grant additional time based on the merits of the proposal.

ARTICLE 11. TRANSITIONAL AREAS

Sec. 13-189. PURPOSE

The West 19th Street Transition Area for the residential area including 854 through 1014 W. 19th Street (even numbered properties only) and 1903 Federal Avenue ("affected property(s)") is hereby removed. Legally established businesses operating on affected properties in existence prior to the removal of the transition area ("current business") may continue to operate as legal nonconforming uses subject to Chapter X, Nonconforming Units, Developments, and Lots of the Zoning Code. Following the termination of a current business, all structures, landscape, and parking on an affected property shall be restored and/or converted to conform with the development standards and building code requirements for single-family residences in a R1 zone.

Sec. 13-190 through Sec. 13-192. RESERVED

ARTICLE 12. TRANSPORTATION DEMAND MANAGEMENT

Sec. 13-193. PURPOSE

This article is intended to meet the requirements of State Government Code Section 65089(b)(3) which requires development of a trip reduction and travel demand element to the Congestion Management Program, and Section 65089.3(b) which requires adoption and implementation of Trip Reduction and Travel Demand Ordinance.

Sec. 13-194. DEFINITIONS

For purposes of this article, the definitions for the following terms shall apply:

Alternative transportation modes. Any mode of travel that serves as an alternative to the single occupant vehicle, during peak hours of traffic operations (i.e. 6:00 a.m. to 10:00 a.m. and 4:00 p.m. to 6:00 p.m.). This can include all forms of ridesharing such as carpooling or vanpooling, as well as public transit, bicycling or walking.

Applicable development. Any new development project that is determined to meet or exceed the employment threshold using the criteria contained in Section 13-196 APPLICABILITY.

Employee. Any person employed by a firm, person(s), business, educational institution, nonprofit agency or corporation, government agency or other entity which employs 100 or more persons at a single worksite.

Employment generation factors. Factors for projecting the potential employment of any proposed development project.

Employer. Any person(s), firm, business, educational institution, government agency, nonprofit agency or corporation or other entity which employs 100 or more persons at a single worksite, and may either be a property owner or tenant of an applicable development project.

Facility(ies). The total of all buildings, structures and grounds that encompass a worksite, at either single or multiple locations, that comprises or is associated with an applicable development project.

New development project. Any nonresidential project being processed where some level of discretionary action by a decision-making body is required.

Transportation demand management (TDM). Development and implementation of programs, plans, reports or policies designed to encourage changes in individual travel behavior. TDM can include an emphasis on alternative travel modes to the single occupant vehicle such as carpools, vanpools and transit; reduction or elimination of the number of vehicle trips, or shifts in the time of vehicle commutes to other than the peak periods.

Sec. 13-195. POLICY

New commercial, industrial and mixed-use development including employment centers of 100 persons or more may adversely impact existing transportation and parking facilities, resulting in increased motor vehicle emissions, deteriorating levels of service, and possible significant additional capital expenditures to augment and improve the existing transportation system. In order to more efficiently utilize the existing and planned transportation system and to reduce vehicle emissions, it is the policy of the City to:

(a) Reduce the number of peak-period vehicle trips generated in association with additional development.

(b) Promote and encourage the use of alternative transportation modes such as ridesharing, carpools, vanpools, public bus and rail transit, bicycles and walking, as well as those facilities that support such modes.

(c) Achieve related reductions in vehicle trips, traffic congestion and public expenditure and achieve air quality improvements through utilization of existing local mechanisms and procedures for project review and permit processing.

(d) Promote coordinated implementation of strategies on a countywide and citywide basis to reduce transportation demand.

(e) Achieve the most efficient use of local resources through coordinated and consistent regional and/or local TDM programs.

Sec. 13-196. APPLICABILITY

(a) This article shall apply to all new development projects that are estimated to employ 100 or more persons as determined by the methodology contained in subsection (b).

(b) For purposes of determining whether a new development project is subject to this article, the total employment figure will be determined as follows:

(1) Employment projections developed by the project applicant, subject to approval by the Development Services Director.

(2) Employment projections developed by the City using the following employee generation factors:

Land Use Category	Gross Square Feet Per Employee
Commercial	500
Office/Professional	250
Industrial	525
Motel	0.8 employees/room
Hotel	1.2 employees/room
Hospital/medical and dental offices	400
Warehouse	1,000

(c) The employment projection for a development of mixed or multiple uses shall be calculated based upon the proportion of development devoted to each type of use.

Sec. 13-197. FACILITY STANDARDS

All applicable developments shall be subject to the facility standards as specified in this section and shall provide one or more of the improvements identified below:

(a) **Preferential parking for carpool vehicles:**

(1) At least 15 percent of the employee parking spaces shall be reserved and designated for carpool vehicles by marking such spaces "Carpool Only".

(2) Carpool spaces shall be used only by carpool vehicles in which at least 2 of the persons will be employees or tenants of the proposed project, or where a reciprocal preferential carpool parking agreement with other developments has been established.

(3) Such carpool spaces shall be located near the building's employee entrance(s) or at other preferential locations within the employee parking areas as approved by the Planning Division.

(The intent of this section is not to preclude parking agreements for visitors and handicapped, but to provide preferential carpool parking within the general employee parking areas. The factors listed below shall be used to determine the number of employee parking spaces.)

(4) The total number of employee parking spaces shall be determined by using the following factors as specified in CHAPTER VI OFF-STREET PARKING STANDARDS.

Type of Use	**Percent of Total Parking Devoted to Employee Parking**
Commercial	30
Office/Professional	85
Industrial/Warehouse	90
Hotel/Motel	30
Hospital, medical and dental offices	55

(b) **Bicycle parking and shower facilities.** Bicycle parking and locker facilities shall be provided in a secure location for use by employees or tenants who commute to the site by bicycle or walk in accordance with the following standards:

(1) The number of bicycle facilities/racks shall be provided at the rate of at least one rack for every 50 employees or fraction thereof. The maximum number of bicycle parking spaces required for less than 1,000 employees shall be 20 spaces and 30 spaces for 1,000 or more employees. All required bicycle parking facilities shall be in secured location(s) as approved by the Transportation Services Manager.

(2) Shower and locker facilities shall only be required in new buildings of 100,000 square feet or more. A minimum of 2 showers and 4 lockers shall be provided for both female and male employees.

(c) **Information on transportation alternatives.**

(1) A commuter information area shall be provided that offers employees appropriate information on available transportation alternatives to the single occupant vehicle. This area shall be centrally located and accessible to all employees or tenants.

(2) Information in the area shall include, but not be limited to, the following:

a. Current maps, routes and schedules for public transit.

b. Ridesharing match lists.

c. Available employee incentives.

d. Ridesharing promotional material supplied by commuter oriented organizations.

(d) **Rideshare vehicle loading areas.**

(1) The need for, design, and location of passenger loading areas for passengers to embark and disembark from rideshare vehicles shall be reviewed by the Transportation Services Manager.

(2) Passenger loading areas shall be of a size large enough to accommodate the number of waiting vehicles equivalent to the rate of at least 5 spaces per every 100 of the required parking spaces for the project.

(3) The passenger loading areas shall be located as close as possible to the building's employee entrance(s), and should be designed in a manner that does not impede vehicular circulation in the parking area.

(e) **Vanpool vehicle accessibility.**

(1) The need for, design, and location of passenger loading areas for passengers to embark and disembark from vanpool vehicles shall be reviewed by the Transportation Services Manager.

(2) The design of all parking facilities shall incorporate provisions for access and parking of vanpool vehicles.

(3) Where applicable, vanpool vehicle accessibility shall include a minimum of 7 feet and 2 inches vertical clearance for those parking spaces and ramps to be used by such vehicles.

(4) Vanpool parking spaces shall be located near the building's employee entrance(s) or other preferential locations as approved by the Transportation Services Manager.

(5) The number of accessible vanpool parking spaces shall be at the rate of at least 5 per cent of the total required employee car pool parking spaces as determined in Section 13-197(a)(4) FACILITY STANDARDS.

(f) **Bus stop improvements.**

(1) The need for, design and location of potential improvements at area bus stops shall be reviewed by the Transportation Services Manager.

(2) Bus shelters, pullouts, and pads, shall be provided as necessary in consultation with and approval by the affected transit service providers.

Sec. 13-198. PARKING INCENTIVES

The total number of employee parking spaces as defined in Section 13-197 FACILITY STANDARDS may be reduced by the following factors:

(a) **Additional carpool/vanpool parking.** One and one-half employee parking spaces may be eliminated for each additional carpool or vanpool space provided in excess of the number required by Section 13-197 FACILITY STANDARDS. However, such reduction shall not exceed 3 percent of the total employee parking spaces.

(b) **Additional bicycle parking and shower/locker facilities.** New development projects may reduce the required number of employee parking spaces for additional bicycle parking and shower/locker facilities provided in excess of that required by Section 13-197 FACILITY STANDARDS. However, such reduction shall not exceed 3 percent of the total employee parking spaces.

Sec. 13-199. IMPLEMENTATION AND MONITORING

For the purpose of determining whether applicable developments are in compliance with the provisions of this article, the Planning Division shall monitor such compliance in a manner it deems appropriate and reasonable. Monitoring mechanisms to verify compliance with the facility standards required under Section 13-197 FACILITY STANDARDS may include, but not be limited to, the following:

(a) Current procedures for site development plan review as appropriate.

(b) Field/site inspections.

(c) Other building site reports/surveys which the City may deem appropriate.

Sec. 13-200. ENFORCEMENT AND PENALTIES

For purposes of ensuring that applicable developments comply with the provisions of this article, the City shall, following written notice to subject property owner or designee (employer), initiate enforcement action(s) to enforce compliance with the facility standards under Section 13-197 FACILITY STANDARDS, which may include, but not be limited to, the following:

(a) Withholding issuance of a building permit or certificate of use and occupancy.

(b) Issuance of stop work order(s).

(c) Enforcement as provided in CHAPTER I GENERAL, ARTICLE 4 ENFORCEMENT.

ARTICLE 13. WATER QUALITY

Sec. 13-200.5 GENERAL

The provisions of Chapter IV of Title 8 shall apply to new development and significant redevelopment projects as defined in such chapter and as set forth in Section 8-32.

ARTICLE 14. HISTORIC PRESERVATION

Sec. 13-200.51 PURPOSE

The purpose of this article is to promote the public health, safety, and general welfare by providing for the identification, protection, enhancement, perpetuation and use of improvements, buildings, structures, sites, districts, neighborhoods, natural features and significant permanent landscaping having special historical, archaeological, cultural, architectural, or community value in the City for the following reasons:

(a) To safeguard the City's heritage as embodied and reflected in such resources;
(b) To encourage public knowledge, understanding, and appreciation of the City's past;
(c) To foster civic and neighborhood pride and a sense of identity based on the recognition and use of cultural resources;
(d) To preserve diverse and harmonious architectural styles and design preferences reflecting phases of the City's history and to encourage complementary contemporary design and construction;
(e) To enhance property values and to increase economic and financial benefits to the City and its inhabitants; and
(f) To protect and enhance the City's attraction to tourists and visitors, thereby stimulating business and industry.

Sec. 13-200.51.5 APPLICABILITY OF OTHER REGULATIONS

If a structure has been evaluated and identified as having potential historic significance, the provisions of the California Environmental Quality Act and other State and Federal laws may apply, regardless of the provisions of this ordinance.

Sec. 13-200.52 DEFINITIONS

The following words and phrases shall, for the purpose of this article, be defined as follows, unless it is clear from the context that another meaning is intended.

Alteration. Any change or modification, through public or private action, to the character-defining or significant physical features of properties affected by this article. In the case of cultural resources that are buildings and structures, "alteration" shall be limited to changes to the exterior unless otherwise designated per the designating resolution or per the requirements of the Secretary of the Interior's Standards for Rehabilitation. Such changes may consist of modifications to structural or architectural details, or visual characteristics; grading; surface paving; the addition of new structures; the cutting or removal of designated trees, landscapes or other natural features; the disturbance of archaeological sites or areas; or the placement or removal of any significant objects such as signs, light fixtures, street furniture, walls, fences, steps, plantings, or landscape accessories affecting the significant visual and/or historical qualities of the property.

Certificate of Appropriateness. A certificate issued by the Planning Commission (or other Commission/Committee designated by the City Council), approving plans, specifications, or statements of work for any proposed alteration, restoration, rehabilitation, construction, relocation, or demolition, in whole or in part, of a "designated cultural resource" listed on the City's Local Register of Historic Places.

Certified Local Government (CLG). A local government certified under federal law by the California State Office of Historic Preservation for the purpose of more direct participation in federal and state historic preservation programs. A CLG has the ability to enforce national, state,

and local preservation laws and to provide for adequate public participation in the programs resulting from these laws. The CLG has a qualified historic preservation review commission or board and must have completed or be in the process of completing a comprehensive historic resources inventory. CLGs are eligible for special federal matching grants.

Character-defining Features. The following natural or man-made elements of a cultural resource: design, general arrangement or components of an improvement, including but not limited to, site placement, height, scale, and setback; the type, color, and texture of the building materials; and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement. "Character-defining features" of cultural resources that are buildings or structures will generally be those associated with the exterior of such resources.

Contributing cultural resource to an historic district (contributor). A building, site, structure or object that adds to the historic architectural qualities, historic associations, or archaeological values for which an historic district is significant because:

(a) It represents a period of historic importance, and possesses historic integrity reflecting its architectural character at that time or is capable of yielding important information about that period; or
(b) It independently meets the designation criteria as defined in this section.

Cultural resource. Buildings, structures, natural features, sites, landscapes, objects, or improvements, which are of scientific, cultural, architectural, political, military, historical or archaeological significance to the citizens of the City, the State, or the nation, which may be determined eligible for designation or designated by the Planning Commission (or other commission/committee designated by the City Council) pursuant to the provisions of this section, or which may be eligible for listing or designation on any State or Federal register.

Designated cultural resource. Any cultural resource that has been designated a landmark or historic district and placed on the Local Register of Historic Places, pursuant to this section or is listed in the National Register of Historic Places, the California Register of Historical Places, or is a state historical landmark; but does not include any cultural resource for which such designation has been repealed.

Designation. The process of reviewing a cultural resource for designation as a landmark or historic district and placing it on the Local Register of Historic Places.

Determined eligible. Any cultural resource which has been determined by the Planning Commission (or other Commission/Committee designated by the City Council) or by City staff to meet the established criteria for designation as a cultural resource or contributing cultural resource to an historic district or which has been so named by the California State Historic Preservation Officer, but has not been so designated.

Historic district. Any delineated geographic area having historical significance which serves as an established neighborhood, community center, or distinct section of the City, possessing a significant concentration, linkage, or continuity of site, buildings, structures, or objects united historically or aesthetically by plan or by physical development; and which has been designated a historic district pursuant to this article or is listed in the National Register of Historic Places, the California Register of Historical Places, or is a state historical landmark.

Historic property or resource. Another term for a cultural resource.

Improvement. Any building, structure, place, fence, gate, landscaping, wall, parking facility, work of art, or other object constituting a physical feature of real property, or any part of such feature which is not a natural feature.

Integrity. The ability of a property to convey its historic identity and significance. Six aspects or qualities define integrity: location, design, setting, materials, workmanship, and association.

Landmark. Any site, including significant trees or permanent landscaping, building, structure, improvement, street furniture, sign, work of art, natural feature or other object representative of the historical, archaeological, cultural, architectural or community heritage of the City which has been designated a landmark pursuant to this section.

Local Register of Historic Places. A list of designated cultural resources, landmarks and historic districts located within the City.

Nominated cultural resource. Any cultural resource that has been nominated for designation pursuant to this section.

Non-contributing cultural resource to an historic district (non-contributor). A building, site, structure, or object that does not add to the historic architectural qualities, historic associations, or archaeological values for which a historic district is significant because the resource:

(a) was not present during the period of the district's historic significance; or
(b) no longer possesses historic architectural integrity due to the alterations, or additions; or
(c) does not independently meet the designation criteria as defined in this section.

Object. Any works that are primarily artistic in nature or are relatively small in scale and simply constructed and are in a setting appropriate to their significant historic use, roles, or character. Objects include, but are not limited to: boundary markers, fountains, furniture, monuments, sculptures and statuary.

Ordinary maintenance and repair. Any work, excluding window replacement, exterior wall resurfacing and re-roofing, where the purpose and effect of such work is to prevent or correct any deterioration of or damage to a structure or any part thereof and to restore in style, kind, and material the same to its condition prior to the occurrence of such damage, deterioration , or alteration in violation of this article.

Preservation. The act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.

Reconstruction. The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

Rehabilitation. The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

Restoration. The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time (period of significance) by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period.

Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings (Standards). The current standards and guidelines prepared by the National Park Service for rehabilitating historic buildings and the current Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings prepared by the National Park Service.

Site (historic). The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing structure.

Special consideration. Includes, but is not limited to, those properties less than 50 years of age that have achieved exceptional importance within the past 50 years.

Substantial adverse change. Any demolition, destruction, relocation, or alteration activities that would impair the significance of a cultural resource.

Sec. 13-200.53. HISTORIC PRESERVATION PROCEDURES

(a) **Local Register.** The City shall maintain a list of all designated cultural resources, landmarks and historic districts which shall be known as the Local Register of Historic Places.

(1) **Local Register Designation Criteria.** The City Council, upon the recommendation of the Planning Commission (or other Commission/ Committee designated by the City Council), may designate any building, structure, site, object, district, improvement, or natural feature that is over 50 years of age or, in special circumstances under 50 years, as a local landmark if it meets the criteria for listing in the National Register of Historic Places, or the criteria listed below. Any structure identified in the City's General Plan is recognized as being eligible for placement on the Local Register. Designation criteria shall include the following: When the resource

a. Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; or
b. Is identified with persons or events significant in local, state, or national history; or
c. Embodies distinctive characteristics of a style, type, period, or method of construction; or
d. Is a valuable example of the use of indigenous materials or craftsmanship; or
e. Represents the work of a notable builder, designer, or architect; or
f. Contributes to the significance of an historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development; or
g. Has a unique location or singular physical characteristics or is a view or vista representing an established and familiar visual feature of a neighborhood, community or of the City; or
h. Embodies elements of architectural design, detail, materials, or craftsmanship that represent a significant structural or architectural achievement or innovation; or
i. Is similar to other distinctive properties, sites, areas, or objects based on a historic, cultural, or architectural motif; or
j. Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning; or
k. Is a type of building or is associated with a business or use which was once common but is now rare; or
l. Yields, or may yield, information important in prehistory or history; and retains the integrity of those characteristics necessary to convey its significance.

(2) **Procedure for designation.** The designation of a landmark or historic district may be initiated by the Planning Commission (or other Commission/ Committee designated by the City Council), the City Council, or by petition of any of the record property owners in the proposed district, or by any person, organization, or entity.

a. Application. The application for placement on the Local Register shall include but not be limited to the following:

i. Written consent of the property owner;
ii. Completed State Inventory DPR Forms 523A, 523B, and 523L or 523D if an historic district which includes a legal description of the property, photographs of the resource, a physical/architectural description of the resources, a statement of significance stating historical qualities and characteristics of the nominated cultural resource;
iii. Additional supporting material as determined necessary by the staff of the Planning Commission (or other Commission/ Committee as designated by the City Council).

b. Findings**.** The City Council on the recommendation of the Planning Commission (or other commission/committee designated by the City Council) shall find that the site, building, structure, district, object, natural feature or improvement has special historical, archaeological, cultural, architectural, community value in the City and that the purpose of this article is maintained by such designation.
c. Adoption. Landmark and/or historic district designation shall be adopted by resolution.
d. Notice Required**.** Notice of the designation of a landmark or historic district by the City Council shall be transmitted to the property owner, the Departments of Administrative Services, Development Services, Fire, Public Services, City Manager's Office, the Redevelopment Agency Office, the County assessor and the County recorder and any other relevant or interested departments, divisions and governmental and civic agencies. Each City department and division shall incorporate the notice of designation as a landmark or historic district into its records, so that future decisions affecting any landmark or historic district made by the City will have been made with the knowledge of the landmark or historic district designation, and in accordance with the procedures set forth in this article.

(3) **Procedure for Repeal and Modifications.** The City Council with the recommendation of the Planning Commission (or commission/committee designated by the City Council) shall consider a repeal or modification of a previously approved landmark or historic district designation in the same manner provided in this article for the designation of landmarks or historic districts if the resource(s) no longer meet(s) the designation criteria found to apply due to the subsequent discovery of information on the significance of the resource or destruction of the resource by a catastrophic event.

(b) **Survey.** The City shall undertake an ongoing survey and research effort to identify buildings, structures, sites, objects, historic districts, natural features, and improvements that have historic, community, architectural, or cultural significance, importance, interest, or value; and shall compile and update appropriate descriptions, facts, and photographs of potential cultural resources on appropriate State Inventory Forms (DPR523). The City shall notify the owner of record that his/her improvement has been surveyed, evaluated, and listed.

Sec.13-200.54 MAINTENANCE, RESTORATION, REHABILITATION, RELOCATION, ALTERATION, DEVELOPMENT AND DEMOLITION OF CULTURAL RESOURCES THROUGH THE CERTIFICATE OF APPROPRIATENESS PROCESS

(a) **Maintenance.** Every person in control and every owner of a cultural resource placed on the Local Register of Historic Places and any appurtenant premises shall maintain and keep in good repair the exterior of such designated resources, all of the interior portions thereof when subject to regulation as specified in the designation resolution, and all interior portions whose maintenance is necessary to prevent deterioration or decay of any exterior architectural feature. This article shall be enforced by the City's Development Services Department.

(b) **Application of the State Historic Building Code.** Pursuant to the State of California Health and Safety Code, the Building Official may apply the State Historical Building Code in permitting repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, moving, or continued use of a designated historic building.

(c) **Certificate of Appropriateness Required.** No person, owner, or other entity shall restore, rehabilitate, alter, develop, construct, demolish, remove or change the appearance of any cultural resource on the Local Register of Historic Places without first having applied for and been granted a Certificate of Appropriateness to do so by the Planning Commission (or other commission/committee designated by the City Council). The requirements of this article are in addition to any and all other city permit requirements. When the Planning Commission (or other commission/committee designated by the City Council) or the City Council has prepared and adopted a plan or specific design criteria or guidelines for the preservation of a landmark or historic district which sets forth particular development standards, an application for a Certificate of Appropriateness to do work consistent with the adopted plan development standards may be approved by the Planning Division. If the application is not approved by staff it shall be processed as set forth in this article.

(1) **Application.** The Certificate of Appropriateness application shall be made and processed in accordance with the procedures set forth in Chapter III - Planning Applications.

(2) **Submittal Requirements**. Applications for Certificates of Appropriateness shall include:
   a. Plans and specifications showing the proposed exterior appearance, type, and texture of materials and the proposed architectural design of the exterior of the building.
   b. Where appropriate and required by the Planning Division, applications shall also show the relationship of the proposed work to the surrounding environs.
   c. Applications for new construction in an historic district shall also include such relevant information as to how the new improvement relates to the existing architectural style, scale, massing, site and streetscape, landscaping, and signage. The applicant shall submit any other information the Planning Division determines necessary to evaluate the application.

(3) **Criteria.** The Planning Commission (or other commission/committee designated by the City Council) shall consider the following criteria when reviewing applications for Certificates of Appropriateness:
   a. The anticipated use for the property remains that for which it was originally intended or requires minimal alteration of the building, structure, or site and its environment for the proposed reuse.
   b. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be compromised. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
   c. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to recreate an earlier appearance shall be discouraged.
   d. Certain alterations which may have taken place in the course of time may be potentially

significant to understanding the history and development of a building, structure, or site and its environment. These historic alterations may have acquired significance in their own right and this significance shall be recognized and respected.

e. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be retained.

f. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair and replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

g. Surface cleaning of historic buildings and structures shall be undertaken with methods that will avoid damage to the historic materials.

h. Contemporary design for alterations and additions shall not be discouraged when such alterations and additions do not compromise significant historical, architectural, or cultural material; and when such design is compatible with the size, scale, color, massing, material, and character of the property, neighborhood or environment.

i. Whenever possible, new additions or alterations to the building or structure shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the historic building would be unimpaired.

(4) **Findings.** The Planning Commission (or other commission/committee designated by the City Council), shall make the following findings, as applicable, in determining whether to grant or deny a Certificate of Appropriateness:

a. The proposed undertaking is consistent or compatible with the architectural period and the character-defining features of the historic building or structure;

b. The proposed undertaking is compatible with existing adjacent or nearby landmark properties and/or historic district properties and their character-defining features;

c. The colors, textures, materials, fenestration, decorative features and details, height, scale, massing, and methods of construction proposed are consistent with the period and/or are compatible with adjacent buildings; and

d. The proposed change does not destroy or adversely affect an important architectural, historical, cultural, or archaeological feature(s) or site(s).

(5) **Review of substantial adverse changes.** When the application is for an action that may cause a substantial adverse change to a designated cultural resource, the application shall be reviewed pursuant to adopted City procedures to determine if the proposed change would have a significant adverse environmental effect as defined by the California Environmental Quality Act (CEQA). Such activities are not categorically exempt from CEQA if the action may cause a significant adverse effect. Accordingly, no approval of any work which may cause a substantial adverse change to a cultural resource may be granted unless:

a. It is determined by the City Council through the CEQA process that taking into account the value of all available incentives and costs of rehabilitation and adaptive reuse alternatives, the property retains no substantial remaining market value or reasonable use. Costs of alterations made in violation of this article and thus without the benefit of an approved Certificate of Appropriateness, or by failure to maintain the property required by the article, shall not be included in the calculation of rehabilitation costs; or

b. It is determined pursuant to adopted City and State processes, that an immediate safety hazard exists and that demolition of the building is the only feasible means to secure the public safety.

Sec. 13-200.55 PRESERVATION INCENTIVES

In order to carry out more effectively and equitably the purposes of this article, the City Council may adopt, upon recommendation of the Planning Commission (or other commission/committee designated by the City Council), a program of economic and other incentives to support the preservation, maintenance, and appropriate rehabilitation of the City's cultural resources. This program may include but is not limited to:

(a) State Historic Building Code;
(b) Mills Act contracts;
(c) Marks Historical Rehabilitation Act;
(d) Preservation easements for the facades of designated landmarks;
(e) Assistance in processing applications for nominations to the National Register of Historic Places;
(f) Plaques, awards or other symbols of recognition of exemplary rehabilitation;
(g) Grants and loans including, but not limited to, funds from Community Development Block Grants; redevelopment financing programs; economic development programs; Small Business Association loans; Commercial Rehabilitation loans; Economic Development Administration programs; Industrial Development Bonds; Investment Tax Credit programs; and Urban Development Action Grants for rehabilitation of residential, commercial, and industrial buildings;
(h) Variances, including, but not limited to, building setbacks and parking requirements for rehabilitation projects;
(i) Building permit, Planning application, and Certificate of Appropriateness fee relief; and
(j) Transfer of Development Rights.

Sec. 13-200.56 ENFORCEMENT AND PENALTIES

Refer to Chapter I, Article 4 for enforcement of this article.

ARTICLE 15. REASONABLE ACCOMMODATION

Sec. 13-200.60 PURPOSE

It is the city's policy to provide reasonable accommodation in accordance with federal and state fair housing laws (42 USC § 3600 et seq. and Government Code § 12900 et seq.) for persons with disabilities seeking fair access to housing in the application of the city's zoning laws. The term "disability" as used in this article shall have the same meaning as the terms "disability" and "handicapped" as defined in the federal and state fair housing laws. The purpose of this article is to establish the procedure by which a person may request reasonable accommodation, and how the request is to be processed.

Sec. 13-200.61 APPLICABILITY

And person seeking approval to construct and/or modify residential housing for person(s) with disabilities, and/or operate a residential care facility, group home, or referral facility, which will substantially serve persons with disabilities may apply for a reasonable accommodation to obtain zoning relief from a Zoning Code provision, regulation, policy, or condition which causes a barrier to equal opportunity for housing.

Sec. 13-200.62 REASONABLE ACCOMMODATIONS – PROCEDURE

a) Application required. An application for reasonable accommodation shall be filed and processed with the Planning Division. The application shall include the following information and be subject to the determinant factors required by this section.

b) Submittal requirements. The application shall be made in writing, and shall include the following information:

   1. The zoning code provision, regulation, policy, or condition from which accommodation is being requested;

   2. The basis for the claim that the individuals are considered disabled under state or federal law, and why the accommodation is necessary to provide equal opportunity for housing and to make the specific housing available to the individuals;

   3. The other information that the director reasonably determines is necessary for evaluating the request for reasonable accommodation;

   4. Documentation that the applicant is: (a) an individual with a disability; (b) applying on behalf of one or more individuals with a disability; or (c) a developer or provider of housing for one or more individuals with a disability;

   5. The specific exception or modification to the Zoning Code provision, policy, or practices requested by the applicant;

   6. Documentation that the specific exception or modification requested by the applicant is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy the residence;

   7. Any other information that the Hearing Officer reasonable concludes is necessary to determine whether the findings required by Section (e) can be made, so long as any request for information regarding the disability of the individuals benefited complies with fair housing law protections and the privacy rights of the individuals affected;

c) Fees. No application fee is required.

d) Director action. Within 60 days of receipt of a completed application, the director shall issue a written determination to approve, conditionally approve, or deny a request for reasonable accommodation, and the modification or revocation thereof in compliance with this chapter. Any appeal to reasonable accommodation request denial or conditional approval shall be heard with, and subject to, the notice, review, approval, and appeal procedures prescribed for any other discretionary permit provided that, notwithstanding any other provision to the contrary, the standard of review on appeal shall not be *de novo* and the planning commission shall determine whether the findings made by the director are supported by substantial evidence presented during the evidentiary hearing. The planning commission, acting as the appellate body, may sustain, reverse or modify the decision of the director or remand the matter for further consideration, which remand shall include specific issues to be considered or a direction for a *de novo* hearing.

e) Grounds for reasonable accommodation. The following factors shall be considered in determining whether to grant a reasonable accommodation:

1. Special needs created by the disability;
2. Potential benefit that can be accomplished by the requested modification;
3. Potential impact on properties within the vicinity;
4. Physical attributes of the property and structures;
5. Alternative accommodations that may provide an equivalent level of benefit;
6. In the case of a determination involving a single family dwelling, whether the residents would constitute a single housekeeping unit;
7. Whether the requested accommodation would impose an undue financial hardship or administrative burden on the City;
8. Whether the requested accommodation would require a fundamental alteration in the nature of the City program;
9. Whether granting the request would be consistent with the City's General Plan; and,
10. The property will be used by an individual with disability protected under fair housing laws.

f) Findings. The written decision to approve, conditionally approve, or deny a request for reasonable accommodation shall be based on the following findings, all of which are required for approval. In making these findings, the director may approve alternative reasonable accommodations which provide an equivalent level of benefit to the applicant.

1. The requested accommodation is requested by or on behalf of one or more individuals with a disability protected under the fair housing laws.
2. The requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling.
3. The requested accommodation will not impose an undue financial or administrative burden on the city, as "undue financial or administrative burden" is defined in fair housing laws and interpretive case law.
4. The requested accommodation is consistent with the whether or not the residents would constitute a single housekeeping unit.

5. The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

6. Whether the requested accommodation is necessary to make facilities of a similar nature or operation economically viable in light of the particularities of the relevant market participants.

7. Whether the existing supply of facilities of a similar nature and operation in the community is sufficient to provide individuals with a disability an equal opportunity to live in a residential setting.

8. The requested accommodation will not result in a fundamental alteration in the nature of the City's zoning program.\

g) The City may consider, but is not limited to, the following factors in determining whether the requested accommodation would require a fundamental alteration in the nature of the City's zoning program.

1. Whether the requested accommodation would fundamentally alter the character of the neighborhood.

2. Whether the accommodation would result in a substantial increase in traffic or insufficient parking.

3. Whether granting the requested accommodation would substantially undermine any express purpose of either the city's General Plan or an applicable Specific Plan.

4. Whether the requested accommodation would create an institutionalized environment due to the number of and distance between facilities that similar in nature or operation.

5. Any other factors that would cause a fundamental alteration in the City's zoning program, as may be defined in the Fair Housing Law.

Sec. 13-200.63 SEVERABILITY

Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional. This Ordinance shall be prospective in application from its effective date.

Sec. 13-200.64 – 13-200.69 [RESERVED]

ARTICLE 16. LIQUOR STORES, CONVENIENCE STORES, AND MINI-MARKETS

Sec. 13-200.70 PURPOSE

The purpose of this article is to promote the public health, safety, and general welfare of the City by regulating and providing development standards for liquor stores, convenience stores, and mini-markets.

This article is intended to reduce problems associated with liquor stores, convenience stores, and mini-markets. Such problems include, but are not limited to, littering, loitering, graffiti, noise, and interference with the quiet enjoyment of surrounding properties and uses.

Sec. 13-200.71 CONDITIONAL USE PERMIT REQUIRED

A new liquor store, convenience store, or mini-market shall be subject to the approval of a conditional use permit, whether or not the business engages in retail sales of alcoholic beverages through a State of California Department of Alcoholic Beverage Control (ABC) off-sale license. An existing liquor store, convenience store, or mini-market shall also be subject to the approval of a conditional use permit for the following actions:

1. Issuance of a new off-sale ABC license;
2. Any change in the type of off-sale ABC license;
3. Any type of premise to premise transfer of an existing off-sale ABC license;
4. A cumulative expansion of 100 square feet or more of the gross floor area; or,
5 Any suspension or revocation of the off-sale ABC license for 5 days or more by the state in a cumulative 5-year period by the state. The licensee of the establishment shall file and have approved a conditional use permit before the off-sale ABC license can be reestablished.

Sec. 13-200.72 DEVELOPMENT AND OPERATIONAL STANDARDS FOR LIQUOR STORES, CONVENIENCE STORES, AND MINI MARKETS

The City Council may adopt Development and Operational Standards for Liquor Stores, Convenience Stores, and Mini-Markets that may be applied on a case-by-case basis as conditions of approval by the review authority. The final review authority may use the following standards in review of new conditional use permits to impose conditions of approval on the use to ensure compliance with the findings contained in Chapter III, Planning Applications:

1. Alcoholic beverage sales from drive through or walk-up service windows shall be prohibited.
2. Wine, beer and other distilled spirit shall be sold in the factory manufactured packages for retail sales. Factory multiple-packed bottles or cans shall not be unpackaged to be sold individually. This restriction is not intended to prohibit the sale of beverages in a single container packaged by the manufacturer for individual sale.
3. Beer or wine shall not be displayed or sold from an ice tub or any other type of portable refrigerated unit.
4. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The business shall institute whatever security measures are necessary to comply with this requirement.

Sec. 13-200.73 MODIFICATION OR REVOCATION

(a) **Public Nuisance**. If it is determined that certain characteristics of the liquor store, convenience store, or mini-market are detrimental to the public health, welfare, and safety and contrary to public interest, City Council may declare the liquor store, convenience store, or mini-market as a public nuisance,

as defined by California Civil Code Section 3479 and 3480, and abate said nuisance pursuant to the procedures set forth in Section 13-17 of the Zoning Code.

(b) **Findings.** In addition, the final review authority may modify or revoke a conditional use permit for a liquor store, convenience store, or mini-market based upon the findings in Section 13-29(o), or upon making one or more of the following findings:

1. That the approval was obtained through fraudulent, erroneous, or misleading information;
2. The use is being operated in an illegal or disorderly manner;
3. The terms or conditions of approval of the conditional use permit have been violated.
4. The use creates an adverse impact on the health, safety, or welfare of surrounding properties and uses; or
5. The use is operated in violation of ABC rules and regulations.

Sec. 13-200.74 Reserved for future use

ARTICLE 17. ORANGE COUNTY FAIR AND EVENT CENTER

Sec. 13-200.75 GENERAL PLAN DESIGNATION

The General Plan designation for the Orange County Fair and Event Center property located at 88 Fair Drive, Costa Mesa, California shall be as set forth in General Plan Amendment GP-09-01 adopted by the City Council pursuant to Resolution 10-12 on February 16, 2010.

Sec. 13-200.76 AMENDMENT OF GENERAL PLAN DESIGNATION

The General Plan designation for the Orange County Fair and Event Center property located at 88 Fair Drive, Costa Mesa, California shall not be further amended except by ordinance approved by a majority vote of the electorate of the City of Costa Mesa.

Sec. 13-200.77 ENVIRONMENTAL REVIEW

Nowithstanding any statute, regulation, policy, rule or case law which provides that a voter initiated zoning or General Plan amendment shall not or does not constitute a “project” pursuant to the California Environmental Quality Act, no further General Plan amendment for the Orange County Fair and Event Center property shall be considered adopted or approved until it has received the same environmental review as would be required under the California Environmental Quality Act if it were considered a “project” of the City. Such environmental review shall occur prior to the placement on the ballot of any proposed General Plan amendment for the Orange County Fair and Event Center property, and the Council shall be required to certify and approve a complete and proper environmental document prior to the calling of an election.

Sec. 13-200.78 ELECTION COSTS

Any proposed General Plan amendment for the Orange County Fair and Event Center property shall be set for the general municipal election next following City Council action regarding the proposed General Plan amendment and the approval of the appropriate environmental documentation for such amendment. However, by mutual agreement with the proponent of the General Plan amendment, the City Council may call a special municipal election, with the cost of the special election being borne solely by the proponent.

ARTICLE 18. EMERGENCY SHELTERS

Sec. 13-200.79 PURPOSE AND INTENT

The purpose of this article is to establish operational and development standards for emergency shelters to ensure that these uses are operated to address the homeless needs and consistent with the requirements of Sections 65582, 65583, and 65589.5 of the Government Code relating to local planning.

DEVELOPMENT STANDARDS:

The following development and operational standards shall apply to establishment of Emergency Shelters as defined by the Zoning Code.

1. The maximum length of stay shall not exceed 120 days in a 365-day period.
2. Each shelter may have a maximum of thirty (30) beds.
3. Off-site parking shall be provided at a parking rate of one parking space per four beds or one space per employee, whichever is higher.
4. Stays at the Emergency Shelter facility shall be limited between the hours of 5:00 p.m. and 8:00 a.m.
5. Nonoperational and unregistered vehicles shall not be kept on site. Towing shall be the responsibility of the shelter operator.
6. Each emergency shelter shall provide an interior and exterior waiting area adequate to accommodate waiting clients and to prevent queueing into the public right-of-way. An exterior waiting area shall be physically separated and visually screened from the public right-of-way.
7. The emergency shelter facility shall provide an on-site resident manager on-site at all times.
8. A minimum distance of 300 feet shall be maintained from another emergency shelter. The distance of separation shall be measured in a straight line between the property lines of each use without regard to intervening structures or objects.
9. The shelter operator shall provide minimum exterior lighting in compliance with City's Security requirements. In addition, the operator shall regularly patrol the area surrounding the shelter site during hours that the shelter is in operation to ensure that homeless persons who have been denied access are not congregating in the neighborhood.
10. Alcohol and narcotics use and consumption are prohibited within the facility and on the property.
11. An operations plan shall be submitted for review and approval by the Development Services Director and Police Chief prior to operation of the Emergency Shelter. The plan shall include minimum provisions related to on-site security and safety, staff training, loitering control, client eligibility, counseling services, and indoor and outdoor management of the facility.

ARTICLE 19. SMOKING & VAPING USES

Sec. 13-200.80 PURPOSE

The City Council finds that smoking and vaping uses have been associated with increases in noise, loitering, odors, public nuisances, and disturbances of the peace. The City Council also finds that smoking and vaping uses expose minors to secondhand byproducts and increase the potential for minors to associate smoking and vaping with a normative or healthy lifestyle. The purpose of this article is to mitigate the negative impacts associated with smoking and vaping uses in order to serve the public health, safety, and welfare of residents and businesses within the city.

Sec. 13-200.81 PERMITTED AND CONDITIONALLY PERMITTED USES

(a) Smoking lounges and smoking/vaping retailers are subject to the review and approval procedures shown in Table 13-30 City of Costa Mesa Land Use Matrix and the operational and development standards contained in this article.

(b) Establishment of a smoking/vaping retail business within one thousand (1,000 feet) of a public or private primary or secondary educational school facility is strictly prohibited.

(1) Notwithstanding the foregoing, the existing smoking/vaping retailers located at 891 W. Baker Street, Suite B-11 and 1175 Baker Street, Suite 10-D are legally nonconforming uses in accordance with Title 13, Chapter X of the Costa Mesa Municipal Code.

(c) Establishment of a smoking lounge business in the C1-S, PDC, and MP zones within one thousand five hundred (1,500) feet from another approved smoking lounge is strictly prohibited.

(1) Notwithstanding the foregoing, the existing smoking lounges located at 2470 Newport Boulevard and 698 W. 19th Street are legally nonconforming uses in accordance with Title 13, Chapter X of the Costa Mesa Municipal Code. As legally nonconforming, the existing use may operate between the hours of 12 p.m. (noon) to 11 p.m. daily {within 500 feet of a residential zone}.

Sec. 13-200.82 MEASURMENT OF DISTANCE

The distance shall be measured in a straight line, without regard to the boundaries of the city and to intervening structures, from the closest property line of the lot of a smoking or vaping business establishment to the other specified property.

Sec. 13-200.83 SMOKING LOUNGES – OPERATIONAL AND DEVELOPMENT STANDARDS

The following operational and development standards shall apply to all smoking lounges in the city and shall be included in conditions imposed upon granting of any Conditional Use Permit for such business, unless the standards are specifically modified through the issuance of a Conditional Use Permit:

(a) The business shall be owner-operated or otherwise exempt from the prohibition of smoking in the workplace set forth in California Labor Code Section 6404.5.

(b) The establishment shall operate in compliance with all applicable Federal, State, County, and local laws, rules, regulations, and ordinances relating to the protection of health, safety, and welfare.

(c) *Minors Prohibited*. No persons under eighteen (18) years of age shall be permitted within any area of the business premises where smoking is allowed. Owners and operators of the establishment shall require identification to verify the age of customers.

(d) *Employees*. Employees shall be at least eighteen (18) years of age. The applicant shall provide the name, address, telephone number, social security and driver's license number of each person employed by the business, whether full-time or part-time, including, but not limited to any independent contractors, and fully describe their job duties or work responsibilities prior to final inspection or issuance of temporary or final certificate of occupancy and on an annual basis.

(e) *Hours of Operation*. The business shall not operate between the hours of 11:00 p.m. and 8:00 a.m. All customers, patrons and visitors shall be excluded from the business between these hours. Extended business hours may be considered through a Conditional Use Permit based on the business operations, location, and proximity to residences and other sensitive uses.

(f) *Indoor Operation Only*. All business-related activities shall be conducted wholly within a building. Outdoor seating, operating outdoor barbeques or braziers, and/or lighting coals outdoors shall not be permitted.

(g) *Parking*. Parking shall be provided at 17 spaces per 1,000 square feet of gross floor area.

(h) *Occupancy*. The number of individuals inside the premises shall not exceed the lesser of: (i) The occupancy limit established by the Fire Department and/or Building Official; or (ii) An occupancy limit established as a condition of the permit.

(i) *Admission Charges Prohibited*. No admittance fee, cover charge or requirement of any charge or minimum payment as a condition of entry shall be permitted.

(j) *Entertainment Prohibited*. No entertainment, as defined by Title 9, Chapter II, Article 11 of the Costa Mesa Municipal Code, shall be permitted within the business.

(k) *Security*. Uniformed security guard(s) shall be provided, as deemed necessary by the Chief of Police or his/her designee.

(l) *Alcoholic Beverages Prohibited*. No alcoholic beverages shall be sold or consumed on the business premises. The business shall not knowingly allow any person in possession of an open container of alcohol, or, consuming, using or under the influence of, any alcoholic beverage to enter or remain upon the premises of the business.

(m) *Visibility*. No window coverings, advertising devices, or signage shall prevent visibility of the interior of the establishment from outside the premises during operating hours. Any proposed window tint shall be approved in advance by the Chief of Police or his/her designee.

(n) *Illumination*. The interior of the business shall be maintained with adequate illumination to make the conduct of patrons within the premises readily discernable to persons of normal visual acuity.

(o) *Ventilation Required*. Adequate ventilation shall be provided in accordance with all requirements imposed by the Building Official and Fire Department, or as otherwise required by state or federal laws. At a minimum, the ventilation system shall also assure that smoke from the establishment is incapable of migrating into adjacent tenant buildings/suites or outdoors. Smoking lounges that include the indoor heating of coals shall install a mechanical exhaust hood system to provide required ventilation.

(p) *Noise*. Any amplified noise generated by the business shall be subject to the noise limitations specified in Title 13, Chapter XIII (Noise Control) of CMMC. In addition, the business shall not willfully make or continue, or cause to be made or continued, any excessive or unreasonable noise, which disturbs the peace or quiet of any property within the city or which causes discomfort or annoyance to any reasonable person of normal sensitivities residing in the area.

ARTICLE 20. MARIJUANA AND/OR MEDICAL MARIJUANA CULTIVATION

Sec. 13-200.84 PURPOSE

The purpose of this article is to prohibit marijuana cultivation, in order to promote the health, safety, morals and general welfare of the residents and the businesses within the City by maintaining local control over the ability to authorize and regulate marijuana-related businesses, including cultivation.

Sec. 13-200.85 APPLICABILITY

1. Nothing in this article is intended, nor shall it be construed, to burden any defense to criminal prosecution under the Compassionate Use Act of 1996.

2. All the provisions of this article shall apply to all property, public and private, within the City.

3. All the provisions of this article shall apply indoors and outdoors.

Sec. 13-200.86 DEFINITIONS

The following definition applies to this article:

"Person" shall mean any person, firm, corporation, association, club, society, or other organization. The term person shall include any owner, manager, proprietor, employee, volunteer and/or salesperson.

Sec. 13-200.87 CULTIVATION OF MARIJUANA PROHIBITED

Marijuana and/or medical marijuana cultivation by any person, including primary caregivers, qualified patients and dispensaries, is prohibited in all zone districts within the City of Costa Mesa.

Sec. 13-200.88 DECLARATION OF PUBLIC NUISANCE

Any use, structure, or property that is altered, enlarged, erected, established, maintained, moved, or operated contrary to the provisions of this article, is hereby declared to be unlawful and a public nuisance and may be abated by the city through civil and/or administrative proceedings by means of a restraining order, preliminary or permanent injunction, or in any other manner provided by law for the abatement of such nuisances.

Sec. 13-200.89 VIOLATIONS

Violations of this article shall be punishable pursuant to the provisions of section 13-16.

CHAPTER X. NONCONFORMING USES, DEVELOPMENTS AND LOTS

Sec. 13-201. PURPOSE

The purpose of this chapter is to identify the development parameters regarding nonconforming uses, developments and lots.

Sec. 13-202. DEFINITIONS

The following terms and phrases when used in this chapter shall have the meanings ascribed to them in this section, except where context clearly indicates a different meaning:

Conforming use. An existing and legally established use, which is permitted in a particular zone by this Zoning Code.

Conforming development. An existing and legally established development, which conforms to the development standards required by this Zoning Code.

Nonconforming development. An existing and legally established development which no longer conforms to the development standards required by this Zoning Code.

Nonconforming dwelling unit. An existing and legally established dwelling unit which no longer conforms to the development standards required by this Zoning Code or which is located in a district where it is no longer permitted.

Nonconforming lot. An existing and legally established lot not complying with the minimum area and dimension standards required by this Zoning Code.

Nonconforming mobile home park. An existing and legally established mobile home park which no longer conforms to the development standards or location provisions required by this Zoning Code.

Nonconforming use. An existing and legally established use which is located in a district where it is no longer permitted by this Zoning Code.

Nonconforming use of land or of land with minor structures only. An existing and legally established use which is located in a district where it is no longer permitted by this Zoning Code and where such use involves no individual structure with a replacement cost exceeding $5,000.00.

Sec. 13-203. MAINTENANCE AND REPAIR

(a) Nothing in this chapter shall prevent the strengthening or restoring to a safe condition any structure or part thereof declared to be unsafe, except as noted in Subsection (b), by order of any official charged with protecting the public safety, nor shall it prevent alterations necessary for compliance with requirements of other governmental agencies.

(b) If a nonconforming development or portion of a development containing a nonconforming use becomes physically unsafe or unlawful because of lack of repairs or maintenance and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations of the district in which it is located.

Sec. 13-204. NONCONFORMING PROVISIONS

The following table identifies the provisions governing nonconforming uses and/or developments.

TABLE 13-204
NONCONFORMING PROVISIONS

USES

TYPE OF USE	CONTINUANCE OF A USE PERMITTED	CHANGE OF USE PERMITTED
Conforming Use in a Nonconforming Development	YES- No restrictions on use.	YES - *Exception:* If the development has less parking than required for the existing conforming use, the existing use may not be replaced with a use requiring more parking unless the additional parking required for the new use is provided. Other uses on the same site may continue with the existing nonconforming parking.
Nonconforming Use in a Conforming or Nonconforming Structure:		
Nonresidential Structures	YES - However, when a nonconforming use is discontinued or abandoned for 6 consecutive months or for 18 nonconsecutive months during any three-year period (except when government action impedes access to the premises) or when it is replaced for any time period by a conforming use, the development shall not thereafter be used except in conformity with the regulations of the district in which it is located. For purposes of this chapter, a discontinued use shall not require a determination of the voluntary or involuntary nature of the discontinuance or the intent to resume the nonconforming use.	YES - Any nonconforming use may be changed to another nonconforming use provided that the Development Services Director finds that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such a change, the Development Services Director may require appropriate conditions and safeguards in accordance with the provisions of this Zoning Code and/or may require reasonable alterations to the premises to bring them into greater conformance with the requirements for the district. Structural alterations, conforming to the provisions of this Zoning Code, may be approved by the Development Services Director provided that it is determined that the proposed alterations do not extend the life of the nonconforming use.
Residential Structures	YES - However, when a nonconforming use is discontinued or abandoned for any period of time, it may not be reestablished. All subsequent uses in the residential structure shall conform to this Zoning Code.	YES - However, only to a use conforming to the provisions of this Zoning Code.
Nonconforming Mobile Home Parks	YES - A nonconforming mobile home park may continue unless and until no one resides onsite for a continuous period of 6 months.	YES - However, the conversion is subject to the procedures for Mobile Home Park Conversions in CHAPTER III PLANNING APPLICATIONS.
Nonconforming Use of Land or Land with Minor Structures only	1. Legally established agricultural uses may continue until the land is developed. 2. If the use is discontinued or abandoned for any period of time, all subsequent uses shall conform to this Zoning Code. 3. No nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the time it became nonconforming. 4. No nonconforming use shall be moved in whole or in part to any portion of the lot other than that occupied by such use at the time the use became nonconforming.	YES - However, only to a use conforming to the provisions of this Zoning Code.

TABLE 13-204 (CONTINUED)

DEVELOPMENTS

TYPE OF DEVELOPMENT	ALTERATION OF DEVELOPMENT	REBUILDING AFTER DESTRUCTION
All Nonresidential Developments containing Nonconforming Uses	No existing development devoted to a nonconforming use shall be structurally altered except in changing the use of the development to a conforming use. Except that structural alterations, conforming to the provisions of this Zoning Code, may be approved by the Development Services Director provided that it is determined that the proposed alterations do not extend the life of the nonconforming use. Ordinary maintenance shall be permitted.	The following provisions shall apply to the reconstruction of legal nonconforming commercial, industrial and institutional developments. Any reconstruction allowed must be started within a period of one year and carried out diligently to completion. An extension of time to start the restoration may be granted for good cause by the Development Services Director. 1. Should a nonconforming commercial, institutional or industrial development or nonconforming portion of a commercial, institutional or industrial development be destroyed to an extent of more than 50 percent of the market value, it shall not be reconstructed unless such destruction is unintentional. In the case of unintentional destruction, the development may be restored to its original building intensity (floor area ratio) and use provided that: a. The rebuilding complies with all other applicable sections of this Zoning Code and other codes including but not limited to the following development standards: building setback, lot coverage, building height, parking, open space and landscaping. b. The rebuilding would not increase the development's nonconformity. 2. Should a nonconforming commercial, institutional or industrial development or nonconforming portion of a commercial, institutional or industrial development be unintentionally destroyed by any means to an extent of 50 percent or less of the market value, the structure may be restored and the occupancy or use of such structure or part thereof may be continued or resumed provided that the restoration is of an equal or lesser degree of nonconformity.
Nonconforming Nonresidential Developments containing Conforming Uses	Alterations may be made provided that all of the following criteria are met: 1. The alteration itself complies with all applicable sections of this Zoning Code and other codes; 2. In permitting such an alteration, the Development Services Director may require appropriate conditions and safeguards in accordance with the provisions of this Zoning Code and/or may require reasonable alterations to the development to bring it into greater conformance with the standards for the district; and, 3. The development will not be made more nonconforming.	
Nonconforming Use of Land or Land with Minor Structures only	No nonconforming structure shall be erected or altered in connection with the nonconforming use of land.	

TABLE 13-204 (CONTINUED)

DEVELOPMENTS (continued)

TYPE OF DEVELOPMENT	ALTERATION OF DEVELOPMENT	REBUILDING AFTER DESTRUCTION
Nonconforming Dwelling Units containing Conforming Uses	Alterations may be made to nonconforming dwelling units provided the following criteria are met: 1. The zone is residential; 2. The alteration or addition itself complies with all applicable sections of this Zoning Code and other codes; 3. The addition does not occupy the only portion of an area which can be used for required garages, parking spaces or access thereto; and 4. The residential development will not be made more nonconforming. 5. When the existing main building, excluding architectural features, projects into required setback areas, minor building additions may encroach into required setback areas with approval of a minor modification.	The following provisions shall apply to the reconstruction of legal nonconforming dwelling units. Any reconstruction allowed must be started within a period of one year and carried out diligently to completion. An extension of time to start the restoration may be granted for good cause by the Development Services Director. 1. If the unit(s) in any residential zone is/are destroyed unintentionally by any means, to any extent, the damage may be restored and the occupancy continued or resumed provided that the restoration is of an equal or lesser degree of nonconformity. 2. See Section 13-205 regarding provisions for rebuilding after voluntary destruction in multi-family zones. 3. Should a legally constructed dwelling unit in a commercial or industrial zone be destroyed by any means to an extent of more than 50 percent of the market value, it shall not be reconstructed. 4. Should a legally constructed dwelling unit in a commercial or industrial zone be unintentionally destroyed by any means to an extent of 50 percent or less of the market value, the structure may be restored and the occupancy or use of such structure or part thereof may be continued or resumed provided that the restoration is of an equal or lesser degree of nonconformity.
Nonconforming or Conforming Dwelling Units containing Nonconforming Uses	1. No existing development devoted to a nonconforming use shall be structurally altered except in changing the use of the development to a conforming use. Except that structural alterations, conforming to the provisions of this Zoning Code, may be approved by the Development Services Director provided that it is determined that the proposed alterations do not extend the life of the nonconforming use. Ordinary maintenance shall be permitted. 2. In nonconforming mobile home parks, existing mobile homes may be replaced by other mobile homes provided that the total number of units within the mobile home park is not increased and the mobile home park will not be made more nonconforming in respect to this Zoning Code.	
Nonconforming Mobile Home Parks		

Sec. 13-205. PROVISIONS FOR MULTI-FAMILY ZONES FOR REBUILDING AFTER VOLUNTARY DESTRUCTION.

(a) If units in the R2-MD, R2-HD, R3 or PDR zones are voluntarily demolished, an equal or lesser number of units may be rebuilt so long as the development complies with all other applicable sections of this Zoning Code and other codes. This includes but is not limited to the following development standards: building setback, lot coverage, building height, parking, open space and landscaping. Furthermore, the allowable density or number of units to be redeveloped shall be limited to the General Plan rebuilding incentive for the current land use designation. The resulting number of units shall not exceed the existing number of legal nonconforming units nor be more than the number of units that would have been allowed on March 15, 1992. The rebuilding shall not increase the development's nonconformity.

(b) Consideration may be given through the Master Plan process, to allow rebuilding of existing multiple family residential projects that do not fully meet all the other applicable sections of this Zoning Code and other code standards. Consideration shall be given to the provision of tandem parking for units requiring more than one dedicated parking space and for cantilevered second story living areas over drive or yard areas. Through the Master Plan process, the rebuilding project must demonstrate why strict compliance with each of the current standards is either infeasible or unnecessary. In exchange for any deviation from current standards, the project must provide additional amenities such as those listed below:

(1) Provision of garages instead of carports for greater security.
(2) Useable open space with amenities.
(3) Flower beds and adequate lawns of sufficient area to create a useable recreation area.
(4) Individual vegetable garden areas screened by hedges.
(5) Masonry planters, potted flowers and shrubs on decks and balcony flower boxes.
(6) Trellises with vines.
(7) Minimum size trees based on box size rather than gallons such that 30% or more of the trees are a minimum 24-inch box size.
(8) CC&Rs to ensure landscape maintenance.
(9) On-site manager for projects of 15 units or less.
(10) Awnings, especially along the front for color and product definition, and a better facade.
(11) Stamped concrete or decorative paving at entrances and critical driveway intersections.
(12) Meandering rather than straight sidewalks.
(13) Terraced elevations at all sides to reduce scale and massing.
(14) Upgraded windows and doors for noise reduction.
(15) Covered/screened dumpsters for projects of 4 units or less.
(16) Concrete slab where the trash truck would stop to compact trash to prevent damage, or contract for roll-off service so that the trash truck does not come on-site.
(17) Orientation of units away from the street toward interior courtyards.
(18) Adequate lighting for security (beyond parking and driveway lighting required by code).
(19) Gates and intercom system for security.
(20) Other amenities that enhance the project and the overall neighborhood.

(c) In reviewing the Master Plan, the Planning Commission shall decide if the degree of deviation is warranted, if the proposed amenities are sufficient to offset the deviation, and if the maximum allowable density shall be reduced due to the deviation.

(d) The Master Plan shall be processed as shown in CHAPTER III PLANNING APPLICATIONS.

(e) **Findings**. The findings necessary to grant the Master Plan are:

(1) Full compliance with current development standards would make rebuilding infeasible;
(2) The proposed rebuilding is substantially compatible with surrounding developments and would not be materially detrimental to other properties in the area;
(3) The proposed rebuilding is less nonconforming than the existing development; and
(4) The proposed rebuilding provides additional amenities that ensure a high quality development.

Sec. 13- 206. NONCONFORMING FENCES AND WALLS

Nonconforming fences or walls may remain unless destroyed, damaged or altered (by any means or cause) to the extent of more than 50 percent of its value. When the destruction, damage or alteration exceeds 50 percent of its value then the reconstruction shall conform to the Zoning Code.

Sec. 13-207. NONCONFORMING LOTS

(a) Uses permitted in the zone shall be permitted on nonconforming lots, subject to all other property development standards of the zone.

(b) When 2 or more contiguous nonconforming lots or portions of lots are held under common ownership, they shall be deemed merged when and as provided for in the Subdivision Map Act (State Government Code Sections 66410 to 66499.58).

Sec. 13-207.1 GROUP HOMES

If any lawfully existing group home is in violation of Section 13-30 and (i) it would be an economic hardship to bring the use into compliance immediately, or (ii) a vested right exists to continue the use, the Development Services Director may, upon request of the owner or at the Director's own initiative, establish a reasonable amortization period by the end of which the use must be in compliance.

CHAPTER XI. SUBDIVISIONS

ARTICLE 1. TENTATIVE MAPS

Sec. 13-208. PURPOSE

(a) Pursuant to Title 7, Division 2 of the State Government Code, the City hereby adopts the Subdivision Map Act, State Government Code Sections 66410 - 66499.58, subject to amendments as provided by law and contained elsewhere in this chapter.

(b) The provisions of this article are supplemental to those of the Subdivision Map Act, and shall apply to all subdivisions of land made when the land is entirely or partially within the city limits.

Sec. 13-209. GENERAL

A tentative and final map shall be required for all subdivisions creating 5 or more lots, 5 or more common interest development projects defined in State Civil Code Section 783, a community apartment project containing 5 or more lots, or the conversion of a dwelling to a stock cooperative containing 5 or more dwelling units.

Sec. 13-210. CONSISTENCY

No land shall be subdivided and developed for any purpose which is inconsistent with the General Plan and any applicable specific plan or not permitted by this Zoning Code.

Sec. 13-211. PLANNING COMMISSION DUTIES

The Planning Commission is charged with the following duties:

(a) Investigation and report on the design and improvement of proposed subdivision;

(b) Approve, conditionally approve or deny tentative maps of subdivisions prepared and filed according to this article and the Subdivision Map Act; and

(c) Recommend the kind, nature and extent of the improvements required to be installed in subdivisions.

Sec. 13-212. REQUIREMENTS AND SETBACKS FOR TENTATIVE MAPS

All subdivisions as defined in Section 13-209 GENERAL shall meet the requirements for tentative map in the Subdivision Map Act, and the information as compiled by the City Engineer. The minimum subdivision standards of development for streets, highways, alleys, walkways, lots and utility easements shall conform to the standards as compiled by the City Engineer.

Sec. 13-213. PREPARATION, FILING

Preparation of map and filing procedures shall be in accordance with CHAPTER III PLANNING APPLICATIONS. The filing should be prior to the completion of final surveys of streets and lots and before the start of any grading or construction work within the proposed subdivision.

Sec. 13-214. INFORMATION TO ACCOMPANY TENTATIVE MAP

The information to accompany tentative maps is subject to the Subdivision Map Act and is indicated on the application form for subdivisions.

Sec. 13-215. REVIEW PERIOD; ACTION BY PLANNING COMMISSION

(a) The review period for each responsible department, municipality, district, or governmental entity shall be as prescribed in State Government Code Sections 66452.1 and 66452.2.

(b) Within the time frame established in State Government Code Section 66452.1, the Planning Commission shall hold a public hearing and shall either approve, conditionally approve or deny the map pursuant to the procedures contained in CHAPTER III PLANNING APPLICATIONS.

(c) The Planning Commission may impose reasonable conditions upon the map's approval.

Sec. 13-216. DURATION OF APPROVAL, APPEAL AND ABANDONMENT

(a) After receipt of the report of the Planning Commission approving or conditionally approving the tentative map, the subdivider may, within 24 months from the date of the approval, proceed to prepare and file a final map as provided in this chapter. However, an extension of time equal to no more than 12 months may be granted.

(b) If the extension is denied, the denial may be appealed to the City Council within 15 days.

(c) If a final map is not submitted prior to expiration, the map shall be deemed abandoned. The map shall not be deemed abandoned, however, if the subdivider is required to construct, improve or finance the construction or improvement of public improvements outside the boundaries of the tentative map at a cost that is equal to or exceeds the cost established by State Government Code Section 66452.6. This cost shall exclude improvements of public rights-of-way which abut the boundary of the property to be subdivided and which are reasonably related to the development of that property. In this circumstance each filing of a phased final map authorized by State Government Code Section 66456.1 shall extend the expiration of the approved or conditionally approved tentative map by 36 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extension shall not exceed the tentative map more than 10 years from its approval or conditional approval. The number of phased final maps which may be filed shall be determined by the Planning Commission at the time of the approval or conditional approval of the tentative map.

(d) The period of time specified in subsection (a) shall not include any period of time during which a development moratorium applicable to the property which is the subject of the tentative map, imposed after approval of the tentative map, is in existence. However, the length of the moratorium shall not exceed 5 years. Once a moratorium is terminated, the map shall be valid for the same period of time as was left to run on the map at the time the moratorium was imposed. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of the moratorium.

Sec. 13-217. FILING PREREQUISITE TO SALE, LEASE, FINANCING, ISSUANCE OF BUILDING PERMITS, OR COMMENCEMENT OF CONSTRUCTION

No lot may be sold, leased or financed, nor shall permits be issued or construction commenced prior to the recordation of the final map with the County Recorder.

ARTICLE 2. VESTING TENTATIVE MAPS

Sec. 13-218. PURPOSE

The purpose of this article is to establish procedures for the implementation of Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the State Government Code which provides for the approval of vesting tentative maps. Except as otherwise specifically provided by this chapter, the provisions of this article shall apply to the filing, processing and review of vesting tentative maps as the term is defined by State Government Code Section 66424.5.

Sec. 13-219. GENERAL

A vesting tentative map shall be filed in the same form and have the same contents, accompanying data and reports as for a tentative map, except as hereinafter provided:

(a) At the time a vesting tentative map is filed it shall have printed conspicuously on its face the words "Vesting Tentative Map." This requirement is mandatory, and any failure to comply with it shall prevent the subdivider from obtaining the benefits provided by this article.

(b) At the time a vesting tentative map is filed, a subdivider shall also supply the information provided in the Planning Division's Subdivision Application.

(c) A vesting tentative map shall not be accepted for filing unless all other discretionary land use approval applications, except for development review, are filed prior to or concurrently with the map.

(d) Whenever a subdivider files a vesting tentative map for a subdivision whose intended development is inconsistent with the Zoning Code in existence at the time of filing, the inconsistency shall be noted on the map by the subdivider.

Sec. 13-220. CONSISTENCY

No land shall be subdivided and developed pursuant to a vesting tentative map for any purpose which is inconsistent with the General Plan and any applicable specific plan or not permitted by this Zoning Code.

Sec. 13-221. APPLICATION

(a) Whenever a provision of the Subdivision Map Act or this Zoning Code requires the filing of a tentative map or parcel map, a vesting tentative map may instead be filed, in accordance with the provisions of this article.

(b) If a subdivider does not seek the rights conferred by the vesting tentative map statute, the filing of a vesting tentative map shall not be a prerequisite to any approval for any proposed subdivision, permit for construction, or work preparatory to construction.

Sec. 13-222. CONDITIONS PRECEDENT TO APPROVAL

A vesting tentative map shall not be approved unless all other discretionary land use approvals required for the proposed development, except for development review, have been obtained. Any such approval erroneously granted in violation of this section shall be void.

Sec. 13-223. EXPIRATION

The approval or conditional approval of a vesting tentative map shall expire at the end of the same time period, and shall be subject to the same extensions as those established by other provisions of this chapter for the expiration of the approval or conditional approval of a tentative map.

Sec. 13-224. VESTING RIGHTS

(a) The approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards as described in State Government Code Section 66474.2. However, if Section 66474.2 is repealed, the approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the vesting tentative map is approved or conditionally approved.

(b) Notwithstanding subsection (a), a permit, approval, extension or entitlement may be made conditional or denied if any of the following are determined:

(1) An approval or conditional approval would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.

(2) The condition or denial is required in order to comply with State or Federal law. All extensions of time are discretionary and may be approved, conditionally approved, or denied.

(c) The rights referred to herein shall expire if a final map is not approved prior to the expiration of the vesting tentative map as provided in Section 13-216 DURATION OF APPROVAL, APPEAL AND ABANDONMENT. If the final map is approved, these rights shall last for the following periods of time:

(1) An initial time period of 24 months. Where several final maps are recorded on various phases of a project covered by a single Vesting Tentative Map, this initial time period shall begin for each phase when the final map for that phase is recorded.

(2) The initial time period set forth in subsection (c)(1) shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if the processing time exceeds 30 days from the date a complete application is filed.

(3) A subdivider may apply for a one-year extension at any time before the initial period set forth in subsection (c)(1) expires. If the extension is denied, the denial may be appealed to the City Council within 15 days.

(4) If the subdivider submits a complete application for a building permit during the periods of time specified in subsections (c)(1) through (c)(3), the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit.

Sec. 13-225. APPLICATIONS INCONSISTENT WITH ESTABLISHED POLICIES

Regardless of other provisions of this chapter, a property owner or his or her designee may seek approvals of permits for development which depart from the ordinance, policies, and standards described in Section 13-224(a) VESTING RIGHTS. The City may grant such approvals or issue such permits to the extent that the departures are authorized under applicable law.

Sec. 13-226. SUBSEQUENT PERMITS, LICENSES AND OTHER ENTITLEMENTS OR USE

The provisions of this section shall not be construed to prevent the City from conditionally approving or denying any permit, license, or other entitlement for use which is applied for by the subdivider after the approval of a vesting tentative map provided the conditional approval or denial is made in accordance with the ordinances, policies and standards described in Section 13-224(a) VESTING RIGHTS.

Sec. 13-227. AMENDMENTS

If the ordinances, policies or standards described in Section 13-224 VESTING RIGHTS, are changed subsequent to the approval or conditional approval of a vesting tentative map, the property owner, or his or her designee, at any time prior to the expiration of the vesting tentative map pursuant to Section 13-224(c) VESTING RIGHTS, may apply for an amendment to the vesting tentative map to secure a vested right to proceed with the changed ordinances, policies, or standards. An application shall clearly specify the changed ordinances, policies or standards for which the amendment is sought.

ARTICLE 3. FINAL MAPS

Sec. 13-228. PURPOSE

The purpose of this article is to identify the procedures and contents of final maps.

Sec. 13-229. PREPARATION, FORM AND CONTENTS

After approval of the tentative map or a vesting tentative map by the Planning Commission, the subdivider may prepare a final map in accordance with a completed survey of the subdivision and in substantial compliance with the approved tentative map or vesting tentative map, and in full compliance with the Subdivision Map Act and this article. The submission shall include the information required by the City Engineer.

Sec. 13-230. DEDICATION AND IMPROVEMENTS

(a) **Dedications.** Conditions of approval of subdivision maps may require certain dedications. All streets, highways, alleys, easements and parcels of land identified in this section, shown on the final map and intended for public use, shall be offered for dedication for public use. The following are subject to dedication requirements:

(1) Streets, highways and alleys, including access rights and abutters' rights.

(2) Drainage, public utility and other public easements.

(3) Land for local transit facilities pursuant to State Government Code Section 66475.2.

(b) **Future dedication.** Streets or portions of streets may be offered for future dedication where the immediate opening and improvement are not required, but where it is necessary to ensure that the City can later accept dedication when the streets are needed for the further development of the area or adjacent areas.

(c) **Agreement to make improvements.** The subdivider shall improve or agree to improve all land dedicated for streets, highways, public ways and easements as a condition precedent to acceptance and approval of the final map. The improvements shall include such grading, surfacing, sidewalks, curbs, gutters, culverts, bridges, storm drains, water mains and service connections to the property line with cutoff valves, sanitary sewers and such other structures or improvements as may be required by ordinance for the general use of the lot owners in the subdivision and for local neighborhood traffic and drainage needs.

(d) **Grades.** All improvements shall be installed to grades approved by the City Engineer.

(e) **Plans, profiles and specifications.** Plans, profiles and specifications of proposed improvements shall be furnished to the City Engineer prior to the time of final map submittal, and shall be approved by the City Engineer before the map is filed with the City Council. The plans and profiles shall show full details of the proposed improvements in accordance with City standards.

(f) **Agreement by subdivider with City.** If the improvement work is not completed satisfactorily before the final map is approved, the owner of the subdivision shall, immediately upon approval and before the City's certification of the final map, enter as contractor into an agreement with the City whereby, in consideration of the acceptance by the City of the streets and easements offered for dedication, the contractor agrees to complete the work within the time specified in the agreement.

(g) **Waiver of access.** The subdivider may be required by the Planning Commission, as a condition of approval, to waive access to one or more designated streets before obtaining the City Council approval of any final map.

(h) **Bonds.** To assure that the work will be completed, bonds shall be provided by the subdivider from an approved surety company, or in cash, in the following amounts and for the following purposes:

(1) A bond equivalent to 100 percent of the total cost of the improvements to guarantee payment for all labor and materials.

(2) A further bond(s) equivalent to 100 percent of the total cost of the improvements plus the cost of setting final monuments to guarantee faithful performance of the agreement, and to guarantee completion of the work or improvements including the setting of final monuments.

Sec. 13-231. FEES

The following fees shall be paid:

(a) **Checking fee.** The fee is payable at the time the final map is submitted to the City Engineer for checking.

(b) **Engineering and inspection fee.** This fee shall be paid at the time the plans, profiles and specifications of proposed street improvements are submitted to the City Engineer for approval.

(c) **Payment of street lighting costs.** All persons shall pay, at the time of filing a final map, an amount of the estimated cost of the installation of light poles and electrical energy in the tract or tracts, for the period from the date of installation of the poles to the next November 1st. The street lighting superintendent shall determine the estimated cost of the light poles and the electric energy charge for the period, based upon the amounts charged by the Edison Company to the city under the current contract. The electrical fee shall be paid to the City Engineer at the time the other fees and bonds required by this Zoning Code are to be paid and furnished to the City Engineer.

(d) **Water fee.** Where applicable, the fee is payable prior to approval by City Council.

(e) **Sanitary fee.** Where applicable, sanitary and sanitation district fees are payable prior to approval by City Council.

Sec. 13-232. SOIL TESTS

The City Engineer shall certify to the City Council that soil tests, excavations and borings, either have been made or have been waived by the City Engineer, and shall report the results of the tests or the reason for any waiver to the City Council. In the event that the tests show expansive soils or other problems which, if not corrected, would lead to structural defects, the City Engineer shall require a soil test on each lot of the subdivision.

Sec. 13-233. CORRECTIVE ACTION ON POOR SOIL

In the event soil tests are needed on individual lots of the subdivision as provided in Section 13- 232 SOIL TESTS, the registered engineer making those tests and reports shall make recommendation for action to be taken to avoid structural defects. The subdivider must obtain the approval of the City Engineer for the action(s) to be taken, and the action must be made a condition of any building permit issued for construction on the affected lots.

Sec. 13-234. CHECK AND TRANSMITTAL OF FINAL MAP

(a) **Engineer's check.** After issuance of a receipt for the final map, the City Engineer shall examine it as to sufficiency of affidavits and acknowledgments, correctness of surveying data, mathematical data and computations, and such other matters as require checking to insure compliance with the provisions of the Subdivision Map Act and this article.

(b) **Transmittal to City Council.** If the final map is found to be correct in form and the matters shown on the map are sufficient, the City Engineer shall endorse his approval on the map and transmit it to the City Council together with plans and specifications of proposed improvements and such other matters as are required to enable the City Council to consider the final map. If the final map is not found to be correct in form, the City Engineer shall return the final map to the subdivider together with a statement setting forth the grounds for its return; the City Engineer shall, however, not forward the map to the City Council until the requirements of Sections 13-229 PREPARATION, FORM AND CONTENTS, to and including Section 13-231 FEES, have been met by the subdivider.

Sec. 13-235. VIOLATIONS

Any physical condition created in violation of this article, and any lot, street, alley or other feature made the subject of this article and which is maintained contrary to its provisions shall constitute a public nuisance.

Sec. 13-236. FILING PREREQUISITE TO SALE, LEASE, FINANCING, ISSUANCE OF BUILDING PERMITS, OR COMMENCEMENT OF CONSTRUCTION

No lot may be sold, leased or financed nor shall permits be issued or construction commenced prior to the filing of the final map with the County Recorder.

ARTICLE 4. PARCEL MAPS

Sec. 13-237. PURPOSE

The purpose of this article is to establish when parcel maps are required, the contents of the map, and the processing procedures for both tentative and final parcel maps.

Sec. 13-238. GENERAL

A tentative parcel map shall be required in all of the following cases:

(a) Where any parcel of land is to be divided into 4 or fewer lots.

(b) As required by State Government Code Section 66426.

(c) Nothing in this chapter shall prevent the filing of a final or parcel map of a subdivision for which a final or parcel map is not required, provided such map meets the requirements of the Subdivision Map Act, ARTICLE 6 LOT LINE ADJUSTMENTS of this chapter, and any local ordinances.

Sec. 13-239. CONTENTS OF TENTATIVE MAP

Each tentative parcel map within this article shall contain the information contained in the Subdivision Map Act, and any information required by the City Engineer.

Sec. 13-240. ACTION BY PLANNING COMMISSION

The procedures for consideration and action on a tentative parcel map application by the Planning Commission shall be the same as for a tentative map application, Section 13-215 REVIEW PERIOD, ACTION BY PLANNING COMMISSION, with the exception that the final parcel map is subject to review only by the City Engineer, as set forth in Section 13-243 FINAL PARCEL MAP.

Sec. 13-241. STREET IMPROVEMENTS

The Planning Commission shall have the authority to require improvements of public or private streets, highways or easements as may be necessary for local traffic, drainage and sanitary needs in the types of lot subdivisions set out in Section 13-238 GENERAL.

Sec. 13-242. DURATION OF APPROVAL

The approval of a tentative parcel map as set forth in this article shall be for the period of 24 months; the applicant may, however, apply for approval for an extension of time to the Planning Commission for a period or periods not exceeding a total of 3 years.

Sec. 13-243. FINAL PARCEL MAP

The final map shall be transmitted to the City Engineer to ensure compliance with the provisions of the subdivision map act and of this article. If the final map is found to be correct in form and the matters shown thereon are sufficient, the City Engineer shall return the final map to the subdivider together with a statement setting forth the grounds for its return.

Sec. 13-244. RECORDING FINAL PARCEL MAP

At any time within the 24-month approval period for the tentative parcel map, or within the period of any extension granted by the Planning Commission, a parcel map may be filed for recordation with the County Recorder, showing each new lot created by the subdivision.

Sec. 13-245. FILING PREREQUISITE TO SALE, LEASE, FINANCING, ISSUANCE OF BUILDING PERMITS, OR COMMENCEMENT OF CONSTRUCTION

No lot may be sold, leased or financed nor shall permits be issued or construction commenced, prior to the filing of the parcel map with the County Recorder.

Sec. 13-246. LEGAL DESCRIPTION OF LOTS

Each lot of the subdivided property may be sold, leased, financed or otherwise dealt with by designation of lot number and County Recorder's book, page and document number references as an official legal description.

Sec. 13-247. DEDICATIONS

Dedications required for street openings, widening or easements shall be provided for by a statement on the parcel map unless the City Engineer determines that legal instruments separate from the parcel map are required. If the dedications are to be provided by legal instruments separate from the parcel map, the dedications shall be completed prior to the filing of the parcel map with the County Recorder.

Sec. 13-248. VIOLATIONS

Any physical condition created in violation of this article, and any lot, street, alley or other feature made the subject of this article and which is maintained contrary to the provisions hereof shall constitute a public nuisance.

Sec. 13-249. WAIVER PROVISIONS

Pursuant to State Government Code Section 66428(b), the City hereby establishes a procedure for waiving the requirements of a parcel map. The requirement for the filing of a parcel map may be waived when a lot line adjustment is filed.

ARTICLE 5. PARK AND RECREATION DEDICATIONS

Sec. 13-250. PURPOSE

The purpose of this article is to establish procedures for requiring park and recreational facilities in conjunction with residential developments ("PARK FEES"). Sections 13-251 through 13-261 relate to residential developments which require a subdivision and which shall be subject to State Government Code Section 66410 et seq. Section 13-261.1 through Section 13-261.8 refer to multi-family residential developments for renters ("apartments") which shall be subject to State Government Code Section 66000 et seq.

Sec. 13-250.1 SINGLE FAMILY AND MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH SUBDIVISION

Sec. 13-251. REQUIREMENT

Every residential subdivider who creates a subdivision shall be required to dedicate a portion of the land, pay a fee in lieu thereof, or do a combination of both, as established in this article for the purpose of providing park and recreational facilities to serve future residents of the subdivision.

Sec. 13-252. APPLICATION

The provisions of this article shall apply to all residential subdivisions, as defined in State Government Code Section 66410 et seq..

(a) Subdivisions containing fewer than 5 lots and not used for residential purposes shall be exempted from the requirements of this article. However, a condition may be placed on the approval of the tentative or parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the lots within 4 years, the fee may be required to be paid by the owner of each such lot as a condition of issuing the permit.

(b) This section does not apply to commercial or industrial subdivisions, or to residential common interest development projects or stock cooperatives which consist of the subdivision of airspace in an existing apartment building which is more than 5 years old when no new dwelling units are added.

Sec. 13-253. RELATION OF LAND REQUIRED TO POPULATION DENSITY

Consistent with the General Plan, it is hereby found and determined that the public interest, convenience, health, welfare and safety require that 5.76 acres of property for each 1,000 persons residing within the City be devoted to public park and recreational purposes. The requirement will be satisfied in part by arrangements between the City and the local school district to make available for park and recreation purposes, 1.5 acres of school sites adjacent to the proposed park for each 1000 persons residing within the City. The remaining 4.26 acres of the required 5.76 acres shall be supplied as required by this article.

Sec. 13-254. POPULATION DENSITY

For the purposes of this article, population density shall be established by resolution of the City Council, utilizing the following classifications:

(a) **Single-family residential.** Detached single-family homes where there is no more than one dwelling unit on a lot.

(b) **Multiple-family residential.** Apartments, common interest developments, townhouses and similar multiple-family residential developments, including detached single-family homes where there is more than one dwelling unit on a lot.

(c) **Determination of the number of dwelling units.** The total number of dwelling units shall be determined by the number of units proposed for construction. When the actual number of units is unknown, the number of the units shall be based on the maximum number of units which are permitted by the General Plan for the property at the time the tentative or parcel map is filed with the City.

Sec. 13-255. AMOUNT OF LAND TO BE DEDICATED

The amount of land required to be dedicated by a subdivider pursuant to this section shall be based on the following formula:

A = 4.26(D.F. X D.U.)/1,000

Definition of terms:

A - The area in acres required to be dedicated as park sites or to be appraised for fee payment in lieu of dedication.

4.26- Number of acres per 1000 persons.

D.F.- Density factor obtained from Section 13-254 POPULATION DENSITY as applicable to the proposed development.

D.U.- Number of dwelling units.

Sec. 13-256. AMOUNT OF FEE IN LIEU OF LAND DEDICATION

(a) Where there is no public park or recreation facility required within the proposed subdivision, or where the subdivision contains 50 lots or fewer, the subdivider shall pay a fee in lieu of land dedication reflecting the value of land required for park and recreation purposes in accordance with the schedule of fees as adopted by resolution of the City Council. This fee shall reflect the average fair market value of neighborhood and community park land within the City. The fair market value shall be determined by an appraisal of at least one neighborhood park site and one community park site. The appraisal shall be conducted by an M.A.I. appraiser and shall consider the factors set forth in subsection (e), where applicable to the appraisal of public park land.

(b) Nothing in this section shall prohibit the dedication and acceptance of land for park and recreation purposes in subdivisions of 50 lots or fewer, where the subdivider proposes the dedication voluntarily and the land is accepted by the City Council.

(c) When a common interest development project, stock cooperative, or community apartment project exceeds 50 dwelling units, the City may elect to require dedication of land notwithstanding that the number of lots may be 50 lots or fewer.

(d) For subdivisions in excess of 50 lots, the City Council may elect to receive a fee in lieu of land dedication. The amount of such a fee shall be based upon the fair market value of land which would otherwise be required for dedication. The fair market value shall be determined by an M.A.I. appraiser acceptable to the City and at the expense of the developer as set forth in subsection (e). If more than one year elapses between the appraisal and recording of the final map, the City shall have prepared a new appraisal and shall invoice the subdivider for the cost of the appraisal.

(e) For purposes of this section, the determination of the fair market value of neighborhood and community park land or unimproved residential land which would otherwise be required for dedication shall be determined by an M.A.I. appraiser acceptable to the City and shall consider, but not necessarily be limited to, the following:

(1) The value of the unimproved residential land by residential density shown on the tentative subdivision map at the time the final map is to be recorded;

(2) Approval of and conditions of the tentative subdivision map;

(3) The General Plan land use designation of the property;

(4) The zoning classification of the property;

(5) Property location;

(6) Off-site improvements facilitating use of the property; and

(7) Site characteristics.

(f) If the subdivider objects to the amount of the fee pursuant to this section, an appeal may be made to the City Council by filing an application of appeal with the City Clerk and payment of an appeal processing fee as determined by the City Council. A notice of appeal shall be filed with the City Clerk within 7 days of payment of the in-lieu fee. The subdivider shall have the burden of proof in contesting the amount of the fee. Within 30 days of receipt of the notice of appeal, a public hearing on the appeal shall be held by the City Council, and the decision shall be final and conclusive in determining the amount of the fee.

(g) The fee shall be paid to the Development Services Department and shall be deposited and held in appropriate trust accounts and may be expended therefrom only for the purpose of developing new or rehabilitating existing neighborhood or community park or recreation facilities to serve the subdivision on which the fee is charged. Upon receipt of the fee, the Development Services Department shall issue a receipt, and the receipt shall be presented as proof of payment of the fee prior to the issuance of any permit for buildings and structures pursuant to this Zoning Code.

(h) In order that the fees levied pursuant to subsection (a) keep pace with the cost of land, the fee schedule described in subsection (a) shall be periodically adjusted on a biennial basis, or as specified by City Council by resolution. The fee schedule shall be adjusted using the methodology described in subsection (a) for establishing the fee schedule.

(i) Upon application to the Development Services Department, the payment of the fee in lieu of land dedication pursuant to this section may be deferred where the department makes the following findings:

(1) The subdivider has entered into a fee agreement with written evidence of adequate security to assure payment of the fee at a date prior to the issuance of a certificate of occupancy, and in a form approved by the City Attorney; and

(2) The deferral of the fee shall not adversely impact the development of new or the rehabilitation of existing
neighborhood or community park or recreational facilities to serve the subdivision.

Sec. 13-257. COMBINATION OF LAND AND FEE

In determining whether a subdivider shall dedicate land, pay a fee in lieu of land dedication, or a combination of both, the following procedure shall be used:

(a) Subdividers required to or desiring to dedicate property for park and recreational purposes shall, upon filing a tentative map for approval, check with the City to determine whether their property has been designated for a park site in the General Plan. If a subdivider's property is so designated, the

subdivider shall coordinate with the necessary departments to incorporate the park sites(s) into the property's development plan.

(b) If the subdivider's property is not so designated, and a school site is proposed within or in proximity to the property, a park site adjacent to the school site shall be developed and the subdivider shall coordinate with the necessary departments to incorporate the park site(s) into the property's development plan.

Sec. 13-258. ACTION OF CITY

(a) At the time of tentative or parcel map approval, the Planning Commission shall determine whether to require dedication of land within the subdivision, payment of a fee in lieu thereof, or a combination of both.

(b) Determination: Whether the City accepts land dedication, requires payment of fees in lieu thereof, or a combination of both, shall be determined by consideration of the following factors:

(1) The Open Space Sub-Element of the General Plan.

(2) Provisions of Sections 13-256 AMOUNT OF FEE IN LIEU OF LAND DEDICATION, and 13-257 COMBINATION OF LAND AND FEE, of this article.

(3) Topography, geology, access and location of land in the subdivision available for dedication.

(4) Size and shape of the subdivision and the land available for dedication.

(c) The determination of the City that land shall be dedicated or a fee paid in lieu thereof, or a combination of both, shall be final and conclusive.

Sec. 13-259. PROCEDURES, CREDITS

(a) **Procedures.** When land dedication is required, it shall be accomplished in accordance with the provisions of the Subdivision Map Act and applicable local ordinances. When fees are required, the same shall be deposited with the Development Services Department prior to recordation of the map or issuance of building permits.

(b) **Credits.** Credits against the amount of land to be dedicated or the amount of fees to be paid in lieu of dedication shall be granted as follows:

(1) Existing dwelling units: Credit shall be granted for dwelling units demolished as a part of the development of the subdivision. This credit shall be limited to the number of units existing at the time of the approval of the project and shall not be transferred to other subdivisions.

(2) Privately developed, owned and maintained open space: Where private facilities for park and recreational purposes are provided in a proposed subdivision and the facilities are to be privately owned and maintained by the future residents of the subdivision, the areas occupied by the facilities shall be credited against the requirement of dedication of land for park and recreation purposes or the payment of fees in lieu thereof, to the extent that the Planning Commission finds it is in the public interest to do so and that the following standards are met:

a. That each facility is available for use by all the residents of the subdivision;

b. That the area and the facilities satisfy the recreation and park needs of the subdivision so as to reduce the need for public recreation and park facilities to serve the subdivision residents;

c. That the area provided is in excess of the minimum amount of open space required for the subdivision;

d. That the area provided in excess of required open space is not used as a credit or bonus incentive as provided in other sections of this Zoning Code; and

e. That the area provided is of sufficient size, location and design to facilitate functional use of the area to meet the park and recreation demands of the future subdivision residents.

(3) Credits shall be granted, dollar for dollar, for the value of park and recreational area and other improvements as approved by the Planning Commission. The value of the facilities shall be established by written documentation of the actual acquisition cost of the facilities paid by the subdivider.

(c) **Previous fees.** Credit shall be granted, dollar for dollar, for any park and recreation fees paid for the property pursuant to this Zoning Code within the preceding 5 years.

(d) **Improvements to dedicated land.** Credit shall be granted, dollar for dollar, if the subdivider provides park and recreation facilities and/or improvements to land dedicated for park and recreation purposes. The value of the facilities and/or improvements shall be established by written documentation of the actual acquisition cost of the facilities or construction costs of the improvements paid by the subdivider.

(e) **Limitation on credits.** The maximum amount of credits provided by this section shall not exceed 100% of the calculated fee in lieu of land dedication.

(f) **Transfer of credits.** Credits provided by this section shall not be transferred or assignable to apply to property outside of the subdivision awarded the credit.

(g) **The granting of credits.** Pursuant to Section 13-259(b) PROCEDURES AND CREDITS, credits shall be granted subject to the following conditions:

(1) The private ownership and maintenance of the facilities shall be adequately provided for by written agreement in a form acceptable to the City Attorney;

(2) The use of the private facilities is restricted for park and recreational purposes by recorded covenants which run with the land in favor of the future owners of property within the subdivision and which cannot be defeated or eliminated without the consent of the City Council;

(3) The proposed private facilities are reasonable and adaptable for use for park and recreational purposes taking into consideration such factors as size, shape, topography, geology, access and location of the private open space land; and

(4) The facilities proposed are in substantial accordance with the General Plan.

(h) **Additional credits.** In lieu of the dedication of land for park and recreation purposes or the payment of a fee, the Development Services Director, with the approval of the Planning Commission may permit the following:

(1) Dedication of land for park or recreation purposes outside of the subdivision;

(2) Improvements to be made to an existing City park or upon land being dedicated as a public park;

(3) Recreational facility to be installed upon land being dedicated as a City park; or

(4) Any combination of 1, 2, or 3, above, provided that the land to be dedicated, the improvements to be made or the facilities to be installed or constructed are so located as to bear a reasonable relationship to the use thereof by future inhabitants of the subdivision.

The dedication of land or providing of improvements or facilities may only be used as a credit against the otherwise required dedication or fee to the extent of the value of the land, improvements or facilities as determined by the Planning Commission to be equal to or greater than the value of the land which would have been dedicated or the fee which would be paid pursuant to Section 13-256 AMOUNT OF FEE IN LIEU OF LAND DEDICATION.

Sec. 13-260. STATEMENT OF CITY RESPONSIBILITY

The City shall comply with all requirements of State Government Code Section 66477 with regard to acceptance and use of land dedicated or fees paid for park and recreational purposes.

Sec. 13-261. PARK AND RECREATION FEE IN LIEU OF LAND DEDICATION NOTICE

Where the residential subdivision contains 50 lots or fewer, the Development Services Department shall affix to any permit for buildings or structures and any vesting tentative map issued pursuant to this Zoning Code located within the subdivision a notice to read as follows:

PARK AND RECREATION FEE IN LIEU OF LAND DEDICATION NOTICE:

The City of Costa Mesa is giving consideration to enactment of a resolution or ordinance, or a combination thereof, for the increase in the park and recreation fees in lieu of land dedication pursuant to Section 13-256(a) AMOUNT OF FEE IN LIEU OF LAND DEDICATION, and State Government Code Section 66477. The owner of the project designated in this permit or vesting tentative map shall be obligated to pay to the Development Services Department a park and recreation fee in lieu of land dedication if such a fee is adopted in the future by the City of Costa Mesa. The fee will only be used for the purpose of developing new or rehabilitating existing neighborhood or community park or recreational facilities to serve the subdivision.

Sec. 13-261.1 MULTI-FAMILY RESIDENTIAL DEVELOPMENT FOR RENTERS (APARTMENTS)

Sec. 13-261.2 REQUIREMENT

Every residential developer who creates a multi-family residential development for renter households ("apartments") shall be required to remit a park fee as established in this section for the purpose of providing park and recreational facilities to serve the future residents of the apartments.

Sec. 13-261.3 APPLICATION

The provisions of this article shall apply to all residential developments, which are not subdivided and subject to State Government Code Section 66000 et seq.

Sec. 13-261.4 RELATION OF LAND TO POPULATION DENSITY

Consistent with the General Plan, it is hereby found and determined that the public interest, convenience, health, welfare, and safety require that 4.26 acres of property for each 1,000 persons residing within the City be devoted to public park and recreational purposes.

Sec. 13-261.5 POPULATION DENSITY

For the purposes of this section, population density shall be established by resolution of the City Council, utilizing the following classifications:

a) **Apartments.** Any building (or portion thereof) or collection of buildings which provide two or more self-contained dwelling units not designated for separate ownership. Specifically, where the units are for rent and are not legally subdivided for homeownership.

b) **Determination of the number of dwelling units.** The total number of dwelling units shall be determined by the number of units proposed for construction. When the actual number of units is unknown, the number of the units shall be based on the maximum number of units where are permitted by the General Plan for the property at the time the tentative or parcel map is filed with the City.

Sec. 13-261.6 PARK FEE FORMULA FOR APARTMENTS

The amount of park fee required pursuant to this section shall be based on the following formula:

FEE = 4.26 (A.D.F. x D.U. x P.C) / 1,000

Definition of terms:

FEE - the maximum amount to be appraised for fee payment

4.26 - Number of acres per 1,000 persons

A.D.F. - Apartment density factor obtained from Section 13-261.5 POPULATION DENSITY as applicable to the proposed development.

D.U. - Number of dwelling units.

P.C. - Proportionate cost is the sum of the weighted cost of park land acquisition per acre of land and cost of construction per acre of land.

Sec. 13-261.7 AMOUNT OF PARK FEE FOR APARTMENTS

(a) The park impact fee for apartments must meet all benefit requirements for State Government Code Section 66000 as follows:

(1) Identifies the purpose of the fee;

(2) Identifies the use to which the fee is applied;

(3) Shows a reasonable relationship between the use of the fee and type of development project on which the fee is proposed;

(4) Demonstrates a reasonable relationship between the need for the public facilities and the type of development projects on which the fee is imposed; and

(5) Demonstrates a reasonable relationship between the amount of the fee and the cost of the public facilities or portion of the public facilities attributable to the development on which the fee is imposed.

(b) Nothing in this section shall prohibit the dedication and acceptance of land for park and recreation purposes where the developer proposes the dedication voluntarily and the land is accepted by City Council at their discretion. When dedicated land is provided, it shall be accomplished in accordance with the provisions of the Subdivision Map Act and applicable local ordinances.

(c) If the developer objects to the amount of the fee pursuant to this section, an appeal may be made to the City Council by filing an application of appeal with the City Clerk and payment of an appeal processing fee as determined by the City Council. A notice of appeal shall be filed with the City Clerk within 7 days of payment of the fee. The developer shall have the burden of proof in contesting the amount of the fee. Within 30 days of the receipt of the notice of appeal, a public hearing on the appeal shall be held by the City Council, and the decision shall be final and conclusive in determining the amount of the fee.

(d) The fee shall be paid to the Development Services Department and shall be deposited and held in appropriate trust accounts and may be expended therefrom only for the purpose of developing new or rehabilitating existing neighborhood or community park or recreation facilities to serve the development on which the fee is charged. Upon receipt of the fee, the Development Services Department shall issue a receipt, and the receipt shall be presented as proof of payment of the fee prior to the issuance of any permit for buildings and structures pursuant to this Zoning Code.

(e) In order that the fees levied to the subsection (a) keep pace with the cost of land, the fee schedule described in subsection (a) shall be periodically adjusted on a biennial basis, or as specified by City Council by resolution. The fee schedule shall be adjusted using the methodology described in subsection (a) for establishing the fee schedule.

(f) Upon application to the Development Services Department, the payment of the fee may be deferred where the department makes the following findings:

(1) The developer has entered into a free agreement with written evidence of adequate security to assure payment of the fee at a date prior to the issuance of a certificate of occupancy, and in a form approved by the City Attorney; and

(2) The deferral of the fee shall not adversely impact the development of new or the rehabilitation of existing neighborhood or community park or recreational facilities to serve the development.

Sec. 13-261.8 PROCEDURE, CREDIT

(a) **Procedure.** When fees are required, the same shall be deposited with the Development Services Department prior to issuance of building permits.

(b) **Credit.** Credit shall be granted for dwelling units demolished as a part of the development. This credit shall be limited to the number of units existing at the time of the approval of the prject and shall not be transferred to other developments. A second dwelling unit legally established in conjunction with and subordinate to a primary dwelling in an R1 zone (i.e. accessory apartment, granny unit, granny flat, or in-law apartment) shall not be subject to the park fee.

ARTICLE 6. LOT LINE ADJUSTMENTS

Sec. 13-262. PURPOSE

The purpose of this article is to establish the procedures for lot line adjustments.

Sec. 13-263. PROCEDURES

The Zoning Administrator may approve a lot line adjustment according to the procedures set forth in CHAPTER III PLANNING APPLICATIONS, provided that the lot line adjustment complies with State Government Code Section 66412(d), the General Plan, this Zoning Code, and all applicable ordinances and regulations.

Sec. 13-264. RECORDATION

On the forms provided by the Planning Division, the applicant shall file the lot line adjustment for recordation with the County Recorder. Proof of recordation shall be provided to the Planning Division prior to the issuance of building permits.

Sec. 13-265. DEED REQUIREMENT

The lot line adjustment shall be reflected in a deed which shall be recorded with the County Recorder's office.

CHAPTER XII. SPECIAL FEE ASSESSMENTS

Sec. 13-265.1 PURPOSE FOR SPECIAL FEE ASSESSMENTS

It is the purpose of this chapter to identify and describe special fee assessments. The establishment and collection of certain development impact fees are intended to defray the costs of related impacts. Refer to Article XI, Section 13-261.1, for special fee assessments related to park fees for apartments.

ARTICLE 1. MAJOR THOROUGHFARE AND BRIDGE FEE

Sec. 13-266. PURPOSE

It is the purpose of this article to set forth the parameters for assessing the major thoroughfare and bridge fee.

Sec. 13-267. DEFINITIONS

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

Construction. Preliminary studies, design, acquisition of right-of-way, administration of construction contracts and actual construction.

Major thoroughfare. Those roads designated as transportation corridors and major, primary, secondary or collector highways on the Master Plan of Highways, the Transportation Subelement of the General Plan for the City or for the County. The primary purpose of such roads is to carry through traffic and provide a network connecting to the State highways system.

Bridge facility. Those locations identified in the transportation or flood control provisions of the Transportation sub-element or other element of the General Plan or the County of Orange General Plan as requiring a bridge to span a waterway, railway, freeway or canyon.

Area of benefit. A specified area wherein it has been determined that the real property located therein will benefit from the construction of a major thoroughfare or bridge facility project.

Sec. 13-268. FEE REQUIRED

(a) **Applicability.** A building permit applicant, as a condition of issuance of a building permit, shall pay a fee as hereinafter established to defray the cost of constructing bridges over waterways, railways, freeways and canyons or constructing major thoroughfares.

(1) The provisions for payment of a fee shall apply only if the major thoroughfare or bridge facility has been included in the City's or County's General Plan adopted at least 30 days prior to the application for a building permit and is on land located within the boundaries of the area of benefit.

(2) Payment of fees shall not be required unless any major thoroughfares are in addition to, or a widening or reconstruction of, any existing major thoroughfares serving the area at the time of the adoption of the boundaries of the area of benefit.

(3) Payment of fees shall not be required unless any planned bridge facility is a new bridge serving the area or an addition to an existing bridge facility serving the area at the time of the adoption of the boundaries of the area of the benefit.

(b) **Area of benefit established.** Action to establish an area of benefit may be initiated by the City Council upon its own motion or upon the recommendation of the Public Services Director. The City Council shall set a public hearing for each proposed area benefited. Notice of the time and place of

the hearing including preliminary information related to the boundaries of the area of benefit, estimated costs and the method of fee apportionment shall be given in the following manner:

(1) Notices shall be given at least 10 calendar days before the hearing by the following:

a. Notice published at least once in a newspaper of general circulation within the proposed area of benefit.

b. Notices posted throughout the proposed area of benefit with at least 3 notices posted at arterial highway intersections within the

proposed area of benefit.

c. Notices sent by first-class mail addressed to each property owner within the boundary of the proposed area of benefit.

d. Notices sent by first-class mail addressed to all municipal advisory committees and known homeowners' associations within the boundary of the proposed area of benefit.

e. Notice by first-class mail to any person who has filed a written request with the Public Services Director. The request shall apply for the calendar year in which it is filed.

(2) At the public hearing, the City Council will consider the testimony, written protests and other evidence. At the conclusion of the public hearing, the City Council may, unless a majority written protest is filed and not withdrawn as specified in subsection (2)b below, determine to establish an area of benefit. If established, the City Council shall adopt a resolution describing the boundaries of the area of benefit, setting forth and cost, whether actual or estimated, and the method of fee apportionment. A certified copy of such resolution shall be recorded by the City Clerk with the County Recorder.

a. The apportioned fees shall be applicable to all property within the area of benefit and shall be payable as a condition of issuing a building permit for the property or portions thereof. Where the area of benefit includes lands not subject to the payment of fees pursuant to this section, the City Council shall make provisions for payment of the share of improvement cost apportioned to such lands from other sources.

b. Written protests shall be received by the City Clerk at any time prior to the close of the public hearing. If written protests are filed by the owners of more than one-half of the area of the property to be benefited by the improvement, and sufficient protests are not withdrawn so as to reduce the area represented by the protests to less than one-half of the area to be benefited, then the proposed proceedings shall be abandoned, and the City Council shall not, for one year from the filing of the written protests, commence or carry on any proceedings for the same improvement under the provisions of this section. Any protests may be withdrawn by the owner making, the same in writing, at any time prior to the close of the public meeting.

c. If any majority protest is directed against only a portion of the improvement, then all further proceedings under the provisions of this section to construct that portion of the improvement so protested against shall be barred for a period of one year, but the City Council shall not be barred from commencing new proceedings not including any part of the improvement so protested against. The proceedings shall be commenced by a new notice and public hearing as set forth in this subsection.

d. Nothing in this section shall prohibit the City Council, within such one-year period, from commencing and carrying on new proceedings for the construction of an improvement or portion of the improvements so protected against if it finds, by the affirmative vote of four-fifths of its members, that the owners of more than one-half of the area of the property to be benefited are in favor of going forward with such improvement or portion thereof.

(c) **Planned bridge facility or major thoroughfare fund.**

(1) Fees paid pursuant to this section shall be deposited in a planned bridge facility or major thoroughfare fund. A fund shall be established for each planned bridge facility project or each planned major thoroughfare project. If the area of benefit is one in which more than one bridge or major thoroughfare is required to be constructed, a separate fund may be established covering all of the bridge projects or major thoroughfares in the area of benefit. If the area of benefit encompasses one or more bridges and one or more thoroughfares and all lands within the area of benefit are subject to the same proportionate fee for all bridges and thoroughfares, a single fund may be established to account for fees paid. Moneys in such fund shall be expended solely for the construction or reimbursement for construction of the improvements serving the area to be benefited and from which the fees comprising the fund were collected, or to reimburse the City for the costs of constructing the improvement.

a. The City Council may approve the acceptance of consideration in lieu of the payment of fees established herein.

(2) The City Council may approve the advancement of money from the general fund or road fund to pay the costs of constructing the improvements covered herein and may reimburse the general fund or road fund for the advances from planned bridge facility or major thoroughfare funds established pursuant to this section.

(3) If the building permit applicant, as a condition of the issuance of the building permit, is required or desires to construct a bridge or major thoroughfare, the City Council may enter into a reimbursement agreement with the applicant. The agreement may provide for payments to the applicant from the bridge facility or major thoroughfare fund covering that specific project to reimburse the applicant for costs not allocated to the applicant's property in the resolution establishing the area of benefit. If the bridge or major thoroughfare fund covers more than one project, reimbursements shall be made on a pro rata basis reflecting the actual or estimated costs of the projects covered by the fund.

ARTICLE 2. FIRE PROTECTION SYSTEM

Sec. 13-269. PURPOSE

It is the purpose of this article to set forth the parameters for assessing the fire protection system development impact fee.

Sec. 13-270. ESTABLISHMENT OF DEVELOPMENT IMPACT FEE

By City Council resolution, a development impact fee shall be established based on the Costa Mesa Fire Protection System Fee Study. The resolution shall set forth the specific amount of the fee and set forth time for payment.

(a) **Limited use of fees.** The revenues raised by payment of this impact fee shall be placed in a separate and special account and revenues, along with any interest earnings on that account, and used solely to pay for the City's future construction of facilities and equipment purchases or to reimburse the City for those identified facilities and equipment funded by the City with monies advanced by the City from other sources.

(b) **Fee refunds.** A refund may be made when a building permit expires and no extensions have been granted for a development for which the funds have been collected.

(c) **Fee adjustments.**

(1) A developer of any project subject to the development fee impact program may apply to the City Council for an adjustment of the fee. The developer shall have the burden of proving that either the amount of fee charged or the facility and/or equipment financed is disproportionate or not reasonably related to the impact of the project on the fire protection system. The application shall be made in writing and filed with the City Clerk no later than:

a. 10 days prior to the public hearing on the development permit application for the project; or

b. If no development permit is required, at the time of the filing of the request for a building permit.

(2) The application shall state in detail the factual basis for the claim of adjustment. The City Council shall consider the application at the public hearing on the permit application or at a separate hearing held within 60 days after the filing of the fee adjustment application. The decision of the City Council shall be final. If an adjustment is granted, any change in use or increase in building intensity within the project shall require reconsideration of the fee adjustment.

ARTICLE 3. TRANSPORTATION SYSTEM MANAGEMENT

Sec. 13-271. PURPOSE

The purpose of this article is to set forth the provisions for assuring an adequate transportation system in conjunction with new development.

Sec. 13-272. DEFINITIONS

For the purpose of this article, the following definitions shall apply:

Development project. This article applies to the following development project approvals: general plan amendments, specific plans, master plans, rezones, development reviews, variances, use permits, administrative adjustments, minor modifications and development agreements, unless otherwise exempted by Section 13-276 EXEMPTIONS.

Intersection. The general area where 2 or more roadways join or cross.

Measurable traffic. A volume of traffic which will result in a 0.01 or greater increase in the peak period volume to capacity ratio at any given signalized intersection.

Potentially deficient intersection. An intersection identified in the General Plan for which the standard level of service may not be feasible upon General Plan buildout. The intersection volume to capacity ratios identified in the General Plan shall not be exceeded for these intersections.

Pro rata. A proportionate share based on a development project's impacts.

Standard Level of Service. The Standard Level of Service shall be Level of Service "D" or better (0.90 or less volume to capacity ratio) for all signalized arterial intersections within the City during peak hours Monday through Friday with the exception of those intersections identified as potentially deficient in the General Plan. Levels of Service shall be defined and computed using the Intersection Capacity Utilization (ICU) methodology.

Transportation Demand Management Program. A series of required and/or voluntary actions which reduce the vehicle trip generation rate of a specific use or uses of land.

Sec. 13-273. COMPREHENSIVE TRANSPORTATION SYSTEM IMPROVEMENT PROGRAM

(a) **Purpose.** The Comprehensive Transportation System Improvement Program shall be adopted by resolution of the City Council which addresses the cumulative impacts of development in a defined impact area. This program shall mandate circulation improvements, including freeway improvements, to ensure that the Master Plan of Highways is constructed and that the Standard Level of Service is achieved and will be maintained at all intersections in the defined impact area in accordance with the General Plan. For those intersections identified as potentially deficient, the program shall identify the maximum improvements feasible in accordance with the General Plan. The program shall address the funding, construction and maintenance of transportation facilities to implement the Master Plan of Highways. The program shall be updated on an annual basis.

(b) **Relationship to development fee program.** The Comprehensive Transportation System Improvement Program shall be utilized to determine the pro rata share of the cost of necessary improvements attributable to development projects as described in Section 13-274 DEVELOPMENT FEE PROGRAM.

(c) **Development Phasing and Performance Monitoring Report.** Each year the City shall prepare a Development Phasing and Performance Monitoring Report which shall be used to update the Comprehensive Transportation System Improvement Program.

(d) **Interim Approval Procedure.** Until such time as this program is adopted, development projects not exempted pursuant to Section 13-276 EXEMPTIONS may be approved if the City adopts findings that the development projects are consistent with the provisions of this article.

Sec. 13-274. DEVELOPMENT FEE PROGRAM

(a) **Establishment of Development Impact Fee Program.** A development impact fee program shall be established by resolution of the City Council based on the Comprehensive Transportation System Improvement Program. The program shall set forth the basis for the fee as required by State Government Code Section 66001. The program shall establish guidelines for payment, accounting, and refund of the fees collected as required by State Government Code Sections 66001, 66006 and 66007.

(b) **Updates of fee.** On an annual basis, the City Council shall review this fee program, as required by State Government Code Section 66002, to determine whether the fee amounts are reasonably related to the impacts of development projects and whether the described public facilities are still needed.

(c) **Limited use of fees.** The revenues raised by payment through this fee program shall be placed in a separate and special account and such revenues, along with any interest earnings on that account, shall be used solely to:

(1) Pay for the City's future construction of facilities or to reimburse the City for those facilities, described or listed in the program, constructed by the City with funds advanced by the City from other sources; or

(2) Reimburse developers who have been required or permitted to install such listed facilities to the extent the actual cost of the facilities installed by the developer exceeds the impact fee obligation of the development project.

(d) **Developer construction of public facilities.** Whenever the conditions of approval of a development project require direct construction of a public transportation facility (see Section 13-275(c) DEVELOPMENT PROJECT REVIEW PROCEDURES) described or listed in the Comprehensive Transportation System Improvement Program, a credit or reimbursement, as applicable, shall be given against the development impact fee, which would have been charged to the development project under the program, for actual construction costs incurred by the developer. The reimbursement and/or credit amount shall not include any improvements the City can require from the development project under the Subdivision Map Act, or the portion of the improvement deemed to be an on-site improvement that is not included in the Comprehensive Transportation System Improvement Program.

(e) **Fee adjustments.** A developer of any development project subject to the fee program provided in this article may apply to the City Council for:

(1) A waiver of the fee, or portion of the fee, based upon adequate documentation of the absence of any reasonable relationship or nexus between the circulation impacts of that development project and either the amount of the fee charged or the type of facilities to be financed; or

(2) A reduction of the fee based upon the implementation of a Transportation Demand Management Program, as described in Section 13-275(d)- DEVELOPMENT PROJECT REVIEW PROCEDURES.

(3) The application for a fee waiver shall be made in writing and filed with the City Clerk not later than:

a. 10 days prior to the public hearing on the development permit application for the project; or

b. If no development permit is required, at the time of the filing of the request for a building permit.

(4) The application shall state in detail the factual basis for the claim of waiver. The City Council shall consider the application at the public hearing on the permit application held within 60 days after the filing of the application. The decision of the City Council shall be final. If a waiver is granted, any change in use or increase in building intensity within the development project shall invalidate the waiver of the fee, and the developer shall be obligated to pay the full amount of the fee attributed to the development project, including the change in use or increase in intensity, as provided by this article.

(f) **Fee refunds.** A refund shall be made when a building permit expires and no extensions have been granted for a development project for which the funds have been collected and the development project has not been constructed.

(g) **Fees for phased development projects.** Where there is a requirement imposed upon a phased development project pursuant to this article for the payment of traffic impact fees into a Comprehensive Transportation System Improvement Program, such fees may be payable on a pro rata basis as each phase of the project is completed, in conjunction with the improvements accomplished.

Sec. 13-275. DEVELOPMENT PROJECT REVIEW PROCEDURES

(a) **Traffic study required.** A traffic impact study shall be required for all development projects estimated by the Public Services Director to generate 100 or more vehicle trip ends during a peak hour. Traffic studies may also be required for smaller projects at the discretion of the Public Services Director. The cost of the study shall be paid for by the developer. The study area and number of intersections to be analyzed shall be determined by the Public Services Director and the study area shall be reasonably related to the estimated impacts attributed to the development project. The traffic study shall also identify mitigation measures that are reasonably related to the development project's traffic impacts.

(b) **Mitigation measures.** Mitigation measures for development projects shall consist of either payment of a development impact fee and/or construction of circulation improvements. The necessary circulation improvements may be designed and constructed by the developer as determined by the City. These mitigation measures shall be incorporated as conditions of the development project's approval. Table 13-275 indicates the criteria for either requiring payment of a development impact fee and/or construction of circulation improvements.

(c) **Approval criteria.** A development project may be approved if as a condition of approval it is required to construct a circulation improvement and/or pay a development impact fee, as shown in Table 13-275, and if a finding is made that the development project's impacts will be mitigated at all affected intersections within 3 years of issuance of the first building permit for the development project, as described in subsection (b), unless additional right-of-way or coordination with other government agencies is required to complete the improvement. If right-of-way acquisition or coordination with other governmental agencies delays the improvement construction, appropriate measures shall be taken to ensure that the improvement construction occurs in a timely manner. Circulation improvements may be required sooner if, because of extraordinary traffic generation characteristics of the development project or extraordinary impacts to the surrounding circulation system, the circulation improvements are necessary to prevent significant adverse impacts. For phased development projects, the construction of circulation improvements may be phased as well based upon the findings of the traffic study.

When a development project affects a potentially deficient intersection, the development project's impacts shall be mitigated such that the intersection volume to capacity ratios identified in the General Plan shall not be exceeded.

(d) **Transportation Demand Management Program.** Where a Transportation Demand Management Program is used to reduce vehicle trips related to a development project, the program shall comply with the following:

(1) A conditional use permit for the development project and program must be approved by the Planning Commission consistent with the requirements of subsection (c). An annual report shall be prepared for the City at the expense of the property owner, to show whether the vehicle trip reduction identified in the program has been achieved and maintained.

(2) If the annual report demonstrates that the vehicle trip reductions identified in the program have not occurred, the conditional use permit shall be reevaluated and additional conditions imposed by the Planning Commission in order to meet the requirements of this article.

(3) The traffic impact development fees required under this article shall be based on the trip generation forecast without consideration of estimated reductions associated with a Transportation Demand Management Program. An application for a fee reimbursement may be approved by the City Council pursuant to Section 13-274(e)- DEVELOPMENT FEE PROGRAM based upon documentation of average annual trip reduction over a 3 year period as reported in the annual monitoring report referenced in Section 13-273(c) COMPREHENSIVE TRANSPORTATION SYSTEM IMPROVEMENT PROGRAM.

(e) **Change of use.** Each development project approved under this article shall be reevaluated by the Public Services Director when any change in use occurs which may increase the project's traffic generation. The purpose of this reevaluation is to assure that traffic capacity is available in the transportation system. Any increase in traffic generation by the change of use shall be subject to review by the appropriate reviewing authority who may impose additional conditions on the development project for the mitigation of the increased traffic generation.

Table 13-275
DEVELOPMENT IMPACT CRITERIA

PROJECT DEVELOPMENT SIZE	INTERSECTION CONDITION	ICU INCREASE[1]	MITIGATION MEASURE(S)	INTENT OF MITIGATION MEASURE(S)
Projects generating **less than 100** peak hour trip ends	Adequate (Standard Level of Service or better) **OR** Deficient (exceeds Standard Level of Service)	Less than 1%	Payment of impact fee	Contribute to implementation of the Comprehensive Transportation System Improvement Program
		1% or greater		
Projects generating **100 or more** peak hour tripends	Adequate (Standard Level of Service or better) **OR** Deficient (exceeds Standard Level of Service)	Less than 1%	Payment of impact fee	Contribute to implementation of the Comprehensive Transportation System Improvement Program
		1% or greater	Payment of impact fee and improvement construction by developer under conditions listed in footnote #2	Contribute to implementation of the Comprehensive Transportation System Improvement Program and mitigate development project's impacts

1. ICU = Intersection Capacity Utilization
2. When the project contributes 50% or more of the incremental impact at the intersection and all of the improvements identified in the General Plan at the subject location are required as mitigation. If all of the improvements identified in the General Plan are not required as mitigation, then only the improvements determined necessary by the Public Services Director shall be constructed by the developer.

Sec. 13-276. EXEMPTIONS

(a) **Exempt development projects.** Projects which fall within any of the categories listed below shall be exempt from the provisions of this article:

(1) Any residential construction that does not increase the number of permanent housing units on the lot where the construction takes place, such as remodeling or rebuilding an existing house or units. Second units are also exempt.

(2) Any industrial or commercial construction that neither increases the footprint nor square footage or changes the use on the lot where the construction takes place, such as remodeling or rebuilding an existing structure, and does not increase peak hour trip generation.

(3) Public benefit facilities limited to public libraries, public administration facilities, public parks, public utilities, schools and related facilities.

(4) Facilities serving the health and safety of the public, limited to hospitals, police, fire and safety facilities.

CHAPTER XIII. NOISE CONTROL

Sec. 13-277. PURPOSE

It is the City's purpose to prohibit unnecessary, excessive and annoying noises from all sources subject to its police power. At certain levels noises are detrimental to the health, comfort, safety, peace and enjoyment and welfare of the citizenry, and in the public interest shall be regulated and systematically proscribed.

Sec. 13-278. DEFINITIONS

The following words, phrases and terms as used in this chapter shall have the meaning indicated below:

Cumulative period. An additive period of time composed of individual time segments which may be continuous or interrupted.

Decibel (dB). A unit which denotes the ratio between 2 quantities which are proportional to power: The number of decibels corresponding to the ratio of 2 amounts of power is 10 times the logarithm to the base 10 of this ratio.

Emergency machinery, vehicle or work. Any machinery, vehicle or work used, employed or performed in an effort to protect, provide or restore safe conditions in the community or for the citizenry, or work by private or public utilities when restoring utility service.

Exterior residential noise environment. The exterior environs of a residential development which include private yard of single-family residence, multi-family private patio or balcony which is served by means of exit from inside the dwelling, private balconies greater than 6 feet in depth, and common open space areas containing resident-serving amenities (i.e. pool, spa, tennis courts). Exception: For multi-family residential development or live/work units approved pursuant to a Master Plan in a Mixed-Use Overlay District where the base zoning district is nonresidential, the exterior residential noise environment does not include the following areas: private balconies or patios regardless of size, private or community roof decks/roof terraces, internal courtyards and landscaped walkways that do not include resident-serving, active recreational uses such as community pool, spa, tennis courts, barbeque, and picnic areas.

Fixed noise source. A stationary device which creates sounds while fixed or motionless, including but not limited to industrial and commercial machinery and equipment, pumps, fans, compressors, generators, air conditioners and refrigeration equipment.

Grading. Any excavating or filling of earth material, or any combination thereof, conducted at a site to prepare the site for construction or other improvements.

Impact noise. The noise produced by the collision of one mass in motion with a second mass, which may be either in motion, or at rest.

Interior residential noise environment. The interior environs of a residential dwelling unit or live/work unit, which includes all interior spaces such as, but not limited to, bathrooms, closets, corridors, kitchen, living room/family room, bedrooms, playroom, and office.

Mobile noise source. Any noise source other than a fixed noise source.

Noise level. The "A" weighted sound pressure level in decibels obtained by using a sound level meter at slow response with a reference pressure of 20 micronewtons per square meter. The unit of measurement shall be designated as dB(A).

Person. A person, firm, association, copartnership, joint venture, corporation or any entity, public or private in nature.

Residential property. A lot of real property which is developed and used either in part or in whole for residential purposes, other than transient uses such as hotels and motels.

Simple tone noise. A noise characterized by a predominant frequency or frequencies so that other frequencies cannot be readily distinguished.

Sound pressure level of a sound, in decibels. 20 times the logarithm to the base 10 of the ratio of the pressure of the sound to a reference pressure, which reference pressure shall be explicitly stated.

Sec. 13-279. EXCEPTIONS

The provisions of this chapter shall not apply to the following:

(a) Emergency machinery, vehicles, or work; or

(b) Construction equipment, vehicles, or work between the following approved hours, provided that all required permits for such construction, repair, or remodeling have been obtained from the appropriate City departments:

HOURS FOR CONSTRUCTION ACTIVITIES

7:00 a.m. through 7:00 p.m.	Mondays through Fridays
9:00 a.m. through 6:00 p.m.	Saturdays
Prohibited all hours	Sundays and the following specified Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day

(c) **Waiver Procedure**. An applicant may request approval of a minor modification for a temporary waiver for construction equipment, vehicles, or work outside these permitted hours. The minor modification may be granted by the Development Services Director or his/her designee. Any temporary waiver shall take into consideration the unusual circumstances requiring construction activity outside the permitted hours and the short-term impacts upon nearby residential and business communities.

Minor modification findings shall indicate whether or not the extended construction hours will be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the construction site.

Unless a temporary waiver is approved, construction activity outside the permitted hours shall still be subject to the City's noise regulations.

Sec. 13-280. EXTERIOR NOISE STANDARDS

(a) The following noise standards, unless otherwise specifically indicated, shall apply to all residential property within the City:

RESIDENTIAL EXTERIOR NOISE STANDARDS

Noise Level	Time Period
55 dB(A)	7:00 a.m.- 11:00 p.m.
50 dB(A)	11:00 p.m.- 7:00 a.m.

In the event the alleged offensive noise consists entirely of impact noise, simple tone noise, speech, music, or any combination thereof, each of the above noise levels shall be reduced by 5 dB(A).

(b) It shall be unlawful for any person at any location within the City to create any noise, or to allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, when the foregoing causes the noise level, when measured on any other residential property, either within or outside the City, to exceed:

(1) The noise standard for a cumulative period of more than 30 minutes in any hour;

(2) The noise standard plus 5 dB(A) for a cumulative period of more than 15 minutes in any hour;

(3) The noise standard plus 10 dB(A) for a cumulative period of more than 5 minutes in any hour;

(4) The noise standard plus 15 dB(A) for a cumulative period of more than one minute in any hour; or

(5) The noise standard plus 20 dB(A) for any period of time.

(c) In the event the ambient noise level exceeds any of the first four noise limit categories above, the cumulative period applicable to said category shall be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the fifth noise limit category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level.

(d) The exterior noise standards shown in subsection (a) shall not apply to the following exterior areas of multi-family residential development or live/work units located within a Mixed-Use Overlay District where the base zoning district is nonresidential, approved pursuant to a Master Plan, and subject to the land use regulations of an Urban Plan:

(1) Private balconies or patios regardless of size;

(2) Private or community roof decks/roof terraces;

(3) Internal courtyards and landscaped walkways that do not include resident-serving, active recreational uses such as community pool, spa, tennis courts, barbeque, and picnic areas.

(e) In high-rise residential developments in the North Costa Mesa Specific Plan, the exterior noise standards shown in subsection (a) shall only apply to the common outdoor recreational amenity areas located on the ground level. Recreational amenity areas located above the ground level and private balconies and patios shall be exempt from this standard.

Sec. 13-281. INTERIOR NOISE STANDARDS

(a) The following interior noise standards, unless otherwise specifically indicated, shall apply to all residential property within the City:

RESIDENTIAL INTERIOR NOISE STANDARDS

Noise Level	Time Period
55 dB(A)	7:00 a.m.- 11:00 p.m.
45 dB(A)	11:00 p.m.- 7:00 a.m.

In the event the alleged offensive noise consists entirely of impact noise, simple tone noise, speech, music, or any combination thereof, each of the above noise levels shall be reduced by 5 dB(A).

(b) It shall be unlawful for any person at any location within the City to create any noise, or to allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, when the foregoing causes the noise level when measured within any other dwelling unit on any residential property, either within or outside the City, to exceed:

(1) The interior noise standard for a cumulative period of more than 5 minutes in any hour;

(2) The interior noise standard plus 5 dB(A) for a cumulative period of more than one minute in any hour; or

(3) The interior noise standard plus 10 dB(A) for any period of time.

(c) In the event the ambient noise level exceeds either of the first 2 noise limit categories above, the cumulative period applicable to said category shall be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the third noise limit category the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level.

Sec. 13-282. NOISE NEAR SCHOOLS, HOSPITALS, CHURCHES

It shall be unlawful for any person to create, maintain or cause to be created or maintained any noise or sound which:

(a) Exceeds the noise standards specified in Section 13-280 EXTERIOR NOISE STANDARDS, near any school, hospital or church while it is in use, regardless of the zone within which it is located; or

(b) The noise level unreasonably interferes with the working of such installations or which disturbs or unduly annoys patients in a hospital, provided conspicuous signs are displayed in 3 separate locations within one-tenth of a mile indicating the presence of a school, church or hospital.

Sec. 13-283. LOUD, UNNECESSARY NOISE

It shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary and unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area, regardless of whether the noise level exceeds the standards specified in Section 13-280 EXTERIOR NOISE STANDARDS and Section 13-281 INTERIOR NOISE STANDARDS. The standard which may be considered in determining whether a violation of the provisions of this section exists may include, but not be limited to, the following:

(a) The level of noise;

(b) Whether the nature of the noise is usual or unusual;

(c) Whether the origin of the noise is natural or unnatural;

(d) The level and intensity of the background noise, if any;

(e) The proximity of the noise to residential sleeping facilities;

(f) The nature and zoning of the area within which the noise emanates;

(g) The density of the inhabitation of the area within which the noise emanates;

(h) The time of the day and night the noise occurs;

(i) The duration of the noise;

(j) Whether the noise is recurrent, intermittent or constant;

(k) Whether the noise is produced by a commercial or noncommercial activity; and

(l) The density of the inhabitation of the area affected.

Sec. 13-284. NOISE LEVEL MEASUREMENT

(a) Any noise level measurement shall be performed using a sound level meter meeting American National Standard Institute's Standard S1.4-1971 for Type 1 or Type 2 sound level meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.

(b) Exterior measurements: The location selected for measuring exterior noise levels shall be at any point on the affected property.

(c) Interior measurements: Interior noise measurements shall be made within the affected dwelling unit. The measurement shall be made at a point at least 4 feet from the wall, ceiling, or floor nearest the alleged offensive noise source and may be made with the windows of the affected unit open.

Sec. 13-285. VARIANCE PROCEDURE

(a) The owner or operator of a noise source which violates any provision of this chapter may file an application with the Development Services Director for a variance from the provisions of this chapter. Variance applications shall be processed according to procedures set forth in CHAPTER III PLANNING APPLICATIONS. The application shall set forth all actions taken to comply with this chapter, the reasons immediate compliance cannot be achieved, a proposed method and time schedule for achieving compliance, and any other information requested by the Director.

(b) An applicant shall remain subject to prosecution under the terms of this chapter until a variance is granted.

(c) All applications shall be evaluated with respect to time for compliance, subject to any conditions deemed reasonable to achieve maximum compliance with this chapter. Each variance granted shall set forth the approved method and time schedule for achieving compliance. Evaluation of the variance request shall include consideration of the magnitude of the noise nuisance; the uses of property affected by the noise; the time factors related to study, design, financing, and construction of remedial work; the economic factors related to age and useful life of equipment; and the general public interest and welfare.

Sec. 13-286. VIOLATIONS

(a) Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding $1,000.00 and/or be imprisoned in the County jail for a period not exceeding 6 months. Each violation may instead be charged as an infraction.

(b) Each time an offensive noise exceeds any one of the standards set forth in this chapter shall constitute a separate offense and be punishable as such.

Sec. 13-287. NUISANCE DECLARED

It is determined that certain noise levels are detrimental to the public health, welfare and safety and contrary to public interest, and therefore the City Council does ordain and declare that the creating or maintaining or causing or allowing to be created or maintained any noise in a manner prohibited by or not in conformity with the terms of this chapter is a public nuisance and shall be punishable as such and may be subject to abatement pursuant to CHAPTER I GENERAL, ARTICLE 4 ENFORCEMENT.

CHAPTER XIV. OIL DRILLING

Sec. 13-288. PURPOSE OF ORDINANCE [CHAPTER]

The purpose of this ordinance [chapter] is to prohibit the drilling on the surface or subsurface of oil and gas wells, the production of oil and gas, and the storing and transportation thereof in the City of Costa Mesa, except as specifically provided for herein.

The City Council hereby declares that it is also the object and purpose of this ordinance [chapter] to establish reasonable and uniform regulations, safeguards and controls for the drilling for and production of oil, gas and other hydrocarbon substances within and under the City of Costa Mesa. Such regulations, safeguards and controls are found to be necessary in order to protect the citizens, their property rights and the general public. Such orderly development is necessary to protect the surface uses and the value and character of residential, commercial and other real property within the City as such uses are set forth in the master plan of the City, and its zoning ordinances and regulations. The City Council recognizes that many of its citizens and property owners have made substantial investments in real property and do not own the mineral rights lying in or under such property, and will not profit directly from oil or gas development. Therefore, in order to protect such citizens and their property rights, to protect the owners of mineral rights and to provide said orderly exploration, development and production of oil and gas, it is necessary to regulate the drilling for and as set forth in this ordinance [chapter].

The City Council hereby finds that the uncontrolled drilling on the surface or subsurface for oil and gas, and the production thereof, in the City of Costa Mesa, would be detrimental to the general welfare of its citizens, and detrimental to the general public peace, health, safety, comfort, convenience and prosperity. The City Council finds and determines that sub-surface area within the City of Costa Mesa may be explored for oil and gas, and if said substances are found, the same may be produced by directional or slant drilling methods from surface locations outside the City of Costa Mesa.

Sec. 13-289. WHERE PERMITTED

No person, firm or corporation shall erect or construct oil drilling derricks or oil drilling equipment within the City of Costa Mesa, or shall drill from the surface or by subterranean drilling for oil, petroleum, tar, gas or other hydrocarbon substances within said City, except that it shall be lawful under the provisions hereof, to drill for oil, petroleum, tar, gas or other hydrocarbon substances by slant drilling or subterranean drilling in and under the area hereinafter described, provided that the drilling sites shall be located outside the City limits of the City, and that such drilling shall be a vertical depth of at least four hundred (400) feet below the ground surface within the area mentioned and hereinafter described.

That the area in the City in which slant drilling or subterranean drilling shall be permitted under the terms hereof, is described as being:

> All that area lying within the zone designated M1 [MG] by the zoning ordinances of the City of Costa Mesa, as said M1 [MG] zone now, or may hereafter, exists.

Sec. 13-290. DRILLING FROM OUTSIDE CITY LIMITS

The City Council finds that drilling and production from surface drilling sites adjacent to, but outside the City of Costa Mesa, may adversely affect the residential and commercial areas and values, and the peace, health, safety, comfort and general welfare of the citizens of the City.

Therefore, the drilling and production of an oil and gas well, subsurface, into real property within the City of Costa Mesa from a drilling site outside the City limits of the City of Costa Mesa is hereby prohibited, and the same shall constitute, and the same is hereby declared to be a public nuisance, except and unless such drilling and production is from controlled drilling sites outside the City, as may be approved by the City Council. In no event shall slant or subterranean drilling into the subsurface area of the City of Costa Mesa be permitted where the drilling site for such well or wells is outside the City of Costa Mesa but within three hundred (300) feet from an exterior boundary of the City of Costa Mesa.

Sec. 13-291. PERMIT REQUIRED FOR MAINTENANCE OF EXISTING WELLS AND PRODUCTION EQUIPMENT

It shall be unlawful and a nuisance hereafter for any persons to maintain and operate any existing oil and gas well and production equipment within the City of Costa Mesa without first having applied for and obtained from the City Council a permit.

Sec. 13-292. PERMIT AND INSPECTION FEES

The first application for a permit to cover drilling operations for a single oil and gas well hole on any drilling site outside the City of Costa Mesa for slant or subterranean drilling within the City of Costa Mesa shall require the payment of a permit fee in the sum of twenty-five hundred dollars ($2500.00). The fee for any second or subsequent such oil and gas well shall be five hundred dollars ($500.00).

The permit fee to cover the maintenance and production of any existing oil and gas well, producing oil and gas at the time this ordinance [chapter] becomes effective [April 29, 1960], shall be fifty dollars ($50.00) annually for any such oil and gas well.

Sec. 13-293. ADOPTION OF STANDARD CONDITIONS

Immediately after the passage of this ordinance [chapter] by vote of the people [April 12, 1960], the City Council shall adopt standard conditions for drilling operations, and said standard conditions shall apply to every permit granted pursuant to this ordinance [chapter].

Sec. 13-294. EXISTING WOODEN DERRICKS

It shall be unlawful and a nuisance for any person who is the owner or is in control or possession, or who has the right to the control, possession or use of any existing wooden oil derrick, to operate, control or maintain or cause to be controlled, operated or maintained at any time after one year from the effective date of this ordinance [chapter] [April 29, 1960], a wooden derrick over or used in connection with an oil and gas well in the City of Costa Mesa.

The City Council finds and determines that existing wooden oil derricks in the City of Costa Mesa were erected many years ago; that because of their age and the effect of the elements upon such derricks, they have become structurally unsound and that such derricks being commonly saturated with oil and gas are fire hazards and should not be permitted in the City of Costa Mesa. All wooden derricks over or used in connection with oil and gas wells shall be removed and all debris therefrom cleaned up and removed from the oil well site one year after the effective date of this ordinance [chapter] [April 29, 1960].

Sec. 13-295. USE OF EARTHEN SUMPS PROHIBITED

It shall be unlawful and a nuisance, after six (6) months from the effective date of this ordinance [chapter] [April 29, 1960], to use any open sump or reservoir within the City of Costa Mesa for the purpose of storing, holding or handling oil or liquid hydrocarbons, rotary mud, drill cuttings and oil field wastes, derived or resulting from or connected with the drilling, production, use, operating or maintenance of any oil and gas well. All of said substances and similar products shall be collected, and stored in steel tanks or other closed receptors as may be required in any City Council permit.

Sec. 13-296. ABANDONMENT OF WELLS

Any well which has not been produced, or has not been used for subsurface injection into the earth of oil, gas, oil field waste, water or liquid substances for a period of one year preceding the effective date of this ordinance [chapter] [April 29, 1960] shall be permanently and finally abandoned in strict compliance with the rules and regulations of the Division of Oil and Gas of the State of California, or any regulatory authority having jurisdiction thereof.

Sec. 13-297. REFINERIES, TANK FARMS AND COMMERCIAL ABSORPTION PLANTS PROHIBITED

No refinery, tank farm or commercial absorption plant shall be permitted or allowed within the City of Costa Mesa.

Sec. 13-298. ENFORCEMENT

Any well drilled or produced and any building or structure erected, operated or maintained, or any use of property contrary to the provisions of this ordinance [chapter], shall be and the same hereby is declared to be unlawful and a public nuisance, and the City Attorney shall, upon order of the City Council, immediately commence action and proceedings for the abatement, removal and enjoinment thereof in the manner provided by law; and shall take such other action, and shall apply to any court having jurisdiction to grant such relief as will restrain and enjoin any person from drilling or producing any such well or from erecting, operating or maintaining such building or structure, or using any property contrary to the provisions of this ordinance [chapter].

Sec. 13-299. PENALTIES

Any person, whether as principal, agent, employee, or otherwise, violating any provision of this ordinance [chapter] shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine or not more than five hundred dollars ($500.00), or by imprisonment for a period of not more than six (6) months in the County jail, or by both such fine and imprisonment. Each day that any violation of this ordinance [chapter] continues shall be considered a new and separate offense.

Sec. 13-300. VALIDITY

If any section, subsection, sentence, clause or phrase of this ordinance [chapter] is held to be invalid for any reason, such invalidity shall not affect the validity of any other provision of this ordinance [chapter]. The City Council of the City of Costa Mesa declares that the provisions of this ordinance [chapter] are separable and that it would have passed this ordinance [chapter] and each and every section, subsection, sentence, clause or phrase, irrespective of the fact that any one or more of the same be declared invalid.

Sec. 13-301. REPEAL OF CONFLICTING ORDINANCE

Ordinance No. 14, entitled "An Ordinance of the City of Costa Mesa Prohibiting Oil Wells and Oil Drilling" is hereby repealed.

Sec. 13-302. CORE HOLES AND TEST HOLES PROHIBITED

The drilling of core holes or test holes within the geographical boundaries of the City shall be prohibited in the same manner as set forth in Section 13-289 relating to the drilling of wells for the production of oil, petroleum, tar, gas or other hydrocarbons. The drilling of core holes from outside the territorial limits of the City shall be prohibited, regulated or allowed on the same basis as the drilling of wells for production as provided for in Section 13-290.

The drilling of core holes or test holes, if allowed or provided for under this chapter shall be regulated in the same manner and by the same rules and regulations as any oil and gas well drilled for production purposes and all of the provisions of this chapter applicable to oil and gas production wells shall be applicable to core holes or test holes.

CHAPTER XV. GROUP HOMES

Sec. 13-310. PURPOSE

This chapter is intended to preserve the residential character of single-family residential neighborhoods and to further the purposes of the FEHA, and FHAA and the Lanterman Act by, among other things: (1) ensuring that group homes are actually entitled to the special accommodation and/or additional accommodation provided under the Costa Mesa Municipal Code and not simply skirting the City's boardinghouse regulations; (2) limiting the secondary impacts of group homes by reducing noise and traffic, preserving safety and providing adequate on-street parking; (3) providing an accommodation for the handicapped that is reasonable and actually bears some resemblance to the opportunities afforded non-handicapped individuals to use and enjoy a dwelling unit in a single-family neighborhood; and (4) to provide comfortable living environments that will enhance the opportunity for the handicapped and for recovering addicts to be successful in their programs.

Sec. 13-311. SPECIAL USE PERMIT REQUIRED

a) A group home that may otherwise be considered an unpermitted use may located in an R1 zone with a special use permit provided:

1. An application for a group home is submitted to the director by the owner/operator of the group home. The application shall provide the following: (1) the name, address, phone number and driver's license number of the owner/operator; (2) the name, address, phone number and driver's license number of the house manager; (3) a copy of the group home rules and regulations; (4) written intake procedures; (5) the relapse policy; (6) an affirmation by the owner/operator that only residents (other than the house manager) who are handicapped as defined by state and federal law shall reside at the group home; (7) blank copies of all forms that all residents and potential residents are required to complete; and (8) a few for the cost of processing of the application as set by Resolution of the City Council. No person shall open a group home or begin employment with a group home until this information has been provided and such persons shall be responsible for updating any of this information to keep it current.

2. The group home has six (6) or fewer occupants, not counting a house manager, but in no event shall have more than seven occupants. If the dwelling unit has a secondary accessory unit, occupants of both units will be combined to determine whether or not the limit of six (6) occupants has been exceeded.

3. The group home shall not be located in an accessory secondary unit unless the primary dwelling unit is used for the same purpose.

4. The group home has a house manager who resides at the group home or any multiple of persons acting as a house manager who are present at the group home on a 24-hour basis and who are responsible for the day-to-day operation of the group home.

5. All garage and driveway spaces associated with the dwelling unit shall, at all times, be available for the parking of vehicles. Residents and the house manager may each only store or park a single vehicle at the dwelling unit or on any street within 500 feet of the dwelling unit. The vehicle must be operable and currently used as a primary form of transportation for a resident of the group home.

6. Occupants must not require and operators must not provide "care and supervision" as those terms are defined by Health and Safety Code Section 1503.5 and Section 80001(c)(3) of Title 22, California Code of Regulations.

7. Integral group home facilities are not permitted. Applicants shall declare, under penalty of perjury, that the group home does not operate as an integral use/facility.

8. If the group home operator is not the property owner, written approval from the property owner to operate a group home at the property.

9. The property must be fully in compliance with all building codes, municipal code and zoning code.

10. In addition to the regulations outlined above, the following shall also apply to sober living homes:

    i. The sober living home is not located within 650 feet, as measured from the closest property lines, of any other sober living home or a state licensed alcoholism or drug abuse recovery or treatment facility.

    ii. All occupants, other than the house manager, must be actively participating in legitimate recovery programs, including, but not limited to, Alcoholics Anonymous or Narcotics Anonymous and the sober living home must maintain current records of meeting attendance. Under the sober living home's rules and regulations, refusal to participate in such a program shall be cause for eviction.

    iii. The sober living home's rules and regulations must prohibit the use of any alcohol or non-prescription drugs at the sober living home or by any recovering addict either on or off site. The sober living home must also have a written policy regarding the possession, use and storage of prescription medications. The facility cannot dispense medications but must make them available to the residents. The possession or use of prescription medications is prohibited except for the person to whom they are prescribed, and in the amounts/dosages prescribed. These rules and regulations shall be posted on site in a common area inside the dwelling unit. Any violation of this rules must be cause for eviction under the sober living home's rules for residency and the violator cannot be re-admitted for at least 90 days. Any second violation of this rule shall result in permanent eviction. Alternatively, the sober living home must have provisions in place to remove the violator from contact with the other residents until the violation is resolved.

    iv. The number of occupants subject to the sec offender registration requirements of Penal Code Section 290 does not exceed the limit set forth in Penal Code Section 3003.5 and does not violate the distance provisions set forth in Penal Code Section 3003.

    v. The sober living home shall have a written visitation policy that shall preclude any visitors who are under the influence of any drug or alcohol.

    vi. The sober living home shall have a good neighbor policy that shall direct occupants to be considerate of neighbors, including refraining from engaging in excessively loud, profane or obnoxious behavior that would unduly interfere with a neighbor's use and enjoyment of their dwelling unit. The good neighbor policy shall establish a written protocol for the house manager/operator to follow when a neighbor complaint is received.

    vii. The sober living home shall not provide any of the following services as they are defined by Section 1501(a)(6) of Title 9, California Code of Regulations: detoxification; educational counseling; individual or group counseling sessions; and treatment or recovery planning.

11. An applicant may seek relief from the strict application of this Section by submitting an application to the director setting forth specific reasons as to why accommodation over and above this section is necessary under state and federal laws, pursuant to Section 13-200.62.

b) The special use permit shall be issued by the director as a ministerial matter if the applicant is in compliance or has agreed to comply with sections (a)(1) through (a)(9) above. The special use permit shall be denied, and if already issued, any transfer shall be denied or revoked, upon hearing by the director under any of the following circumstances:

1. Any owner/operator or staff person has provided materially false or misleading information on the application or omitted any pertinent information;

2. Any owner/operator or staff person has an employment history in which he or she was terminated during the past two years because of physical assault, sexual harassment, embezzlement or theft; falsifying a drug test; and selling or furnishing illegal drugs or alcohol.

3. Any owner/operator or staff person has been convicted of or pleaded *nolo contendere*, within the last seven to ten years, to any of the following offenses:

    i. Any sex offense for which the person is required to register as a sex offender under California Penal Code Section 290 (last 10 years);

    ii. Arson offenses – violations of Penal Code Sections 451-455 (last seven years); or

    iii. Violent felonies, as defined in Penal Code Section 667.5, which involve doing bodily harm to another person (last 10 years).

    iv. The unlawful sale or furnishing of any controlled substances (last seven years).

4. Any owner/operator or staff person is on parole or formal probation supervision on the date of the submittal of the application or at any time thereafter.

5. The owner/operator accepts residents, other than a house manager, who are not handicapped as defined by the FHAA and FEHA.

6. A special use permit for a sober living home shall also be denied, and if already issued, any transfer shall be denied or revoked, upon a hearing by the director under any of the following additional circumstances:

    i. Any owner/operator or staff person of a sober living home is a recovering drug or alcohol abuser and upon the date of the application or employment has had less than one full year of sobriety.

    ii. The owner/operator of a sober living home fails to immediately take measures to remove any resident who uses alcohol or illegally uses prescription or non-prescription drugs, or who is not actively participating in a legitimate recovery program from contact with all other sober residents.

    iii. The sober living home, as measured by the closest property lines, is located within 650 feet of any other sober living home or state licensed alcoholism or drug abuse recovery or treatment facility. If a state licensed alcoholism or drug abuse recover or treatment facility moves within 650 feet of an existing sober living home this shall not cause the revocation of the sober living home's permit or be grounds for denying a transfer of such permit.

7. For any significant and/or repeated violations of this Section and/or any other applicable laws and/or regulations.

8. Revocation shall not apply to any group home, which otherwise would cause it to be in violation of this Ordinance, that has obtained a reasonable accommodation pursuant to Section 13-200.62.

Sec. 13-312. COMPLIANCE

a) Existing group homes must apply for a special use permit within 90 days of the effective date of this ordinance.

b) Group homes that are in existence upon the effective date of this ordinance shall have one (1) year from the effective date of this ordinance to comply with its provisions, provided that any existing group home, which is serving more than six residents, must first comply with the six resident maximum.

c) Existing group homes obligated by a written lease exceeding one year from the effective date of the ordinance, or whose activity involves investment of money in leasehold or improvements such that a longer period is necessary to prevent undue financial hardship, are eligible for up to one additional years grace period pursuant to planning division approval.

Sec. 13-313. SEVERABILITY

Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional. This Ordinance shall be prospective in application from its effective date.

Sec. 13-314 – 13-350. [RESERVED]

CHAPTER XVI. GROUP HOMES

Sec. 13-320. PURPOSE

This chapter is intended to preserve the residential character the City of Costa Mesa's residential neighborhoods and to further the purposes of the FEHA, the FHAA and the Lanterman Act by, among other things: (1) ensuring that group homes are actually entitled to the special accommodation and/or additional accommodation provided under the Costa Mesa Municipal Code and not simply skirting the City's boarding house regulations; (2) limiting the secondary impacts of group homes by reducing noise and traffic, preserving safety and providing adequate off-street parking; (3) providing an accommodation for the handicapped that is reasonable and actually bears some resemblance to the opportunities afforded non-handicapped individuals to use and enjoy a dwelling unit in a residential neighborhood; and (4) to provide comfortable living environments that will enhance the opportunity for the handicapped, including recovering addicts to be successful in their programs.

Sec. 13-321. DEFINITIONS

Property. For purposes of this chapter, property is defined as any single development lot that has been subdivided bearing its own assessor's parcel number or with an approved subdivision map or condominium map.

Sec. 13-322. GROUP HOMES IN THE R2-MD, R2-HD AND R3 RESIDENTIAL ZONES AND THE PDR-LD, PDF-MD, PDR-HD, PDR-NCM, PDC, AND PDI (PLANNED DEVELOPMENT ZONES) ZONES WITH SIX OR FEWER OCCUPANTS

(a) A special use permit shall be required for and may be granted to permit the operation of a group home including a sober living home with six or fewer occupants in the R2-MD, R2-HD and R3 residential zones and the PDR-LD, PDR-MD, PDR-HD, PDR-NCM, PDC, AND PDI (Planned Development Zones) Zones) zones subject to the following conditions:

(1) The application complies with subsections (a)(1), (a)(2) and (a)(4) through (a)(10) of Section 13-311.

(2) The application includes a live scan of the house manager and/or operator of the group home.

(3) The group home or sober living home is at least 650 feet from any other property, as defined in Section 13-321, that contains a group home, sober living home or state licensed drug and alcohol treatment facility, as measured from the property line.

(4) Upon eviction from or involuntary termination of residency in a group home, the operator of the group home shall make available to the occupant transportation to the address listed on the occupant's driver license, state issued identification card, or the permanent address identified in the occupant's application or referral to the group home. The group home operator may not satisfy this obligation by providing remuneration to the occupant for the cost of transportation.

(b) An applicant may seek relief from the strict application of this section by submitting an application to the director setting forth specific reasons as to why accommodation over and above this section is necessary under state and federal laws, pursuant to section 13-200.62.

(c) Notwithstanding any provision of section 13-3119(b) to the contrary, the Development Services Director may revoke or deny a special use permit for a group home subject to this chapter following the director's determination that any of the circumstances set forth in Section 13-311(b)(1) through (b)(5), (b)(6)(ii), (b)(6)(iii) and (b)(7) exist.

13-323. CONDITIONAL USE PERMIT REQUIRED FOR GROUP HOMES, RESIDENTIAL CARE FACILITES AND DRUG AND ALCOHOL TREATMENT FACILITES IN THE R2-MD, R2-HD, AND R3 RESIDENTIAL ZONES AND THE PDR-LD, PDR-MD, PDR-HD, PDR-NCM, PDC, AND PDI (PLANNED DEVELOPMENT ZONES) WITH 7 OR MORE OCCUPANTS

A conditional use permit shall be required for and may be granted to allow the operation of a group home, state licensed residential care facility or state licensed drug and alcohol treatment facility with seven (7) or more occupants in **the R2-MD, R2-HD and R3 residential zones and the PDR-LD, PDR-MD, PDR-HD, PDR-NCM, PDC, AND PDI (Planned Development Zones)** zones subject to the following conditions:

(a) The requirements of Chapter III PLANNING APPLICATIONS have been met.

(b) The group home, residential care facility or state licensed drug and alcohol treatment facility is at least six-hundred fifty feet from any property, as defined in Section 13-321, that contains a group home, sober living home or state licensed drug and alcohol treatment facility, as measured from the property line.

(c) The applicant obtains an operator's permit as required by Article 23, Chapter 2 of Title 9 except that this requirement shall not apply to any state licensed residential care facility or state licensed drug and alcohol treatment facility.

(d) The findings for granting a conditional use permit in accordance with Section 13-29(g) are met.

13-324. COMPLIANCE

(a) Group homes in the in the R2-MD, R2-HD and R3 residential zones and the PDR-LD, PDR-MD, PDR-HD, PDR-NCM, PDC, AND PDI (Planned Development Zones) Zones with six (6) or fewer occupants that are in existence upon the effective date of this ordinance may continue to operate subject to the following:

(1) A complete application for a special use permit is filed within 90 days of the effective date of this ordinance; and

(2) The group home is in full compliance with all of the conditions of this ordinance within one (1) year of its effective date. Notwithstanding the foregoing, existing group homes obligated by a written lease exceeding one (1) year from the effective date of the ordinance, or whose activity involves investment of money in leasehold or improvements such that a longer period is necessary to prevent undue financial hardship, are eligible for up to one (1) additional years grace period pursuant to planning division approval.

(b) Group homes, state licensed residential care facilities and state licensed drug and alcohol treatment facilities in the R2-MD, R2-HD and R3 residential zones and the PDR-LD, PDR-MD, PDR-HD, PDR-NCM, PDC, AND PDI (Planned Development Zones) with seven (7) or more occupants that are in existence upon the effective date of this ordinance may continue to operate subject to the following:

(1) The operator of a group home obtains an operator's permit pursuant to section 9-372 et seq. within 120 days from the effective date of this ordinance; and

(2) The group home, state licensed residential care facility and/or state licensed drug and alcohol treatment facility is in full compliance with all conditions of this ordinance, including obtaining a conditional use permit, within one (1) year from the effective date of this ordinance. Notwithstanding the foregoing, an existing group home, state licensed residential care facility and/or state licensed drug and alcohol treatment facility obligated by a written lease exceeding one (1) year from the effective date of the ordinance, or whose activity involves investment of money in leasehold or improvements such that a longer

period is necessary to prevent undue financial hardship, are eligible for up to one (1) additional years grace period pursuant to planning division approval.

13-325. SEVERABILITY

Should any section, subsection, clause, or provision of this chapter for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional. This Ordinance shall be prospective in application from its effective date.