



PLANNING COMMISSION

AGENDA REPORT

VII. 2

MEETING DATE: OCTOBER 27, 2008

SUBJECT: URBAN PLAN AMENDMENT NO. 1 TO AMEND THE SOBECA AND WESTSIDE URBAN PLANS RELATED TO MIXED-USE, LIVE/WORK, AND RESIDENTIAL DEVELOPMENT STANDARDS

DATE: OCTOBER 27, 2008

**FOR FURTHER INFORMATION CONTACT: CLAIRE L. FLYNN, AICP, PRINCIPAL PLANNER
(714) 754-5278**

DESCRIPTION

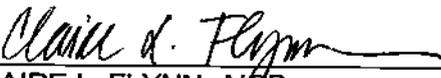
The **proposed project** is a City-initiated Urban Plan Amendment (**Amendment No. 1**) to amend development regulations and to provide additional clarification/discussion related to mixed-use, live/work, and residential development in the mixed-use overlay zone, for the following urban plans:

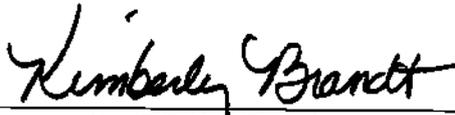
1. **SP-05-06 SoBECA Urban Plan:** This Urban Plan establishes provisions for mixed-use development, including live/work development, in the 39-acre SoBECA plan area.
2. **SP-05-07 19 West Urban Plan:** This Urban Plan allows horizontal and vertical mixed-use development in the 103-acre 19 West Urban Plan area.
3. **SP-05-08 Mesa West Bluffs Urban Plan:** This Urban Plan allows live/work or residential development pursuant in the 277-acre Mesa West Bluffs Urban Plan area.
4. **SP-05-09 Mesa West Residential Ownership Urban Plan:** This Urban Plan specifies residential development standards/incentives or a density bonus in the 238-acre plan area.

RECOMMENDATION

Recommend Council approval of the proposed urban plan amendments by adoption of the attached resolutions:

- (1) Adopt Urban Plan Amendment No. 1 to SP-05-06 SoBECA Urban Plan.
- (2) Adopt Urban Plan Amendment No. 1 to SP-05-07 19 West Urban Plan.
- (3) Adopt Urban Plan Amendment No. 1 to SP-05-08 Mesa West Bluffs Urban Plan.
- (4) Adopt Urban Plan Amendment No. 1 to SP-05-09 Mesa West Residential Ownership Urban Plan.


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BACKGROUND

SoBECA and Westside Urban Plans

Adopted in April 2006, the SoBECA and Westside Urban Plans (*available for download at <http://www.ci.costa-mesa.ca.us/departments/plangweb.htm>*) serve as “regulating plans” which establish provisions for mixed-use development and residential development in the mixed-use overlay district.

These regulating plans define the unique characteristics of the mixed-use overlay zone, including a matrix of permitted, conditionally permitted, and prohibited uses and development standards. The provisions of the urban plans are only activated by Planning Commission adoption of a site-specific Master Plan.

Following is a brief description of the each Urban Plan:

- ***SP-05-06 SoBECA Urban Plan:*** The 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).
- ***SP-05-07 19 West Urban Plan:*** The 19 West Urban Plan area 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. The mixed-use overlay zone allows horizontal and vertical mixed-use development pursuant to an approved site-specific Master Plan. Live/work development may also be approved, but the Mesa West Bluffs Urban Plan development standards related to live/work development must be applied.
- ***SP-05-08 Mesa West Urban Plan:*** The 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. Light Industrial General Plan land use designations comprise the plan area. The mixed-use overlay zone allows live/work or residential development pursuant to an approved site-specific Master Plan.
- ***SP-05-09 Mesa West Residential Ownership Urban Plan:*** This overlay plan area 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.

ANALYSIS

Purpose of Amendment No. 1 to the Urban Plans

The Urban Plans have been in place for two and a half years. During this time, the City processed 19 urban plan screening requests. The purpose of the Urban Plan amendments is to accomplish the following:

- Serve as an “urban plan clean-up” to address and clarify issues identified by staff and applicants during the screening process.
- Correct inconsistencies among the plan documents.
- Make timely revisions to the documents at a time when urban plan development activity has slowed. (Last screening request was received August 2007).
- Provide additional guidance to applicants regarding the differences between live/work development and residential/lifestyle loft development.

Recommended Changes to Urban Plans

The Urban Plans will continue to establish a framework for major private market reinvestment and improvements in the plan areas. Because deviations may still be considered/allowed in the urban plans, none of the proposed changes would materially affect any of the urban plan projects that have been approved to date.

Summary Table of Text Amendments

Staff proposes these amendments to the Urban Plans based on our experienced gained from working with applicants on various master plan submittals and urban plan screening requests. Staff believes these text amendments will correct any inconsistencies, and most importantly, address/clarify issues raised by applicants regarding the development regulations.

The following table briefly summarizes the overall amendments to the urban plans.

Table A – Overall Summary of Proposed Amendments

Proposed Text Amendment	SoBECA	19 West	Mesa West Bluffs	Residential Ownership
<i>*Is this change proposed in the Urban Plan?</i>				
1. Minor modifications to existing requirements:				
• Remove Urban Plan Screening requirement.	yes	yes	yes	yes
• Modify illustrative exhibit of live/work development.	■	■	yes	■
2. Clarifications of existing provisions:				
• Clarify that minimum one-acre lot size requirement applies to Westside Urban Plan projects.	■	yes	yes	■
• Clarify that roof gardens shall not be considered a building story.	yes	yes	yes	yes
• Clarify that a common lot is required for condominium development.	yes	yes	yes	yes
• Clarify that other mixed-use development standards from different urban plans may apply to a project.	yes	yes	yes	■
• Clarify that deviations from development standards may be justified by on-site and off-site improvements.	yes	yes	yes	yes
• Clarify that density/intensity of proposed development is dependent on many different factors (i.e. FAR, General Plan circulation system capacity, project design, parking, etc.) and not a single factor.	yes	yes	yes	■
3. New discussion and development standards:				
• Make important distinctions between live/work units and lifestyle loft development.	yes	yes	yes	■
• Establish minimum size of work spaces in live/work development.	yes	yes	yes	■
• Establish minimum common open space lot in live/work development.	yes	yes	yes	■
• Specify minimum interior dimensions of 10-foot wide by 38-foot long for two-car tandem garages.	yes	yes	yes	yes

Notes: "Yes" indicates that the change is proposed in the Urban Plan.
 "■" indicates no change proposed or not applicable.

Additional Discussion of Proposed Changes

Some of the suggested amendments to the Urban Plans are relatively minor and primarily serve as clarifications. Given that development activity in the urban plan areas has quieted in the past year, staff believes this is a timely opportunity to "clean-up" the Urban Plan documents.

Specifically, the proposed urban plan amendments address questions raised by applicants during the entitlement process and further refine the plan documents to serve as a better resource to developers in the design of quality projects.

Discussion of some of the more important changes is provided below:

- Removal of Urban Plan screening requirement will streamline the application process. Development proposals were required to be “pre-screened” by City Council to ensure that urban plan projects were consistent with Council’s vision for the mixed-use overlay zone. There is no cost to the applicant for the screening. Given that the Urban Plans pioneered new urban housing concepts in Costa Mesa, the screening requirement provided an opportunity for Council feedback early in the process. Given that 19 screening requests have been processed to date, the plan vision based on Council comments is clear. Therefore, this step could be eliminated to streamline the application process.
- Better explanation of deviations (and justifications for deviations) will better guide developers to design quality projects. Three master plans have been approved to date in the mixed-use overlay zone. All of these master plans requested deviations from development standards. Staff has found that applicants struggle with justifying the approval of deviations. Additional discussion is provided in the urban plans which better describe specific on-site and off-site improvements that could be incorporated into the project design to justify deviations.
- Important distinctions are made between “live/work lofts” and “lifestyle lofts.” There are many different forms of live/work development. 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 hair salon are all examples of live/work units.

New discussion is added to address a fundamental challenge of creating viable live/work development which does not become a purely residential use, lacking adequate common and open space amenities. In other words, the plan stresses that there must be a reasonable expectation that business activities could occur within the work space, and therefore, the unit would not be exclusively used as a residence. The amended text describes “lifestyle lofts” as incidentally providing a small work space (200-250 square feet), but their primary purpose is to serve as living quarters and not for commerce.

- Minimum size of work space in live/work lofts is established to discourage reversion to high-density residential development. To encourage functional live/work environments and discourage residential reversion to high-density apartment living, the Urban Plan establishes a minimum size for the work space. Some Cities require a minimum 30% to 50% work space size in relation to the unit size. Staff believes the proposed 25% minimum work space size requirement is considered conservative. As with any other development standard, applicants could request a deviation from this requirement.

ENVIRONMENTAL DETERMINATION

The project has 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 (9b) (30 (general rule)) of the CEQA Guidelines.

LEGAL REVIEW

The City Attorney’s office has approved the attached resolutions as to form.

GENERAL PLAN CONSISTENCY

The proposed amendments do not require any changes to the 2000 General Plan nor the Zoning Code. If approved, the amended Urban Plans will continue to be in conformance with these documents.

ALTERNATIVES

The Planning Commission may consider the following recommendations to City Council:

1. Recommend City Council approval of Amendment No. 1 to the SoBECA and Westside Urban Plans, with any modifications. Planning Commission may adopt the attached resolutions recommending City Council approval of the proposed amendments. Planning Commission may also include any modifications to the amended pages (Attachments 1-4).
2. Recommend City Council denial of the proposed Urban Plan Amendments by separate motions. Planning Commission may choose to make no textual changes to the Urban Plans at this time. Denial resolutions are also included in this report (Attachments 5-8).

CONCLUSION

The Urban Plans have been in place for two and a half years since their adoption in April 2006. The City has processed 19 urban plan screening requests, and Planning Commission approved 3 development projects in the mixed-use overlay zone.

Given that development activity in the urban plan areas has quieted, staff believes this is a timely opportunity to “clean-up” the Urban plan documents. Specifically, the proposed urban plan amendments address questions raised by applicants during the entitlement process, clarify any apparent inconsistencies or confusion regarding the development regulations, and further refine the plan documents to serve as a better resource to developers in the design of quality projects. Staff recommends approval of the proposed amendments.

Attachments:

APPROVAL RESOLUTIONS

1. PC resolution for SoBECA Urban Plan Amendment
2. PC resolution for 19 West Urban Plan Amendment
3. PC resolution for Mesa West Bluffs Urban Plan Amendment
4. PC resolution for Residential Ownership Urban Plan Amendment

DENIAL RESOLUTIONS

1. PC resolution for SoBECA Urban Plan Amendment
2. PC resolution for 19 West Urban Plan Amendment
3. PC resolution for Mesa West Bluffs Urban Plan Amendment
4. PC resolution for Residential Ownership Urban Plan Amendment

Distribution:

Deputy City Mgr./Dev. Svs. Director
Deputy City Attorney
Transportation Services Manager
Staff (4)
File (2)

RESOLUTION NO. PC-08-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING COUNCIL APPROVAL OF AMENDMENT NO. 1 TO THE SOBEGA URBAN PLAN SP-05-06 RELATED TO ADDITIONAL MIXED-USE AND LIVE/WORK DEVELOPMENT PROVISIONS.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Amendment No. 1 to the SoBECA Urban Plan SP-05-06 includes textual amendments to the plan document to include additional discussion and mixed-use/live/work development standards;

WHEREAS, City Council adopted the SoBECA Urban Plan 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, the SoBECA Urban Plan establishes mixed-use development provisions for the mixed-use overlay district bounded by Baker Street (north), SR-73 Freeway (west), and Bristol Street (east);

WHEREAS, a public hearing was held on October 27, 2008 by the Planning Commission with all persons having been given the opportunity to be heard both for and against the proposed amendment;

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the proposed project was found to be exempt from CEQA;

WHEREAS, the Planning Commission deems it to be in the best interest of the City that said Amendment No. 1 to the SoBECA Urban Plan be adopted;

BE IT RESOLVED that the Planning Commission **HEREBY RECOMMENDS COUNCIL APPROVAL** of Amendment No. 1 to the SoBECA Urban Plan as set forth in Exhibit "A."

PASSED AND ADOPTED this 27TH day of October 2008.

DONN HALL, CHAIR
COSTA MESA PLANNING COMMISSION

EXHIBIT "A"

AMENDED PAGES OF SOBECA URBAN PLAN

SOBECA URBAN PLAN

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-85 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.

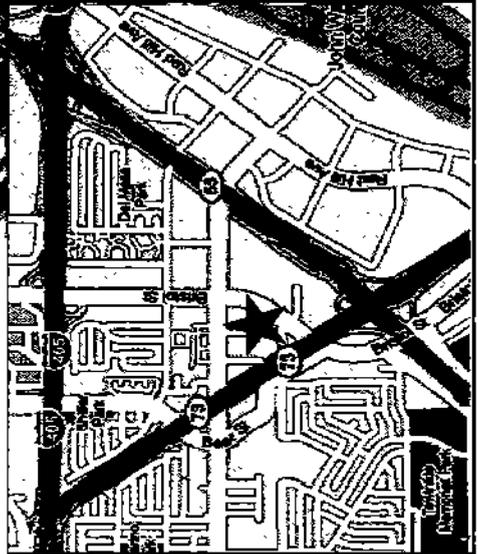
- *Develop a full array of land use types and structures, including reuse of existing structures, to create an active city life and enhance business vitality.*

- *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.*
- *Encourage quality live/work development which promote business activity through adequately-sized work spaces and amenity areas and which are distinct from residential lofts/life-style lofts in design and function.*

Figure 2: Aerial Photograph of SoBECA Urban Plan area.



Figure 1: Vicinity map of SoBECA Urban Plan area.



PLANNING PROCESS

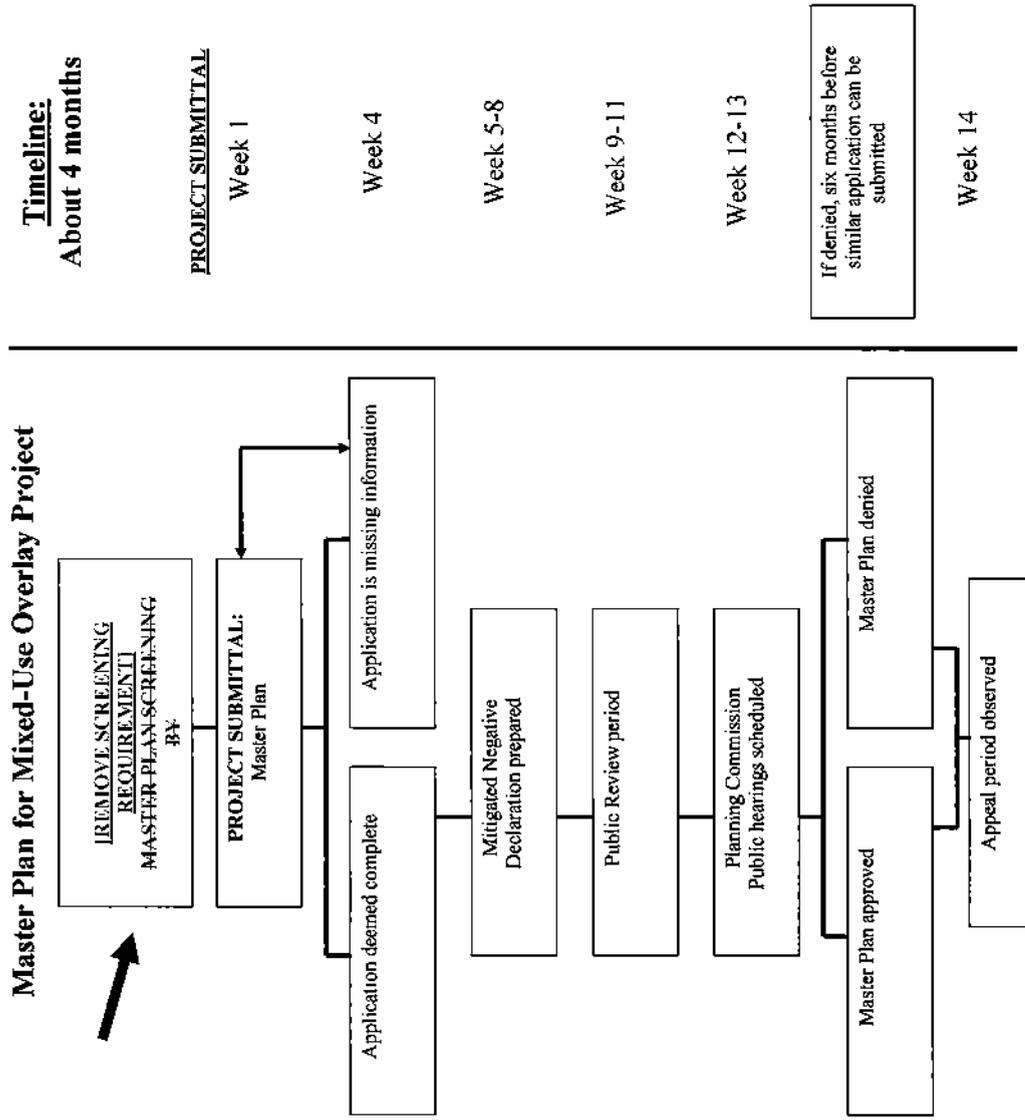
It is the express intent of the SoBECA Urban Plan to allow existing industrial and commercial businesses to continue to operate and expand consistent with existing General Plan and zoning requirements. Opportunities for mixed-use development (including live/work development) in the SoBECA Urban Plan 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 districts' 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.

Residential Loft/Lifestyle 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 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.]

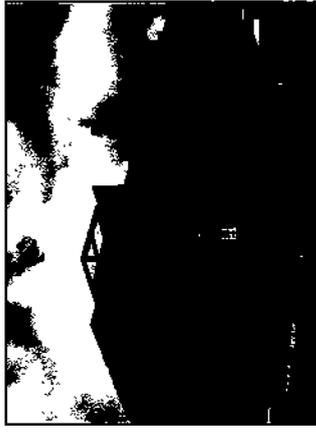


Figure 12: Photos of mixed-use development projects in other Orange County cities.

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LIVE/WORK DEVELOPMENT

Live/work development features a building type that provides both employment and housing. 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 development. 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 hair 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 development. To promote this new type of urban housing, live/work development 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 development 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 realistic expectation that business activities could occur within the work space, and therefore, the unit would not be exclusively used as a residence.

To encourage functional live/work environments and discourage residential reversion to high-density apartment living, the Urban Plan

establishes a minimum size for the work space. The work space must be a minimum 20 percent of the total square footage of the live/work unit in order to be considered a live/work unit.

Live/work units appeal to small business owners, provided that the work space could adequately serve their business activities and potential customer patronage. If the "work" portion is only incidental or accessory to the "live" portion, the structure may be considered a residential unit. If proposed projects do not meet minimum standards for work space size and/or lack critical design features for a viable live/work development, these projects may be more appropriately considered residential lofts and therefore subject to residential development standards.

RESIDENTIAL LOFT OR LIFESTYLE LOFT DEVELOPMENT

There is a place for "lifestyle lofts" or "residential lofts" in the Mesa West Urban Plan areas. These developments are limited to 13 du/acre.

Lifestyle lofts may incidentally provide a small work space area (200-250 square feet) for home occupation-type businesses, but the primary purpose is to serve as living quarters and not for commerce.

Therefore, in contrast to a live/work unit, these residential developments 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. While live/work units will provide some form of common amenity areas, these areas are typically larger in scale in a residential development.

In summary, a residential loft or lifestyle loft development will appeal to a traditional homebuyer without a small business. On the other hand, the "live" portion is clearly accessory to the "work" portion in a live/work development.

IMPORTANT DISTINCTIONS

Live/Work Developments may involve high-density development:

- High-density residential development (greater than 13 du/acre) in the Mesa West Urban Plan area is expressly prohibited.
- 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 high densities of 15-20 units per acre.

Live/Work Developments lack the same level of common recreational amenities and open space, as required in residential development.

- Residential development at 13 du/acre must include a minimum 200 square-foot open space area for each unit.
- Live/work development is 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.

Important Note:

Developers are encouraged to design quality projects that could realistically function, and thereby promote live/work development. A well-designed live/work development offers a realistic possibility that the live/work unit would appeal to small business owners, versus a traditional or first-time home buyer.

In the urban plan area, residential reversion of live/work development to high-density residential uses is expressly discouraged. Developers should consider and integrate the following elements into a live/work development:

- WORK SPACE VIABILITY: Does the project include an adequately sized work space, representing at least 25% of the overall square footage of the live/work unit?
- 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?
- DEED RESTRICTION: Can certain restrictions promoting the "live" portion as accessory to the "work portion" ensure the functionality of the live/work 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 SOBECA Urban Plan, unless otherwise noted (Table A, 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.

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 additional amenities such as those suggested below:

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.

Turf areas of sufficient size to create useable recreation areas.

Community garden areas.

Masonry planters, potted flowers and shrubs on decks and balcony flower boxes.

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.

Provision of landscaping that consists primarily of California native species.

CC&Rs that require garages to be used for vehicle storage only.

Awnings, especially along the front elevations for color and product definition, and a better facade.

Stamped concrete or decorative paving at entrances and driveway intersections.

Meandering rather than straight sidewalks.

Upgraded windows and exterior doors for noise reduction and energy conservation.

Onsite trash enclosures for projects of 4 units or less.

Concrete slab adjacent to trash enclosure, or contract for roll-off trash service so that the trash truck does not come on site.

Orientation of units away from the street toward interior courtyards.

Adequate lighting for security (beyond parking and driveway lighting required by code).

Gates and intercom system for security.

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.

**TABLE A - SoBECA URBAN PLAN
MIXED-USE 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.
<u>Common Lot Required</u>	<u>Minimum one lot</u> All projects shall be designed with a minimum of one lot to be held in common ownership and maintained by an association. This lot shall be used for common driveways, parking areas, and at least 10 feet of street setback landscaped areas.
<p>Maximum Floor Area Ratio for mixed-use development project (including residential uses)</p> <ul style="list-style-type: none"> • Commercial Base Zoning District • Industrial Base Zoning District <p>Minimum Floor Area Ratio for nonresidential component of development</p> <ul style="list-style-type: none"> • Commercial Base Zoning District • Industrial Base Zoning District 	<p>1.0 FAR*</p> <p>1.0 FAR*</p> <p>*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.</p> <p>0.15 FAR</p> <p>0.175 FAR</p>
<p>Overall Maximum Building Height for Mixed-Use Project</p> <ul style="list-style-type: none"> • Max. Building Height for Nonresidential Component: • Max. Building Height for Residential Component: 	<p>Maximum 4 stories/ 60 feet (Roof gardens/terraces in mixed-use development projects shall not be considered a story.)</p> <p>Maximum 2 stories/ 40 feet</p> <p>Maximum 4 stories/60 feet (Roof gardens/terraces shall not be considered a story. 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.)</p>
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	Maximum 90%

**TABLE A - SoBECA URBAN PLAN
MIXED-USE DEVELOPMENT STANDARDS**

<p>Minimum Open Space</p> <p>Development Lot:</p> <p>Residential Open Space:</p>	<p><u>Minimum 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.) and does not include areas above grade such as upperfloor balconies, patios, and roof decks).</u></p> <p><u>Minimum 200 sq. ft. per dwelling unit of residential component</u></p> <p><u>(This requirement does not apply to live/work units)</u></p> <p>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.</p>
<p><u>Common Open Space of Development Lot</u></p>	<p><u>Minimum 2,000 sq. ft. lot to serve as common outdoor amenity lot for recreational purposes. This amenity lot does not include vehicle parking/circulation areas or street landscaped setback areas.</u></p>

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.

<p>Front Build-to-Line</p> <ul style="list-style-type: none"> • Abutting public street 	<p>20 feet along Bristol Street</p> <p>10 feet along Baker Street, Century Place, Randolph Avenue, Saint Clair Street</p>
<p>Side</p> <ul style="list-style-type: none"> • Abutting a public street • Abutting residential zone • All other side property lines 	<p>20 feet along Bristol Street</p> <p>10 feet along Baker Street, Century Place, Randolph Avenue, Saint Clair Street</p> <p>20 feet</p> <p>0 feet</p>
<p>Rear</p> <ul style="list-style-type: none"> • Abutting a public street • Abutting residential zone • All other rear property lines 	<p>20 feet for Bristol Street</p> <p>10 feet along Baker Street, Century, Randolph, Saint Clair Street</p> <p>20 feet</p> <p>0 feet</p>
<p>Distance between main buildings</p>	<p>Minimum 10 foot distance between main buildings on the same site.</p>
<p>Distance between accessory structures.</p>	<p>Minimum 6 foot distance between accessory structures and main buildings.</p>

**TABLE A - SoBECA URBAN PLAN
MIXED-USE 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 Component
 Live/Work Component Units

(Note: Parking requirements for live/work units reflect those units which represent the nonresidential component of a mixed-use development.
If a 100% live/work development is proposed (i.e. no separate ground floor retail areas or residential areas), refer to the Mesa West Bluffs Urban Plan for related development standards and parking requirements.)

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.

**TABLE A - SoBECA URBAN PLAN
MIXED-USE DEVELOPMENT STANDARDS**

Residential Noise Levels	<p>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.</p> <p>2. Noise study required with project application to document onsite noise levels from surrounding land uses.</p>
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.
<u>Size of Work Space in Live/Work Unit</u>	<p>Minimum 25% of overall unit size.</p> <p>(Example: 1,800 sq. ft. live/work unit should have minimum 450 sq. ft. work space. Work space excludes bathroom, kitchen, balcony/mezzanines, and/or hallways.)</p>
<u>Other Mixed-Use Development</u>	<p>The SoBECA Urban Plan emphasizes horizontal and vertical mixed-use development (i.e. groundfloor retail and upperfloor residential units). Live/work units may also be integrated as a component of the mixed-use development. However, if a purely live/work development is proposed, refer to the Mesa West Bluffs Urban Plan for associated live/work development standards and parking requirements.</p>
<u>DEVIATIONS</u>	
	<p><u>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.</u></p>

RESOLUTION NO. PC-08-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING COUNCIL APPROVAL OF AMENDMENT NO. 1 FOR THE 19 WEST URBAN PLAN SP-05-07 RELATED TO ADDITIONAL MIXED-USE AND LIVE/WORK DEVELOPMENT PROVISIONS.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Amendment No. 1 to the 19 West Urban Plan SP-05-07 includes textual amendments to the plan document to include additional discussion and mixed-use/live/work development standards;

WHEREAS, City Council adopted the 19 West Urban Plan 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, the Urban Plan establishes mixed-use development provisions for the mixed-use overlay district generally located within an approximately 103-acre area bound by 19th Street/Victoria Street (north), Superior Boulevard (east), and City's limits (west/south);

WHEREAS, a public hearing was held on October 27, 2008 by the Planning Commission with all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, and the proposed project was found to be exempt from CEQA;

WHEREAS, the Planning Commission deems it to be in the best interest of the City that said Amendment No. 1 to the 19 West Urban Plan be adopted;

BE IT RESOLVED that the Planning Commission **HEREBY RECOMMENDS COUNCIL APPROVAL** of Amendment No. 1 to the 19 West Urban Plan as set forth in Exhibit "A."

PASSED AND ADOPTED this 27TH day of October 2008.

DONN HALL, CHAIR
COSTA MESA PLANNING COMMISSION

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Kimberly Brandt, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on October 27, 2008, by the following votes:

- AYES: COMMISSIONERS
- NOES: COMMISSIONERS
- ABSENT: COMMISSIONERS
- ABSTAIN: COMMISSIONERS

KIMBERLY BRANDT
Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

AMENDED PAGES OF 19 WEST URBAN PLAN

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.*



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

- *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.*
- *Encourage quality live/work development which promote business activity through adequately-sized work spaces and amenity areas and which are distinct from residential lofts/life-style lofts in design and function.*



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

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

Master Plan for Mixed-Use Overlay Project

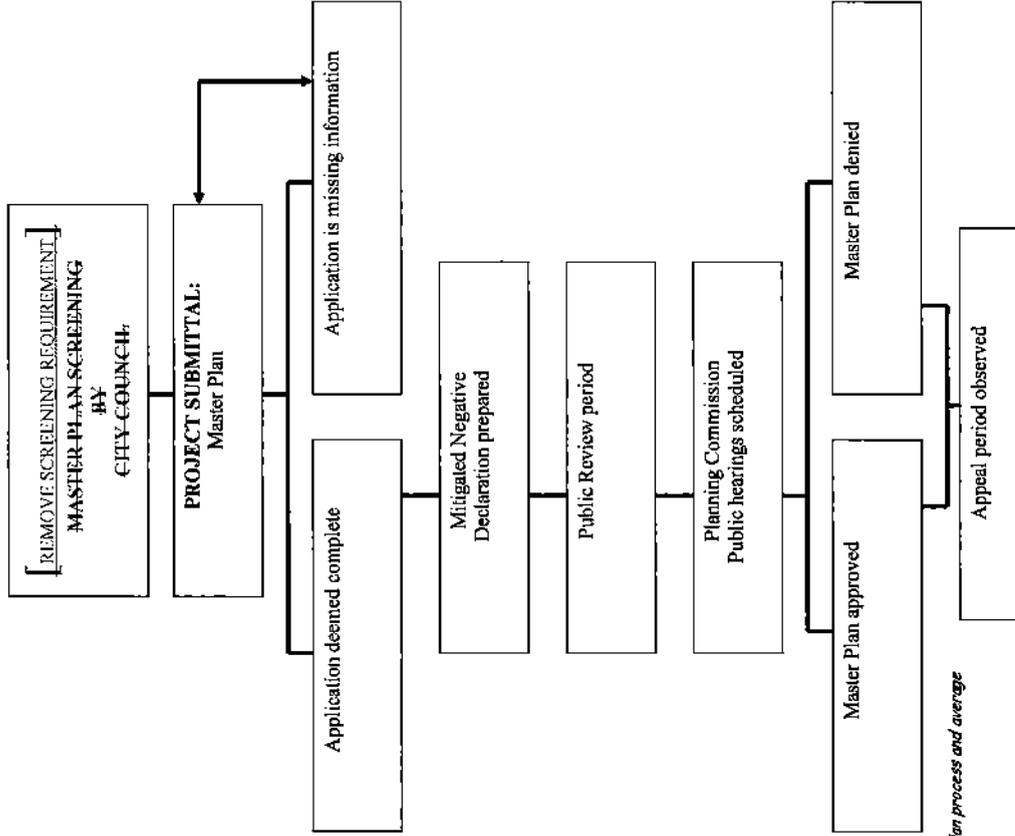


Figure 10: Flowchart of master plan process and average processing time.

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

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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/Lifestyle 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. [Refer to additional distinctions between live/work units and residential lofts on following page.]

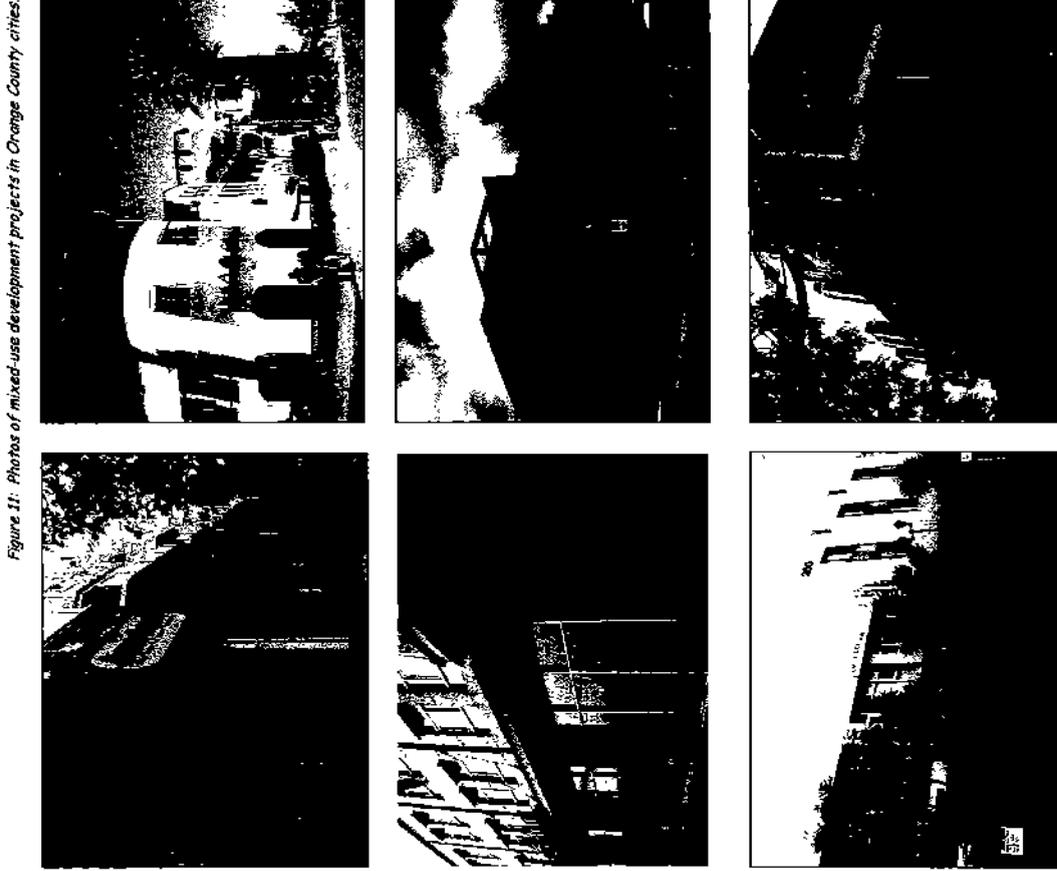


Figure 11: Photos of mixed-use development projects in Orange County cities.

LIVE/WORK DEVELOPMENT

Live/work development features a building type that provides both employment and housing. 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 development. 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 hair 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 development. To promote this new type of urban housing, live/work development 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 development 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 realistic expectation that business activities could occur within the work space, and therefore, the unit would not be exclusively used as a residence.

To encourage functional live/work environments and discourage residential reversion to high-density apartment living, the Urban Plan establishes a minimum size for the work space.

The work space must be a minimum 25 percent of the total square footage of the live/work unit in order to be considered a live/work unit.

Live/work units appeal to small business owners, provided that the work space could adequately serve their business activities and potential customer patronage. If the "work" portion is only incidental or accessory to the "live" portion, the structure may be considered a residential unit. If proposed projects do not meet minimum standards for work space size and/or lack critical design features for a viable live/work development, these projects may be more appropriately considered residential lofts and therefore subject to residential development standards.

RESIDENTIAL LOFT OR LIFESTYLE LOFT DEVELOPMENT

There is a place for "lifestyle lofts" or "residential lofts" in the Mesa West Urban Plan areas. These developments are limited to 13 du/acre.

Lifestyle lofts may incidentally provide a small work space area (200-250 square feet) for home occupation-type businesses, but the primary purpose is to serve as living quarters and not for commerce.

Therefore, in contrast to a live/work unit, these residential developments 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. While live/work units will provide some form of common amenity areas, these areas are typically larger in scale in a residential development.

In summary, a residential loft or lifestyle loft development will appeal to a traditional

homebuyer without a small business. On the other hand, the "live" portion is clearly accessory to the "work" portion in a live/work development.

IMPORTANT DISTINCTIONS

Live/Work Developments may involve high-density development:

- High-density residential development (greater than 13 du/acre) in the Mesa West Urban Plan area is expressly prohibited.
- 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 high densities of 15-20 units per acre.

Live/Work Developments lack the same level of common recreational amenities and open space as required in residential development.

- Residential development at 13 du/acre must include a minimum 200 square-foot open space area for each unit.
- Live/work development is 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.

Important Note:

Developers are encouraged to design quality projects that could realistically function, and thereby promote, live/work development. A well-designed live/work development offers a realistic possibility that the live/work unit would appeal to small business owners versus a traditional or first-time home buyer.

In the urban plan area, residential reversion of live/work development to high-density residential uses is expressly discouraged. Developers should consider and integrate the following elements into a live/work development:

- **WORK SPACE VIABILITY:** Does the project include an adequately sized work space, representing at least 25% of the overall square footage of the live/work unit?
- **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?
- **DEED RESTRICTION:** Can certain restrictions promoting the "live" portion as accessory to the "work portion" ensure the functionality of the live/work unit?

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).

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 13-63.52(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.

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 additional amenities such as those suggested below:

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. Turf areas of sufficient size to create useable recreation areas.

- i. Community garden areas.

- j. Masonry planters, potted flowers and shrubs on decks and balcony flower boxes.

- k. 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.

- l. Provision of landscaping that consists primarily of California native species.

- m. CC&Gs that require garages to be used for vehicle storage only.

- n. Awnings, especially along the front elevations for color and product definition, and a better facade.

- o. Stamped concrete or decorative paving at entrances and driveway intersections.

- p. Meandering rather than straight sidewalks.

- q. Upgraded windows and exterior doors for noise reduction and energy conservation.

- r. Onsite trash enclosures for projects of 4 units or less.

- s. Concrete slab adjacent to trash enclosure, or contract for roll-off trash service so that the trash truck does not come on site.

- t. Orientation of units away from the street toward interior courtyards.

- u. Adequate lighting for security (beyond parking and driveway lighting required by code).

- v. Gates and intercom system for security.

- w. 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, light standards with cohesive design theme.

- d. Monument signage for community identity.

- e. Landscaped medians and landscaped planters in public right-of-way.

- f. Repair/replacement of sidewalks in immediate vicinity of project area.

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

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	Maximum 90%
<p>Minimum Open Space</p> <p>Development Lot:</p> <p>____ Residential Open Space:</p>	<p>Minimum 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.) and does not include areas above grade such as upper floor balconies, patios, and roof decks.)</p> <p>Minimum 200 sq.ft. per dwelling unit of residential component (This requirement does not apply to live/work units)</p> <p>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.</p>

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.

<p>Front Build-To-Line</p> <ul style="list-style-type: none"> • Abutting public street 	Build-To-Line of 10 feet along all public streets
<p>Side Setback</p> <ul style="list-style-type: none"> • Interior • Abutting a public street • Abutting a publicly-dedicated alley • Abutting residential zone 	<p>0 feet</p> <p>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</p> <p>5 feet</p> <p>20 feet</p>

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

<p>Rear Setback</p> <ul style="list-style-type: none"> • Abutting a public street • Abutting residential zone • All other rear property lines 	<p>10 feet along all public streets</p> <p>20 feet</p> <p>0 feet</p>
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.
<p>PARKING</p> <p>(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.</p> <p>(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.</p> <p>(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.</p>	
<p>Nonresidential Component</p> <p style="padding-left: 40px;">Commercial or Industrial Uses</p>	<p>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.</p>

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

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	<p>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.</p> <p>2. Noise study required with project application to document onsite noise levels from surrounding land uses.</p>
Onsite Private Recreational Facilities	Provision of onsite private recreational facilities that are designed for the anticipated demographic profile of the mixed-use 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 but not limited to, operational characteristics such as hours of operation, delivery schedules, outdoor activities, noise, and odor generation.
Other Mixed-Use Development	The 19 West Urban Plan emphasizes horizontal and vertical mixed-use development (i.e. groundfloor retail and upperfloor residential units). If a predominately live/work development is proposed, refer to the Mesa West Bluffs Urban Plan for related live/work development standards. If a live/work development is proposed as a component of a greater mixed-use development, refer to the SoBECA Urban Plan for related 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.

RESOLUTION NO. PC-08-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING COUNCIL APPROVAL OF AMENDMENT NO. 1 TO THE MESA WEST BLUFFS URBAN PLAN SP-05-08 RELATED TO ADDITIONAL MIXED-USE, LIVE/WORK, AND RESIDENTIAL DEVELOPMENT PROVISIONS.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Amendment No. 1 to the Mesa West Bluffs Urban Plan SP-05-08 includes textual amendments to the plan document to include additional discussion and mixed-use/live/work development standards;

WHEREAS, City Council adopted the Mesa West Bluffs Urban Plan 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, the Mesa West Bluffs Urban Plan establishes mixed-use development provisions for a mixed-use overlay district generally located within an approximately 277-acre area bound by Victoria Street (north), Superior Avenue (east), and City limits (south and west);

WHEREAS, a public hearing was held on October 27, 2008 by the Planning Commission all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, and the proposed project was found to be exempt from CEQA;

WHEREAS, the Planning Commission deems it to be in the best interest of the City that said Amendment No. 1 to the Mesa West Bluffs Urban Plan be adopted;

BE IT RESOLVED that the Planning Commission **HEREBY RECOMMENDS COUNCIL APPROVAL** of Amendment No. 1 to the Mesa West Urban Plan as set forth in Exhibit "A."

PASSED AND ADOPTED this 27TH day of October 2008.

**DONN HALL, CHAIR
COSTA MESA PLANNING COMMISSION**

EXHIBIT "A"

AMENDED PAGES OF MESA WEST BLUFFS URBAN PLAN

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 adequately-sized work spaces and amenity areas and which are distinct from residential lofts/life-style lofts in design and function.*

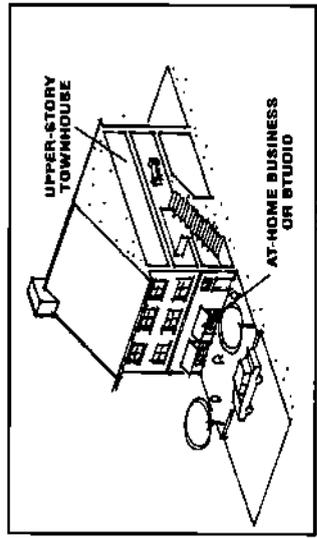
Figure 6: Artist Rendering of a Live/Work Unit



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



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.

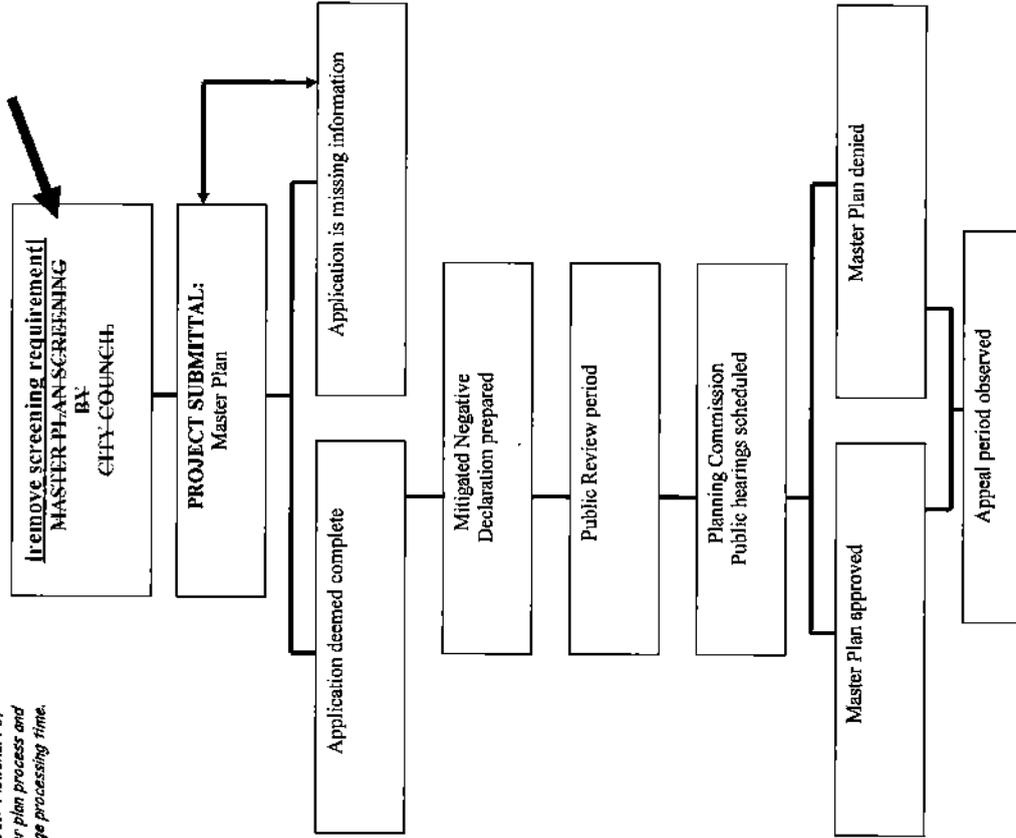
Live/work and residential development proposed in the Mesa West Bluffs Urban Plan area requires approval of a Master Plan pursuant to Title 13, Chapter II, Planning Applications, of the Costa Mesa Municipal Code. Applicants shall submit a screening application for consideration by City Council at a public 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-A 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.

Master Plan for Mixed-Use Overlay Project

Figure 11: Flowchart of master plan process and average processing time.



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 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 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/Lifestyle 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 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.]

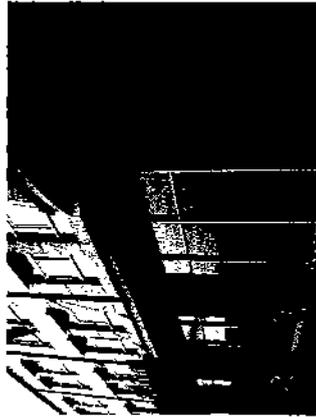


Figure 12: Photos of mixed-use development projects in other Orange County cities.

LIVE/WORK DEVELOPMENT

Live/work development features a building type that provides both employment and housing. 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 development. 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 hair 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 development. To promote this new type of urban housing, live/work development 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 development 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 realistic expectation that business activities could occur within the work space and therefore, the unit would not be exclusively used as a residence.

To encourage functional live/work environments and discourage residential reversion to high-density apartment living, the Urban Plan

establishes a minimum size for the work space. The work space must be a minimum 25 percent of the total square footage of the live/work unit in order to be considered a live/work unit.

Live/work units appeal to small business owners, provided that the work space could adequately serve their business activities and potential customer patronage. If the "work" portion is only incidental or accessory to the "live" portion, the structure may be considered a residential unit. If proposed projects do not meet minimum standards for work space size and/or lack critical design features for a viable live/work development, these projects may be more appropriately considered residential lofts and therefore subject to residential development standards.

RESIDENTIAL LOFT OR LIFESTYLE LOFT DEVELOPMENT

There is a place for "lifestyle lofts" or "residential lofts" in the Mesa West Urban Plan areas. These developments are limited to 13 du/acre.

Lifestyle lofts may incidentally provide a small work space area (200-250 square feet) for home occupation-type businesses, but the primary purpose is to serve as living quarters and not for commerce.

Therefore, in contrast to a live/work unit, these residential developments 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. While live/work units will provide some form of common amenity areas, these areas are typically larger in scale in a residential development.

In summary, a residential loft or lifestyle loft development will appeal to a traditional homebuyer without a small business. On the other hand, the "live" portion is clearly accessory to the "work" portion in a live/work development.

IMPORTANT DISTINCTIONS

Live/Work Developments may involve high-density development:

- High-density residential development (greater than 13 du/acre) in the Mesa West Urban Plan area is expressly prohibited.

- 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 high densities of 15-20 units per acre.

Live/Work Developments lack the same level of common recreational amenities and open space, as required in residential development.

- Residential development at 13 du/acre must include a minimum 200 square-foot open space area for each unit.

- Live/work development is 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.

Important Note:
Developers are encouraged to design quality projects that could realistically function, and thereby promote, live/work development. A well-designed live/work development offers a realistic possibility that the live/work unit would appeal to small business owners versus a traditional or first-time home buyer.

In the urban plan area, residential reversion of live/work development to high-density residential uses is expressly discouraged. Developers should consider and integrate the following elements into a live/work development:

- WORK SPACE VIABILITY:** Does the project include an adequately sized work space, representing at least 25% of the overall square footage of the live/work unit?
- 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 panels 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?
- DEED RESTRICTION:** Can certain restrictions promoting the "live" portion as accessory to the "work portion" ensure the functionality of the live/work unit?

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.

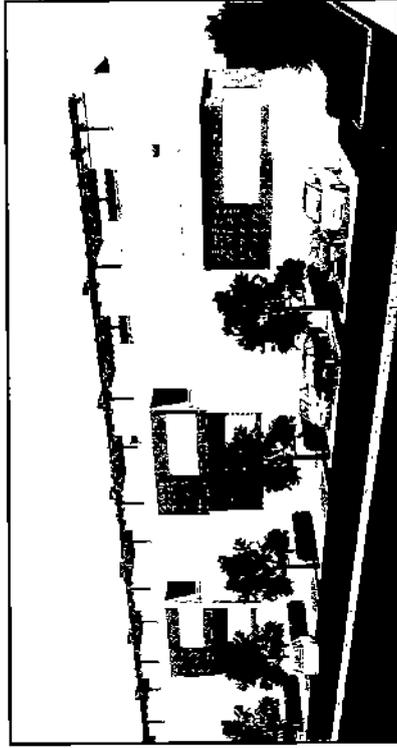
In a live/work unit, the living portion is typically located in the upper floors. The work space is separated by a wall (sometimes glazed or fire rated) or a floor. This separation minimizes exposure to hazardous materials or high-impact work activity.

LIVE/WORK ILLUSTRATIVE

The following live/work development (Figure 13) may be representative of live/work projects constructed in the plan area.

- Project Site: 1/4 acre
- Project Type: live/work loft
- No. of Stories: 3 stories
- No. of Units: 6-12 live/work lofts
- Unit Size: 650 sq.ft. Work Space
1,550 sq.ft. Living Space
2,200 sq.ft.
- Parking: 21-42 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 13-63.52(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.

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 additional amenities such as those suggested below:

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. Turf areas of sufficient size to create useable recreation areas.
- i. Community garden areas.
- j. Masonry planters, potted flowers and shrubs on decks and balcony flower boxes.
- k. 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.
- l. Provision of landscaping that consists primarily of California native species.
- m. CCARs that require garages to be used for vehicle storage only.
- n. Awnings, especially along the front elevations for color and product definition, and a better facade.
- o. Stamped concrete or decorative paving at entrances and driveway sidewalks.
- p. Meandering rather than straight sidewalks.
- q. Upgraded windows and exterior doors for noise reduction and energy conservation.
- r. Onsite trash enclosures for projects of 4 units or less.
- s. Concrete slab adjacent to trash enclosure, or contract for roll-off trash service so that the trash truck does not come on site.
- t. Orientation of units away from the street toward interior courtyards.
- u. Adequate lighting for security (beyond parking and driveway lighting required by code).
- v. Gates and intercom system for security.
- w. 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.

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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

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.
Development Lot Size	Minimum one acre
Common Lot Required	Minimum one lot All projects shall be designed with a minimum of one lot to be held in common ownership and maintained by an association. This lot shall be used for common driveways, parking areas, and at least 10 feet of street setback landscaped areas.
Overall Maximum Building Height	Maximum 4 stories/ 60 feet 1. Roof gardens/terraces in mixed-use development projects 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.
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.
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.
Mechanical Ventilation	All units shall be mechanically ventilated.

Residential Noise Levels	<p>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.</p> <p>2. Noise study required with project application to document onsite noise levels from surrounding land uses.</p>
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 but not limited to, operational characteristics such as hours of operation, delivery schedules, outdoor activities, noise, and odor generation.
<u>Other Mixed-Use Development</u>	<u>The Mesa West Urban Plan emphasizes live/work development 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.</u>
<u>DEVIATIONS</u>	
	<u>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.</u>

**TABLE A2:
LIVE/WORK DEVELOPMENT STANDARDS**

(See also Table A1 for additional live/work development standards).

Minimum Lot Size	None
<p>Maximum Floor Area Ratio for mixed-use development project (e.g. live/work units)</p> <ul style="list-style-type: none"> Commercial Base Zoning District Industrial Base Zoning District 	<p>1.0 FAR*</p> <p>1.0 FAR*</p> <p>*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.</p>
Size of Work Space in Live/Work Unit	<p>Minimum 25% of overall unit size.</p> <p>(Example: 1,800 sq. ft. live/work unit should have minimum 450 sq. ft. work space. Work space excludes bathroom, kitchen, balcony/mezzanines, and/or hallway areas.)</p>
Maximum Development Lot Coverage	Maximum 90%
Minimum Open Space of Development Lot	<p>Minimum 10%</p> <p>(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.) This minimum 10% open space will be in addition to any residential open space required per dwelling unit.)</p>
Common Open Space of Development Lot	<p>Minimum 2,000 sq. ft. lot to serve as common outdoor amenity lot for recreational purposes. This amenity lot does not include vehicle parking/circulation areas or street landscaped setback areas.</p>
<p>FRONT BUILD-TO-LINE AND SETBACKS FOR MAIN BUILDINGS AND ACCESSORY BUILDINGS</p> <p>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.</p>	
<p>Front Build-To-Line</p> <ul style="list-style-type: none"> Abutting public street 	Build-To-Line of 10 feet along all public streets
<p>Side Setback</p> <ul style="list-style-type: none"> Interior Abutting a public street Abutting a publicly-dedicated alley Abutting residential zone 	<p>0 feet</p> <p>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.</p> <p>5 feet for all other streets</p> <p>5 feet</p> <p>20 feet</p>

Rear Setback	
<ul style="list-style-type: none"> • Abutting a public street 	10 feet along all public streets
<ul style="list-style-type: none"> • Abutting residential zone 	20 feet
<ul style="list-style-type: none"> • 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.

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
	To 2,000 sq.ft.	1.5 spaces per unit
	To 3,000 sq.ft.	2.0 spaces per unit
Over 3,000 sq.ft.	2.5 spaces per unit	
	i. <u>Assigned Tenant Parking</u> . 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.	

<u>Tandem Garage Parking</u>	<u>Minimum 10-foot wide x 38-foot long interior dimensions for garages containing two tandem parking spaces</u>
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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.
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<p>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</p>	<p>Maximum 25 feet in height including the base.</p>
<p>Freestanding Sign along all other public streets</p>	<p>Maximum 7 feet in height including the base</p>
	<p>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.</p>

TABLE A3:

RESIDENTIAL DEVELOPMENT STANDARDS

(Please see also Table A1 for additional residential development standards.)

Minimum Lot Size	One Acre
Maximum Density	Maximum 13 units per acre
Maximum Development Lot Coverage	Maximum 60 percent of total lot area
Minimum Open Space Development Lot: Residential Open Space:	<p>Minimum 40 percent of total lot area</p> <p>Minimum 200 sq.ft. per dwelling unit of residential component (This requirement does not apply to live/work units)</p> <p>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.</p>

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 <ul style="list-style-type: none">• Abutting public street	Build-To-Line of 10 feet along all public streets
Side Setback <ul style="list-style-type: none">• Interior• Abutting a public street• Abutting a publicly-dedicated alley• Abutting residential zone	<p>0-foot setback on interior property lines if structure is non habitable 10-foot setback if structure is habitable.</p> <p>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</p> <p>5 feet</p> <p>10 feet</p>
Rear Setback <ul style="list-style-type: none">• Abutting a public street• Abutting residential zone• All other rear property lines	<p>10 feet along all public streets</p> <p>10 feet</p> <p>5 feet</p>
Parking	<p>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:</p> <p><u>Residential Loft Parking Requirements:</u></p> <ol style="list-style-type: none">1. 1,000 square feet or less in size: 1 covered space and 0.5 guest space2. More than 1,000 square feet in size: 2 covered spaces and 0.5 guest space

Location criteria	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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.
<u>Tandem Garage Parking</u>	<u>Minimum 10-foot wide x 38-foot long interior dimensions for garages containing two tandem parking spaces</u>
Design Guidelines	Compliance with Residential Design Guidelines

RESOLUTION NO. PC-08-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF AMENDMENT NO. 1 TO THE RESIDENTIAL OWNERSHIP URBAN PLAN SP-05-09 RELATED TO ADDITIONAL DEVELOPMENT PROVISIONS.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Amendment No. 1 to the Residential Ownership Urban Plan includes textual amendments to the plan document to include additional discussion and development standards related to residential development in the mixed-use overlay zone;

WHEREAS, City Council adopted the Residential Ownership Urban Plan 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, the Residential Ownership Urban Plan specifies development incentives promoting common-interest development in residentially zoned property in Westside Costa Mesa;

WHEREAS, a public hearing was held on October 27, 2008 by the Planning Commission all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, the proposed project was found to be exempt from CEQA;

WHEREAS, the Planning Commission deems it to be in the best interest of the City that said Amendment No. 1 to the Residential Ownership Urban Plan be adopted;

BE IT RESOLVED that the Planning Commission **HEREBY RECOMMENDS COUNCIL APPROVAL** of Amendment No. 1 to the Residential Ownership Urban Plan as set forth in Exhibit "A."

PASSED AND ADOPTED this 27TH day of October 2008.

DONN HALL, CHAIR
COSTA MESA PLANNING COMMISSION

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.

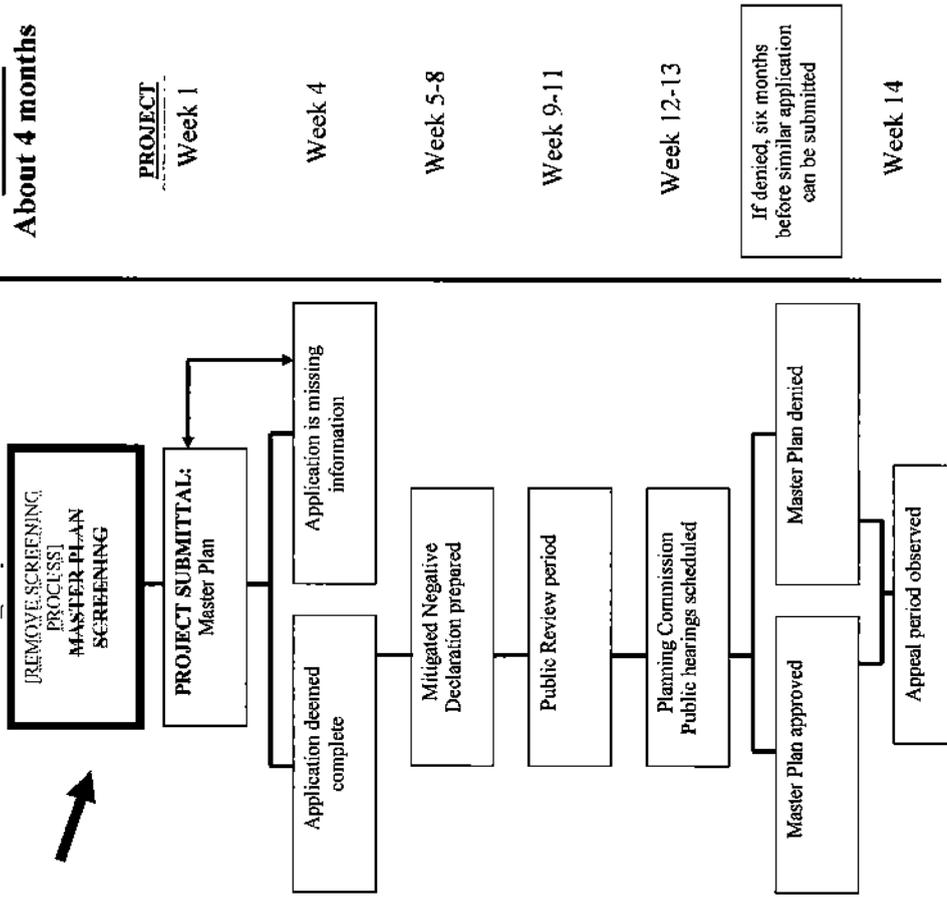
Specific zoning regulations of the Urban Plan supersede those of the underlying zoning district (e.g. medium-density residential zone), unless otherwise indicated.

Proposed development in the Mesa West Residential Ownership Urban Plan area requires approval of a master plan pursuant to Title 13, Chapter 11, 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

Master Plan for Mixed-Use Overlay



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.
Roof gardens/terraces shall not be considered a story. 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.

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. **Development Lot Size:** Minimum one acre.

5. **Common Lot Required:** Minimum one lot. All projects shall be designed with a minimum of one lot to be held in common ownership and maintained by an association. This lot shall be used for common driveways, parking areas, and at least 10 feet of street setback landscaped areas.

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 the 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. Minimum interior dimensions of 10-foot wide by 28-foot long for two-car tandem 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 tree 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. CCAs 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 of entrances and driveway intersections;
- l. Mosaic tiling rather than straight sidewalks;
- m. Upgraded windows and exterior doors for noise reduction and energy conservation;
- n. On-site 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.

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 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.

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 additional amenities such as those suggested below:

On-Site Amenities (Development Lot)

- a. Pedestrian-oriented plazas, courtyards, atriums that provide "interactive spaces" for residents
- b. Enclosed garages instead of carports for greater security.
- c. Compliance with the City's Energy Star Program for residential structures.
- d. LEED Certification.
- e. Green Technology features (green decks, green roofs, irrigation with reclaimed water, etc.)
- f. Useable common open space with amenities such as a hot tub, swimming pool, outdoor recreational facilities.
- g. Turf areas of sufficient size to create useable recreation areas.
- h. Community garden areas.
- i. Masonry planters, potted flowers and shrubs on decks and balcony flower boxes.
- j. 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.
- k. Provision of landscaping that consists primarily of California native species.

- l. Co-ops that require garages to be used for vehicle storage only.
- m. Awnings, especially along the front elevations for color and product definition, and a better facade.
- n. Stamped concrete or decorative paving at entrances and driveway intersections.
- o. Meandering rather than straight sidewalks.
- p. Upgraded windows and exterior doors for noise reduction and energy conservation.
- q. Onsite trash enclosures for projects of 4 units or less.
- r. Concrete slab adjacent to trash enclosure, or contract for roll-off trash service so that the trash truck does not come on site.
- s. Orientation of units away from the street toward interior courtyards.
- t. Adequate lighting for security (beyond parking and driveway lighting required by code).
- u. Gates and intercom system for security.
- v. 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.

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RESOLUTION NO. PC-08-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING COUNCIL DENIAL OF AMENDMENT NO. 1 TO THE SOBACA URBAN PLAN SP-05-06 RELATED TO ADDITIONAL MIXED-USE AND LIVE/WORK DEVELOPMENT PROVISIONS.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Amendment No. 1 to the SoBECA Urban Plan SP-05-06 includes textual amendments to the plan document to include additional discussion and mixed-use/live/work development standards;

WHEREAS, City Council adopted the SoBECA Urban Plan 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, a public hearing was held on October 27, 2008 by the Planning Commission all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and the proposed project was found to be exempt from CEQA;

WHEREAS, the Planning Commission deems it to be in the best interest of the City that said Amendment No. 1 to the SoBECA Urban Plan be denied;

BE IT RESOLVED that the Planning Commission **HEREBY RECOMMENDS COUNCIL DENIAL** of Amendment No. 1 to the SoBECA Urban Plan.

PASSED AND ADOPTED this 27TH day of October 2008.

DONN HALL, CHAIR
COSTA MESA PLANNING COMMISSION

RESOLUTION NO. PC-08-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING COUNCIL DENIAL OF AMENDMENT NO. 1 FOR THE 19 WEST URBAN PLAN SP-05-07 RELATED TO ADDITIONAL MIXED-USE AND LIVE/WORK DEVELOPMENT PROVISIONS.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Amendment No. 1 to the 19 West Urban Plan SP-05-07 includes textual amendments to the plan document to include additional discussion and mixed-use/live/work development standards;

WHEREAS, City Council adopted the 19 West Urban Plan 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, a public hearing was held on October 27, 2008 by the Planning Commission all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and the proposed project was found to be exempt from CEQA;

WHEREAS, the Planning Commission deems it to be in the best interest of the City that said Amendment No. 1 to the 19 West Urban Plan be denied;

BE IT RESOLVED that the Planning Commission **HEREBY RECOMMENDS COUNCIL DENIAL** of Amendment No. 1 to the 19 West Urban Plan.

PASSED AND ADOPTED this 27TH day of October 2008.

DONN HALL, CHAIR
COSTA MESA PLANNING COMMISSION

RESOLUTION NO. PC-08-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING COUNCIL DENIAL OF AMENDMENT NO. 1 TO THE MESA WEST BLUFFS URBAN PLAN SP-05-08 RELATED TO ADDITIONAL MIXED-USE, LIVE/WORK, AND RESIDENTIAL DEVELOPMENT PROVISIONS.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Amendment No. 1 to the Mesa West Bluffs Urban Plan SP-05-08 includes textual amendments to the plan document to include additional discussion and mixed-use/live/work development standards;

WHEREAS, City Council adopted the Mesa West Bluffs Urban Plan 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, a public hearing was held on October 27, 2008 by the Planning Commission all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and the proposed project was found to be exempt from CEQA;

WHEREAS, the Planning Commission deems it to be in the best interest of the City that said Amendment No. 1 to the Mesa West Bluffs Urban Plan be denied;

BE IT RESOLVED that the Planning Commission **HEREBY RECOMMENDS COUNCIL DENIAL** of Amendment No. 1 to the Mesa West Bluffs Urban Plan.

PASSED AND ADOPTED this 27TH day of October 2008.

DONN HALL, CHAIR
COSTA MESA PLANNING COMMISSION

RESOLUTION NO. PC-08-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING CITY COUNCIL DENIAL OF AMENDMENT NO. 1 TO THE RESIDENTIAL OWNERSHIP URBAN PLAN SP-05-09 RELATED TO ADDITIONAL DEVELOPMENT PROVISIONS.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Amendment No. 1 to the Residential Ownership Urban Plan includes textual amendments to the plan document to include additional discussion and development standards related to residential development in the mixed-use overlay zone;

WHEREAS, City Council adopted the Residential Ownership Urban Plan in April 2006;

WHEREAS, the Residential Ownership Urban Plan serves as a regulating plan 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 2000 General Plan;

WHEREAS, a public hearing was held on October 27, 2008 by the Planning Commission all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and the proposed project was found to be exempt from CEQA;

WHEREAS, the Planning Commission deems it to be in the best interest of the City that said Amendment No. 1 to the Mesa West Bluffs Urban Plan be denied;

BE IT RESOLVED that the Planning Commission **HEREBY RECOMMENDS COUNCIL DENIAL** of Amendment No. 1 to the Residential Ownership Urban Plan.

PASSED AND ADOPTED this 27TH day of October 2008.

DONN HALL, CHAIR
COSTA MESA PLANNING COMMISSION

