BACKGROUND

Due to changing conditions in the housing market and the availability of appropriate financing mechanisms, the City Council receives requests for bond financing from private developers. The City Council has reviewed such requests on a project-by-project basis without benefit of guidelines and/or policies. As the use of bonds or public financing is intended to promote or address certain public needs, a set of guidelines for evaluating specific projects in relationship to those public needs is necessary.

PURPOSE

It is the purpose of this policy to:

1. Provide the City Council with guidelines which can be used to evaluate those rental projects requesting public financing.

2. Establish a stated policy between the use of public financing for rental projects and the accomplishment of goals and objectives as stated in the City's General Plan and City Council Goals.

3. To provide direction to those private developers seeking approval from the City Council for the use of public financing to construct rental housing.

POLICY

The following criteria shall be utilized in evaluating projects requesting bond financing. The criteria are derived from the City's adopted General Plan policies and City Council Goals. Projects must meet at least one of the criteria in three (3) of the five major categories (Land Use Opportunities, Project Location, Housing for Specified Populations, Employment/Housing Relationship, Impact on City Services and Facilities) to qualify for consideration by the City. In addition to meeting the preceding criteria, all projects requesting bond financing must commit to a ten-year rental use for 100 percent of the units and maintain rents for 20 pecent of the housing units within the Fair Market Rent Limitations as approved by the Orange County Housing Authority. Projects which do not meet these minimum standards shall not be given further consideration for public financing.

Projects which meet the preceding minimum standards will be forwarded to the City Council. At that time, the City Council shall decide whether or not to approve the project for participation in the County Rental Housing Bond Program. Such approval shall be conditional upon final acceptance and approval of the Cooperative Agreement by the City Council. Any and all commitments made by the developer under the preceding criteria to secure said approval by the City Council shall be made a part of the final documentation on the bond commitment.

Major Category Criteria

I. Project Location

The development of affordable rental housing in specific areas of the community is a stated desire of the City. Projects located in the following areas serve to accomplish this objective. (General Plan policies 138, 141)

(1) Costa Mesa Redevelopment Area No. 1
(2) Costa Mesa Redevelopment Area No. 2
(3) Neighborhoods identified for special housing improvements

II. Land Use Opportunities

Specific areas of the City are benefited by the development of new housing stock which replaces existing, deteriorating housing and/or inefficient lot configurations. (General Plan policies 105, 213, 217)

(1) Rental projects which utilize the City's lot combination incentive
(2) Rental projects which convert marginal land uses to medium or high density residential
(3) Rental projects which replace existing, substandard dwellings.

III. Housing for Specified Populations

Affordable rental housing may be designed to address the specific needs of certain sectors of the community's population. (General Plan policies 144, 145)

(1) Family housing projects
(2) Housing designed for senior citizens
(3) Projects designed to meet the needs of the handicapped

IV. Employment/Housing Relationship

It is a goal of the City to accomplish a balance between housing opportunities and employment opportunities within the community. The relationship of housing projects in meeting the needs of current and future employees of business, industry and government within the community is important. (General Plan policy 208)

(1) Rental projects which provide housing for a specific, existing employment center within the community
(2) Rental housing which is developed as part of a housing assistance program for businesses locating to the City
(3) Rental housing which is developed in conjunction with and at the same location as new employment centers

V. Impact on City Services and Facilities

The development of rental housing projects in close proximity to existing City services, facilities and public transportation is encouraged. (General Plan policies 211, 212)

(1) The project is located in close proximity to existing transportation corridors providing public transportation to retail outlets and employment centers
(2) The rental project is designed and located so as to be accommodated by existing public facilities and services
(3) The project includes the development of needed public improvements such as street widenings, intersection improvements and storm drain facilities

PROCEDURE

Private developers who choose to take advantage of public financing for rental housing must consider the preceding criteria in their project development. The request for consideration of bond financing should be made at the time the project is formally submitted for consideration by the City. The developer shall prepare a report which demonstrates how the project meets the required criteria for consideration. An evaluation of the project in accordance with the preceding criteria shall be performed by the City staff and presented to the City Council at the time the project is formally considered. If the project receives preliminary approval from the City Council, the County of Orange shall be so notified so that the Inducement Resolution can be prepared.

Subsequent to preliminary approval of the project, the staff shall enter into negotiations with the developer for conditions to be included in the Cooperative Agreement. Said conditions may include, but are not limited to, Financing Fees and provisions for the enforcement of the rental requirements set for this Council Policy. Upon the conclusion of negotiations, the Cooperative Agreement shall be forwarded to the City Council for final consideration.

Background

The General Plan constitutes the official policy of the City Council of the City of Costa Mesa with regard to physical development of the City. The City Council may, at its option, amend the General Plan or any element thereof. On August 2, 1982, the City Council enacted Resolution 82-65 adopting "General Plan Administration and Implementation Policies and Procedures". These procedures provided that regularly scheduled General Plan review hearings would be held at the first Planning Commission meeting in February, June, and October. Since that date, State Law has been amended to allow elements of the General Plan to be amended four, rather than three, times during any calendar year. Due to the increased workload on Staff, Planning Commission and City Council resulting from the review of General Plan Amendment applications, the City Council wishes to review the type and number of such applications prior to acceptance for processing.

Purpose

It is the purpose of this policy to:

1. Establish dates for the hearing of General Plan Amendments.

2. Establish guidelines to assist the City Council in providing direction to Staff with regard to processing privately initiated General Plan Amendment applications.

Policy

Privately initiated General Plan Amendment applications shall be heard at the first Planning Commission meetings in February, June, and October. A fourth date for the hearing of General Plan Amendment applications may be assigned by the City Council at its discretion for either privately initiated or City initiated General Plan Amendments.

The City Council shall review applications for amendments to the General Plan and shall direct Staff to either proceed with processing of the applications or to return all materials to the applicant and refund the application fee. A list of applications, including the name of applicant, location of

property, and request shall be submitted to the City Council by the Planning Staff in sufficient time to be heard by the City Council at the second Council meeting following the application deadline.

The following criteria shall be used as guidelines for the City Council to determine which applications will be accepted for processing. An application should be accepted if:

- A General Plan Amendment is necessary to resolve inconsistency between General Plan designation and zoning.
- A General Plan Amendment is necessary to provide a uniform land use designation on a single parcel or development site.
- A General Plan Amendment would result in decreased traffic impacts from the property.

An application for amendment to the General Plan should not be considered if:

- The request applies to a single small lot or a small area, especially if the change would make the property inconsistent with surrounding properties.
- The property is located in the Redevelopment Area (requires action by the Redevelopment Agency to amend the redevelopment plan).

No General Plan Amendment shall be accepted which would increase the overall, City-wide development cap. However, General Plan Amendments which would result in development exchanges or transfers, may be considered.

As these are simply guidelines, the Council may deviate from them if there are other important reasons for accepting or rejecting a particular application.

BACKGROUND

Article 26. Density Bonus and other Incentives. Establishes the procedure by which the City will comply with Government Code Section 65915.

PURPOSE

It is the purpose of this policy to establish the City Council's policy regarding interpretations/applications of certain provisions for compliance with the Density Bonus/Incentive law.

POLICY

1) The total number of dwelling units required to be designated as affordable or senior housing shall be calculated by dividing the number of square feet of land area available by the number of square feet of land required per dwelling unit under the current zoning (at the time of application), or the existing number of legal units on the lot if, whichever is greater, and multiplying the result by the percent required per Government Code Section 65915 (10% if for very low income, 20% if for low income, or 50% if the qualified residents). If the result of this calculation results in a fraction of a unit, the number to be designated shall be rounded up to the next highest full unit. If the applicant wishes to designate additional units as affordable or senior, this shall be allowed, but will not necessitate additional incentives to be provided by the City in return.

2) The density bonus shall be calculated by dividing the number of square feet of land area available by the number of square feet of land required per dwelling unit under the current zoning at the time of application and multiplying by 0.25. If the result contains a fraction of a unit, the density bonus shall be rounded up to the next highest full unit. This unit number shall be considered the Density Bonus which may be granted by the City or which will establish the basis for determining the in-lieu incentives.

3) Provision of housing units qualifying for consideration under Government Code Section 65915 shall not exempt a project from complying with all applicable development standards and other requirements of law and/or obtaining necessary Variances or Conditional Use Permits, unless such standards are waived or modified as an in-lieu incentive or concession.

4) Provision of affordable or senior housing units, as provided for in Government Code Section 65915, shall be assured by a recorded Land Use Restriction and Density Bonus/Incentive Agreement executed by and between the owner and the City of Costa Mesa. The provisions of such agreement shall remain in full force and effect for ten (10) or thirty (30) years.

5) Rental rates shall be based on the affordable limits in Article 26 of Title 13 of the Costa Mesa Muncipal Code tied to the number of bedrooms per unit in the following manner.

The maximum monthly rent rates shall not exceed the rent derived from the following formula with actual rental rates being set on a case by case basis:

Low income = (0.60 x area median income x 0.30) ÷ 12

Very low income = (0.50 x area median income x 0.30) ÷ 12

The area median income is published by HUD adjusted per household size.

The following relationship shall be used to establish the actual rental rate.

A studio unit shall be rented based on a one (1) person household.

A one-bedroom unit shall be rented based on a two (2) person household.

A two-bedroom unit shall be rented based on a three (3) person household.

A three-bedroom unit shall be rented based on a four (4) person household.

6) Maximum sales prices shall be based on the affordable limits in Article 26 of Title 13 of the Costa Mesa Municipal Code adjusted for unit size times 2.75. The total down-payment amount for affordable/senior ownership units should not exceed 10% of the purchase price.

CITY OF COSTA MESA, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
NOTIFICATION OF TENANTS	500-4	3-18-91	1 of 1

BACKGROUND

The California Government Code and the Costa Mesa Municipal Code require that notice of public hearings or administrative actions relating to certain land use matters be mailed to owners of property within 300 feet of the affected property. Concern has been expressed that the impacts of land use decisions often affect tenants renting or leasing properties which are not occupied by the owners.

PURPOSE

It is the purpose of this policy to declare the intent of the City Council that notice of hearings or administrative actions relating to land use matters be mailed to occupants as well as owners of properties.

POLICY

When State law or local ordinance requires that notice of a public hearing or administrative action be mailed to owners of real property, notice shall also be mailed to occupants of those properties that are not owner-occupied.

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
SINGLE ROOM OCCUPANCY (SRO) RESIDENTIAL HOTELS	500-5	09/01/91	1 of 4

BACKGROUND

Title 13 of the Costa Mesa Municipal Code establishes what uses are allowed by right and with conditional use permits in various zones. Single Room Occupancy (SRO) residential hotels are not mentioned in the Code. The City can decide what similar uses can be considered with a conditional use permit in commercial zones.

PURPOSE

It is the purpose of this policy to:

1. Allow SRO residential hotels to be considered with a conditional use permit in all commercial zones where hotels are allowed with a conditional use permit.

2. Establish guidelines to assist the City in the future review of SRO proposals.

3. Provide the means for establishing housing available to citizens of Costa Mesa within the low and very low income segments of the population recognizing that there is a portion of the labor force within the business community that is in these lower income levels. Traditional housing in Costa Mesa is simply not affordable to this segment. SRO's should provide a new source of housing for this segment of the employment population of Costa Mesa.

POLICY

1. Process

SRO residential hotels may be considered with a conditional use permit in any commercial zone where hotels are allowed and where the General Plan designation is either General Commercial or Commercial Center.

Proposed SRO developments should be brought to a study session with the Planning Commission and the Staff very early in the process to get initial feedback on the proposals.

2. Location

SRO residential hotels should be located within proximity (1,000 ft.) to transit stops or within proximity to major employment areas. Ideally, SROs should also be located within proximity to grocery stores, retail stores, and services.

3. Room Sizes and Occupancy Limits

The following limits should apply to new SRO developments.

Minimum size for single occupancy	175 sq.ft.
Minimum size for double occupancy	220 sq.ft.
Maximum size	450 sq.ft.
Maximum percent double occupancy	10%

Average unit size should not exceed 300 sq.ft. The maximum unit size of 450 sq.ft. should only be considered for coversion projects or SROs designed exclusively for senior citizens.

4. Unit Requirements

Each unit should be furnished with a bed, chair, table, color television, and telephone. Each unit should have a kitchen and fully enclosed bathroom.

5. Parking

SRO hotels should be parked at 0.5 space per single occupancy guest room. Parking should increase to a minimum of 0.8 space per unit for single occupancy guest rooms that are larger than the minimum room size standard. Parking should further be increased to 1 space per unit for any rooms that are at the maximum size limit, unless the units are restricted to senior citizens. Double occupancy units should have double the parking requirement of single occupancy rooms based on the proceeding formula.

Secure bicycle parking should also be provided.

6. Management and Security

A complete management plan shall be submitted with each project. The plan should address hotel staffing: maid service, 24-hour live-in manager, desk clerk, security, and janitorial service staff. The plan should discuss both internal and exterior security including controlled entry and exit, guest sign-in and regulations on guests, and video camera monitoring of common use areas including parking and open space.

7. Rental Term

SRO rooms may be rented on a monthly, weekly or daily basis. Daily rentals should be limited to a maximum of 10% of all rooms or a total of 5 rooms whichever is less. Monthly rentals should be predominant.

8. Rental Rates

All SRO units should be rented at or below the low income affordable rental rate with at least 50% of the units affordable to very low income tenants. Additionally, 50% of that segment should be available at rentals not to exceed 20% of 50% of the median income for the low end of the very low income classification. Every effort should be made to establish rental rates that are affordable to service workers at the low end of the very low income classification.

9. Common Areas

Common areas should be provided as follows:

400 sq.ft. minimum.

If the project exceeds 30 units the common areas should be increased by 10 sq.ft. per unit above 30 units. The common area should be divided between interior and exterior areas with neither having less than 40% of the total.

10. Storage Areas

Each unit should be provided with a closet and/or storage area of at least 40 cu.ft. and a locker of at least 10 cu.ft. should be provide for each unit.

11. Transient Occupancy Tax

SROs processed in accordance with this policy should be exempt from the City's Transient Occupancy Tax.

12. Laundry Facilities

Laundry facilities (coin operated washers and dryers) shall be provided near the common indoor open space area.

13. Additional Standards

The Uniform Building Code and Uniform Fire Code shall also apply to SROs.

CITY OF COSTA MESA, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
SPECIAL EVENT STREET BANNERS	500-6	8/1/94 **REV.** 3/1/06	1 of 3

BACKGROUND

In communities where street banners have not been properly controlled, they have contributed to visual clutter, improper installation, and confusion. In many instances, such banners fail to achieve their original objective of communicating legible, comprehensible, and pertinent public information in an aesthetically pleasing way. The City Council has previously received requests for these types of banners without the benefit of formally approved guidelines and standards.

PURPOSE

The purpose of this policy is to:

1. Provide the City Council and staff with guidelines which can be used to evaluate various requests to install street banners.

2. Establish policies, procedures and standards for the installation, monitoring, and removal of street banners.

3. Provide clear direction to those Costa Mesa based non-profit organizations and businesses wishing to use street banners to promote a special event or holiday.

POLICY

The following criteria shall apply to all organizations requesting City Council approval to install street banners. The requesting organization or business shall be based in or serve Costa Mesa. In the case of a charitable organization, they must possess proof of "non-profit status" from the State of California and local government agencies.

1. **Installation Requests**

   Each request to install street banners shall be submitted at least thirty (30) days in advance of the proposed installation date and shall include at minimum:

   A. Date, time, location and nature of special event or dates of holiday to be promoted.

   B. Benefit of the banner to the general public.

   C. Map detailing specific number and locations of banners to be installed.

   D. Specific installation and removal dates.

   E. Delineation of banner content, size, material and colors. Holiday banners may contain messages relating to nationally recognized or official holidays. Although sponsorship may be listed on both special event and holiday banners, in no case shall the identification of the

sponsor exceed six inches in height or occupy more than a tenth of the face of the banner. Displaying any advertising other than the sponsor's name is not permitted. Advertising specific products is not permitted.

F. Specific number of banners to be installed.

G. Application Fee - Refer to the City of Costa Mesa's current User Fees and Charges manual, adopted by the City Council.

2. **Banner Composition**

All banners shall comply with the License Agreement between Southern California Edison and the City of Costa Mesa.

3. **Number of Banners**

The number of banners shall not exceed sixty.

4. **Installation Period**

Banners shall be installed for no more than sixty days. Specific dates and times for installation and removal are subject to change, by the City in order to minimize impacts to the public i.e. motorists, businesses, and/or public construction projects.

5. **Banner Locations**

In order to minimize impacts to residential properties, banners shall be restricted to light standards located on arterial streets with commercial or industrial frontage. Other locations may be acceptable if deemed appropriate by the City Council.

6. **Indemnification**

The organization shall provide acceptable proof of insurance and indemnification to the City as deemed appropriate by the City Manager or his designee.

7. **Installation and Removal**

Upon approval by the City, the requesting organization shall provide the City with a finalized copy of the contract for installation and approval.

8. **Approval Process**

The City Manager or his designee shall have final approval of all banner requests meeting the above guidelines.

Banner requests which do not meet the above guidelines shall require Council review at which time the Council shall determine whether to approve the request.

Any approval granted shall be subject to the provisions in the License Agreement between the City and Southern California Edison. The applicant must agree to comply with and be bound by this agreement and perform the City's obligations under the Agreement with respect to the applicant's banners.

CITY OF COSTA MESA, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
PRIVATE SECURITY COMPANY IDENTIFICATION SIGNS	500-7	6/3/96	1

BACKGROUND

Many private citizens and business owners are employing private security companies to augment the City's Police Department services. The sign regulations in the City's zoning code allow private security company identification signs in the public rights-of-way subject to this policy of the City Council and the issuance of an encroachment permit.

PURPOSE

It is the purpose of this Policy to:

1. Allow the use of the public rights-of-way for signage that will deter potential criminal activities in the City of Costa Mesa.

2. Provide the Planning Commission and Staff with guidelines which can be used to evaluate requests to install private security company identification signs in the public rights-of-way.

3. Establish policies and standards for the size, number, and location of these signs, as well as provide procedures for permitting these signs.

PROCEDURE

The following criteria shall apply to all private security companies requesting Planning Commission approval to install identification signs in the public rights-of-way:

1. Application Required

   Each request to install identification signs shall be submitted to the Public Services Director at least 45 days in advance of the proposed installation date and shall include at a minimum:

   A. Eight copies of a plan detailing the specifications of the sign including copy and/or logo, colors, material, sign face dimensions and total sign area.

   B. Written documentation that the private security company provides patrol services for a substantial number of property owners or tenants in the neighborhood or area,and that private property is not available for the display of the signs proposed to be placed in the public rights-of-way.

   C. Eight copies of a map which depicts the number and location of the signs.

D. Written approval by Southern California Edison Company, if Southern California Edison Company's light standards are to be used.

E. Written proof that the private security company has liability insurance coverage for the signs in compliance with Costa Mesa Municipal Code Section 15-271.

2. Design and Location Criteria

All identification signs shall comply with the following criteria:

A. Sign copy shall be limited to the neighborhood or area to be patrolled; the name and/or logo of security company may also be included.

B. Signs shall be non-illuminated, but may have a nighttime reflective finish.

C. Individual sign faces may not exceed 2 square feet in area.

D. Sign and pole installation shall comply with the standards set forth in the Manual of Uniform Traffic Control Devices.

E. Sign posts shall be break-away style metal poles, consistent with current City standards.

F. Signs shall comply with any specifications required by Southern California Edison Company, when applicable.

G. To minimize sigh clutter, signs shall be located directly adjacent to the primary entrance and exit points of neighborhoods or areas being patrolled. Signs on the interior streets are not permitted.

H. The location and method of attachment of all signs shall be reviewed and approved by the Public Services Director or his designee. The private security company shall be responsible for installing and maintaining the signs.

I. The private security company shall relocate or remove signs as directed by the Public Services Director to accommodate construction or maintenance of public improvements or when necessary for public convenience and welfare.

3. Approval Process

Upon receipt of a complete application, the Public Services Director shall schedule the request for consideration at the next available Planning Commission meeting.

In order to approve the request, the Planning Commission shall make all findings specified in Section 4 of this policy. Furthermore, subsequent to Planning Commission approval of the request, the applicant shall be required to obtain an encroachment permit from the Public Services Director, consistent with Costa Mesa Municipal Code Section 15-13, prior to the installation of any sign in the public rights-of-way.

4. Findings

The Planning Commission shall make all of the following findings in approving a request:

A. The private security company provides patrol services for a substantial number of property owners or tenants in the neighborhood or area, and that private property is not available for the display of the signs proposed to be placed in the public rights-of-way;

B. The proposed signs meet the design and location criteria specified in Costa Mesa Municipal Code Section 13-968 and this City Council policy, and the location of the signs has been approved by the Public Services Director; and

C. The private security company has filed written proof that it has liability insurance coverage in compliance with Costa Mesa Municipal Code Section 15-271.

CITY OF COSTA MESA, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
REVIEW PROCESS FOR APPLICATIONS FOR NEW AND TRANSFER OF LIQUOR LICENSES, AND PROTEST AND ACCUSATION LETTERS BY CITY COUNCIL	500-8	11/3/97 Revised 11/17/09	1 of 4

PURPOSE:

The purpose of this policy is to establish a clear and efficient process for review of applications for new Alcoholic Beverage Control (ABC) licenses and transfers of existing ABC licenses, and for filing of protest and accusations letters by City Council. The authority of the City Council in the review of ABC licenses is delegated to Zoning Administrator or the Planning Commission where indicated.

PROCEDURE:

Section 1: When notice of an application for a liquor license, or transfer thereof, is received by any officer of employee of the City of Costa Mesa, the notice shall be stamped with the date received and promptly delivered to the Director of Development Services or his or her designee.

Section 2: Upon receipt of the notice, the Director shall transmit a copy of the notice to the Police Chief or his or her designee with a request for information necessary to make findings provided herein. The Police Chief and Director shall prepare a report on the application and shall transmit said report to the decision-making body or person, as provided herein.

Section 3: Upon receipt of the notice and report by the Director and Police Chief on the application, the decision-making body or person may make findings appropriate for the type of application or take no action within its sole discretion as provided herein.

Section 4: **Council Delegation of Duties to Zoning Administrator** or his/her designee. The following liquor license transactions shall be processed by the Zoning Administrator or his/her designee, after consultation with the Police Department:

- Person-to-person transfer;
- Stock transfer;
- Drop partner(s);
- Add partners(s); and,
- New on-sale and off-sale licenses for businesses exempt from discretionary review pursuant to the Zoning Code;
- New or premise-to-premise transfer of on-sale license Types 41 and 47 for bona fide eating places exempt from discretionary review pursuant to the Zoning Code.
- New or premise-to premise transfer of on-sale license Types 41 and 47 for bona fide eating place that requires approval of a minor conditional use permit pursuant the Zoning Code.

The Zoning Administrator or his/her designee may make a finding of public convenience or necessity as provided for in Business and Professions Code (BPC) Section 23816 or 23958.4(b)(2) for these license transactions if the business has been in operation consistent with the zoning code requirements and the new license has little or no effect on the operation of the business.

The Zoning Administrator shall transmit notice of his or her decision to both the Planning Commission and the City Council within five (5) days of the decision. Such decision may be appealed by an interested party or called up for review by the Planning Commission or City Council within seven (7) days of the date of the notice of the decision in accordance with procedures set forth in Costa Mesa Municipal Code Section 2-300 et seq.

If a finding of Public Convenience or Necessity is not required, one of the following two actions will occur:

a. If the Planning Division and Police Department find that there has not been a history of problems related to the alcohol establishment or the applicant, the Planning Division shall forward the application to the City Clerk for inclusion in the City Council reading-folder.

b. If the Planning Division and Police Department find that there has been a history of problems related to the alcohol establishment or the applicant, the Planning Division shall forward the application to the City Clerk for inclusion on the next available City Council agenda under "New Business."

Section 5: Council Delegation of Duties to Planning Commission. Land uses involving the following liquor license transactions require approval of a conditional use permit (CUP) Planning Commission may make findings of public convenience and necessity as required for these license transactions:

- New or premise-to premise -transfer of on-sale establishment (restaurant, bar, nightclub, etc.) that will be open between 11 p.m. and 6 a.m. or that proposes live entertainment;
- Change of license from bona-fide eating, place to a "public premises" (bar) that is open between 11 p.m. and 2 a.m.;
- New mini-market, liquor store, or convenience store;
- Existing mini-market, liquor store, or convenience store that is subject to a new conditional use permit application in accordance with Title 13, Chapter IX, Section 13-200.71 requirements.
- Sale of alcoholic beverages in conjunction with the concurrent sale of gasoline; and,
- Premise-to-premise transfer of off-sale license if in conjunction with an action requiring review by the Planning Commission.

The Planning Commission may make a finding of public convenience or necessity as provided for in Business and Professions Code (BPC) Section 23817.7 or 23958.4(b)(2), in conjunction with action on the CUP. The Planning Commission shall transmit notice of its decision to the City Council: within five (5) days of the decision. Such decision may be appealed by an interested party or called up for review by the Planning Commission or City Council within seven (7) days of the date of the notice of the decision in accordance with procedures set forth in Costa Mesa Municipal Code Section 2-300 et seq.

Section 6: Duties for License Transactions Retained by City Council. The following liquor license transactions shall be referred to the City Council for determination of a finding of public convenience or necessity as provided for in BPC Section 23817.7 or 23958.4(b)(2):

- New on-sale licenses for existing bars that are open for customer service between the hours of 11:00 p.m. and 2:00 a.m.,
- New off-sale licenses for businesses not included in section 4 or 5 of this policy.
- Premise-to-premise transfer of off-sale licenses not included in section 4 or 5 of this policy.

Section 7: Protest Letter. With regard to an application for an original liquor license or transfer of an existing liquor license not covered in Sections 4, 5 or 6 (including a person-to person transfer), or an existing licensed premises without a pending application, City Council may file a protest letter pursuant to BPC Sec. 24013 or an accusation letter pursuant to BPC Sec. 24203, where the City Council find that reasonable or probable cause exist to request the denial of the application or revocation of an existing license pursuant to BPC Sec. 24013, 24200, and 24203.

Section 8: Where the thirty (30) day period to file a protest letter may expire before consideration by the City Council of those licenses discussed under Sections 4, 5, 6 or 7, the Police Chief or his or her designees is authorized to file a letter requesting an extension with the Department of Alcohol Beverage Control pursuant to BPC Sec. 23987.

Section 9: Upon the City Council making a determination to file a protest or accusation letter, the City Clerk shall promptly transmit a letter of such protest or accusation, signed by the authorized officer, to the Department of Alcoholic Beverage Control. The letter of protest or accusation should be in a form approved by the City Attorney. Upon filing of a letter of protest or accusation, all pertinent records on such premises and notices shall be transmitted to the City Attorney for prosecution at the protest or accusation hearing.

Section 10: For a protest or accusation letter under Sections 7 and 8, the ground or grounds to support a denial of an application or revocation of a license include, but are limited to the following grounds:

a) The continuance of the license would be contrary to the public welfare or morals;

b) A violation of the Revenue and Taxation Code and any rules of the ABC Department;

c) A misrepresentation of material fact by the applicant in obtaining a license;

d) A conviction of a public offense involving moral turpitude or federal· law relating to Alcoholic beverages;

e) Failure to take reasonable steps to correct objectionable conditions at the licensed premises, any public sidewalk abutting the licensed premises, or immediately, adjacent area that is owned, leased or rented by licensee which constitutes a public nuisance, within a reasonable time after receipt of notice to correct such conditions by either ABC Department, District Attorney, City Attorney or County Counsel:

1) "Objectionable conditions" under subsection (e) includes, but is not limited to, disturbance of the peace, public drunkenness, drinking in public, harassment of passerby, gambling, prostitution, loitering, public urination, lewd conduct, drug trafficking or excessive loud noise;

2) "Any public sidewalk abutting a licensed premises" under subsection (e) includes the publicly owned, pedestrian traveled way, not more than 20 feet from the premises, that is located between the licensed premises and immediately adjacent area owned, leased or rented by the licensee, and a public street;

3) "Reasonable steps" under subsection (e) include calling the police (timely calls to police cannot be construed as evidence of objectionable conditions) and requesting persons to leave the premises that are contributing to the objectionable conditions.

Section 11: Where desired, City Council, Planning Commission, or Zoning Administrator may recommend conditions of approval applicable to the sales of alcoholic beverages. These conditions shall be forwarded to ABC by the Planning Division.

CITY OF COSTA MESA, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
NEWPORT BOULEVARD SPECIFIC PLAN CONFORMITY REVIEW PROCEDURE	500-9	2/3/97	1 OF 2

BACKGROUND

In July 1996, the City Council adopted a specific plan for the east side of Newport Boulevard between 19th Street and Mesa Drive. The specific plan contains the following development standard:

2.9 In conjunction with new commercial development, deviations from required building setbacks on rear and side property lines may be approved by the Planning Commission without a variance, provided that the reduced setbacks improve the proposed development's compatibility with surrounding uses, particularly residential uses.

PURPOSE

It is the purpose of this policy to establish the procedure for the Planning Commission review of deviations from required rear and side setbacks for commercial developments in the specific plan area. This procedure shall be called "Newport Boulevard Specific Plan Conformity Review".

PROCEDURE

1. Application Required

Each request for a Newport Boulevard Specific Plan Conformity Review shall be made to the Planning Division on the forms provided. Plans and information reasonably needed to analyze the application may be required. A list of required plans and information shall be available from the Planning Division.

2. Fees

The application shall be accompanied by the fee required for a conditional use permit, as established by resolution of the City Council.

3. Public Hearing Required

Upon receipt of a complete application for a Newport Boulevard Specific Plan Conformity Review, the Planning Division shall fix a time and place of the public hearing before the Planning Commission and provide public notice, pursuant to the provisions for conditional use permits, as specified in the City of Costa Mesa Municipal Code and applicable City Council policies.

4. Review Criteria

The Planning Commission shall consider in its review of the proposed deviation:

(a) The compatible and harmonious relationship between the proposed building and site development, and the building and site developments that exist or have been approved for the general neighborhood.

(b) The safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation.

(c) Granting the deviation from building setbacks will improve the proposed development's compatibility with surrounding land uses, particularly residential uses, over that which would be provided if the property were developed in strict compliance with the building setbacks required by the City of Costa Mesa Municipal Code. Examples of an improved interface with adjacent properties include, but are not limited to, elimination of noise, odor and/or visual impacts associated with loading areas, parking areas, trash enclosures, service areas, etc., adjacent to residential property lines.

5. Findings

The Planning Commission shall make all of the following findings in approving a deviation from the required side and/or rear building setbacks:

(a) The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

(b) Granting the deviation from building setbacks will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

(c) Granting the deviation from building setbacks will reduce potential impacts on residential property.

(d) Granting the deviation from building setbacks allows a use, density or intensity which is in accordance with the General Plan designation and conforms with the intent of the Newport Boulevard Specific Plan.

BACKGROUND

In March 1992, the City Council adopted the 1990 General Plan which established floor area ratio standards (FARs) for nonresidential development in the City. The 1990 General Plan was amended in November 1997 to allow limited deviations from certain FARs. The land use designations and FAR categories in which the General Plan allows deviations to be considered are as follows:

Table 1
FLOOR AREA RATIO STANDARDS DEVIATIONS

	Maximum Moderate Traffic FAR	
General Plan Land Use Designation	Without Deviation	With Deviation
Commercial-Residential	0.30	0.35
Neighborhood Commercial	0.25	0.30
General Commercial	0.30	0.35
Commercial Center	0.35	0.40
Light Industry	0.25	0.30
Industrial Park	0.30	0.35

PURPOSE

It is the purpose of this policy to establish the procedure for the Director of Development Services or his/her designee to review proposed deviations from certain floor area standards as allowed by the General Plan. This procedure shall be called "Floor Area Ratio Standard Deviation Review".

PROCEDURE

1. Application Required

Each request for a Floor Area Ratio Standard Deviation Review shall be made to the Planning Division on the forms provided. Plans and information reasonably needed to analyze the application may be required. A list of required plans and information shall be available from the Planning Division.

2. Fees

The application shall be accompanied by the fee required for a development review, as established by resolution of the City Council.

3. Review Criteria

The Director of Development Services shall consider in its review of the proposed deviation:

(a) The compatible and harmonious relationship between the proposed building and site development, and the building and site developments that exist or have been approved for the general neighborhood.

(b) Granting the limited deviation from the floor area ratio standard shall not cause the daily trip generation for the property to exceed the existing daily trip generation for the site without the proposed project or the maximum allowable traffic generation for the Moderate Traffic FAR category, whichever is greater. A land use restriction recorded against the affected property(s) shall be placed as a condition of approval to ensure that traffic generation is within the parameters of the City's traffic model.

4. Findings

The Development Services Director shall make all of the following findings in approving a deviation from a floor area standard:

(a) The proposed deviation is consistent with the General Plan.

(b) The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

(c) Granting the limited deviation from the floor area ratio standard shall not cause the daily trip generation for the property to exceed 1) the existing daily trip generation for the site without the proposed project, or 2) the maximum allowable daily trip generation for the Moderate Traffic FAR category.

5. Notice of Decision

Notice of the Development Services Director's decision shall be given within 5 days of the decision to the City Council, Planning Commission and to any affected party requesting notice. Any member of the Planning Commission or City Council may request review of the decision within 7 days of the notice of the decision. No fee shall be charged for such review.

BACKGROUND

The City Council approved the Fairview Park Master Plan in December 1997. In February 1998, City Council, recognizing the unique qualities of the park, directed staff to prepare a policy for implementing the Master Plan.

PURPOSE

The purpose of this policy is to establish a process for review and approval of the elements of the Fairview Park Master Plan, as well as any amendments to the Plan that may be proposed. It is the intent of this Policy to ensure both thorough and expeditious review of Fairview Park projects. For this reason, time limits have been included for staff and committee review.

PROCEDURE

The intent of the following procedure is to build upon the existing Municipal Code Sections which relate to processing for master plans but which are silent on how to implement a complicated and phased project such as Fairview Park. Costa Mesa Municipal Code (CMMC) Sections 13-28(f) and 13-29(f) describe the process for new master plans, minor amendments to master plans, and substantial amendments to master plans. In addition to these requirements, the following procedure shall be followed for implementation of and amendment to the Fairview Park Master Plan.

A. City Council Review

Due to the increased workload on staff, the Parks and Recreation Commission, the Planning Commission, and the City Council associated with the processing of Fairview Park Master Plan amendments, the City Council shall review all applications prior to staff initiating the review process.

All proposals shall initially be submitted to the Public Services Department. The Public Services Department shall submit the proposals to the City Council which shall review the applications for amendment of the Fairview Park Master Plan and direct staff to either proceed with processing the application or to return all materials to the applicant.

B. Lead Department

The Public Services Department is the lead department for processing phases, projects or plans. The Parks Project Manager and the Fairview Park Plan Administrator shall oversee and coordinate all activities related to implementation of the Fairview Park Master Plan and upon direction from the City Council shall process proposals as per the following procedure:

C. Processing

1. All Projects

All proposals shall be submitted to or originate from the Public Services Department. Upon direction from the City Council to proceed with processing a proposal, the Public Services Department shall present the proposal in writing to the Development Services Department, Engineering and Transportation Services Divisions, Police Department and Fire Prevention Division who shall determine whether the proposal is:

a. consistent with the Master Plan;

b. generally consistent but has minor amendments; or

c. inconsistent with the Master Plan.

These Departments shall recommend refinements to the project, if necessary, to meet code requirements, mitigation measures or other requirements. All recommendations shall be returned to Public Services within 7 days.

2. Projects Consistent with the Master Plan

Projects consistent with the Master Plan might include but not be limited to: restoration plans for the habitat areas, construction of trails, installation of utilities, construction of the bridge over Placentia Avenue, installation of the botanical garden, construction of picnic and restroom facilities, etc.

a. Projects shall be submitted to various City departments as described in Section 13.11.

b. All projects shall be forwarded to the Parks and Recreation Commission for comments regarding consistency with the Master Plan and refining the scope of work. Review of each project shall be limited to one Commission meeting. The Public Services Department shall consider the Commission's comments and make refinements to the project, if deemed necessary.

c. The Fairview Park Citizens' Advisory Committee shall be restructured as an ad hoc committee. The City Council may call upon the committee's expertise when reviewing plans, specifications, ideas, and changes to Fairview Park, on an as needed basis.

d. Consultant contracts and budget requests shall be approved in accordance with purchasing policy. Project plans do not require Council approval.

e. The Public Services Department is responsible for monitoring compliance with all mitigation measures approved as part of the Master Plan. The mitigation monitoring reports shall be kept up to date at least annually and made available for public review.

f. If conflicts arise between staff and the Parks and Recreation Commission, the issue shall be clarified by City Council.

3. Projects with Minor Amendments to the Master Plan

a. Projects shall be submitted to various City departments as described in section C.1.

b. Minor changes in a master plan are defined in CMMC section 13-28(f). Projects which may involve minor amendments shall be forwarded to the Planning Division for initial review for compliance with provisions of section 13-28(f). Plans and the findings of the various City departments shall be forwarded to the Parks and Recreation Commission for comments regarding whether the changes requested are actually minor as defined by Code and for refining the scope of work, if necessary. Review of each project shall be limited to one Commission meeting. The Public Services Department shall consider the Commission's comments and make refinements to the project, if necessary.

c. Requirements described in sections 2(c), (d), and (e) above also apply.

4. Projects Inconsistent with the Master Plan

a. Projects shall be submitted to various City departments as described in Section 13.1.

b. Substantial amendments to a master plan are described in CMMC Section 13-28(f) and normally require only Planning Commission review and approval. However, amendments to the Fairview Park Master Plan shall first be forwarded to the Parks and Recreation Commission (one meeting) for review and recommendation. The Planning Commission shall consider these recommendations and forward its recommendations to City Council for final action.

c. Requirements described in sections 2(c), (d), and (e) above also apply.

5. Request for Changes to the Fairview Park Master Plan

Staff and members of the public may, from time to time, request changes, additions, or deletions to the Fairview Park Master Plan. These requests must be submitted to the City's Parks Project Manager or Fairview Park Plan Administrator in writing, along with supporting evidence to substantiate the request(s). A map showing the proposed change should accompany the request(s). The item shall then be agendized for the next available Parks and Recreation Commission meeting for review prior to staff initiating the formal review process. The Parks and Recreation Commission shall review the request for amendment to the Fairview Park Master Plan, along with staff's recommendation, and direct staff to either proceed with processing the request in accordance with section 4 (above) or to deny the request(s) and return all material to the applicant.

Requests for a particular change, addition, or deletion will be addressed no more than once in a twelve (12) month period.

D. <u>Annual Report</u>

In December of each year, the Public Services Department shall send an annual report to the Parks and Recreation Commission describing the progress that has been made on implementation of the Fairview Park Master Plan. The report shall also describe efforts to be undertaken for the next year.

CITY OF COSTA MESA, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
ECONOMIC DEVELOPMENT STRATEGY	500-12	5/15/2000	1 of 3

BACKGROUND

The City Council and City staff are frequently asked for "development incentives" by property owners, business owners, and developers. The justification for such requests is that the business is going to better Costa Mesa; therefore, the City should be willing to offer a special rebate or other financial inducements in return. In order to explicate the City's position on such requests, this policy sets forth a detailed Economic Development Strategy. The Economic Development Strategy identifies those professional services the City offers that are advantageous to the developer, property and business owner. Furthermore, the Economic Development Strategy specifies those items and requests that the City will not provide.

POLICY

1. Welcome all businesses to the City.

2. Treat all businesses equitably under the same policies and codes.

3. Provide City information pertaining to property proposed for development or redevelopment (zoning code, applicable Municipal Code sections, current fee rate schedule, processing information, business license information, and other pertinent information).

4. Exhibit "A" of Policy 500-12 is to be used as:
   a. a reference by City staff; and
   b. as hand-out to clarify the City's position on development practices, in conjunction with Exhibit "B," the City's "Business Location Incentives."

5. Encourage property owners, business owners, and developers to review all information thoroughly.

6. Emphasize the many long-term, solid relationships the City maintains with various businesses that range from the "Mom and Pop" shops to the large-scale retailer or industrial firm.

EXHIBIT "A"

Economic Development Strategy
(POLICY 500-12)

Costa Mesa welcomes you and values you as a growing part of our community. We are a vibrant, multi-faceted, family-oriented community, with a prominent business base and within easy access to major freeways, John Wayne Airport, the Pacific Ocean, and other major attractions. The City of Costa Mesa has had numerous positive and long-term relationships with property owners, business owners, and developers. These include: C.J. Segerstrom & Sons, Balboa Instruments, Griswold Industries, Sakioka Farms, Filenet, Apria Health Care, Costa Mesa Tourism Council, Taco Mesa, Plums Catering & Café, Diedrich Coffee, Los Angeles Times-Orange County, Experian Information Systems, the Automobile Club of Southern California, and many other businesses of all types and sizes.

The Economic Development Strategy promotes the many positive aspects the City of Costa Mesa has to offer developers, property owners and business owners:

1. High quality services
2. Low taxes
3. Fair and reasonable fees
4. No utility taxes
5. No license fees (other than City business licenses)
6. Shorter but thorough processing and review time periods
7. Knowledgeable, efficient, and friendly staff
8. A dynamic and diverse community

While the City embraces effective and beneficial associations with developers, property owners and business owners, the City does not provide special economic treatment to anyone. Doing so only dilutes the City's relationships with other businesses and surrounding communities. The City's Economic Development Strategy specifies the following to developers, property owners and business owners:

1. No property tax rebates
2. No tax refunds
3. No "free" land
4. No preferential treatment
5. No waiver of fees
6. No use of public funds for private purposes

The attached "Business Location Incentives" provides all businesses with additional information on the advantages of locating in Costa Mesa.

Thank you for choosing to be a part of Costa Mesa!

EXHIBIT "B"

CITY OF COSTA MESA

BUSINESS LOCATION INCENTIVES

- No Utility User Taxes
- 6% Transient Occupancy Tax (lowest in Orange County)
- $200 maximum annual Business License fee
- Active Business Retention Strategy
- Ombudsman for local business issues
- Business Assistance "Hotline" - (714) 754-5613
- Comprehensive Business Assistance Guide
- Locational Information for new businesses
- Strong, active Chamber of Commerce - (714) 885-9090
- Consolidated, One-Stop Building Permit Plan Check Services
- Simplified Zoning Code and Sign Ordinance
- Active Tourism and Promotion Council

costa mesa

CITY OF COSTA MESA, CALIFORNIA COUNCIL POLICY			
SUBJECT:	POLICY NO.:	EFFECTIVE DATE:	PAGE:
ON-SITE PUBLIC NOTICE PROCEDURES	500-13	4/4/2001	1 of 1

BACKGROUND

Section 13-29(d) of the Zoning Code requires a public hearing notice to be placed on each street frontage of a project site. Compliance with the following standards for design, placement and content of on-site notices will ensure uniform implementation of the Zoning Code requirement.

PURPOSE

The purpose of this policy is to provide a set of uniform standards for the design, placement and content of on-site public hearing notices to ensure effective communication of public hearing information to surrounding neighborhood residents.

PROCEDURE

The following minimum criteria shall apply to all on-site public hearing notices:

1. A minimum of one (1) sign per street frontage shall be provided.
2. Signs shall be a minimum of 11" x 17" in size for residential projects and 36" x 36" for commercial and industrial projects.
3. Signs shall be placed on a 48" high wooden stake at the front of the subject site, approximately 5 feet from the property line.
4. For residential projects, sign face shall consist of a laminated, heavy card stock material. Signs for commercial projects shall be constructed of plywood.
5. Signs shall be placed on-site at least 15 days before public hearing or administrative decision date.
6. Sign copy shall include the following information:
    - A title heading (e.g., "PUBLIC NOTICE OF PROPOSED CONSTRUCTION") in approximately 2 to 3-inch high letters
    - A brief description of location and purpose of the application
    - The type of land use approval requested
    - The date, time and place of administrative decision or public hearing concerning the application
    - How, when, where to offer comment
    - Where to call or visit for more information or to view plans
    - All text except title heading shall consist of maximum font size capable of fitting on page
7. Project applicant shall sign agreement allowing City personnel to enter property to post sign(s), and indemnifying City in the event of damage.

CITY OF COSTA MESA, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
SUSTAINABLE MUNICIPAL GREEN POLICY	500-14	9-4-07	1 of 5

GOAL

Enhance our environmental and economical sustainability as a city.

PURPOSE

The purpose of a Citywide policy on sustainable construction and energy efficient operations is to demonstrate the City's commitment to environmentally responsible and economically viable practices; to yield cost savings to the City taxpayers through reduced operating costs; to provide healthy work environments; and to contribute to the City's goals of protecting, conserving, and enhancing the region's environmental resources. It is the intent of the City to adopt best design and management practices to reduce storm water run-off, water consumption, traffic congestion, energy consumption, and landfill waste. This Council Policy will be periodically reviewed to update the particular goals and timelines as well as add any additional goals as desired. The City's ability to implement the goals will be contingent on both the capacity of staff to implement the goals as well as the financial means to provide for the associated increased costs. The costs to achieve the goals will be evaluated as part of the City's annual budget preparation.

I. PUBLIC DEVELOPMENT

1. New Construction Policy

The City of Costa Mesa shall incorporate sustainable building principles and practices into the planning, design, construction, management, renovation, and operations of all City facilities that are constructed and owned by the City. This does not include those projects already under construction or funded prior to the adoption of this policy, except to the extent sustainable building principles and materials may reasonably be incorporated without unduly impacting construction schedule or cost of project.

1.1 All new City facilities and buildings constructed after July 1, 2008 will meet a minimum **LEED Gold** rating and exceed current State of California Title 24 Energy Code requirements by at least 15%. The US Green Building Council's LEED (Leadership in Energy and Environmental Design) rating system shall be used as a design and measurement tool to determine what constitutes sustainable building by national standards.

II. CITY OPERATIONS

2. Purchasing

The City shall encourage the use of recycled materials, reusable products, and products designed to be recycled, subject to budgetary constraints and market conditions. The City shall purchase environmentally-friendly materials, products, and preferable cleaning products for use in City operations. Contractors and suppliers shall provide such materials or products within the specifications prepared by the City and with the assurance that the products are operationally effective. By August 2008 staff will propose and define a green preference to be used where appropriate when evaluating the lowest responsible bidder for projects and services. Included in this evaluation will be a review of what specific measures will be taken during the performance of their professional services to reduce environmental impacts. The proposed measure will be presented to the City Council for consideration and adoption.

It is the policy of the City to maximize energy conservation measures when purchasing products, (e.g. "Energy Star" labeled products). Preference shall be given to recycled products, reused products, or those products that utilize less energy when in operation. At present, recycled paper is more expensive than regular paper. Currently, approximately 5% of the copier paper purchased annually by the City is recycled paper. Subject to budgetary constraints and market conditions, the City will increase the amount of recycled paper purchased up to 25% by 2008; 50% by 2010, and 75% by 2012.

3. Building Maintenance and Operations

It is the policy of the City that all its buildings will be maintained and operated in such a fashion that the minimum amounts of energy and water are consumed while providing environmental benefits.

The City shall:

3.1 Replace all existing urinals with waterless urinals by 2009.

3.2 Replace all computer CRT monitors at end of life cycle with the most energy efficient/cost effective display systems.

3.3 Replace all existing standard light bulbs and applicable fixtures with the most energy efficient/cost effective Energy Star/Compact Fluorescent Light bulbs (CFL) and ancillary fixtures.

3.4 Adopt green specifications for City remodeling projects, requiring low-emission and environmentally-friendly carpet, sealants, adhesives, paint, flooring and other office repair items and furnishings by 2009. The expected cost increase is unknown at this time but may range from 10% to 25% more. As the availability of

more sustainable products increases, the increased costs associated with this effort will likely be more in line with current products.

3.5 Develop practices for cleaning, maintenance and operations of municipal facilities to further advance sustainability and environmentally-friendly practices.

3.6 Reduce the use of plastic water bottles by providing water dispensers at City facilities, phase out the existing inventory of styrofoam cups and replace them with other cups that are environmentally-friendly, and encourage the use of recyclable materials for utensils, plates and other paper goods.

4. City Fleet

Vehicles will be operated and maintained in such a manner as to ensure maximum energy conserving performance and minimal emissions.

The City shall:

4.1 Replace all passenger/carpool and non-emergency response vehicles at end of life cycle with vehicles of higher efficiency.

4.2 Actively seek opportunities to use cleaner burning fuels and technologies in place of conventional diesel fuel for heavy-duty needs vehicles and equipment.

5. Urban Forest Coverage, Green Spaces and Water Consumption

A sufficient open space system will be developed and maintained so that it is diverse in tree canopy coverage, uses, materials, resources and opportunities. The system shall include natural/wildlife habitat as well as passive and active recreation and shall employ sustainable practices wherever possible.

The City shall:

5.1 Review and amend the City's Streetscape and Median Development Standards and the Update of Open Space Master Plan of Parks and Recreation by 2012 to ensure active promotion of the sustainable open space system.

5.2 Conduct a tree canopy coverage survey of City street and park trees by 2009 to obtain the number of public trees by type. Trees shall be maintained and monitored so that the baseline number as established by the coverage survey is not compromised. Tree plantings and tree species diversity in public areas shall be encouraged.

5.3 Minimize the need for excessive turf and maintenance by using landscaping designed to be "naturally manicured" and by incorporating hardscape, mulch materials and other green-friendly materials into the design. Indigenous plants and wildflowers chosen to promote low maintenance, reduce green waste, and decrease the long-term needs for water, fertilizers and fossil fuels, shall be used

wherever possible. For active recreational areas, the installation of artificial turf will be considered.

5.4 Employ methods to reduce dependency on water by maintaining irrigation systems in proper working order and eliminating unnecessary overspray, run-off and leakage. Water efficiency shall be maximized. Reclaimed water shall be used whenever possible.

III. PUBLIC EDUCATION

The City shall actively promote the dissemination of sustainable building and energy conservation information to the citizens of the City as well as to partner with other governmental agencies, public interest organizations, and the private sector to provide incentives to encourage implementation of sustainable building and energy conservation programs where feasible.

6. Education and Outreach

Advise developers, architects and builders with regard to new sustainable building procedures, materials and design strategies.

The City shall:

6.1 Develop green building literature and make them available to the public by October 1, 2007. The literature shall be updated regularly to incorporate the latest green technology and innovation.

6.2 Create informational materials on ways in which the community can partner with the City as well as other agencies and businesses to proactively become a sustainable community.

6.3 Collaborate with other agencies, public interest organizations and area businesses to gather and promote basic principles of sustainability at local events, meetings, and workshops to residents and businesses.

6.4 Train employees on sustainable practices and encourage their suggestions for green operational improvements.

7. Online Information Clearinghouse

Create an online clearinghouse of information that provides information to residents and developers to assist them in the evaluation of sustainable building design and energy conservation options by 2007. Ensure that the website is updated regularly.

IV. URBAN DESIGN STRATEGIES

The City shall encourage through the General Plan, as appropriate in specific areas, mixed use urban designed neighborhoods. The City shall further promote walkable, bikeable and disabled accessible neighborhoods which coordinate land use and transportation with open space systems for recreation and ecological restoration.

V. WASTE REDUCTION

The City shall coordinate with the Costa Mesa Sanitary District and franchised waste haulers serving the City, and strive to reach a 60% diversion rate of waste from landfills by 2020. The City shall actively seek and employ methods of reducing the waste stream in City operations.

VI. WATER CONSERVATION

The City shall coordinate with the Mesa Consolidated and Irvine Ranch Water Districts to create water conservation measures and employ innovative water-saving technologies that strive to decrease the City's water consumption for City operations. The City shall continue to expand the use of reclaimed water as appropriate as an effective water supply source for City operational needs.

VII. ENERGY CONSERVATION

The City shall conserve energy whenever and wherever possible in City operations. The City shall further partner with Southern California Edison, The Gas Company and other energy organizations, as applicable, to maximize energy efficient programs and resources in City operations and to disseminate information to the public on conserving energy while reducing costs and improving the environment.

10. The City shall:

    10.1 Create an Energy Conservation Program by 2008, which will establish City energy reduction goals, programs, guidelines, incentives, resources and other information.

BUILD GREEN
Costa Mesa

AT-A-GLANCE SUMMARY TABLE

Sustainable Green Building Policy (Council Policy 500-14)

DESCRIPTION OF POLICY	ACTION TIMING
I. Public Development	
New Construction Policy: All new City facilities and buildings constructed will meet a minimum LEED Gold rating and exceed current State of California Title 24 Energy Code requirements by at least 15%.	**July 1, 2008**
II. City Operations	
Purchasing Policy: Staff will define "green preferences" which encourage using recycled materials with the intent to use these guidelines when evaluating bids for City projects and services.	**August, 2008**
Building Maintenance and Operations: City shall maintain/operate City buildings to maximize energy conservation. City shall implement such measures including waterless urinals, energy efficient lighting, green-friendly carpets, paints, flooring, and building materials.	**Year 2009**
City Fleet: City shall promote energy conservation/low emissions in City fleet by replacing all passenger/carpool and non-emergency response vehicles at the end of their life cycle to vehicles of higher efficiency. Seek opportunities to use alternative fuels.	**Timing Varies**
Urban Forest Coverage, Green Spaces, and Water Consumption: City shall promote sustainability by preserving/enhancing parks and open spaces, tree canopies, and sustainable landscaping (artificial turf, native plants, low maintenance fertilizers, reclaimed water).	**Year 2009**
III. Public Education	
Education and Outreach: City shall promote sustainability and energy conservation to its citizens through publication of green building literature, partnering with other communities and agencies, conducting local workshops, and training employees.	**October 1, 2007**
Online Information Clearinghouse: City shall create customized website with useful information resources for residents and developers to be updated regularly.	**October 1, 2007**
IV. Urban Design Strategies	
Mixed-Use Development: City shall promote walkable communities with thoughtful coordination of land uses, transportation, and open spaces.	**Year 2007**
V. Waste Reduction	
Minimize Landfill Waste: City shall coordinate with Costa Mesa Sanitary District and other waste haulers to reach a 60% diversion rate of waste from landfills.	**Year 2020**
VI. Water Conservation	
Water Saving Technology: City shall coordinate with Mesa Consolidated and IRWD to implement innovative water-saving technologies to reduce water consumption and promote reclaimed water usage.	**TBD**
VII. Energy Conservation	
Energy Efficient Programs: City shall partner with Southern California Edison to create and implement energy efficient programs/resources, educate the public, and reduce costs.	**TBD**

City of Costa Mesa

COUNCIL POLICY

SUBJECT: Development Impact Fee Deferral Program	**POLICY NUMBER** 500-15	**EFFECTIVE DATE:** July 7, 2010	Page 1 of 1

PURPOSE:

To establish the municipal policy of deferring the payment of certain Development Impact Fees.

POLICY:

To encourage new development within the community, the payment of certain development impact fees shall be deferred. Development impact fees are normally collected prior to issuance of a building permit; however, this program allows the collection of certain impact fees to occur at a later date, as specified as follows:

1. The end of the project construction (usually prior to issuance of a certificate of occupancy for the project) or;
2. One year from the date of issuance of building permits, whichever occurs first.

The development impact fees subject to this deferral program are strictly limited to the following:

- Park and recreation in lieu fees, as described and defined in Costa Mesa Municipal Code Title 13, Chapter XI, Article 5; and
- Traffic impact fees, as described and defined in Costa Mesa Municipal Code Title 13, Chapter XII, Article 3.

CITY OF COSTA MESA, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	Page
COMMUNITY EVENT STREETWIDE BANNERS	500-16	2/1/2011	1 of 6

BACKGROUND

This policy provides guidelines, terms and conditions for the display, by either the City or private groups, of Community Event Streetwide Banners at select locations in the City of Costa Mesa. Because of numerous benefits, it is in the interest of the City to allow through this policy both public service announcements, as well as the promotion and announcement of civic and community oriented events, celebrations, and meetings.

The City has an overriding interest and expectation in deciding what is "spoken" on behalf of the City by any Community Event Streetwide Banners permitted through this policy. The purpose of this policy is not to create a forum for public discussion.

PURPOSE

The purpose of this policy is to disseminate information from the City, about the City and about community events, to its citizens.

The display of certain Community Event Streetwide Banners has been determined by the City to provide substantial benefits to the City and its citizens through the ability of the City to inform its citizens of public service announcements, as well as civic and community events, celebrations and meetings; through the contribution of funds and tangible items for City programs and activities; and through providing volunteers to assist in City programs and activities.

Community Event Streetwide Banners will be displayed at the locations allowed by this policy, and pursuant to specifications contained further in this policy with regard to size, material, and other details pertaining to other physical aspects of a permissible banner, with locations, length of time for display and other such specifications concerning physical aspects of a permissible banner subject to change by the written decision of the City Manager or his/her designee and effective thirty (30) days after publication by the City.

ELIGIBLE ORGANIZATIONS OR BUSINESSES

The following criteria shall apply to all organizations requesting City Council approval to install street banners. The requesting organization or business shall be based in or serve Costa Mesa. In the case of a charitable organization, they must possess proof of "non-profit status" from the State of California and local government agencies.

GENERAL REQUIREMENTS

1. ***Installation Requests***

Each request to install Community Event Streetwide Banners shall be submitted at least thirty (30) days in advance of the proposed installation date and shall include at minimum:

A. Date, time, location(s) and nature of special event or dates of holiday to be promoted.

B. Benefit of the banner to the general public.

C. Approved Streetwide Banner location on City poles (see #4 below)

D. Specific installation and removal dates.

E. Delineation of banner content, size, material and colors. (More information related to banner size and allowable content is provided in the following pages of this Council policy.)

F. Application Fee - Refer to the City of Costa Mesa's current User Fees and Charges manual, adopted by the City Council.

G. Community Event Streetwide Banner Agreement. A separate agreement for the exact specifications with regard to material, hardware, size, installation requirements, encroachment permit (as applicable), etc. is prepared by the Planning and Engineering Divisions.

Installing a banner will require temporary lane closures and other logistical coordination with City staff. The Community Event Streetwide Banner Agreement provides information regarding an appropriate plan to be in place on when and how an organization can install banners. Applicant shall refer to this agreement for more detailed requirements.

2. Number of Banners

One streetwide banner per location, as indicated in #4 below.

3. Installation Period

Banners may be posted for a maximum of 30 consecutive calendar days. The Development Services Director may approve additional display time not to exceed an additional 30 days provided that there are no conflicts with pending banner requests from other organizations or the City's desired usage. Specific dates and times for installation and removal are subject to change by the City in order to minimize impacts to the public i.e, motorists, businesses, and/or public construction projects.

4. Banner Locations

Locations will be identified based on review by Public Services Department and as deemed appropriate by the City Council.

ALLOWED CONTENT

Community Event Streetwide Banners may contain content concerning public service announcements from the City, and content which concerns the promotion and announcement of events, celebrations and meetings, of substantial community wide interest, which are open to the general public.

Examples of permissible content include public service announcements from the City such as water conservation or driver safety, promoting and announcing events sponsored by the City, and (if such events meet all other criteria established by this policy) the promotion and announcement of events at City Community Centers, at the Segerstrom Center for the Arts, at the Orange County Fair and Event Center, and at Orange Coast College and other educational institutions (such as high schools).

Displaying any advertising other than the sponsor's name and logo is not permitted. Advertising specific products is not permitted. The sponsor's name and logo may not exceed more than 5 percent of the face of the banner for streetwide banners, unless approved by the Development Services Director who may allow minor deviations up to an additional 1 percent of the banner sign area for multiple sponsorships or other reasons as deemed appropriate.

DISALLOWED CONTENT

Community Event Streetwide Banners shall not contain any political content, religious content, offensive content, or controversial content, in order to minimize chances of abuse, the appearance of favoritism, and the risk of imposing upon a captive audience; to promote the long term success of the policy both in terms of effectively conveying information and the prospect of

raising revenue; and to maintain a policy consistent with lawful federal and state constitutional exclusions of specified content from City speech and/or nonpublic forums.

The Director of Development Services or his/her designee shall determine, based upon the criteria set forth in this policy, whether a proposed Community Event Streetwide Banner is in violation of the content restrictions set forth herein. Any organization, person or entity, denied placement of a Community Event Streetwide Banner due to disallowed content, shall be provided a written articulation by the Director of Development Services or his/her designee of the disallowed content as understood by this policy.

APPEAL OF DETERMINATION OF DISALLOWED CONTENT

Any organization, person or entity, denied placement of a Community Event Streetwide Banner due to disallowed content, will have fourteen (14) days, from the receipt of the written determination, to appeal the denial to the City Manager or his/her designee. An appeal will consist of a written explanation of why the denied content is consistent with the guidelines of this policy, and an appeal will request a hearing before the City Manager or his/her designee. An appeal hearing will be provided within five (5) days upon receipt of such appeal by the City.

All decisions by the City Manager or his/her designee concerning appeals shall be final. Further appeal of the final decision is to be made to the courts pursuant to California Code Civil Procedure section 1094.8.

LIABILITY

The City will not be responsible for damage to any non-City banner used pursuant to the within policy, including any damage which occurs during installation or removal. Further, the City will not be responsible for the disappearance of any non-City banners, or damage to any non-City banners during use, from any cause, including but not limited to wind, weather, theft, or vandalism; non-City banners are the property of the sponsoring organization.

The City reserves the right to immediately remove Community Event Streetwide Banners if any hazard is deemed present which requires the removal of a Community Event Streetwide Banner, including, but not limited to, a hazard caused by inclement weather or accidental damage.

Costs that may be incurred by the removal of banners deemed to be a hazard shall be charged to the organization, person or entity which/who requested the display of said Community Event Streetwide Banner.

The sponsoring organization, person or entity of a Community Event Streetwide Banner agrees to defend, indemnify, and hold free and harmless the City, at the sponsoring organization, person or entity's sole expense, from and against any and all claims, actions, suits or other legal proceedings brought against the City, arising out of, but not limited to, the installation, display and removal of the sponsoring organization's Community Event Streetwide Banner, with the exception of negligent or intentional acts by the City or its employees which give rise to claims, actions, suits or other legal proceedings brought against the City.

CITY PRIORITY FOR PLACEMENT

The display of a Community Event Streetwide Banner concerning a City public service announcement or City-sponsored event will preempt all other requests from private groups for the display of a Community Event Streetwide Banner, including scheduled displays agreed to by the City.

The City will make any and all reasonable efforts to accommodate a private group whose scheduled display is preempted by a City banner.

In the event that there is a scheduling conflict amongst permissible requests from private groups for a permit to display a Community Event Streetwide Banner, the requests shall be granted in the order in which the requests were received, with such priority possible only for a period not to exceed thirty (30) days from the date of the request until the date the Community Event Streetwide Banner is posted.

TEMPORARY DISPLAY; NO EASEMENT

Any organization, person or entity permitted by the City to temporarily display a Community Event Streetwide Banner under this policy expressly understands that the City does not purport, by such permission for display, to grant any right, claim, title or easement in or upon any public street, public property, or in or upon any other property within the City.

NONTRANSFERABLE

Any grant by the City of a request by an organization, person or entity for the display of a Community Event Streetwide Banner, constitutes a nontransferable grant expressly provided only for the specific content and details provided in said request and approved by the City.

FEES AND COSTS

Any fees charged to a private party, pursuant to this policy, shall be in accordance with a fee schedule adopted by the City Council.

AGREEMENT BY APPLICANTS TO POLICY

All applicants who submit Community Event Streetwide Banner requests to the City shall also submit a signed acknowledgment by an authorized representative of the organization, person or entity submitting said application, that the City of Costa Mesa Community Event Streetwide Banner Policy has been read, and all its terms and conditions are agreed to by the organization, person or entity, specifically including, but not limited to, the section on Liability.

ADHERENCE BY APPLICANTS TO POLICY

In the event the organization, person or entity permitted by the City to display a Community Event Streetwide Banner under this policy fails to comply with any or all of the requirements and conditions, as set forth in this policy and any related application, guidelines, terms or rules consistent with, or derived from, this policy, the permission by the City to display said Community Event Streetwide Banner may be revoked at the City Manager's (or his/her designee's) discretion, and the City may remove the noncompliant Community Event Streetwide Banner, with any and all permitting fees paid to the City under this policy nonrefundable as a consequence of non-compliance, and the costs of removal incurred by City of any noncompliant Community Event Streetwide Banner shall be charged to the organization, person or entity whose request to the City under this policy resulted in the display of the noncompliant Community Event Streetwide Banner.