ORDINANCE NO. 2026-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING THE FAIRVIEW DEVELOPMENTAL CENTER SPECIFIC PLAN AND AMEND SECTIONS 13-20, 13-28, 13-30, CHAPTER V, ARTICLE 7, AND ADD CHAPTER XVIII TITLED "SPECIFIC PLANS" TO TITLE 13 OF THE ZONING CODE AND AMEND THE ZONING MAP TO CHANGE THE ZONING DESIGNATION OF THE 110 ACRE FAIRVIEW DEVELOPMENTAL CENTER (FDC) SITE LOCATED AT 2501 HARBOR BOULEVARD TO REFER TO THE 95 ACRE FDC SPECIFIC PLAN (FDCSP) AND CHANGE THE REMAINING 15 ACRES TO INSTITUTIONAL AND RECREATIONAL (I&R).

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES HEREBY FIND AND DECLARE AS FOLLOWS:

WHEREAS, in June 2022, the California State Legislature adopted SB 188, enacting Government Code section 14670.31, which outlines the general terms under which the State of California, through the State Department of General Services (DGS) and the State Department of Developmental Services (DDS), will collaborate with the City of Costa Mesa (City) to determine the future of the FDC site; and

WHEREAS, on October 4, 2022, the City Council of the City of Costa Mesa (City Council), authorized the City Manager to enter into a Standard Agreement with the DGS and receive State funds in an amount not to exceed $3.5 million to develop the Fairview Developmental Center Specific Plan (FDCSP); and

WHEREAS, in December of 2022, the City of Costa Mesa and DGS entered into Standard Agreement Number HD229063; and

WHEREAS, on June 13, 2023, the City released the solicitation of a Request for Proposals (RFP) for the FDCSP that was released via PlanetBids, the City's web-based procurement system, where four proposals were received and evaluated by City staff based on the selection criteria identified in the RFP, and of the four proposals, PlaceWorks was selected as the qualified consultant to complete the FDCSP scope of work; and

WHEREAS, on August 1, 2023, the City Council approved the agreement between the City and PlaceWorks pursuant to the RFP; and

WHEREAS, on November 2, 3, and 6, 2023, a publicly noticed community workshop (Workshop No. 1) took place at various locations within the City to gather

community input and feedback relating to the existing conditions within the FDCSP and gain insight on the community's vision for the area; and

WHEREAS, on December 12, 2023, the City Council held a study session and received a project status update on the FDCSP; and

WHEREAS, on March 25, 2024, the Planning Commission held a study session and received a project status update on the FDCSP; and

WHEREAS, throughout 2024, Workshop No. 2 (January 23, 25, and 29), Workshop No. 3 (February 29, March 4, and 6), and Workshop No. 4 (July 24, 25 and 31) were publicly noticed and each workshop was held at various locations within the City to gain community input on the draft Vision and Guiding Principles (including further refinements throughout), mobility, open space, housing, infrastructure and learn the community's preferences on these items to incorporate greater detail within the FDCSP; and

WHEREAS, Workshop No. 4 included three land use concepts, key features and applicable analysis for each concept and a land use concept survey was made available from July 24 through August 30, 2024; and

WHEREAS, on May 27, 2025, June 23, 2025, and August 25, 2025, the Planning Commission held publicly noticed study sessions that included project background information, financial feasibility findings, summary of community engagement, and three land use scenarios to obtain their input and provide recommendation to the City Council for a land use plan scenario to be studied for environmental review purposes and inclusion in the FDCSP which does not pre-commit the City to any action for adoption; and

WHEREAS, on October 9, 2025, the FDCSP was presented to the Parks and Community Services Commission to obtain feedback about park amenities for consideration and inclusion in the FDCSP; and

WHEREAS, on October 21, 2025, the City Council held a publicly noticed study session to review the Planning Commission's recommended land use plan for the FDCSP and the City Council directed staff to move forward with the Planning Commission's recommendation to study 4,000 residential units, 35,000 square feet of

non-residential area, and increased the minimum open space requirement from 12 acres to 14 acres which does not pre-commit the City to any action for adoption; and

WHEREAS, on October 29, 2025, pursuant to the California Environmental Quality Act (CEQA) a notice of preparation (NOP) was issued and submitted to the State Clearinghouse where the FDCSP was assigned project number SCH No. 2025101405; and

WHEREAS, the NOP started the CEQA environmental review process by notifying agencies, organizations, tribes, and interested parties about the City's plans to prepare an Environmental Impact Report (EIR), and that the written public comment period began October 29, 2025, through December 5, 2025; and

WHEREAS, on November 17, 2025, a public scoping meeting was held at City Hall to solicit comments and suggestions regarding the scope and content of the EIR and environmental issues and alternatives to be considered in the EIR; and

WHEREAS, on March 16, 2026, the Public Review Draft Specific Plan was made available for a 30-day public comment period that concluded on April 15, 2026; and

WHEREAS, on March 24, 26, and 30, 2026, Workshop No. 5 was held at various locations within the community to introduce the community to the draft specific plan, inform them of its components, and obtain their feedback on the draft document; and

WHEREAS, on May 14, 2026, a notice of availability Draft Environmental Impact Report (DEIR) was published in a newspaper of general circulation which included a 48-day public review period that occurred from May 14, 2026, through July 1, 2026, and the DEIR were made available for public review pursuant to the requirements of the CEQA Guidelines; and

WHEREAS, on May 14, 2026, the DEIR was uploaded to the City's environmental notices webpage, provided to the County Clerk-recorder's Office for posting, and submitted and uploaded to the State Clearinghouse (State Clearinghouse No. 2025101405); and

WHEREAS, on July 14, 2026, the Public Hearing Draft Specific Plan was made available on the project webpage which incorporates public comments received during the March 2026 public comment period for the FDCSP; and

WHEREAS, on July 15, 2026, City staff held a focus group meeting with Costa Mesa Country Club golf course clubs to discuss the secondary access road contemplated in the FDCSP and outline the future process; and

WHEREAS, on July 16, 2026, the Airport Land Use Commission held a duly noticed public hearing and determined that the FDCSP was consistent with the Airport Environs Land Use Plan for John Wayne Airport; and

WHEREAS, on July 23, 2026, the City held a Community Q&A event to provide the community the opportunity to ask questions of staff in order to prepare the community for upcoming public hearings with the Planning Commission and City Council; and

WHEREAS, all workshops and the Community Q&A were advertised through various means, including social media posts on Facebook, Instagram, Next Door, postcard mailers to 46,271 residential homes, email notifications to interested parties, flyer distribution and A-frame signs placed outside of City facilities, announcements made at Planning Commission and City Council meetings, and newspaper advertisements; and

WHEREAS, on July 27, 2026, the Planning Commission held a study session on the FDCSP where it received a presentation for the introduction of the July 2026 Public Hearing Draft Specific Plan, associated Zoning Code, Zoning Map, Land Use Element and Land Use Map amendments and the Draft EIR, and after public comment the Planning Commission received and filed the report and provided feedback on the FDCSP; and

WHEREAS, the implementation of the FDCSP requires amendments to Section 13-20, 13-28, 13-30, and Chapter V, Article 7, of the Zoning Code and add Chapter XVIII “Specific Plans” to Title 13 of the Zoning Code, and update the Zoning Map, the Land Use Element of the General Plan and Land Use Map for consistency with the FDCSP to rezone the FDC site and change the Land Use Designations; and

WHEREAS, on August 10, 2026, the Planning Commission conducted a duly noticed public hearing to discuss and consider the FDCSP project and proposed amendments to Zoning Code, Zoning Map, Land Use Element and Land Use Map, with all persons having the opportunity to speak for and against the proposal and

recommended that the City Council incorporate clarifications included in the August 10, 2026, Memorandum to the Planning Commission, certify the Final EIR, adopt the Findings of Fact and Statement of Overriding Considerations, and adopt the Mitigation Monitoring and Reporting Program; and

WHEREAS, the City Council conducted a public hearing on September 15, 2026, for the purpose of considering the FDCSP project; and

WHEREAS, the City Council has duly considered the totality of the record and all evidence submitted into the record, including public testimony and the evaluation and recommendations by staff and Planning Commission, presented at said hearings; and

WHEREAS, notices of said public hearings were made at the time and in the manner required by law; and

WHEREAS, on September 15, 2026, the City Council adopted Resolution No. 2026-51 certifying the Final Environmental Impact Report, adopting Findings of Fact and Statement of Overriding Considerations, and adopting the Mitigation Monitoring and Reporting Program for the FDCSP project and adopted Resolution No. 2026-52 updating the Land Use Element of the General Plan for consistency with the FDCSP and change the land use designations of the 110-acre FDC site located at 2501 Harbor Boulevard to refer to the 95-acre FDCSP area and change the remaining 15 acres to Public/Institutional; and

WHEREAS, on September 15, 2026, the City Council unanimously introduced the Ordinance and in their motion requested changes be incorporated into the FDCSP, that include the following (reflected within Exhibit A):

- Reduce the maximum units from 4,000 to 2,300, with no change to the number of affordable units;
- Increase the minimum acres of open space from 14 acres to 25 acres;
- Increase the minimum non-residential square-footage from 10,000 square feet to 15,000 square feet;
- Include a requirement for an updated transportation study or traffic analysis that identifies, during the phasing and construction of units, if and when it is necessary to construct a secondary access road;
- Incorporate a list of 22 specific non-substantive text amendments to the

specific plan document as presented at the hearing, including the updated language discussed at the hearing relating to fruit trees in item number 20, which was modified to include reference that they are allowed, provided that they do not create a pest problem and are maintained by a future private owner; and

- Direct staff to continue discussions with the State Department of General Services and Department of Developmental Services around the public's use of Merrimac Way whereby alternative safety improvements should be considered to protect the residents rather than a wholesale prohibition for public access and request State subsidy for the disposition of the FDC site to reduce costs for hazardous materials remediation for the future Master Developer.

Now, therefore, THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The Fairview Development Center Specific Plan is hereby adopted as shown in Exhibit A to this Ordinance. This Specific Plan is adopted for the purpose of implementing the Costa Mesa General Plan for the Specific Plan area.

Section 1. Amendments to Sections 13-20, 13-28, 13-30, Chapter V, Article 7, Add Chapter XVIII "Specific Plans", as identified within Exhibit B and update the Zoning Map to change the zoning designation of the FDC site located at 2501 Harbor Boulevard from "Institutional and Recreational Multi-use (I&R-MLT)" to refer to the 95-acre FDCSP area as "FDCSP" and change the remaining 15 acres of the 110-acre site to "Institutional and Recreational" zoning designation as identified within Exhibit C.

Section 2. Inconsistencies. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

Section 3. Severability. If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the

remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional. No portion of this Ordinance shall supersede any local, State, or Federal law, regulation, or codes dealing with life safety factors.

Section 4. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage.

Section 5. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

PASSED AND ADOPTED this ___ day of _____, 2026.

_____
John Stephens, Mayor

ATTEST:

_____
Brenda Green, City Clerk

APPROVED AS TO FORM:

_____
Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing Ordinance No. 2026-08 was duly introduced for first reading at a regular meeting of the City Council held on the 15th day of September 2026, and that thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council held on the 6th day of October, 2026, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this ___ day of _____, 2026.

_____
Brenda Green, City Clerk