

ORDINANCE NO. 2026-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE (PLANNING, ZONING, AND DEVELOPMENT) TO UPDATE SPECIFIC NON RESIDENTIAL LAND USE CLASSIFICATIONS FOR VARIOUS NON-RESIDENTIAL USES INCLUDING BUT NOT LIMITED TO, PERSONAL SERVICES, ARTISAN STUDIOS, ACTIVE ENTERTAINMENT USES, EVENT CENTERS AND ASSEMBLY USES, FITNESS USES, AND OTHER NON-RESIDENTIAL USES AND STANDARDS (PCTY-2026-0001)

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

WHEREAS, the City of Costa Mesa Municipal Code, Title 13 Planning Zoning and Development Code was last significantly updated in 1997, and since that time has been periodically amended;

WHEREAS, Title 13 Planning, Zoning, and Development Code serves as the primary regulatory framework governing land use and development throughout the City, and a clear and modern Zoning Code supports economic development by providing certainty for property owners, tenants, and investors while ensuring that new development remains consistent with the City's General Plan and community objectives;

WHEREAS, new business types, including wellness-oriented services, specialized fitness facilities, active entertainment venues, artisan production spaces, food halls, ghost kitchens, commercial kitchens, and e-sports-related uses are increasingly common but are not clearly addressed within the City's existing regulatory framework;

WHEREAS, this Ordinance would amend the following Chapters in Title 13 of the Costa Mesa Municipal Code to implement amendments to the Zoning Code to facilitate clarity and regulation requirements:

- a. Chapter I, Article 2, Definitions;
- b. Chapter IV, Citywide Land Use Matrix;
- c. Chapter V Development Standards, Article 3, Commercial Development Standards;
- d. Chapter V Development Standards, Article 4, Establishments Where Food

- or Beverages are Served;
- e. Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts;
- f. Chapter VI, Off-Street Parking Standards, Article 3, Development Standards; and
- g. Chapter IX, Article 24, Group Instruction/Setting & Small Fitness Studio.

WHEREAS, a Study Session was held by the Planning Commission on April 13, 2026, with all persons having the opportunity to speak for and against the amendments;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 22, 2026 with all persons having the opportunity to speak for and against the amendments;

WHEREAS, after holding the public hearing, the Planning Commission conducted a discussion, re-opened the public hearing, and continued the item to the regularly scheduled Planning Commission meeting of July 13, 2026;

WHEREAS, a public hearing was held by the Planning Commission on July 13, 2026, with all persons having the opportunity to speak for and against the amendments, and the Planning Commission recommended the City Council approve the proposed amendments;

WHEREAS, the proposed amendments have been reviewed for compliance with the California Environmental Quality Act (CEQA). The proposed amendments are exempt pursuant to CEQA Guidelines Section 15061(b)(3), the Common Sense Exemption, because it can be seen with certainty that there is no possibility that adoption of the ordinance may have a significant effect on the environment. The amendments primarily involve updates to land use classifications, definitions, and administrative development standards. Additionally, portions of the amendment may be categorically exempt pursuant to CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations);

WHEREAS, a duly noticed public hearing was held by the City Council on August 4, 2026 with all persons having the opportunity to speak for and against the amendments; and

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council, in its independent judgement, hereby adopts the Zoning Code amendments incorporated herein as Exhibits A through G:

- Exhibit A: Chapter 1, Article 2, Definitions;
- Exhibit B: Chapter IV, Citywide Land Use Matrix;
- Exhibit C: Chapter V, Development Standards, Article 3, Commercial Development Standards;
- Exhibit D: Chapter V Development Standards, Article 4, Establishments Where Food or Beverages are Served;
- Exhibit E: Chapter VI, Off-Street Parking Standards, Article 2, Non-Residential Districts
- Exhibit F: Chapter VI, Off-Street Parking Standards, Article 3, Development Standards; and
- Exhibit G: Chapter IX, Special Land Use Regulations;

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:

APPROVED AS TO FORM:

Brenda Green, City Clerk

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-xx was duly introduced for first reading at a regular meeting of the City Council held on the ____ day of _____, 2026, and that thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council held on the ____ day of _____, 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