

RESOLUTION NO. 2026-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ESTABLISHING CITYWIDE MULTIFAMILY RESIDENTIAL AND MIXED-USE OBJECTIVE DESIGN STANDARDS

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, the Citywide Multifamily Residential and Mixed-Use Objective Design Standards guides the design of new multifamily residential and mixed-use development projects in the City of Costa Mesa in a manner that implements Housing Element Program 2B, is consistent with state law, City goals, and the community's vision, while at the same time allowing for a more efficient and predictable process for the review and approval of projects; and

WHEREAS, recent amendments and ongoing trends in State housing laws including the Housing Accountability Act (Government Code section 65589.5) and the Housing Crisis Act of 2019 (Government Code section 65941.1, 65905.5, 66300)—restricts the City's authority to disapprove or reduce the density of housing projects that comply with all objective General Plan, zoning, and design standards;

WHEREAS, the State of California defines objective standards as those "that involve no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal" (Government Code sections 65913.4 and 66300(a)(7)); and

WHEREAS, the Multifamily Residential and Mixed-Use Objective Design Standards regulate site and building design for multifamily residential and mixed-use development projects and are in addition to those regulations established in the City's Municipal Code, specifically Title 13 (Planning, Zoning, and Development) and Title 5 (the Building and Structures Code); and

WHEREAS, on October 22, 2024, the City released the solicitation of a Request for Proposals (RFP) for the NWWAB effort was released via PlanetBids, the City's web-based procurement system, where five proposals were received and evaluated by City staff

based on the selection criteria identified in the RFP, and of the five proposals, Dudek was selected as the qualified consultant to complete the NWWAB scope of work; and

WHEREAS, on February 18, 2025, the City Council approved an agreement between the City and Dudek pursuant to the RFP; and

WHEREAS, July through October 2025, the first round of community visioning was conducted, which included a communitywide open house and three separate workshops at locations throughout the community, one including a walking tour and another including a design charette, an online survey, three focus group discussions with local stakeholders, as well as a dozen pop-up outreach activities at City events, local businesses, local organizations; and

WHEREAS, on November 10, 2025, the Planning Commission held a study session and received an update in relation to the first round of outreach; and

WHEREAS, on December 8, 2025, the Planning Commission held a study session relating to the rezoning of Housing Element sites, including recent court actions relating to overlay districts used for Housing Element sites and the SB 131 CEQA exemption; and

WHEREAS, March through April 2026, the second round of community visioning took place and included two in-person workshops, one virtual workshop, and two focus group discussions with local stakeholders; and

WHEREAS, May through August 2026, the third round of community visioning took place and included a communitywide open house, two focus group discussions with local stakeholders; and several public review comment periods (Zoning Code, Specific Plan, and General Plan updates, objective design standards, two comment periods specific to the Housing Element, and one specific to the Draft Program Environmental Impact Report); and

WHEREAS, at a special meeting on August 17, 2026, the Planning Commission held a study session to receive a presentation on NWWAB including the proposed Citywide Multifamily Residential and Mixed-Use Objective Design Standards, and after public comment the Planning Commission received and filed the report and provided feedback on the documents; and

WHEREAS, on September 14, 2026, the Planning Commission conducted a duly noticed public hearing to discuss and consider the NWWAB project, with all persons having

the opportunity to speak for and against the proposal and voted 4-3 to continue the item to a date certain to provide more time to review the drafts and potential revisions; and

WHEREAS, on September 28, 2026, the Planning Commission conducted a duly noticed public hearing to discuss and consider the NWWAB project, with all persons having the opportunity to speak for and against the proposal and voted 3-1, with three commissioners absent, to recommend that the City Council certify the Final PEIR, adopt the findings of fact and statement of overriding considerations, and the mitigation monitoring and reporting program, and recommend that the City Council approve amendments to the Zoning Code, Zoning Map, General Plan, Specific Plans, rescind the urban plans, and adopt the Citywide Multifamily Residential and Mixed-Use Objective Design Standards; and

WHEREAS, on October 20, 2026, the City Council held a duly noticed public hearing at which all interested persons had the opportunity to speak for and against the proposed amendments; and

WHEREAS, the proposed objective design standards implement a schedule of actions contained in the approved Housing Element pursuant to Government Code section 65583 and do not allow the construction of a distribution center, or oil and gas infrastructure, accordingly, the proposed amendments are statutorily exempt from CEQA pursuant to Public Resources Code section 21080.085(a) (an exemption also known as SB 131), however the City of Costa Mesa determined that a Program Environmental Impact Report would be appropriate to study the potential environmental impacts of NWWAB and the City chose to evaluate the application of the Mixed-Use Overlay District to both non-Housing Element Measure K sites and Housing Element sites (except the Fairview Developmental Center Specific Plan site) in an effort to better understand the cumulative impacts, for transparency to the public, and for disclosure and mitigation; and

WHEREAS, on October 20, 2026, the City Council certified the Final PEIR for the NWWAB effort, adopted findings of fact, adopted the statement of overriding considerations, and adopted the Mitigation Monitoring and Reporting Program; 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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES as follows:

BE IT RESOLVED that based on the evidence in the record the Citywide Multifamily Residential and Mixed-Use Objective Design Standards are hereby adopted as shown in Exhibit A.

BE IT FURTHER RESOLVED that the Costa Mesa City Council does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report, and compliance of all applicable federal, state, and local laws.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 20th day of October, 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 is the original of Resolution No. 2026-xx and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 20th 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 xxth day of October, 2026.

Brenda Green, City Clerk