

RESOLUTION NO. 2026-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AMENDMENTS TO THE SIXTH CYCLE HOUSING ELEMENT (2021-2029) OF THE CITY'S GENERAL PLAN (PCTY-26-0003) TO ADD ADDITIONAL HOUSING ELEMENT OPPORTUNITY SITES, ASSOCIATED REVISIONS (INCLUDING ENVIRONMENTAL JUSTICE POLICIES), AND DETERMINING THE AMENDMENTS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

WHEREAS, the City of Costa Mesa is processing a focused amendment to the Housing Element of the City's General Plan (PCTY-26-0003) to identify and add additional Housing Element Opportunity Sites to the Housing Element Candidates Sites Inventory in order to achieve capacity sufficient to meet the Sixth Housing Element Cycle (2021-2029) Regional Housing Needs Allocation, following no net loss findings made by the City Council on March 17, 2026, and honor requests made by property owners to either be removed or added to the Housing Element Sites Inventory following the March 17, 2026 City Council public hearing as well as incorporate associated revisions (including environmental justice policies);

WHEREAS, under California law, every city must adopt a general plan, which must include specified mandatory elements, and may include additional optional elements, in furtherance of State policy to provide a comprehensive, long-term plan for the physical development and use of property within that city's jurisdiction;

WHEREAS, the City of Costa Mesa was assigned an allocation of 11,760 housing units as its share of the regional housing needs assessment (RHNA for the Sixth Cycle (2021-2029) Housing Element;

WHEREAS, pursuant to Government Code section 65350, et. seq., this Housing Element Update constitutes a General Plan Amendment;

WHEREAS, the City's Sixth Cycle (2021-2029) Housing Element was adopted by the Costa Mesa City Council on February 1, 2022, by Resolution No. 2022-06 and amendments adopted on November 15, 2022, by Resolution No. 2022-67, and was revised as recently as March 1, 2023, to incorporate non-substantive changes as directed

by the City Council and again on March 17, 2026 by Resolution No. 2026-07 to remove 17 Housing Element Opportunity Sites and add two sites—both within the boundary of Measure K—to the Housing Element Candidates Sites Analysis at the request of the respective property owners;

WHEREAS, on July 16, 2026, the Attorney General of California, filed a petition for writ of mandate and complaint for declaratory and injunctive relief, seeking an order for the City to adopt a compliant Housing Element and complete necessary rezoning of Housing Element Inventory sites within 120 days and to ensure that the City's Sixth Cycle (2021-2029) Housing Element meets the City's Regional Housing Needs Allocation goals, as determined by the California Department of Housing and Community Development;

WHEREAS, the City Council finds that the revision to the Housing Element of the General Plan, including identifying adequate sites to maintain capacity to meet RHNA, as well as the addition and removal of Housing Element Opportunity Sites-- within the boundary of Measure K--to the Housing Element Candidate Sites Analysis at the request of the respective property owners, will not significantly impact any agency or special district within or abutting the City of Costa Mesa and does not constitute a major amendment to the General Plan within the meaning of Government Code section 65352;

WHEREAS, this amendment to the Housing Element is necessary to identify and add additional Housing Element Opportunity Sites to the Housing Element Candidates Sites Inventory in order to achieve capacity sufficient to meet the Sixth Housing Element Cycle (2021-2029) Regional Housing Needs Allocation, following no net loss findings made by the City on March 17, 2026, and honor requests made by property owners to either be removed or added to the Housing Element Sites Inventory;

WHEREAS, nonvacant sites in the City continue to be redeveloped for housing, Housing Element Sites have been analyzed for redevelopment potential, and therefore existing development is not presumed to impede additional residential development.

WHEREAS, on August 17, 2026, the Planning Commission held a dully noticed public hearing and approved Resolution No. PC-2026-24 on a 5-2 vote recommending that the City Council adopt amendments to the Housing Element of the City's General Plan to add additional Housing Element Opportunity Sites need to maintain Regional Housing

Needs Allocation (RHNA) capacity, remove certain Housing Element Opportunity Sites, adopt associated revisions (including environmental justice policies);

WHEREAS, on September 1, 2026, the City Council held a duly noticed public hearing to consider the Planning Commission's recommendation to approve the amendments, with all persons having the opportunity to speak for and against the proposal at the public hearing;

WHEREAS, pursuant to California Environmental Quality Act (CEQA) Guidelines section 15162, staff reviewed the previously adopted Mitigated Negative Declaration for the 6th Cycle (2021-2029) Housing Element and determined that a subsequent Environmental Impact Report or a Negative Declaration is not required for the addition of Housing Element Opportunity Sites to the Housing Element Candidates Sites Inventory in order to achieve capacity sufficient to meet the Sixth Housing Element Cycle (2021-2029) Regional Housing Needs Allocation, as well as incorporation of associated revisions (including environmental justice policies) as these revisions would not constitute in new environmental impacts since the prior environmental documents have been certified. On February 1 2022, the Costa Mesa City Council adopted Resolution No. 2022-06, certifying and adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program that analyzed the candidate housing site on 352 acres for the Housing Element.

WHEREAS, on July 1, 2025, a new statutory CEQA exemption, Public Resources Code section 21080.085(a) (adopted by SB 131) went into effect, providing a CEQA exemption for actions needed to implement Housing Elements, including implementation of Program 3A, which requires the City to continue to maintain an inventory of sites to meet RHNA. The addition of new Housing Element Opportunity Sites was determined to be exempt from CEQA, pursuant to Public Resources Code section 21080.085(a) (also known as SB 131);

WHEREAS, the CEQA environmental determination for this project reflects the independent judgement of the City of Costa Mesa.

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

BE IT RESOLVED that the foregoing recitations are true and correct and are incorporated by reference into this action.

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 the City Council finds that the amendments to the Housing Element of the General Plan attached hereto and incorporated herein as Exhibit A, are consistent with the General Plan, and that the amendment will not be detrimental to or adversely impact the public health, safety, and welfare of the community and hereby adopts the amendments to the sites inventory of the Housing Element.

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 1st day of September, 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 1st day of September, 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 2nd day of September, 2026.

Brenda Green, City Clerk

EXHIBIT A