RESOLUTION NO. PC-2026-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COSTA MESA ADOPT AN ORDINANCE TO AMEND SEVERAL CHAPTERS, ARTICLES AND SECTIONS OF TITLE 13 OF THE CITY'S MUNICIPAL (ZONING CODE) CHAPTER I, ARTICLE 2, CHAPTER II, CHAPTER III, CHAPTER IV, CHAPTER V, ARTICLE 1, 2, 2.5, 5.5, 6, 9, AND 11, CHAPTER VI, ARTICLE 1 AND 2, CHAPTER VII, CHAPTER VIII, ARTICLE 3, CHAPTER IX, ARTICLE 4 AND 21, CHAPTER XII, ARTICLE 4, CHAPTER XIII TO APPLY THE MIXED-USE OVERLAY DISTRICT TO MEASURE K SITES, IMPLEMENT HOUSING ELEMENT PROGRAMS, AND ESTABLISH CITYWIDE MULTIFAMILY RESIDENTIAL AND MIXED-USE OBJECTIVE DESIGN STANDARDS AND UPDATE THE ZONING MAP; ADOPT A RESOLUTION TO AMEND THE NEWPORT BOULEVARD, NORTH COSTA MESA AND ONE METRO WEST SPECIFIC PLANS AND AMEND THE LAND USE, CIRCULATION, COMMUNITY DESIGN, NOISE, OPEN SPACE AND RECREATION ELEMENTS OF THE GENERAL PLAN AND ADOPT A RESOLUTION TO REPEAL THE URBAN PLANS FOR INTERNAL CONSISTENCY; AND CERTIFY THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT AND ADOPT THE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION MONITORING AND REPORTING PROGRAM FOR NEIGHBORHOODS WHERE WE ALL BELONG (NWWAB)

CASE NO. PCTY-2026-0004

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

WHEREAS, California Government Code section 65850 grants city and county legislative bodies the authority to adopt and rescind plans to regulate zoning, building, and land use; and

WHEREAS, California Government Code section 65580 et sec. (State Housing Element Law) requires each city and county to adopt a housing element that identifies and analyzes existing and projected housing needs within their jurisdiction and prepare goals, policies, programs, quantified objectives, and sites to further the development, improvement, and preservation of housing; and

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 March 1, 2023, to incorporate non-substantive changes as directed by the City Council, and amended 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, and most recently amended on September 1, 2026, by adopting Resolution No. 2026-38 to maintain adequate sites capacity and comply with State Housing Law; and

WHEREAS, in November 2022, the Costa Mesa community voted in support of Measure K, which enacted Costa Mesa Municipal Code (CMMC) section 13-200.106(g) and exempted requirement for future voter initiatives for the parcels identified in the map within this section; 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, the City of Costa Mesa Sixth Cycle (2021-2029) Housing Element Program 3D directs the city to rescind the urban plans, amend overlays, and other areas of the Zoning Code to facilitate development previously regulated in the urban plans; and

WHEREAS, four urban plans (SoBECA, 19 West, Mesa West Bluffs, and Mesa West Residential Ownership), regulating plans that set forth development and land use standards for specific areas within the Mixed-Use Overlay District, were adopted by the Costa Mesa City Council by Resolutions 06-31, 06-33, 06-34, and 06-35, respectively, on April 4, 2006; and

WHEREAS, the Mesa West Residential Ownership Urban Plan facilitated residential common interest development on specific parcels within the Mixed-Use Overlay District; and

WHEREAS, the proposed amendments to CMMC Title 13, including but not limited to Chapter V, Article 11, Mixed-Use Overlay District, and Chapter V, Article 2, Residential Common Interest Developments, would codify the residential and mixed-use development

opportunities from the urban plans and therefore enable the rescinding of the urban plans; and

WHEREAS, the application of the Mixed-Use Overlay District to Measure K sites would implement Housing Element Program 3G; and

WHEREAS, July through October 2025, was the first round of community visioning, which included one 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 July 1, 2025, a new statutory CEQA exemption, Public Resources Code section 21080.085(a) (adopted by SB 131) went into effect, providing an exemption for actions needed to implement Housing Elements so long as those actions do not facilitate oil or gas development; and

WHEREAS, the proposed amendments 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); 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 November 17, 2025, pursuant to the California Environmental Quality Act (CEQA) a notice of preparation (NOP) was issued and submitted to the State Clearinghouse where the NWWAB was assigned project number SCH No. 2025110783; and

WHEREAS, the NOP started the CEQA environmental review process by notifying agencies, organizations, tribes, and interested parties about the City's plans that an initial study had been prepared which identified that Environmental Impact are anticipated with the project and that an Environmental Impact Report (EIR) is being prepared, and that the written public comment period began November 17, 2025, through December 19, 2025; and

WHEREAS, the City of Costa Mesa determined that a Program Environmental Impact Report would be necessary to study the potential environmental impacts of the application of the MUOD to non-Housing Element Measure K sites, and the City chose to evaluate the application of the MUOD to both non-Housing Element Measure K sites and Housing Element sites in an effort to better understand the cumulative impacts, for transparency to the public, and for disclosure and mitigation; 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, on December 10, 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 January 26, 2026, the Planning Commission held a study session relating to the bifurcation of the Measure K rezoning efforts and Housing Element sites rezoning, and on February 9, 2026, the Planning Commissions held a duly noticed public hearing and recommended to City Council that the Measure K and Housing Element sites rezoning efforts be bifurcated; and

WHEREAS, January through April 2026, was the second round of community visioning including two in-person community workshops, an online workshop, two focused group discussions with stakeholders, and a Planning Commission study session; and

WHEREAS, in March 2026, the City kicked off grant related work efforts tied to the Measure K rezoning effort and Housing Element (HE) implementation after receiving a grant award from the Southern California Association of Governments (SCAG) for the Regional Early Action Planning (REAP 2.0) grant program which includes work relating to accessory dwelling units (HE Program 3E), density bonus (HE Program 2I) and conduct focus group outreach and engagement with faith-based and educational non-profit organizations relating to Senate Bill 4, 2023 (HE Program 3K), and research affordable housing incentive opportunities and potential implementation actions (HE Program 2B); and

WHEREAS, on May 18, 2026, drafts of the Zoning Code amendments, objective design standards, Specific Plan amendments and General Plan amendments were made

available for public review and comment, and notifications regarding the availability of the draft documents were completed in compliance with State law; and

WHEREAS, May through July 2026, was the third round of community visioning including a community open house, two focused discussions with stakeholders, an online video with instructions on how to review and comment on the draft documents, and the draft Zoning Code including the MUOD, Objective Design Standards, General Plan, and Specific Plan amendments were available for public review and comments May 18 through June 15, 2026, the draft Housing Element amendment was available June 8 through June 15, 2026 (then again August 12 through August 19, 2026), and the draft Program Environmental Impact Report was available June 16, 2026 through August 3, 2026; and

WHEREAS, notifications of all public engagement activities varied and included methods such as a project website updates, emails to the project interest list, postcards mailed to over 46,000 Costa Mesa addresses for each Workshop series, fliers and A-frame signs at City Hall and other City facilities, articles in the City Hall Snapshot, announcements made at Planning Commission and City Council meetings, newspaper advertisements, and informative videos and posts to the City's YouTube channel and social media posts on Facebook, Instagram, and Next Door; and

WHEREAS, on June 16, 2026, a notice of availability Draft Program Environmental Impact Report (PEIR) was published in a newspaper of general circulation which included a 49-day public review period that occurred from June 16, 2026, through August 3, 2026, and the PEIR were made available for public review pursuant to the requirements of the CEQA Guidelines; and

WHEREAS, on June 16, 2026, the PEIR 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. 2025110783); and

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

WHEREAS, on August 17, 2026, the Planning Commission held a study session to review the draft Zoning Code amendments, objective design standards, Specific Plan

amendments, and General Plan amendments and after public comment the Planning Commission received and filed the report and provided feedback on the draft documents; and

WHEREAS, on September 1, 2026, the City Council held a duly noticed public hearing and voted 7-0 to initiate the process to overrule the ALUC determination; and

WHEREAS, the implementation of Measure K rezoning and Housing Element Program 3G require amendments to the Newport Boulevard, North Costa Mesa, and One Metro West Specific Plans and the Land Use, Circulation, Community Design, Noise, Open Space and Recreation Elements of the General Plan, and repealing of the SoBECA, 19 West, Mesa West Bluffs, and Mesa West Residential Ownership Urban Plans are required for consistency; and

WHEREAS, on September 14, 2026, the Planning Commission conducted a duly noticed public hearing to discuss and consider the NWWAB initiative and proposed amendments to the Zoning Code, Zoning Map, Specific Plans and General Plan Elements, with all persons having the opportunity to speak for and against the proposal and the Planning Commission voted 4-3 to continue the item to the September 28, 2026, Planning Commission meeting; and

WHEREAS, on September 28, 2026, the Planning Commission conducted the continued public hearing to further discuss and consider the NWWAB amendments, with all persons having the opportunity to speak for and against the proposal; and

WHEREAS, the Final PEIR for this project reflects the independent judgement of the City of Costa Mesa.

NOW, THEREFORE, BE IT RESOLVED that the Costa Mesa Planning Commission, in its independent judgement and after fully considering all alternatives, and all testimony and evidence presented at the public hearing hereby recommends that the City Council take the following actions:

<u>SECTION 1</u>: Certify the Final PEIR prepared for the project pursuant to CEQA Guidelines section 15090, adopt findings of fact pursuant to CEQA Guidelines section 15091, adopt statement of overriding considerations pursuant to CEQA Guidelines section 15093, and adopt the Mitigation Monitoring and Reporting Program included within Exhibit A.

SECTION 2: Adopt by ordinance amendments to CMMC Title 13 (Zoning Code) incorporated herein as Exhibit B, where the following will be repealed and replaced in their entirety:

- Chapter IV, Citywide Land Use Matrix, Table 13-30; and
- Chapter V, Article 11, Mixed-Use Overlay District; and
- Chapter IX, Article 4, Density Bonuses and Other Incentives; and

The following Zoning Code amendments will also be amended as depicted within Exhibit B:

- Chapter I, Article 2, Definitions; and
- Chapter II; Zoning Districts Established; and
- Chapter III, Planning Applications; and
- Chapter IV, Citywide Land Use Matrix; and
- Chapter V, Article1, Residential Districts; and
- Chapter V, Article 2, Residential Common Interest Developments; and
- Chapter V, Article 2.5, Residential Small Lot Subdivisions; and
- Chapter V, Article 5.5, Non-Residential Common Interest Developments; and
- Chapter V, Article 6, Planned Development; and
- Chapter V, Article 9, General Site Improvement Standards; and
- Chapter VI, Article 1, Residential Districts, Off-Street Parking Standards; and
- Chapter VI, Article 2, Non-Residential Districts, Off-Street Parking Standards; and
- Chapter VII, Landscaping Standards; and
- Chapter VIII, Article 3, Sign Regulations; and
- Chapter IX, Article 21, Location of Cannabis Distributing, Manufacturing, Research and Development, Testing Laboratories, Retail Storefront and Retail Nonstorefront Uses; and
- Chapter XII, Article 4, Park and Recreation Impact Fees;
- Chapter XIII, Noise Control; and
- Zoning Map update to apply the Mixed-use Overlay District to specific parcels identified within the map included as Exhibit C.

SECTION 3: Adopt by resolution amendments to the Land Use, Circulation, Community Design, Noise, Open Space, and Recreation Elements of the General Plan for internal consistency as shown in Exhibit D and to the Newport Boulevard, North Costa Mesa, and One Metro West Specific Plans and shown in Exhibit E.

SECTION 4: Adopt by resolution the repeal of City Council Resolution Nos. 06-31, 06-33, 06-34, and 06-35, which were originally adopted on April 4, 2006, that established the urban plan areas identified as the SoBECA, 19 West, Mesa West Bluffs, and Mesa West Residential Ownership for internal consistency with the Chapter V, Article 11, Mixed-Use Overlay District ordinance.

Section 5: Adopt by resolution the City Multifamily Residential and Mixed-Use Objectives Design Stands, as shown in Exhibit F.

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 28th day of September, 2026.

_____
Jeffrey Harlan, Chair
Costa Mesa Planning Commission

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

I, Carrie Tai, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2026-27 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on September 28, 2026, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

_____
Carrie Tai, Secretary
Costa Mesa Planning Commission

Exhibit A

Neighborhoods Where We All Belong Zoning Updates and Housing Element Implementation Environmental Impact Report Files - State Clearinghouse No. 2025110783

Click on the "Links" below to access the document.

Final Program Environmental Impact Report (Final PEIR), includes Appendices and Mitigation Monitoring and Reporting Program (MMRP) - Link

Findings of Fact and Statement of Overriding Considerations - Link

Draft PEIR – Vol. I - Link

Draft PEIR – Vol. II - Link

Draft PEIR – Vol. III - Link

Draft PEIR – Vol. IV - Link

Draft PEIR – Vol. V – Link

Draft PEIR – Vol. VI – Link

Draft PEIR – Vol. VII – Link

Draft PEIR – Vol. VIII – Link

Appendix A-1: Notice or Preparation (NOP) and Initial Study - Link

Appendix A-2: NOP Comment Letters - Link

Appendix A-3: Scoping Meeting Comments - Link

Appendix B: Buildout Methodology – Link

Appendix C: Land Evaluation and Site Assessment Report - Link

Appendix D: Air Quality and Greenhouse Gas Emissions Modeling and Energy Calculations - Link

Appendix E: CNDDB List, CNPS Inventory, and IPaC Records - Link

Appendix F-2: NAHC SLF Search Results - Link

Appendix F-3: Archaeological Resources Sensitivity Map - Link

Appendix F-4: Historic-Age Properties within the Preferred Alternative - Link

Appendix H: Noise Technical Data - Link

Appendix I: Public Services Correspondence - Link

Appendix J: OCTAM Land Use Modeling Inputs - Link

Appendix K-1: NAHC Sacred Land Files Results and AB 52 and SB 18 Notification Letters - Link

Appendix L – Vol. I: Utility Services Correspondence - Link

Appendix L – Vol. II: Utility Services Correspondence - Link

Exhibits B through F

- Exhibit B Zoning Code Amendments
- Exhibit C Zoning Map
- Exhibit D General Plan Amendments
- Exhibit E Specific Plan Amendments
- Exhibit F Citywide Residential Multifamily and Mixed-Use Objective Design Standards

September 14, 2026, Planning Commission Agenda packet includes all above referenced Exhibits:
https://costamesa.legistar.com/View.ashx?M=F&ID=15843820&GUID=00AB7D09-A073-4CE0-B908-68D9C0346C9E