



ORANGE COUNTY
CLERK-RECORDER
CEQA FILING COVER SHEET

202685000400

FILED

April 9, 2026

HUGH NGUYEN
CLERK - RECORDER

By P. Gomez
Deputy clerk

30-04/09/2026-0279

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk-Recorder

TYPE OR PRINT CLEARLY

Project Title

AN ORDINANCE AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE TO REZONE SIXTH CYCLE (2021-2029) HOUSING ELEMENT SITES AND IMPLEMENT HOUSING ELEMENT PROGRAMS TO COMPLY WITH STATE LAW AND MAKE RELATED REVISIONS TO THE ZONING CODE.

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

FILED IN THE OFFICE OF THE ORANGE

COUNTY CLERK-RECORDER ON 04/09/2026

Posted 04/09/2026 Removed _____

Returned to agency on _____

DEPUTY 428

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

NOTICE OF EXEMPTION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

County Clerk-Recorder
County of Orange
P.O. Box 238, Santa Ana, CA 92702-0238

From: City of Costa Mesa
Development Services Dept.
77 Fair Drive, P.O. Box 1200
Costa Mesa, CA 92628

\$50 Filing Fee Attached
 No Fee – City projects exempt from filing fee

Project Title: An ordinance amending Title 13 of the Costa Mesa Municipal Code to rezone Sixth Cycle (2021-2029) Housing Element sites and implement Housing Element programs to comply with State law and make related revisions to the Zoning Code.

Project Location: Citywide

Project Location – City: Costa Mesa

Project Location – County: Orange

Description of Nature, Purpose, and Beneficiaries of Project:

The City of Costa Mesa is implementing its Housing Element. The project rezones Housing Element sites, amends Zoning Code (Title 13) of the City of Costa Mesa Municipal Code to implement Housing Element programs.

Name of Public Agency Approving Project: City of Costa Mesa

Name and Address of Person or Agency Carrying Out Project: Michelle Halligan, City of Costa Mesa, 77 Fair Drive, Costa Mesa, CA

Exempt Status: (Check One)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption. State type and section number:
- Statutory Exemptions. State code number: Public Resources Code 21080.085(a) also known as SB 131
- Not a Project. (Sec. 15378(b)(5) & 15061 (b)(3))

Reasons why project is exempt:

The project implements actions of the Housing Element and does not include oil or gas facilities.

Lead Agency Contact Person: Michelle Halligan **Phone:** 714-754-5608

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Melinda Daney Date: April 8, 2026 Title: Principal Planner

FISH & GAME FEES: Pursuant to Section 711.4(c)(2)(A) of the California Fish and Game Code, the project is exempt from fees since it is exempt from CEQA.

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

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APR 09 2026

HUGH NGUYEN, CLERK-RECORDER

BY: MG DEPUTY

Form Updated December 2023

Filed with the County Clerk: Yes No

Date Filed: _____

ORDINANCE NO. 2026-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA CALIFORNIA AMENDING ARTICLE 2 AND ARTICLE 3, CHAPTER I; CHAPTER II; CHAPTER III; CHAPTER IV; ARTICLE 11, CHAPTER V; ARTICLE 1, CHAPTER VI; ARTICLE 8, CHAPTER IX; ARTICLE 15, CHAPTER IX; ARTICLE 18, CHAPTER IX; ARTICLE 3, CHAPTER XII; CHAPTER XV; AND CHAPTER XVI OF TITLE 13 (PLANNING, ZONING, AND DEVELOPMENT), OF THE COSTA MESA MUNICIPAL CODE TO REZONE SIXTH CYCLE (2021-2029) HOUSING ELEMENT SITES AND IMPLEMENT HOUSING ELEMENT PROGRAMS TO COMPLY WITH STATE LAW AND MAKE RELATED REVISIONS TO THE ZONING CODE

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

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;

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

WHEREAS, the rezoning of Housing Element Opportunity Sites is necessary to establish the densities prescribed in the adopted Housing Element;

WHEREAS, the rezoning of Housing Element Opportunity Sites is exempt from Title 13, Chapter IX Special Land Use Article 22, An Ordinance to give the People of Costa Mesa Control of Their Future (Measure Y) pursuant to Costa Mesa Municipal Code Section 13-200.106(g);

WHEREAS, on November 29, 2023, the State of California Department of Housing and Community Development issued a letter to the City of Costa Mesa regarding Housing Element program implementation and describing the need for amendments to Costa Mesa Municipal Code Title 13 pertaining to Group Homes, single housekeeping units, and reasonable accommodations;

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WHEREAS, a duly noticed public hearing was held by the Planning Commission on February 9, 2026, with all persons having the opportunity to speak for and against the amendments;

WHEREAS, on February 9, 2026, the Planning Commission voted 6-1 to recommend the City Council adopt the amendments to Title 13 and coordinate with specific Housing Element Opportunity Site property owners and further review the North Costa Mesa Specific Plan for consistency with the proposed amendments;

WHEREAS, on March 17, 2026, the City Council held a duly noticed public hearing to give first reading to the proposed amendments to Title 13, with all persons having the opportunity to speak for and against the proposal at the public hearing;

WHEREAS, the City Council's motion to approve the amendments to Title 13 included direction to revise Section 13-83.58, "Properties identified in Housing Element", sub-section (b)(3), "Exception", of the Mixed-Use Overlay District (MUOD), to specify 18 properties removed from the Housing Element and/or the requirements of Section 13-83.58, thereby excluding those properties from the MUOD; remove parking minimums from sub-section (h)(2) and Table 13-83.58-A, and allow required usable common residential open space to be substituted by publicly accessible open space and required usable private open space to be substituted by usable common residential and/or publicly accessible open space;

WHEREAS, on April 7, 2026, the City Council held a duly noticed public hearing to give second reading to the proposed amendments to Title 13, with all persons having the opportunity to speak for and against the proposal at the public hearing;

WHEREAS, on November 15, 2022, the City Council adopted Resolution No. 2022-67, certifying and adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program that analyzed the candidate housing sites for the Sixth Cycle (2021-2029) Housing Element, which provided environmental clearance for the adoption of the Housing Element;

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

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CEQA pursuant to Public Resources Code Section 21080.085(a) The proposed amendments to Title 13 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. Therefore, the proposed amendments are statutorily exempt from California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.085(a). In addition, the proposed amendments to Chapters I, III, IX, XV and XVI of Title 13 are exempt under CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that these proposed Zoning Code amendments will have a significant effect on the environment.

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

Section 1. Title 13 of the Costa Mesa Municipal Code, Chapters I, III, IV, V, VI, IX, XII, XV, and XVI are hereby amended to read as set forth in Exhibit A, and Chapter II, the Official Zoning Map on file with the Planning Division, is hereby amended as depicted in Exhibit B, both attached hereto and incorporated herein by these references.

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.

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BY: MG DEPUTY

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.

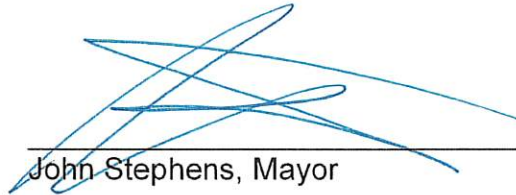
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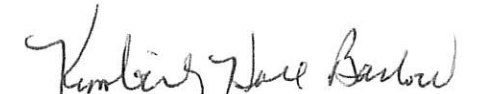
PASSED AND ADOPTED this 7th day of April, 2026.


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. 2026-03 was duly introduced for first reading at a regular meeting of the City Council held on the 17th day of March 2026, and that thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council held on the 7th day of April 2026, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: GAMEROS, MARR, REYNOLDS, CHAVEZ, AND STEPHENS.

NOES: COUNCIL MEMBERS: BULEY AND PETTIS.

ABSENT: COUNCIL MEMBERS: NONE.

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 7th day of April 2026.


Brenda Green, City Clerk

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HUGH NGUYEN, CLERK-RECORDER
BY:  DEPUTY



State of California - Department of Fish and Wildlife
2026 ENVIRONMENTAL DOCUMENT FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 01/01/26) Previously DFG 753.5a

Print **SEARCH** **Save**

RECEIPT NUMBER:
 30-04/09/2026-0279
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF COSTA MESA	LEAD AGENCY EMAIL	DATE 04/09/2026
COUNTY/STATE AGENCY OF FILING ORANGE COUNTY	DOCUMENT NUMBER 202685000400	

PROJECT TITLE

AN ORDINANCE AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE TO REZONE SIXTH CYCLE (2021-2029) HOUSING ELEMENT SITES AND IMPLEMENT HOUSING ELEMENT PROGRAMS TO COMPLY WITH STATE LAW AND MAKE RELATED REVISIONS TO THE ZONING CODE.

PROJECT APPLICANT NAME CITY OF COSTA MESA	PROJECT APPLICANT EMAIL	PHONE NUMBER (714) 754-5608
PROJECT APPLICANT ADDRESS 77 FAIR DRIVE	CITY COSTA MESA	STATE CA
		ZIP CODE 92628

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$ 4,227.50 \$ _____
 Mitigated/Negative Declaration (MND)(ND) \$ 3,043.75 \$ _____
 Certified Regulatory Program (CRP) document - payment due directly to CDFW \$ 1,437.25 \$ _____

- Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

- Water Right Application or Petition Fee (State Water Resources Control Board only) \$ 850.00 \$ _____
 County documentary handling fee \$ 50.00 \$ _____
 Other \$ _____

PAYMENT METHOD:

- Cash Credit Check Other **TOTAL RECEIVED** \$ _____ **0.00**

SIGNATURE X <i>Melissa Gomez</i>	AGENCY OF FILING PRINTED NAME AND TITLE Melissa Gomez Deputy Clerk
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