



ORANGE COUNTY
CLERK-RECORDER
CEQA FILING COVER SHEET

202685000399

FILED

April 9, 2026

HUGH NGUYEN
CLERK - RECORDER

By H. Nguyen
Deputy clerk

30-04/09/2026-0278

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 ARTICLE 23 OF TITLE 8 OF THE COSTA MESA MUNICIPAL CODE FOR CONSISTENCY WITH HOUSING ELEMENT-RELATED AMENDMENTS TO TITLE 13 (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 Article 23 of Title 9 of the Costa Mesa Municipal Code for consistency with Housing Element-related amendments to Title 13 (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 amends Title 9 of the Costa Mesa Municipal Code to implement Housing Element programs to comply with State law and for consistency with Housing Element-related amendments to Title 13 (Zoning Code).

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 Doney 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
- Signed by Applicant

Date received for filing at OPR:

Filed with the County Clerk: Yes No
Date Filed: _____

FILED

APR 09 2026

ORDINANCE NO. 2026-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA CALIFORNIA AMENDING ARTICLE 23 OF TITLE 9 (LICENSES AND BUSINESS REGULATIONS) OF THE COSTA MESA MUNICIPAL CODE FOR CONSISTENCY WITH AMENDMENTS TO CHAPTER XVI OF TITLE 13 (PLANNING ZONING AND DEVELOPMENT)

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES HEREBY FIND AND DECLARE 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, 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 9 pertaining to Group Homes;

WHEREAS, the proposed amendment would remove the requirement for group home residents and house managers to only park one vehicle at the dwelling unit or on any street within 500 feet of the dwelling unit as well as removing the requirement for the vehicle to be operable and currently used as the primary form of transportation for a resident in the group home;

WHEREAS, the proposed amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that this amendment will have a significant effect on the environment;

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APR 09 2026

HUGH NGUYEN, CLERK-RECORDER
BY: MG DEPUTY

WHEREAS, on March 17, 2026, the City Council held a duly noticed public hearing to consider the amendment to Title 9, with all persons having the opportunity to speak for and against the proposal at the public hearing.

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

Section 1. Title 9, Chapter II, Article 23, Group Homes, Section 9-374, Sub-section (b)(2) of the Costa Mesa Municipal Code is hereby amended in its' entirety to read as follows:

“All garage and driveway spaces associated with the dwelling unit shall, at all times, be available for the parking of vehicles.”

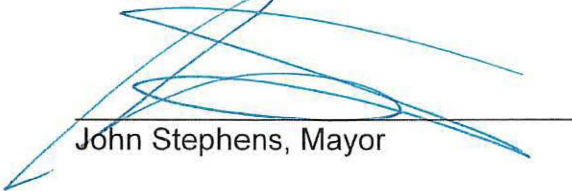
Section 2. Inconsistencies. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

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

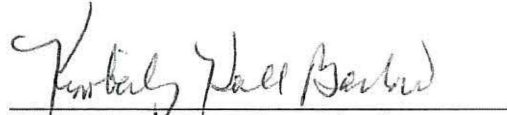
PASSED AND ADOPTED this 7th day of April, 2026.


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)

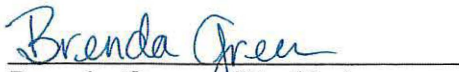
I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing Ordinance No. 2026-04 was duly introduced for first reading at a regular meeting of the City Council held on the 17th day of March 2026, and that thereafter, said Ordinance was duly passed and adopted 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: MG DEPUTY

EXHIBIT A

Title 9, Chapter II, Article 23, Group Homes

§ 9-370 Definitions.

The definitions set forth in Title 13 of this Code shall apply to the provisions of this article unless otherwise provided for herein.

§ 9-371 Zoning requirements.

In addition to the requirements of this article, all group homes subject to this article shall comply with the requirements set forth in Chapter XVI of Title 13 of this Code.

§ 9-372 Operator's permit required.

It is unlawful for any person to operate, or to permit any person to operate, a group home on any property located within the R2-MD, R2-HD, R3, PDR-LD, PDR-MD and/or PDR-HD zone, without a valid permit issued for that group home pursuant to the provisions of this article.

§ 9-373 Exceptions.

The requirements of this article shall not apply to:

- (a) A group home that has six or fewer occupants, not counting a house manager, and that is in compliance with the applicable provisions of Chapters XV and XVI of Title 13 of this Code;
- (b) A state licensed alcoholism or drug abuse recovery or treatment facility; or
- (c) A state licensed residential care facility.

§ 9-374 Requirements for issuance of operator's permit.

- (a) The owner/operator shall submit an application to the director that provides the following information:
 - (1) The name, address, phone number and driver's license number of the owner/operator;
 - (2) If the applicant and/or operator is a partnership, corporation, firm or association, then the applicant/operator shall provide the additional names and addresses as follows and such persons shall also sign the application:
 - i. Every general partner of the partnership;
 - ii. Every owner with a controlling interest in the corporation; and
 - iii. The person designated by the officers of a corporation as set forth in a resolution of the corporation that is to be designated as the permit holder.

FILED

Ordinance No. 2026-04 Page 4 of 9

APR 09 2026

HUGH NGUYEN, CLERK-RECORDER

BY: MG DEPUTY

- (3) The license and permit history of the applicant(s), including whether such applicant(s), in previously operating a similar use in this or another city, county or state under license and/or permit, has had such license and/or permit revoked or suspended, and the reason therefor;
- (4) The name, address, phone number and driver's license number of the house manager;
- (5) A copy of the group home rules and regulations;
- (6) Written intake procedures;
- (7) The relapse policy;
- (8) An affirmation by the owner/operator that only residents (other than the house manager) who are handicapped as defined by state and federal law shall reside at the group home;
- (9) Blank copies of all forms that all residents and potential residents are required to complete; and
- (10) A fee for the cost of processing of the application as set by resolution of the city council.

(b) *Requirements for operation of group homes.*

- (1) The group home has a house manager who resides at the group home or any multiple of persons acting as a house manager who are present at the group home on a 24 hour basis and who are responsible for the day-to-day operation of the group home.
- (2) All garage and driveway spaces associated with the dwelling unit shall, at all times, be available for the parking of vehicles.
- (3) Occupants must not require and operators must not provide "care and supervision" as those terms are defined by Health and Safety Code section 1503.5 and section 80001(c)(3) of Title 22, California Code of Regulations.
- (4) Integral group home facilities are not permitted. Applicants shall declare, under penalty of perjury, that the group home does not operate as an integral use/facility.
- (5) If the group home operator is not the property owner, written approval from the property owner to operate a group home at the property.
- (6) At least 48 hours prior to eviction from or involuntary termination of residency in a group home, the operator thereof shall:
 - i. Notify the person designated as the occupant's emergency contact or contact of record that the occupant will no longer be a resident at the home;

- ii. Contact the Orange County Health Care Agency OC Links Referral Line or other entity designated by the City to determine the services available to the occupant, including, but not limited to, alcohol and drug inpatient and outpatient treatment;
 - iii. Notify the city's Network for Homeless Solutions that an occupant is no longer a resident at the home, determine the services available therefrom; and
 - iv. Provide the information obtained from paragraphs ii and iii of this subsection (b)(6) and any other treatment provider or service to the occupant prior to his or her release on a form provided by the city and obtain the occupant's signed acknowledgement thereon;
 - v. Provided, however, that if the occupant's behavior results in immediate termination of residency pursuant to rules approved by the city as part of the special use permit for that facility, the operator shall comply with paragraphs i through iv of this subsection (b)(6) as soon as possible.
- (7) Prior to an occupant's eviction from or involuntary termination of residency in a group home, the operator thereof shall also:
- i. Make available to the occupant transportation to the address listed on the occupant's driver license, state issued identification card, or the permanent address identified in the occupant's application or referral to the group home;
 - ii. Provided, however, that should the occupant decline transportation to his or her permanent address or otherwise has no permanent address, then the operator shall make available to the occupant transportation to another group home or residential care facility that has agreed to accept the occupant.
- (8) The group home operator shall maintain records for a period of one year following eviction from or involuntary termination of residency of an occupant that document compliance with subsections (a)(6) and (a)(7) of this section; provided, however, that nothing herein shall require an operator of a group home to violate any provision of state or federal law regarding confidentiality of health care information. The group home operator may not satisfy the obligations set forth in subsection (a)(7) by providing remuneration to the occupant for the cost of transportation.
- (9) All drivers of vehicles picking up or dropping off persons at a group home shall comply with all applicable provisions of this Code and the Vehicle Code, including, but not limited to, those provisions regulating licensure and parking, standing and stopping.
- (10) The property must be fully in compliance with all building codes, municipal code and zoning.
- (11) In addition to the regulations outlined above, the following shall also apply to sober living homes:
- i. All occupants, other than the house manager, must be actively participating in legitimate recovery programs, including, but not limited to, Alcoholics Anonymous or Narcotics Anonymous and the sober living home must maintain current records

of meeting attendance. Under the sober living home's rules and regulations, refusal to actively participate in such a program shall be cause for eviction.

- ii. The sober living home's rules and regulations must prohibit the use of any alcohol or any nonprescription drugs at the sober living home or by any recovering addict either on or off site. The sober living home must also have a written policy regarding the possession, use and storage of prescription medications. The facility cannot dispense medications but must make them available to the residents. The possession or use of prescription medications is prohibited except for the person to whom they are prescribed, and in the amounts/dosages prescribed. These rules and regulations shall be posted on site in a common area inside the dwelling unit. Any violation of this rule must be cause for eviction under the sober living home's rules for residency and the violator cannot be readmitted for at least 90 days. Any second violation of this rule shall result in permanent eviction. Alternatively, the sober living home must have provisions in place to remove the violator from contact with the other residents until the violation is resolved.
 - iii. The number of occupants subject to the sex offender registration requirements of Penal Code section 290 does not exceed the limit set forth in Penal Code section 3003.5 and does not violate the distance provisions set forth in Penal Code section 3003.
 - iv. The sober living home shall have a written visitation policy that shall preclude any visitors who are under the influence of any drug or alcohol.
 - v. The sober living home shall have a good neighbor policy that shall direct occupants to be considerate of neighbors, including refraining from engaging in excessively loud, profane or obnoxious behavior that would unduly interfere with a neighbor's use and enjoyment of their dwelling unit. The good neighbor policy shall establish a written protocol for the house manager/operator to follow when a neighbor complaint is received.
 - vi. The sober living home shall not provide any of the following services as they are defined by section 10501(a)(6) of Title 9, California Code of Regulations: detoxification; educational counseling; individual or group counseling sessions; and treatment or recovery planning.
- (c) An applicant may seek relief from the strict application of this section by submitting an application to the director setting forth specific reasons as to why accommodation over and above this section is necessary under state and federal laws, pursuant to Article 15 of Chapter IX of Title 13 of this Code.
- (d) The operator's permit shall be issued by the director if the applicant is in compliance, or, where applicable, has agreed to comply, with the requirements of subsections (a) and (b) above.
- (e) In addition to denying an application for failing to comply, or failing to agree to comply, with subsections (a) and/or (b) of this section, an operator's permit shall also be denied, and if already issued shall be revoked upon a hearing by the director, under any of the following circumstances:

- (1) Any owner/operator or staff person has provided materially false or misleading information on the application or omitted any pertinent information.
- (2) Any owner/operator or staff person has an employment history in which he or she was terminated during the past two years because of physical assault, sexual harassment, embezzlement or theft; falsifying a drug test; and selling or furnishing illegal drugs or alcohol.
- (3) Any owner/operator or staff person has been convicted of or pleaded nolo contendere, within the last seven to 10 years, to any of the following offenses:
 - i. Any sex offense for which the person is required to register as a sex offender under California Penal Code section 290 (last 10 years);
 - ii. Arson offenses—Violations of Penal Code Sections 451—455 (last seven years); or
 - iii. Violent felonies, as defined in Penal Code section 667.5, which involve doing bodily harm to another person (last 10 years).
 - iv. The unlawful sale or furnishing of any controlled substances (last seven years).
- (4) Any owner/operator or staff person is on parole or formal probation supervision on the date of the submittal of the application or at any time thereafter.
- (5) The owner/operator accepts residents, other than a house manager, who are not disabled or handicapped as defined by the FHAA and FEHA.
- (6) An operator's permit for a sober living home shall also be denied, and if already issued shall be revoked upon a hearing by the director, under any of the following additional circumstances:
 - i. The owner/operator of a sober living home fails to immediately take measures to remove any resident who uses alcohol or illegally uses prescription or non-prescription drugs, or who is not actively participating in a legitimate recovery program from contact with all other sober residents.
 - ii. For any other significant and/or repeated violations of this section and/or any other applicable laws and/or regulations.

§ 9-375 Transfer of operator's permit.

- (a) An operator's permit shall not be valid for a location other than the property for which it is issued, unless and until the transfer of the permit is approved by the director pursuant to the requirements of section 9-374.
- (b) An operator's permit may not be transferred to any other person or entity. No operator's permit issued pursuant to this article shall be transferred or assigned or authorize any person or entity other than the person or entity named in the permit to operate the group home named therein.

§ 9-376 Revocation of operator's permit.

An operator's permit may be revoked upon a hearing by the director pursuant to section 9-120 for failing to comply with the terms of the permit and/or for failing to comply with the applicable provisions of section 9-374.

§ 9-377 Reapplication after denial or revocation.

- (a) An applicant for an operator's permit whose application for such an operator's permit has been denied may not reapply for such an operator's permit for a period of six months from the date such notice of denial was issued.
- (b) A holder of an operator's permit that has been cancelled, revoked or otherwise invalidated may not reapply for an operator's or a user's permit for a period of six months from the date that such revocation, cancellation or invalidation became final.

§ 9-378 Compliance.

A group home that is subject to the provisions of this article that is in existence as of the effective date of this ordinance shall have 120 days to comply with the provisions of this article.



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



RECEIPT NUMBER:
30-04/09/2026-0278

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 202685000399	
PROJECT TITLE		

AN ORDINANCE AMENDING ARTICLE 23 OF TITLE 9 OF THE COSTA MESA MUNICIPAL CODE FOR CONSISTENCY WITH HOUSING ELEMENT-RELATED AMENDMENTS TO TITLE 13 (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
--------------------------------------------	-----------------------------------------------------------------------