



August 3, 2026

VIA EMAIL _neighborhoods@costamesaca.gov and
Michelle.Halligan@costamesaca.gov

City of Costa Mesa
Attn: Michelle Halligan, Senior Planner
77 Fair Drive
Costa Mesa, California 92626

Re: Draft Program Environmental Impact Report for the Measure K/Neighborhoods Where
We All Belong Zoning Updates and Housing Element Implementation Project;
SCH No. 2025110783

Dear Ms. Halligan:

We appreciate the opportunity to provide comments to the City of Costa Mesa ("City") on the Draft Program Environmental Impact Report ("DEIR") for the Measure K/Neighborhoods Where We All Belong Zoning Updates and Housing Element Implementation Project ("Project").

The Project encompasses 1,079 parcels totaling approximately 1,353.4 acres distributed throughout Costa Mesa which spans approximately 10,143 acres. Most of the identified parcels are already developed with residential, commercial, and industrial uses. At full buildout in 2056, the Project originally would have facilitated the development of up to 21,522 additional dwelling units and approximately 10.6 million square feet of commercial and industrial floor area. The Project has changed in scope, as several property owners requested that their parcels be removed from the list of sites in the Housing Element, and others have been added. In addition, this estimate does not include the up to 4,000 additional dwelling units and 35,000 square feet of commercial space anticipated under the Fairview Developmental Center Specific Plan.

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According to the California Department of Finance, Costa Mesa's 2025 population is estimated at 110,321 residents. The City projects only modest growth of approximately 2.2 percent—roughly 2,500 people—between 2020 and 2040, increasing from approximately 111,200 to 116,400 residents. Costa Mesa's existing housing stock is estimated at 44,610 units, with an average household size of 2.7 persons, below the Orange County average of 3.0 per household. Its housing vacancy rate remains low at 4.8 percent, and the majority of its housing stock is more than 30 years old.

As noted in the Notice of Preparation ("NOP"), many sites within the Project area are already designated and zoned for residential uses, including Single-Family Residential, Multi-Family Residential, and Planned Development Residential.

To implement the rezoning of all Measure K sites, the Project proposes to utilize the existing Mixed-Use Overlay District ("MUOD"), as established in Section 13-20(s) of the Costa Mesa Municipal Code, as the primary zoning mechanism. Earlier iterations of the Project proposed eliminating the Mesa West Residential Ownership Urban Plan and revising zoning regulations applicable to the North Costa Mesa Specific Plan, 19 West Urban Plan, SoBECA Urban Plan, Mesa West Urban Plan (collectively, the "Urban Plans"), and the Harbor Mixed-Use Overlay ("Harbor Overlay"). The amended MUOD would apply to both residential-only and mixed-use Measure K sites, including Housing Element sites subject to specific restrictions. The Residential Incentive Overlay and the East 17th Street Specific Plan were originally proposed to remain outside the scope of the Project.

The Project has since evolved and now includes the following actions:

- Sunset all existing Urban Plans and the Harbor Overlay while incorporating applicable development standards and regulations into the MUOD through the Zoning Code;
- Consolidate all Urban Plan areas within Measure K under a single MUOD framework;
- Refine and expand MUOD development standards, including provisions tailored to specific subareas;
- Apply the amended MUOD to all Measure K sites, including Housing Element sites subject to special requirements; and

- Amend the North Costa Mesa and Newport Boulevard Specific Plans to apply the MUOD to Measure K sites within those planning areas, while deferring comprehensive updates to those Specific Plans.

Currently, the Urban Plans are implemented through the MUOD but exist outside the City's Zoning Code. Under the Project, the Urban Plans would be retired and their applicable regulations incorporated directly into the Zoning Code through the amended MUOD. The revised MUOD would then serve as the primary zoning framework governing all Measure K sites.

The Planning Area, as defined below, consists of 1,079 parcels totaling approximately 1,353 acres and is generally located along Costa Mesa's major transportation corridors, including Newport Boulevard, Harbor Boulevard, Placentia Avenue, 17th Street, 18th Street, 19th Street, Baker Street, Bristol Street, and areas north of Interstate 405.

The Project includes three primary components:

A. Rezoning of Measure K Sites. The Project would rezone Measure K sites, including both Housing Element and non-Housing Element properties, through application of the amended MUOD. Collectively, these properties are referred to in the DEIR as the "Planning Area." Appendix B provides an inventory of Planning Area parcels, while Figure 2-2 illustrates their locations.

B. Zoning Code Amendments. The Project would amend Title 13 (Planning, Zoning, and Development) of the Costa Mesa Municipal Code. These amendments generally include: (i) implementation of state mandates, including Housing Element programs; (ii) administrative updates and corrections; and (iii) City policy-driven revisions that are not expected to result in environmental impacts. These amendments would apply citywide.

C. Objective Design Standards. The Project would establish Objective Design Standards applicable to all multifamily residential and mixed-use residential development projects throughout the City, including projects within the MUOD. These standards would create a consistent, objective set of design requirements for future residential development citywide.

The documents prepared by the City in connection with items A, B and C above are collectively referred to herein as the "Planning Documents."

The new design standards are:

MUOD Area ¹	Max. Density ²	Max. Building Height (residential)	Setbacks ³	Max. Lot Coverage	Min. Open Space (residential)
Mesa West Bluffs	20-30 du/ac	60 ft.	Front/side along street: Min. 10 ft./ Max. 20 ft. Side/rear along alley: 0 ft Side/rear abutting a) Commercial/ mixed: 20 ft. b) Residential: 20 ft. c) Industrial: 20 ft.	90%	Usable common space: 10% of lot
19 West	20-30 du/ac				Usable private space: 100 sq. ft./unit (ground floor) 50 sq. ft. above ground floor
Newport Blvd	30 du/ac				
Harbor Blvd	30 du/ac				
SoBECA	40 du/ac				
North Costa Mesa	60 du/ac	72 ft.	Side or rear abutting bluff crest: 10 ft.		Publicly accessible space: Total area equivalent to min. 5% of commercial gross floor area for developments with commercial gross floor area greater than 100,000 sq. ft.

Under the Project, the DEIR projects by 2056 the buildout of **21,522** additional housing units and **10,630,361** additional square feet of nonresidential/commercial uses. The projected

¹ At least **50% of a Housing Element site within the MUOD** must be **housing at a minimum density of 20 du/ac**. Housing Element sites **outside the MUOD** must be 100% housing.

² Only applicable to Lower-Income Housing Element Sites and inclusive of Accessory Dwelling Units.

³ Minimum setbacks shall apply to all portions of a building or structure. Maximum setbacks along public streets shall only apply to a building or structure's ground floor, with exceptions for driveways, walkways, and open space.

increase in population is **51,572 residents**, exclusive of the **additional 9,926 new residents** added as a result of buildout of the Fairview Developmental Center Specific Plan.

Introduction to Comments: The following comments are submitted in response to the DEIR for the Project. We recognize the City's obligation to plan for future housing needs and comply with state housing requirements and accommodate its Regional Housing Needs Allocation ("RHNA"). We also recognize and appreciate the substantial effort that City staff, consultants, and members of the public have invested throughout the Measure K process.

However, CEQA requires more than identification of project benefits. It requires full and objective disclosure of environmental impacts, a meaningful evaluation of cumulative effects, a good-faith analysis of alternatives, and an accurate assessment of whether a project's stated objectives are actually being achieved. After carefully reviewing the DEIR and related Planning Documents, we conclude that the DEIR does not satisfy these requirements in several significant respects.

Most notably, the DEIR does not adequately reflect the community vision that served as the foundation of the Measure K process, understates, or fails to fully analyze certain cumulative impacts, and acknowledges an unusually large number of significant and unavoidable environmental impacts that directly contradict assurances that existing neighborhoods would be protected from adverse effects. The DEIR projects the addition of approximately 21,522 housing units, more than 10.6 million square feet of nonresidential development, and approximately 51,572 new residents, exclusive of additional growth anticipated under the Fairview Developmental Center Specific Plan. Yet the environmental consequences of that growth, particularly when considered in combination with nearby regional projects, have not been fully disclosed or addressed.

Accordingly, we respectfully request that the City carefully evaluate the following comments and revise the DEIR where necessary to ensure full compliance with CEQA prior to certification of the Environmental Impact Report.

1. The Primary Project Objective is Not Reflected in the DEIR.

CEQA requires that a project's objectives accurately describe the fundamental purpose of the project because those objectives guide both the environmental analysis and the selection of reasonable alternatives. Here, the DEIR's stated objectives emphasize implementation of Housing Element programs, rezoning, and compliance with state housing mandates. While

those objectives are important, they do not fully reflect the primary purpose that was communicated to Costa Mesa residents during the Measure K process.

Measure K was presented to the public as an opportunity to create a community-driven vision for future housing and mixed-use development that would accommodate growth while preserving neighborhood character, protecting quality of life, and maintaining the unique identity of Costa Mesa. Public outreach materials consistently emphasized thoughtful planning, community engagement, neighborhood compatibility, mobility improvements, open space, landscaping, and the preservation of Costa Mesa's distinct character.

Information gathered from the City's websites shows the following community vision for the Measure K and Housing Element sites:

Core Themes from Community Input:

- **Diverse Housing Options:** Strong support for a range of housing types (affordable, mixed-use, ownership opportunities) to serve all ages, incomes, and household sizes, including vulnerable populations.
- **Mobility and Safer Streets:** Emphasis on walkability, bike lanes, transit access, and pedestrian-oriented design to improve connectivity and safety.
- **Community Gathering Spaces:** Desire for more public and private open spaces, parks, and amenities near housing to foster social interaction and recreation.
- **Eclectic Neighborhood Character:** Importance of preserving Costa Mesa's unique, culturally rich, and eclectic feel in new developments.
- **Transparency and Communication:** Calls for ongoing, clear communication and access to technical information throughout the planning process.
- **Landscaping and Open Space:** Requests for more trees, landscaping, and shaded areas to soften the built environment and enhance sustainability.
- **Thoughtful Housing Design:** Considerations for setbacks, building height, parking, traffic, and compatibility with existing neighborhoods.

Top Priorities Identified by Outreach Participants:

- Outdoor spaces for gathering, recreation, and nature (36%).
- Mobility (safe streets, sidewalks, bikeways, transit, parking) (33%).
- Housing options (types and affordability) (33%).
- Proximity to amenities (shopping, dining, services) (31%).
- Landscaping (trees, plants along streets/sidewalks) (27%).

Neighborhood-Specific Insights:

- **Harbor/Newport Boulevards:** Support for mixed-use, walkable neighborhoods, green spaces, and first-time homeownership pathways.
- **Westside:** Need for high-quality affordable housing, play areas, local business support, and improved multi-modal transportation.
- **North Costa Mesa/SoBECA:** Flexible housing sizes, ground-floor amenities, better connections, and enhanced landscaping.

Pop-Up and Survey Results:

- Pop-up participants prioritized sense of place, proximity to amenities, housing options, and outdoor spaces.
- Survey respondents emphasized mobility, outdoor spaces, landscaping, and housing options as top priorities for good neighborhoods.
- For multistory housing, streetscape/landscaping, ground floor amenities, public open space, and pathway connections were most valued.

Concerns and Considerations:

- Affordability, parking, traffic, infrastructure compatibility, and maintaining neighborhood uniqueness were recurring concerns.

- Calls for predictable city processes and flexibility in regulations to adapt to changing market demands.

Measure K was intended to produce a **shared vision** for **Costa Mesa's future** through public input. What the DEIR reflects is planning that is driven primarily by the need to satisfy state Housing and Community Development ("HCD") requirements and RHNA numbers. The result feels less like thoughtful city planning that reflects what residents actually want for their community, and more like solving a sudoku or other numbers game. In addition, the Planning Documents do not implement Housing Element Program 3G, because the public was cut out of actively participating in the planning process, as that was done largely behind closed doors.

Because of this inconsistency, the DEIR does not achieve the objective of engaging the public in the planning process, not does it reflect the vision created by the community, but instead creates a series of impacts on the community. This disconnect is particularly evident given the DEIR's conclusion that the Project would result in 31 "**significant and unavoidable**" **environmental impacts**, many of which directly affect the neighborhoods that residents were told would be protected. If the Project's objectives truly include its stated objective of "**reducing potential impacts to existing residential neighborhoods**," the DEIR fails to explain how that objective is achieved when the Project itself acknowledges unavoidable impacts relating to aesthetics, air quality, biological resources, cultural resources, greenhouse gas emissions, hazards, noise, population growth, recreation, tribal cultural resources, and other environmental categories. Each of the impacts, whether mitigated or being impossible to mitigate, are going to impact every existing residence.

For these reasons, the DEIR should be revised to more accurately identify the Project's objectives and evaluate whether the Project, as proposed, actually fulfills the community vision that formed the basis of the Measure K process.

2. **The DEIR Reveals Significant and Unavoidable Impacts that Cannot be Fully Mitigated; the DEIR Fails to Address Impacts and Does Not Address Population and Housing Impacts Adequately.**

The findings of the DEIR are that 31 of the impacts identified were determined to be significant and unavoidable impacts, even after mitigation, and some the impacts cannot be mitigated. The significant and unavoidable impacts fall into the following areas:

- a. **Aesthetics.** The Project would update zoning and design standards to manage building heights, setbacks, and scenic quality. While some General Plan goals are met, there is

potential for significant and unavoidable impacts related to scenic quality, especially regarding shade/shadow effects from taller buildings near residential zones. Mitigation Measure MM-4.1-1 requires shade/shadow analysis and design modifications, but some impacts may remain significant due to state law limitations. This violates the responsibility of the City to reduce potential impacts on existing residential neighborhoods.

- b. **Agriculture and Forestry.** The Project would convert Costa Mesa's last parcels of Prime Farmland and Farmland of Statewide Importance (about 68.9 acres) to non-agricultural use, a significant and unavoidable impact. No feasible mitigation is available due to the lack of a local agricultural mitigation program.
- c. **Air Quality.** Both construction and operation of future development under the Project would exceed South Coast Air Quality Management District ("SCAQMD") thresholds for several pollutants (VOCs, NOx, CO, PM10, PM2.5). Even with Mitigation Measures MM-4.3-1 through MM-4.3-11, the impacts are considered significant and unavoidable, especially for sensitive receptors and cumulative air quality. The Project area already faces a high environmental burden (CalEnviroScreen 5.0 show a pollution burden of 85.99 in Census Tract 6059063605). Additional development could contribute to cumulative impacts, especially regarding hazardous materials, unless strict regulatory compliance and mitigation are enforced.
- d. **Biological Resources.** The Project area is mostly urbanized, with limited sensitive habitats. However, future development could potentially affect sensitive plants, nesting birds, burrowing owls, western spadefoot toads, and Crotch's bumble bees, as well as their habitats. Mitigation Measures (MM-4.4-1 through 4.6-6) require biological surveys, avoidance measures, seasonal restrictions, protective buffers, relocation where necessary, habitat conservation, monitoring, and agency coordination. Even with implementation of these Mitigation Measures, biological resource impacts are still expected to be significant and unavoidable.
- e. **Cultural Resources.**
 - 1) Historical Resources (Threshold 4.5-1): The Project could cause significant and unavoidable impacts to historical resources due to potential redevelopment, demolition, or alteration of eligible properties. Even with mitigation (e.g., historical assessments, design review, compliance with Secretary of the Interior's Standards), some impacts cannot be fully avoided.

- 2) Archaeological Resources (Threshold 4.5-2): Significant and unavoidable impacts are possible due to ground-disturbing activities that could affect known or unknown archaeological resources. Mitigation includes archaeological surveys, monitoring, and data recovery, but preservation of all resources cannot be guaranteed.
- 3) Human Remains (Threshold 4.5-3): Impacts are considered less than significant due to robust state and local procedures for discovery and treatment of human remains.

Mitigation Measures MM-4.5-1 and MM-4.5-2 include protocols for documentation, reporting, and consultation with Native American tribes as appropriate. However, the cumulative effect of ongoing and future development is a continued risk of loss to both historic and archaeological resources and is still expected to be significant and unavoidable.

- f. **Geology and Soils.** Future development could disturb, damage, or destroy important paleontological resources (fossils) that may be buried beneath the Project site. The risk varies depending on whether the site is located in an area identified as having low or high paleontological sensitivity. Implementation of Mitigation Measure 4.7-1 requires monitoring, fossil recovery procedures, and professional oversight, however, impacts to paleontological resources could still be significant and unavoidable.
- g. **Greenhouse Gas Emission.** Future development within the Project area could generate greenhouse gas (“GHG”) emissions from construction activities, building energy use, transportation, water consumption, and other operational sources, contributing to climate change. This could conflict with state, regional, or local plans and policies designed to reduce greenhouse gas emissions.

During construction and operation the Project is expected to generate approximately 295,238 metric tons of CO₂-equivalent GHG emissions per year at full buildout, exceeding the SCAQMD threshold of 3,000 MT CO₂e/year. Major sources are transportation (mobile), building energy, waste, water, and refrigerants. The Project’s infill and mixed-use development pattern supports reduced vehicle miles traveled (“VMT”) and aligns with state and regional climate strategies.

With implementation of Mitigation Measures MM-4.8-1 through MM-4.8-5, both project-level and cumulative greenhouse gas impacts are expected to be reduced, however impacts could remain significant and unavoidable.

- h. **Hazards and Hazardous Materials.** Many sites within the Project area have current or historical industrial, commercial, agricultural, or petroleum-related uses that may have resulted in soil, groundwater, soil vapor, or other contamination. Redevelopment activities could expose construction workers, future residents, the public, or the environment to hazardous materials. Redevelopment requires due diligence (Phase I/II Environmental Site Assessments) and, if necessary, remediation and protective measures. There are numerous idle or plugged oil and gas wells in Costa Mesa; construction near these may require methane mitigation and adherence to state safety protocols. Older buildings may contain hazardous materials (asbestos, lead paint, PCBs), requiring surveys and abatement before demolition or renovation.

Portions of the Project area overlap with John Wayne Airport's noise and safety zones, imposing restrictions on residential density, building heights, and use types. Some parcels are near moderate or high fire hazard zones, requiring compliance with fire safety and emergency response plans. The Project area already faces a high environmental burden (again, CalEnviroScreen 5.0 show a pollution burden of 85.99 in Census Tract 6059063605).

Mitigation Measures MM-4.9-1 and MM-4.9.2 require thorough environmental investigations, cleanup under regulatory oversight, hazardous-material abatement, methane monitoring and protection systems, construction management plans, and long-term monitoring. Despite these measures, the DEIR concludes that project-level and cumulative hazards impacts remain significant and unavoidable because future site contamination conditions cannot be fully predicted.

- i. **Noise.** Future development could generate construction noise, operational noise, and construction-related vibration that affect nearby residences and other sensitive uses. Mitigation requires detailed noise and vibration analyses, construction management plans, noise barriers, equipment controls, operational design measures, monitoring, and public notification. Despite Mitigation Measures MM 4.13-1 and MM4.13-2, the DEIR concludes that project-level and cumulative noise impacts remain significant and unavoidable because the precise characteristics and timing of future development projects are not yet known.

- j. **Population and Housing.** The Project would support planned population, housing, and employment growth within the Project area. The primary Mitigation Measure (MM-4.14.1) is coordination with the Southern California Association of Governments to ensure that future growth is reflected in regional transportation, housing, and infrastructure planning. This helps regional agencies and local governments accommodate growth in an organized manner and reduces the potential for unplanned population and housing impacts. However, population growth from the Project could place additional demands on transportation systems, infrastructure, public services, and regional planning efforts if not appropriately accounted for in long-range forecasts. Therefore, even after mitigation efforts, the impacts could be significant and unavoidable.

Furthermore, the Project creates a large impact to Costa Mesa because it does not satisfy the biggest selling point of Measure K: **providing for more affordable housing**. While the rezoning of the city and changes to the zoning code and design standards may make it easier to process developer's applications, those changes neither make it easier for developers to overcome the basic hurdle of any project, the cost of land and construction costs, nor do those changes entice developers to build affordable housing. With respect to that final item, it has been over two years since the City Council approved its inclusionary housing ordinance, yet no applicants have expressed a desire to provide affordable units under it. That is a failure of the City to make good on its promises under Measure K.

- k. **Recreation.** "The Project's proposed land use changes would result in a significant impact to park services. As such, implementation of the Project and introduction of an increased parks and recreation service-area population of 51,572 additional residents and 14,454 additional employees through 2056 would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of facilities would occur or be accelerated, thereby resulting in a potentially significant impact."⁴ This population growth would require 684.59 acres of parkland to maintain the 4.26 acres/1,000 residents standard, creating a deficit of 108.59 acres. Without new parkland, the ratio would drop to 3.58 acres per 1,000 residents, below the City's standard of 4.26 acres per 1,000 residents. "Furthermore, as discussed above in Section 4.16.4 under Threshold 4.16-1, implementation of the Project would result in a significant and unavoidable impact related to the **deterioration of existing parks** serving the City."⁵ [Emphasis Added] The impacts on parks and recreation are deemed significant and unavoidable due to the inability to guarantee sufficient new

⁴ See Page 4.16-10, Threshold 4.16.2.

⁵ See Page 4.16-11, Threshold 4.16.2.

parkland or expansion of existing facilities. **No feasible mitigation measures are identified.** This places a burden on residents of existing neighborhoods, yet we were told under Measure K our existing neighborhoods would not be impacted. That is another failure of the City to make good on its promises under Measure K.

- l. **Tribal Cultural Resources.** The Project facilitates future development that could result in ground-disturbing activities (grading, trenching, construction) on parcels with potential Tribal Cultural Resources (“TCRs”). Both known and unknown TCRs could be adversely affected, including sites, features, cultural landscapes, sacred places, and objects of value to California Native American Tribes. The majority of the Project area has been previously disturbed, but areas of moderate and high archaeological sensitivity remain, especially near the Santa Ana River and where human remains have been found. Even with regulatory compliance and mitigation, including Mitigation Measure MM-4.18-1, the DEIR concludes that impacts to TCRs are significant and unavoidable due to the inability to guarantee preservation of all resources during future development. The cumulative effect of this and other regional projects is also significant and unavoidable, as ongoing development could further degrade or destroy TCRs, limiting understanding of tribal cultural landscapes.
- m. **Transportation.** Because the Project would not directly construct new development, rather would enable future growth, there is no formal traffic study. VMT analysis shows that both baseline and cumulative project-generated VMT per service population (16.7 and 14.4, respectively) are below the City’s threshold (25.4), indicating less than significant impact. The Project is consistent with local and regional transportation plans and does not conflict with policies for transit, roadways, or active transportation. However, that analysis is incomplete and the VMT analysis appears to be hiding the reality that residents are already facing, which is traffic on the major corridors and the failure of intersections. Costa Mesa is nearly built out and there is little space for widening of roadways. There is no mention in the DEIR of any attempt to mitigate what will obviously become a traffic nightmare once the Project is built out and the projects across the border in Santa Ana are completed as well. No consideration was given to the cumulative impacts of those projects, which will not only create headaches for residents, but also for first responders. The failure to address the cumulative impacts leads us to conclude that **no feasible mitigation measures could be identified.** See Section 3 below for more on this issue.

Thirty-one (31) significant and unavoidable impacts is a tremendous number of impacts, even for a programmatic environmental impact report. This, combined with the fact that the DEIR

does not address transportation issues, is clear evidence that the City is unable to make good on the promises made to the residents that existing neighborhoods would not be impacted by the growth expected under Measure K. In fact, every part of town will be impacted by the approximately 21,522 additional housing units and 10,630,361 additional square feet of nonresidential/commercial uses, and the resulting additional 51,572 residents added under the Project, along with the additional 9,926 new residents added as a result of buildout of the Fairview Developmental Center Specific Plan.

3. Cumulative Impacts Are Not Fully Identified, or Are Missing From the DEIR.

CEQA requires that an Environmental Impact Report (“EIR”) analyze cumulative impacts in a meaningful and comprehensive manner. CEQA Guidelines Section 15130(b)(1) provides that a cumulative impacts analysis must be based on either:

- a. A list of past, present and probable future projects producing related cumulative impacts, including, if necessary, those projects outside the control of the agency; or
- b. A summary of projections contained in an adopted general plan or related planning document designed to evaluate regional or area-wide conditions.

Courts have repeatedly emphasized that an EIR must include all reasonably foreseeable projects that could contribute to cumulative impacts. In *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 120, the court held that an agency may not rely on an incomplete or improperly limited project list when evaluating cumulative impacts. Similarly, in *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 720–721, the court found an EIR inadequate where it failed to sufficiently analyze cumulative impacts, including traffic and air quality effects, from related projects in the surrounding area.

The DEIR fails to adequately evaluate regional or area-wide cumulative conditions. This deficiency stems from the omission of (i) the State of California’s Southern Regional Emergency Operations Center (“SREOC”) currently under construction at the Fairview Developmental Center site, and (ii) two major development projects (“Santa Ana Projects”) located immediately adjacent to the border with Santa Ana, all of which are reasonably foreseeable and would contribute to cumulative impacts within Costa Mesa.

The SREOC’s environmental report disclosed transportation and air quality impacts that would occur as a result of its operation during an emergency incident.

The Santa Ana Projects are substantial in scale. The Village at South Coast project includes 1,583 dwelling units, 80,000 square feet of retail space, and 300,000 square feet of office space. The Bristol Related project proposes 3,250 dwelling units, 350,000 square feet of commercial space, a 250-room hotel, and a 200-unit senior living project, with a floor area ratio of 2.7 and residential density of approximately 92 du/ac. Given their proximity and scale, these projects would foreseeably contribute to cumulative impacts related to traffic, air quality, noise, and infrastructure demand within Costa Mesa.

CEQA prohibits agencies from ignoring such related projects or artificially limiting the scope of cumulative analysis. As the California Supreme Court explained, “an EIR must not ignore the cumulative impact of multiple projects” (*Kings County Farm Bureau*, supra, 221 Cal.App.3d at p. 720).

Here, available information indicates that the Santa Ana Projects will generate substantial increases in VMT, yet no traffic impact fees will be paid to the City of Costa Mesa and no corresponding roadway improvements are planned within the City. Moreover, the City of Santa Ana committed to routing construction and project-related traffic away from nearby Santa Ana neighborhoods and toward regional roadways located within Costa Mesa, including Bristol Street, Sunflower Avenue, Bear Street, South Coast Drive, Fairview Road, and Harbor Boulevard. These facts underscore that the impacts of the Santa Ana Projects will not be confined to Santa Ana, but will directly affect Costa Mesa residents and infrastructure.

Despite these reasonably foreseeable conditions, the DEIR does not meaningfully evaluate the cumulative impacts associated with increased traffic volumes, degraded air quality, or related environmental effects within Costa Mesa. Nor does it assess how these cumulative impacts may impair the City’s ability to implement its General Plan policies, including safety, or achieve applicable environmental goals. This omission renders the cumulative impacts analysis legally inadequate. (See *Communities for a Better Environment*, supra, 103 Cal.App.4th at p. 120.)

Accordingly, the DEIR fails to satisfy CEQA’s requirements for a legally adequate cumulative impacts analysis. The DEIR must be revised to incorporate all reasonably foreseeable related projects, including those in adjacent jurisdictions, and to fully evaluate the resulting cumulative impacts on transportation, air quality, safety, and other environmental resource areas.

Implementation of the proposed Project would result in several environmental impacts that cannot be mitigated. Under CEQA, an impact is considered significant and unavoidable if it would cause a substantial adverse change in the environment that cannot be feasibly mitigated

to a less-than-significant level. Where a lead agency nonetheless approves such a project, it must adopt a Statement of Overriding Considerations explaining why the Project's benefits outweigh its significant impacts.⁶

4. Project Alternative Analysis Shows Alternative B to be the Environmentally Superior Alternative.

CEQA requires an EIR to evaluate a reasonable range of alternatives that would feasibly attain most of the project's basic objectives while avoiding or substantially lessening one or more significant environmental impacts.

CEQA Guidelines Section 15126.6(a) provides that an EIR must "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project," and must "evaluate the comparative merits of the alternatives." CEQA Guidelines Section 15126.6(f) further provides that the range of alternatives is governed by the "rule of reason," meaning the EIR must include those alternatives necessary to permit a reasoned choice. The alternatives analyzed in detail must be capable of feasibly attaining most of the project's basic objectives while reducing significant environmental impacts.

We note that DEIR identifies Alternative B, Housing Element Sites Only⁷, to be the only feasible environmentally superior alternative. Alternative B would enable the City to achieve its RHNA goals while eliminating significant and unavoidable impacts under the Project for air quality and population and housing. We urge the City and City Council to approve Alternative B as the best project for the City and its residents.

Conclusion. The DEIR acknowledges that implementation of the Project would result in numerous significant and unavoidable environmental impacts, including impacts related to aesthetics, agricultural resources, air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, noise, population and housing, recreation, tribal cultural resources, and other resource areas. At the same time, the DEIR fails to adequately analyze several reasonably foreseeable cumulative impacts and does not sufficiently demonstrate how the Project fulfills the community-based vision that was presented to residents through the Measure K process.

⁶ See CEQA Guidelines Section 15093[b].

⁷ See Page 6-42, Section 6.7.

The record reflects that residents supported Measure K based upon assurances that future growth would be thoughtfully planned, would preserve Costa Mesa's unique neighborhood character, and would minimize impacts on existing neighborhoods. Yet the DEIR itself concludes that many impacts cannot be fully mitigated and that substantial environmental consequences will remain. These findings raise significant questions regarding whether the Project, as currently proposed, achieves its stated objectives or appropriately balances growth with protection of existing community resources.

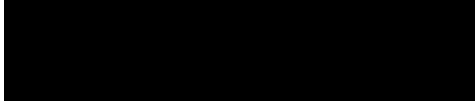
Furthermore, the DEIR's alternatives analysis identifies Alternative B (Housing Element Sites Only) as the environmentally superior alternative. Alternative B would allow the City to satisfy its RHNA obligations and continue implementing its Housing Element while substantially reducing environmental impacts compared to the proposed Project. For that reason, Alternative B warrants serious consideration by the Planning Commission and City Council before any action is taken on certification of the final environmental impact report.

For all of the foregoing reasons, we respectfully request that the City revise and recirculate the DEIR to correct the deficiencies identified in these comments, fully evaluate all reasonably foreseeable cumulative impacts, and provide a complete analysis of alternatives and mitigation measures as required by CEQA. In the alternative, we urge the City to approve Alternative B as the option that best balances housing obligations, environmental protection, and the interests of existing and future Costa Mesa residents.

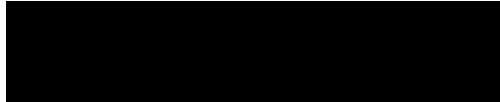
City of Costa Mesa
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Thank you for your consideration of these comments and for including them in the administrative record for this Project.

Very truly yours,



Richard J. Huffman Treasurer



Cynthia McDonald Assistant Treasurer

cc: Mayor, City Council, Planning Commission, City Manager, Director of Economic and Development Services

Costa Mesa First's mission is to educate Costa Mesans about planning policies in Costa Mesa so they make knowledgeable choices when voting. We encourage residents to choose walkable, bikeable, and inclusive neighborhoods, and the land use and transportation policies and investments needed to make Costa Mesa flourish. Our primary objective is to require Costa Mesa's leaders to put the residents of Costa Mesa first.

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