



# **CITY COUNCIL AGENDA REPORT**

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MEETING DATE: APRIL 5, 2004

ITEM NUMBER:

**SUBJECT: ORDINANCE 04-4 CLARIFYING MINIMUM LOT SIZE AND COMMON LOT REQUIREMENTS IN SMALL-LOT DEVELOPMENTS LOCATED IN RESIDENTIAL AND PLANNED DEVELOPMENT ZONING DISTRICTS**

**DATE: MARCH 25, 2004**

**FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION**

**PRESENTATION BY: KIMBERLY BRANDT, SENIOR PLANNER**

**FOR FURTHER INFORMATION CONTACT: KIMBERLY BRANDT (714) 754-5604**

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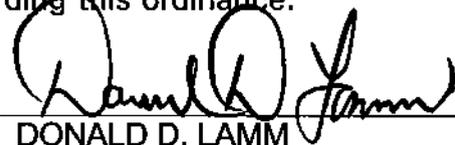
## **RECOMMENDATION:**

Give second reading to Ordinance 04-4, which amends Title 13 of the Costa Mesa Municipal Code regarding minimum lot size and common lot requirements in small-lot developments located in residential and planned development zoning districts.

## **BACKGROUND:**

Staff has no further information to add regarding this ordinance.

  
KIMBERLY BRANDT  
Senior Planner

  
DONALD D. LAMM  
Deputy City Mgr.-Dev. Svs. Director

**DISTRIBUTION:** City Manager  
City Attorney  
Public Services Director  
City Clerk (2)  
Staff (4)  
File

**ATTACHMENTS: 1 Ordinance 04-4**

File Name: 040504SMLOTDEVORD

Date: 3/16/04

Time: 2 pm

**ORDINANCE NO. 04-4**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING MINIMUM LOT SIZE AND COMMON LOT REQUIREMENTS IN SMALL-LOT RESIDENTIAL PROJECTS LOCATED IN RESIDENTIAL AND PLANNED DEVELOPMENT ZONING DISTRICTS.**

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Subparagraph (6) of Section 13-41(b) of the Costa Mesa Municipal Code is hereby deleted and reserved for future use.

“(6) Reserved.”

Section 2. Table 13-41(b) of the Costa Mesa Municipal Code is hereby amended to include the following information:

| TABLE 13-41(b)<br>MULTI-FAMILY INTEREST DEVELOPMENT STANDARDS |   |                         |
|---|---|-------------------------|
| STANDARDS   | SINGLE-FAMILY UNITS (located on individual lots)  | OTHER UNITS             |
| Individual Dwelling Unit<br>Minimum Lot Area                  | All zones: 3,000 square feet with an overall average of 3,500 square feet. The required common lot shall not be included in the calculation of lot area. Note: Lot sizes may be reduced proportionately if other useable open space is provided within the overall development. | No minimum requirement. |
| Common lot required   | All projects shall be designed with a minimum of one lot to be held in common ownership and maintained by a homeowners association. This lot shall be used for common driveways, parking areas, and at least 10 feet of street setback landscaped areas.”                       |                         |

**Section 3.** Table 13-58 of the Costa Mesa Municipal Code is hereby amended to include the following information:

| TABLE 13-58 (CONTINUED)        |  |  |                  |         |     |     |
|--------------------------------|--|--|------------------|---------|-----|-----|
| PLANNED DEVELOPMENT STANDARDS  |  |  |                  |         |     |     |
| DEVELOPMENT STANDARD           | PDR-LD   | PDR-MD   | PDR-HD           | PDR-NCM | PDC | PDI |
| Common Interest Developments   | Permitted. Refer to CHAPTER V, ARTICLE 2. COMMON INTEREST DEVELOPMENTS. In any instance where the development standards in CHAPTER V, ARTICLE 2 conflict with the development standards in this article, the development standards in this article shall take precedence.                        |  |                  |         |     |     |
| SMALL LOT RESIDENTIAL PROJECTS |  |  |                  |         |     |     |
| Minimum Lot Size               | 5,000 square feet with an overall average of 5,500 square feet. The required perimeter open space and any common lot shall not be included in the calculation of lot size Note: Lot sizes may be reduced proportionately if other useable open space is provided within the overall development. | 3,000 square feet with an overall average of 3,500 square feet. The required perimeter open space and any common lot shall not be included in the calculation of lot size Note: Lot sizes may be reduced proportionately if other useable open space is provided within the overall development. | Not applicable." |         |     |     |

**Section 4.** Environmental Determination. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures, and has been found to be exempt.

**Section 5.** 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 the extent necessary to affect the provisions of this Ordinance.

**Section 6.** 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 7. Publication. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard and this Ordinance shall take effect thirty (30) days after its final passage.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2004

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk of the  
City of Costa Mesa  
STATE OF CALIFORNIA)  
COUNTY OF ORANGE) ss  
CITY OF COSTA MESA)

\_\_\_\_\_  
City Attorney

I, Julie Folcik, Deputy City Clerk and ex-officio clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Ordinance No. 04-\_\_ was introduced and considered section by section at a regular meeting of said City Council held on the \_\_\_ day of \_\_\_\_\_, 2004, and thereafter passed and adopted as a whole at a regular meeting of said City Council held on the \_\_\_ day of \_\_\_\_\_, 2004, by the following roll call vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Costa Mesa this \_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Deputy City Clerk and ex-officio  
Clerk of the City Council of the  
City of Costa Mesa