



CITY COUNCIL AGENDA REPORT

MEETING DATE: JANUARY 15, 2008

ITEM NUMBER:

SUBJECT: ORDINANCE 08-1 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA FOR REZONE R-07-06 AT 351 WEST BAY STREET

DATE: JANUARY 3, 2008

FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: DONALD D. LAMM, AICP, DEPUTY CITY MANAGER, DEV. SVS. DIRECTOR

**FOR FURTHER INFORMATION CONTACT: REBECCA ROBBINS, ASSISTANT PLANNER
(714) 754-5609**

RECOMMENDATION:

Give second reading to Ordinance 08-1, amending the Zoning Map of the City of Costa Mesa to rezone property at 351 West Bay Street from C2 (General Commercial) to R2-MD (Multiple Family Residential – Medium Density).

ANALYSIS:

On January 2, 2008, City Council gave first reading to the attached ordinance. Staff has no further information on this item.

REBECCA ROBBINS
Assistant Planner

DONALD D. LAMM, AICP
Deputy City Mgr. – Dev. Svs. Director

DISTRIBUTION: City Manager
Asst. City Manager
City Attorney
Deputy City Manager – Dev. Svs. Dir.
Public Services Director
City Clerk (2)
Staff (4)
File (2)

ATTACHMENT: 1 Ordinance 08-1

ORDINANCE NO. 08-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING ONE PARCEL TOTALING 0.77 ACRE FROM C2 (GENERAL COMMERCIAL) TO R2-MD (MULTIPLE FAMILY RESIDENTIAL – MEDIUM DENSITY) FOR PROPERTY LOCATED AT 351 WEST BAY STREET.

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

WHEREAS, Rezone R-07-06 is consistent with the 2000 General Plan adopted in January, 2002, as amended by General Plan Amendment GP-07-03;

WHEREAS, Rezone R-07-06 involves a change in the zoning district of real property located at 351 W. Bay Street from C2 (General Commercial) to R2-MD (Multi-Family Residential—Medium Density);

WHEREAS, Rezone R-07-06 will allow residential development at a maximum density of 12 du/ac, or 1 dwelling per 3,630 square feet, as allowed by the General Plan; and

WHEREAS, on December 10, 2007, after a duly noticed public hearing, the Planning Commission recommended City Council approval of Rezone R-07-06.

SECTION 1. REZONE. The City of Costa Mesa Official Zoning Map is hereby amended as follows:

a. There is hereby placed and included in the R2-MD (Multiple Family Residential – Medium Density) zoning district a 0.77-acre property, identified as Assessor Parcel Number 419-221-02, situated in the City of Costa Mesa, County of Orange, State of California and as shown in attached Exhibit 1.

b. Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in subsection a hereof and in the respective exhibit. A copy of the Official Zoning Map is on file in the office of the Planning Division.

SECTION 2. ENVIRONMENTAL DETERMINATION. The proposed rezone was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa

Environmental Guidelines, and is considered an exempt activity under CEQA Guidelines Section 15332, Class 32, related to infill development.

SECTION 3. 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 4. SEVERABILITY. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 5. PUBLICATION. This ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and, prior to the expiration of fifteen (15) days from its passage, shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names of the members of the City Council voting for and against the same.

PASSED AND ADOPTED this _____ day of _____ 2008.

ALLAN MANSOOR
Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

City Clerk of the City of Costa Mesa

City Attorney

EXHIBIT 1A



EXHIBIT 1B

The following property is hereby rezoned as follows:

ZONING DISTRICT	PARCEL NUMBER
R2-MD (Multiple Family Residential – Medium Density)	419-221-02