



CITY COUNCIL AGENDA REPORT

MEETING DATE: JANUARY 15, 2008

ITEM NUMBER:

SUBJECT: ORDINANCE 08-2 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA FOR REZONE R-07-09 AT 265 MONTE VISTA AVENUE

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 08-2 amending the Zoning Map of the City of Costa Mesa to rezone Brentwood Park at 265 Monte Vista Avenue from R1 (Single Family Residential) to I&R (Institutional and Recreational).

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 08-2

ORDINANCE NO. 08-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO REZONE A 1.4-ACRE PROPERTY FROM R1 (SINGLE-FAMILY RESIDENTIAL) TO I&R (INSTITUTIONAL AND RECREATIONAL) AT 265 MONTE VISTA AVENUE.

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

WHEREAS, Rezone R-07-09 is consistent with the 2000 General Plan adopted in January, 2002 and Costa Mesa Zoning Code;

WHEREAS, Rezone R-07-09 of the subject property from R1 (Single-Family Residential) to I&R (Institutional and Recreational) will meet the central objective for continued use and development of the subject property for parkland purposes;

WHEREAS, Rezone R-07-09 will resolve an existing inconsistency between the General Plan land use designation of Public/Institutional and the current R1 zoning classification;

WHEREAS, Rezone R-07-09 included an analysis of the interface and compatibility between the existing residential neighborhood and existing use for parkland purposes, and the land use analysis concluded that the continued use of the property as parkland would be a compatible amenity to the area;

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

a. There is hereby placed and included in the I&R zone all the real property shown on attached Exhibit 1 and described as 265 Monte Vista Avenue, Assessor Parcel Numbers 439-333-02 and 439-333-03, 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. Rezone R-07-09 has been reviewed for compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental processing procedures. Pursuant to Section 15061 of the CEQA Guidelines, this project is exempt from CEQA. Section 15061 consists of activities covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed project qualifies for this exemption because it involves the preservation of an existing use as open space and/or lands for park purposes.

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 1

