

ORDINANCE NO. 14 –10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA GRANTING APPROVAL TO ADOPT REZONE R-14-01 FOR A REZONE (OR CHANGE) OF THE ZONING CLASSIFICATION OF THE 1,009 SQUARE FOOT PORTION OF LAND AT 320 E. 18TH STREET.

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

WHEREAS, Susan McDowell, representing the property owners at 301 Magnolia Street and 320 E. 18th Street, filed an application requesting the following for the 1,009-square foot portion of land:

1. **General Plan Amendment GP-14-01.** Change the land use designation of the 1,009-square foot development site from Public / Institutional to Medium Density Residential;
2. **Rezone R-14-01.** A rezone (or change) of the zoning classification of the 1,009-square foot development site from Institutional and Recreational to Multiple Family Residential – Medium Density (R2-MD).
3. **Lot Line Adjustment LL-14-03.** Adjustment of the rear property line of 320 E. 18th Street 16 feet to the north, to acquire a 1,009-square foot portion of the property at 301 Magnolia Street.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 9, 2014, and the Planning Commission, on a 5-0 vote, recommended that the City Council find the project exempt from further California Environmental Quality Act (CEQA) review under Section 15061 (b) (3) and approve General Plan Amendment GP-14-01, Rezone R-14-01 and Lot Line Adjustment LL-14-03;

WHEREAS, a duly noticed public hearing was held by the City Council on July 15, 2014, with all persons having the opportunity to speak and be heard for and against the proposal; and

WHEREAS, the City Council by a 5-0 vote, made a finding that the project as described above is exempt from further CEQA review and gave first reading to Ordinance No. 14-10 approving Rezone R-14-01.

SECTION 1: REZONE. Based on the evidence in the record and the findings contained in this Ordinance, THE CITY COUNCIL HEREBY GRANTS APPROVAL TO ADOPT R-14-01, which amends the Zoning Map of the City of Costa Mesa (Exhibit “B”) with respect to the property described above.

SECTION 2: ENVIRONMENTAL DETERMINATION. The project is exempt from provisions of the California Environmental Quality Act (CEQA), under Section 15061 (b) (3) – General Rule.

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 or further, is hereby repealed or modified to the 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 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 and member of the City Council voting for and against the same.

PASSED AND ADOPTED this _____ day of _____, 2014.

JIM RIGHEIMER
Mayor, City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

CITY CLERK OF THE
CITY OF COSTA MESA

CITY ATTORNEY

EXHIBIT B

Change to the Zoning Map

Change the zoning classification of the 1,009-square foot development site at 301 Magnolia Street from Institutional and Recreational to Multiple Family Residential - Medium Density

