# ORDINANCE NO. 14-

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA GRANTING APPROVAL TO ADOPT REZONE R-14-02 FOR A REZONE (OR CHANGE) OF THE ZONING CLASSIFICATION OF THE 14-ACRE COUNTY ISLAND COMMONLY KNOWN AS THE SANTA ANA/COLLEEN ANNEXATION AREA TO R1 - 6,0~~6~~00 (SINGLE FAMILY RESIDENTIAL DISTRICT, 6,0~~6~~00 SQUARE FOOT MINIMUM LOT SIZE).**

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

WHEREAS, the proposed project is the Pre-zoning of a County Island in anticipation of future annexation, along with the following specific entitlements:

1. **Find the project is exempt for CEQA** under Section 15319(a) – Annexation of Existing Facilities and Lots for Exempt Facilities,
2. **General Plan Amendment GP-14-02**. Change the land use designation of the 14-acre site from MDR (Medium Density Residential) to LDR (Low Density Residential),
3. **Rezone R-14-02.** A rezone (or change) of the zoning classification of the 14-acre site from the County designation of R1 (Min. 7,200 Sq. Ft./Dwelling Unit) to the City of Costa Mesa designation of R1 – 6,0~~6~~00 (Single-Family Residential District, 6,0~~6~~00 Square Foot Minimum Lot size), with a maximum density of 6.6 units/acre; and

WHEREAS, a Rezone application to change the zoning classification of the 14-acre County Island, from the County R1 zone to City of Costa Mesa R1 – 6,0~~6~~00 (Single Family Residential District, 6,0~~6~~00 Square Foot Minimum Lot size) zone, has been initiated by the City for the project as described above; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 12, 2014, with all persons having the opportunity to speak and be heard for and against the proposal; and

WHEREAS, the proposed rezone is consistent with the Zoning Code and the General Plan in that the allowed zoning density of up to 6.6 Dwelling Units/acre is consistent with the proposed General Plan designation of LDR, which allows up to 8 Dwelling Units/acre; and

WHEREAS, the Planning Commission, on a 5-0 vote, recommended that City Council find the project exempt from further CEQA review under Section 15319(a) and approve General Plan Amendment GP-14-02 by a separate resolution; and

WHEREAS, a duly noticed public hearing was held by the City Council on June 17, 2014, with all persons having the opportunity to speak and be heard for and against the proposal.

**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-14-02, which amends the Zoning Map of the City of Costa Mesa (Exhibit A) 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 15319(a) – Annexation of Existing Facilities and Lots for Exempt facilities.

**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 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 and member of the City Council voting for and against the same.

**PASSED AND ADOPTED this ~~2nd~~ 16th day of September, 2014.**

_____
JIM RIGHEIMER
Mayor, City of Costa Mesa

ATTEST:

_____
CITY CLERK OF THE
CITY OF COSTA MESA

APPROVED AS TO FORM:

_____
CITY ATTORNEY

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE )

I, BRENDA GREEN, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above Council Resolution Number 14__ as considered at a regular meeting of said City Council held on the ~~2nd~~ 16th day of September, 2014, and thereafter passed and adopted as a whole at the regular meeting of said City Council held on the ~~2nd~~ 16th day of September, 2014, by the following roll call vote:

AYES:

NOES:

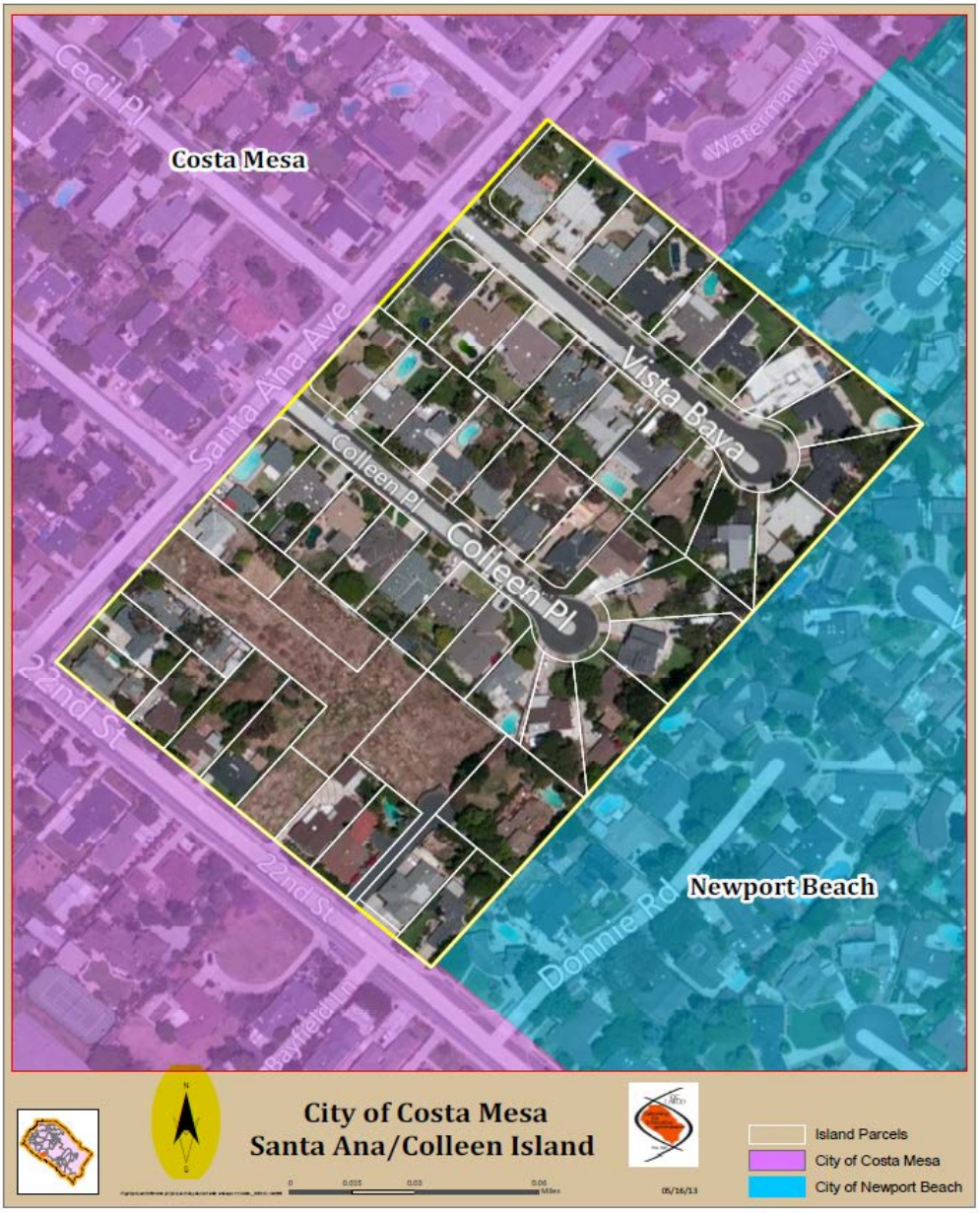
ABSENT:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this ___ day of _____, 2014

**EXHIBIT A**

**Amendment to the Zoning Map**

**Change the zoning designation of the 14-acre county island commonly known as the Santa Ana/Colleen Annexation Area from County Designated R1 to City of Costa Mesa (R1 – 6,~~0~~600 Square Foot Minimum Lot Size) Single Family Residential District**




| General Plan Designation | Rezone |
|---|---|
| Existing (County): 1B (Suburban Residential) | Existing (County): R1 – Minimum 7,200 Sq. Ft. Lots |
| Current (City SOI): MDR (Medium Density Residential) | |
| **Proposed City: LDR (Low Density Residential)** | **Proposed City: R1-6,~~0~~600 – Min. 6,~~0~~600 Sq. Ft. Lots** |