

ORDINANCE NO. 10-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING A 21.22-ACRE PARCEL FROM C1-S AND C2 TO PDC (PLANNED DEVELOPMENT COMMERCIAL) FOR PROPERTIES LOCATED AT 2699 AND 2701 HARBOR BOULEVARD, 1545 AND 1555 ADAMS AVENUE, AND 1500 MESA VERDE DRIVE EAST.

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

WHEREAS, Rezone R-10-01 is consistent with the General Plan and the Zoning Code;

WHEREAS, Rezone R-10-01 involves a change in the zoning district of real properties located at 2699 and 2701 Harbor Boulevard, 1545 and 1555 Adams Avenue, and 1500 Mesa Verde Dr. E from C1-S and C2 to PDC (Planned Development Commercial);

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 PDC (Planned Development Commercial) zoning district a 21.22-acre parcel, identified as Assessor Parcel Numbers 139-361-29, 139-361-33, 139-361-37, 139-361-40, 139-361-41 and as shown in attached Exhibit "A," situated in the City of Costa Mesa, County of Orange, State of California.

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 as shown in **Exhibit 1** attached hereto. 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. An Initial Study/Mitigated Negative Declaration (IS/MND)

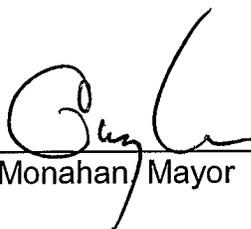
was prepared and circulated from October 14, 2010 to November 12, 2010. The City Council found that Rezone R-10-01 will not have a significant negative impact on the environment as documented in the mitigation measures identified in the IS/MND City Council approved on December 7, 2010.

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.

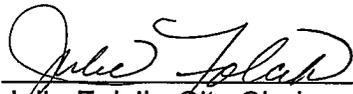
SECTION 5. PUBLICATION. This ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and, prior to the expiration of fifteen (15) days from its passage, shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and 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 4th day of January, 2011.



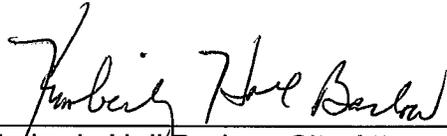
Gary Monahan Mayor

ATTEST:



Julie Folcik, City Clerk

APPROVED AS TO FORM:



Kimberly Hall Barlow, City Attorney



STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing Ordinance No. 10-19 was duly introduced for first reading at a regular meeting of the City Council held on the 7th day of December, 2010, and that thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council held on the 4th day of January, 2011, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: MONAHAN, RIGHEIMER, BEVER, LEECE

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

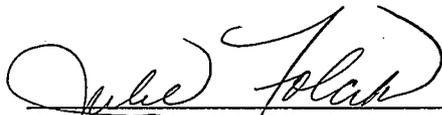
IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 5th day of January, 2011.



JULIE FOLCIK, CITY CLERK

(SEAL)

I hereby certify that the above and foregoing is the original of Ordinance No. 10-19 duly passed and adopted by the Costa Mesa City Council at the regular meeting held January 4, 2011, and that summaries of the Ordinance was a published in the Newport Beach-Costa Mesa Daily Pilot on December 17, 2010 and January 13, 2011.



JULIE FOLCIK, CITY CLERK

(SEAL)

