

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING THE ZONING DISTRICT MAP FROM RESIDENTIAL MEDIUM DENSITY-A (RM-A) TO PLANNED DEVELOPMENT DISTRICT (PD-22) FOR PROPERTY LOCATED ALONG THE NORTH SIDE OF NORTH RIVER ROAD BETWEEN CALLE MONTECITO AND LAMPLIGHTER OCEANSIDE MOBILE HOME PARK (ZA-5-06) LIBBY LAKE VILLAGE

(San Diego Habitat for Humanity Inc. -- Applicant)

WHEREAS, an application for Zone Amendment (ZA-5-06) has been filed which would amend the zoning from Residential Medium Density-A (RM-A) to Planned Development District (PD-22) for property generally located along the north side of North River Road between Calle Montecito and The Lamplighter Oceanside Mobile Home Park more particularly described in Exhibit "A" attached hereto and incorporated herein by reference thereto;

WHEREAS, the Planning Commission of the City of Oceanside did, on May 21, 2007 conduct a duly advertised public hearing as required by law and did, by the adoption of Resolution 2007-P27, recommend approval of said Zone Amendment application ZA-5-06;

WHEREAS, said Planning Commission recommendation was made in conjunction with an approval of a Tentative Map (T-5-06) and Development Plan (D-8-06);

WHEREAS, the City Council of the City of Oceanside did hold a duly advertised public hearing on September 19, 2007 to consider said Zone Amendment application and the recommendation of the Planning Commission thereon and did hear all persons supporting or opposing the proposed Zone Amendment;

WHEREAS, based upon such evidence and testimony and staff reports, this Council finds as follows:

- 1. The proposed map amendment is consistent with the policies of the General Plan and the notice and hearing provisions of the Oceanside Zoning Ordinance.

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1 2. The Planned Development Plan is consistent with the Land Use Element of the
2 General Plan and other applicable policies and is compatible with the surrounding development.

3 3. The Planned Development Plan will enhance the potential for superior urban design
4 in comparison with the development under the base district regulations that would apply if they
5 were not approved.

6 4. Deviations from the base district regulations that otherwise would apply are justified
7 by compensating benefits of the Planned Development Plan.

8 5. The Planned Development Plan includes adequate provisions for utilities, services,
9 and emergency vehicle access; and public service demands will not exceed the capacity of existing
10 and planned systems.

11 6. The Planned Development Plan attached as Exhibit "B" will be implemented by the
12 approved Tentative Map (T-5-06), and Development Plan (D-8-06), as revised by conditions of
13 approval, which is on file in the Planning Department.

14 WHEREAS, the Acting City Planner has reviewed the proposed project for compliance
15 with the California Environmental Quality Act (CEQA) and has conducted an Initial Study, in
16 accordance with the California Environmental Quality Act (CEQA). Based upon the results of
17 the Initial Study, the Acting City Planner has determined that the project could result in
18 significant effects on the environment. However, revisions to the project made by or agreed to
19 by the applicant would avoid the effects or mitigate the effects to a point where clearly no
20 significant effects would occur; therefore, the Acting City Planner has prepared a Negative
21 Declaration;

22 WHEREAS, the City Council does hereby find that the Negative Declaration and Initial
23 Study has been prepared in accordance with requirements of the California Environmental
24 Quality Act (CEQA), the State CEQA Guidelines, and the Environmental Review Procedures
25 of the City of Oceanside, and hereby adopts the Negative Declaration and Initial Study;

26 NOW, THEREFORE, the City Council of the City of Oceanside DOES ORDAIN as
27 follows:
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1 1. The City Council has reviewed the information contained in the Negative
2 Declaration and in the exercise of their independent review and judgment, finds that the
3 Negative Declaration and Initial Study in the form presented has been prepared in accordance
4 with requirements of the California Environmental Quality Act (CEQA) and the Environmental
5 Review Procedures of the City of Oceanside and hereby adopts the same.

6 2. The Zone Amendment application ZA-5-06 for certain real property described in
7 Exhibit "A" and PD Plan Exhibit "B" attached hereto is hereby approved, and the Acting City
8 Planner is directed to amend the appropriate Zoning Map to show the Zone Amendment.

9 3. This ordinance shall not be codified.

10 4. The City Clerk of the City of Oceanside is hereby directed to publish this ordinance
11 once within fifteen (15) days after its passage in the North County Times, a newspaper of general
12 circulation published in the City of Oceanside.

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5. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Oceanside, California held on the 19th, day of September, 2007, and, thereafter,

PASSED, ADOPTED by the City Council of the City of Oceanside, California, this day of _____, 2007 by the following vote:

AYES:

NAYES:

ABSENT:

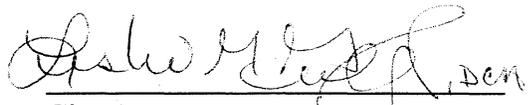
ABSTAIN:

Mayor of the City of Oceanside

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney