

ORDINANCE NO. 2007-

AN ORDINANCE OF THE CITY OF OCEANSIDE
AMENDING THE TEXT OF ARTICLES 4, 12, AND 41
OCEANSIDE REDEVELOPMENT ZONING ORDINANCE,
(ZA-200-07 & LCPA-200-07)

(City of Oceanside –Applicant)
(ZA-200-07 & LCPA-200-07)

WHEREAS, Articles 4, 12 and 41 of the Redevelopment Zoning Ordinance regulates uses within the Redevelopment Area; and

WHEREAS, it is in the public interest to amend the zoning regulations pertaining to these uses; and

WHEREAS, the proposed amended sections of Articles 4, 12 and 41 of the Zoning Ordinance are more particularly described in Exhibit “A”, attached hereto and incorporated herein by reference; and

WHEREAS, a Notice of Exemption was prepared by the Resource Officer of the City of Oceanside for this project pursuant to the California Environmental Quality Act of 1970 and the State Guidelines thereto as amended to date; and

WHEREAS, on April 11, 2007, a duly noticed public hearing was held before the Oceanside City Council to consider the proposed amendments to the Local Coastal Plan (LCPA-200-07) and Articles 4, 12, and 41 of the Zoning Ordinance (ZA-200-07); and

WHEREAS, following the April 11, 2007, public hearing, the Oceanside City Council voted to adopt the proposed LCPA and zoning amendments, subject to certification by the California Coastal Commission; and

WHEREAS, the California Coastal Commission conducted a public hearing on December 12, 2007, where the Commission reviewed the City’s Local Coastal Plan Amendment (LCPA-200-07), and several suggested modifications proposed by the Coastal Commission staff; and

1 WHEREAS, the City of Oceanside has proposed revisions to the previously adopted
2 LCPA amendment to respond to the Coastal Commission's suggested modifications; and

3 WHEREAS, after duly noticing a public hearing for May 7, 2008, the Oceanside City
4 Council and Community Development Commission continued the public hearing to May 21,
5 2008; and

6 WHEREAS, on May 21, 2008, the Oceanside City Council and Community
7 Development Commission approved and adopted the LCPA after: (1) finding that the revisions
8 to the Local Coastal Program (LCPA 200-07) as amended by the Community Development
9 Commission, conformed with and was adequate to carry out the land use plan of the Local
10 Coastal Program; and (2) certifying that the Local Coastal Program Amendment (LCPA- 200-
11 07) was intended to be carried out in a manner fully in conformity with the Coastal Act; and

12 WHEREAS, the California Coastal Commission conducted a public hearing on July 9,
13 2008, where the Commission reviewed the City's Local Coastal Plan Amendment (LCPA-200-
14 07), and approved the LCPA with some suggested modifications; and

15 WHEREAS, a duly noticed public hearing before the City Council and CDC has been
16 conducted on all portions of the pending Local Coastal Plan Amendment and Zone Amendment
17 on November 19, 2008.

18 NOW THEREFORE, the Oceanside City Council does ordain as follows:

- 19 1. Zone Amendment application ZA-200-07 and LCPA-200-07 attached as
20 Exhibit A is hereby adopted and the Economic & Community
21 Development Director is directed to amend the Zoning Ordinance text as
22 specified in Exhibit A.
- 23 2. Notice is hereby given that the time within which judicial review must be
24 sought on this decision is governed by Government Code section
25 65009(c)(1)(B) and commences to run from the date of adoption of this
26 Ordinance.
- 27 3. The Ordinance shall not be codified.
- 28 4. This amendment to the Zoning Ordinance adopted in this Ordinance shall

1 become effective upon the effective date of Local Coastal Plan
2 Amendment-200-07.

3 5. The City Clerk of the City of Oceanside is hereby directed to publish the
4 title of this Ordinance and a summary of Exhibit "A" once within fifteen
5 (15) days after its passage in the North County Times, a newspaper of
6 general circulation published in the City of Oceanside. This Ordinance
7 shall take effect and be in force on the thirtieth (30) day from and after its
8 final passage.

9 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
10 California, held on the 19th day of November 2008, and, thereafter,

11 PASSED AND ADOPTED by the Oceanside City Council on this _____ day of
12 December 2008, by the following vote:

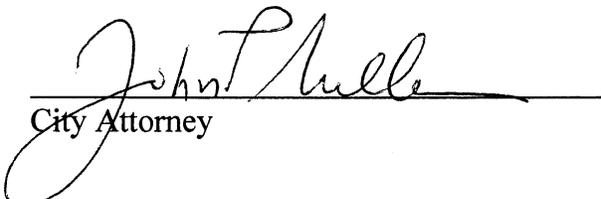
13 AYES:
14 NAYS:
15 ABSENT:
16 ABSTAIN:

16 _____
17 Mayor of the City of Oceanside

18 ATTEST:

18 APPROVED AS TO FORM:

19
20 _____
21 City Clerk

20 
21 _____
22 City Attorney