

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING THE ZONING DISTRICT MAP FROM MEDIUM DENSITY-A RESIDENTIAL SENIOR MOBILE HOME PARK OVERLAY HISTORIC OVERLAY DISTRICTS TO SPECIAL COMMERCIAL-HIGHWAY ORIENTED HISTORIC OVERLAY DISTRICT ON A 0.66-ACRE PORTION OF A LOT LOCATED ON THE NORTHEAST CORNER OF MISSION AVENUE AND DOUGLAS DRIVE.

(Applicant: Cole and Associates)

WHEREAS, an application was filed for a Zone Amendment (ZA-1-07) which would amend the Zoning District Map from Medium Density-A Residential- Senior Mobile Home Park Overlay-Historic Overlay (RM-A-SMH-H) Districts to Special Commercial-Highway Oriented-Historic Overlay (CS-HO-H) Districts on a 0.66 acre portion of an existing 16.71-acre lot located on the northeast corner of Mission Avenue and Douglas Drive. This amendment creates a lot bisected by district boundaries.

WHEREAS, on June 3, 2008, the Oceanside Historic Preservation Advisory Committee, after a duly noticed public hearing, adopted Resolution No. 2008-H01 by a 6-to-0 recommending disapproval of GPA-2-07, ZA-1-07, C-13-08 and H-2-08;

WHEREAS, on August 25, 2008, the Planning Commission, after a duly noticed public hearing, adopted Resolution No. 2008-P51 by a 6-to-0 vote denying GPA-2-07, ZA-1-07, C-13-08 and H-2-08; and finding that a Special Commercial (SC) land use designation, a zoning map change to CS-HO-H Districts, and allowing land use 450.CC.5 do not conform to the goals and objectives of the General Plan and the land use and development regulations of the Zoning Ordinance and the Mission San Luis Rey Historic Area Development Program and Design Guidelines;

WHEREAS, on August 27, 2008, Council Member Kern timely filed a call for review the sufficiency of the findings of Resolution 2008-P51 with the City Clerk of the City of Oceanside;

1 WHEREAS, on October 15, 2008, the City Council of the City of Oceanside held a duly
2 noticed public hearing and heard and considered evidence and oral testimony by all interested
3 parties concerning the call for review of the Planning Commissions findings to deny the above
4 identified Zone Amendment;

5 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
6 Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the
7 mitigation measures are met there will not be an adverse impact upon the environment;

8 WHEREAS, the Planning Commission adopted Resolution No. 2008-P50 approving a
9 Mitigated Negative Declaration together with any comments received and a Mitigation
10 Monitoring and Reporting Program (M.M.R.P.) incorporated as conditions approving said
11 resolution;

12 WHEREAS, based on such evidence and testimony, including but not limited to the reports
13 of the Planning Division Staff and records of the Planning Commission hearing and the Oceanside
14 Historic Preservation Advisory Committee meeting, this Council finds that the findings and
15 decision of the Planning Commission and the recommendations of the Oceanside Historic
16 Preservation Advisory Committee do not adequately and properly address the concerns raised by
17 Council Member Kern and this Council finds as follows:

18 For the Zone Amendment ZA-1-07:

- 19 1. The proposed change to the Zoning District Map is consistent with the policies of the
20 General Plan. The proposed CS-HO-H Districts is situated within the boundaries of the
21 Special Commercial Area of the Mission San Luis Rey Historic Area. The site is
22 included in the Mission San Luis Rey Historic Area, which was adopted to recognize the
23 importance of maintaining and enhancing the area around the Mission. The *Mission San*
24 *Luis Rey Historic Area Development Program and Design Guidelines* provides a
25 flexible design framework that respects and compliments the Mission's historic setting,
26 as well as encourages high quality, new development in the San Luis Rey area of the
27 City. The limited area proposed as CS-HO-H Districts will assist the City in achieving
28 the long range goals and objectives of the Mission San Luis Rey Historic Area.

1 2. The proposed change to the Zoning District Map (to the CS-HO-H Districts) is
2 consistent with the purposes of the Zoning Ordinance. The purposes of the H Historic
3 Overlay District are to: promote the conservation, preservation, protection, and
4 enhancement of each historic district; stimulate the economic health and visual quality
5 of the community and stabilize and enhance the value of the property; encourage
6 development tailored to the character and significance of each historic district through a
7 Conservation Plan that includes goals, objectives, and design guidelines and
8 development criteria; and provide a mechanism to resolve conflicts in an orderly fashion
9 between goals of historic preservation and alternative land use. The CS-HO District is
10 intended for highway oriented commercial areas, which encourages some visitor serving
11 land use classifications and does not conflict with the goals of the Mission San Luis Rey
12 Historic Area.

13 NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

- 14 1. To uphold the Planning Commission adoption of the Mitigated Negative Declaration and
15 Mitigation Monitoring and Reporting Program denoted in Planning Commission
16 Resolution No. 2008-P50.
- 17 2. To reject the Planning Commission findings and decision as adopted in Resolution No.
18 2008-P51.
- 19 3. To reject the Oceanside Historic Preservation Advisory Committee recommendations as
20 adopted in Resolution No. 2008-H01.
- 21 4. To amend the Zoning District Map (ZA-1-07) from Medium Density A - Senior Mobile
22 Home Park Overlay - Historic Overlay (RM-A-SMH-H) Districts to Special
23 Commercial - Highway Oriented - Historic Overlay (CS-HO-H) Districts on a 0.66-acre
24 portion of a 16.71-acre lot located on the northeast corner of Mission Avenue and
25 Douglas Drive and commonly called Mission View Manor East Mobile Home Park.

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