ITEM NO. 25

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING ARTICLES 4, 10, 11, 13, 14, and 41 OF THE 1992 ZONING ORDINANCE

WHEREAS, the City Council has determined that provisions related to the 1992 Zoning Ordinance regulations should be modified in order to streamline and simplify the administrative process for permitting certain land uses within certain zoning districts and to provide for Planning Commission review of decisions by the City Planner regarding uses that may have potential controversial or negative impacts; and

WHEREAS, on January 2, 2012, the City Council of the City of Oceanside held a duly-advertised public hearing to consider Zone Amendment ZA12-00004, and the recommendation of the Planning Commission thereon, and heard and considered written and oral testimony regarding the proposed Zone Amendment; and

WHEREAS, based upon such evidence, testimony and staff reports, this Council finds that Zone Amendment ZA12-00004 conforms to the General Plan of the City of Oceanside.

WHEREAS, the Resource Officer of the City of Oceanside has determined that Zone Amendment ZA12-00004 is exempt from CEQA review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) for projects that do not have the potential for causing a significant effect on the environment.

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

SECTION 1. Zone Amendment Application ZA12-00004 establishing the text of the 1992 Zoning Ordinance as specified in Exhibit "A" is hereby approved, and the City Planner is hereby directed to amend the Zoning Ordinance text as specified by this ordinance.

SECTION 2. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any

one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days after its passage in the North County Times, a newspaper of general circulation published in the City of Oceanside.

INTRODUCED at a regular meeting of the City Council of the City of Oceanside, California, held on the ___ day of _____, 2012 and, thereafter,

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Oceanside, California, held on the ____ day of _____, 2012, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Andrea Hamilton, ASST.
CITY ATTORNEY