

ORDINANCE NO. 2025-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING REZONE TO APPLY THE RESIDENTIAL INCENTIVE OVERLAY DISTRICT ZONING DESIGNATION TO THE PROPERTIES LOCATED AT 220, 222, 234, AND 236 VICTORIA STREET (“VICTORIA PLACE”)

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES HEREBY FIND AND DECLARE AS FOLLOWS:

WHEREAS, a General Plan Amendment, Rezone, Tentative Tract Map, and Master Plan, was filed by Bundy-Finkel Architects, on behalf of WMC, LLC, requesting approval of the following: Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment, Rezone, Master Plan, and Tentative Tract Map to facilitate the development of a 40-unit residential common interest development project located at 220, 222, 234, and 236 Victoria Street; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 9, 2025, with all persons having the opportunity to speak for and against the proposal; and

WHEREAS, on June 9, 2025, the Planning Commission recommended denial of the proposed project with a 5-2 vote (Commissioner Dickson and Commissioner Andrade voting no);

WHEREAS, at the June 9, 2025 meeting, the Planning Commission recommended that the City Council take the following actions:

1. **Deny** the Initial Study/Mitigated Negative Declaration including the Mitigation Monitoring and Reporting Program; and
2. **Deny** General Plan Amendment PGPA-24-0001 to modify the Land Use Element's maps, figures, text and tables to apply a Residential Incentive Overlay District zoning designation to the subject property, as the site currently has a land use designation of General Commercial, which does not allow residential development; and
3. **Deny a request to** rezone the project site by applying the Residential Incentive Overlay District zoning designation to the subject project site,

- currently zoned C2 – General Business District, to facilitate the residential development while maintaining the underlying commercial zoning; and
4. **Deny** Master Plan PMAP-24-0002 for a 40-unit residential common interest development; and
 5. **Deny** Tentative Tract Map No. 19351 to subdivide the properties for condominium purposes.

WHEREAS, a duly noticed public hearing was held by the City Council on July 15, 2025 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, on July 15, 2025 the City Council found that the project is consistent with the General Plan, Zoning Code, State Law, and all necessary findings can be made and approved the first reading by a 7-0 vote;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS/MND) including the Mitigation Monitoring and Reporting Program was prepared in compliance with CEQA and the local environmental review guidelines; and

WHEREAS, the Draft IS/MND was circulated for the required 30-day public review period beginning on April 1, 2025, and ending on April 30, 2025; and

WHEREAS, written comments received from the general public, government entities, and other interested parties were responded to, where appropriate, in the manner prescribed in California Code of Regulations Section 15073; and

WHEREAS, no significant new information has been added to the IS/MND since its circulation for public comment and no changes to the proposed project have occurred which would require recirculation of the IS/MND under CEQA Guidelines Section 15073.5; and

WHEREAS, the City Council has reviewed and considered the IS/MND and has found that the IS/MND adequately evaluates the environmental impacts of the proposed project, and the IS/MND is complete, adequate, and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines; and

WHEREAS, the IS/MND reflects the independent judgment and analysis of the City of Costa Mesa.

Now, therefore, THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY APPROVES AS FOLLOWS:

Section 1: REZONE. The City of Costa Mesa Official Zoning Map is hereby amended as follows:

1. The proposed rezone to apply the Residential Incentive Overlay District is consistent with the General Plan as amended by General Plan Amendment PGPA-24-0001 and adopted by Resolution No. 25-30.
2. There is hereby placed and included in the Residential Incentive Overlay District zoning district a 1.77-acre parcel and as shown in Exhibit 1, situated in the City of Costa Mesa, County of Orange, State of California.
3. 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 Subsections Number 1 and Number 2. A copy of the Official Zoning Map and Zoning Code is on file in the office of the Planning Division.

Section 2. 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 or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Costa Mesa hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 4. Effective Date. This Ordinance shall take effect on the 30th day after adoption. If adopted on August 5, 2025, the Ordinance would take effect on September 4, 2025.

Section 5. Certification. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

PASSED AND ADOPTED this _____ day of _____, 2025

John Stephens, Mayor

ATTEST:

APPROVED AS TO FORM

Brenda Green, City Clerk

Kimberly Hall Barlow, City Attorney

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

I, Brenda Green, City Clerk of the City of Costa Mesa, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2025-04 ____ introduced at a regular meeting of the City Council of the City of Costa Mesa held on the 15 day of July, 2025, and was thereafter adopted at a regular meeting held on the _____ day of _____, 2025, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

Said ordinance has been published or posted pursuant to law.

Witness my hand and the official seal of the City of Costa Mesa this ____ day of _____, 2025.

Brenda Green, City Clerk

EXHIBIT 1

REZONE

Amendment to the Zoning Map

Apply the Residential Incentive Overlay District zoning designation of the 1.77-acre site at 220, 222, 234, and 236 Victoria Street, while maintaining the underlying C2 – General Business District zone

