ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA APPROVING PGPA-24-0002 TO REZONE A 6.12-ACRE SITE TO MULTIPLE FAMILY RESIDENTIAL (R3) FOR THE PROPERTY LOCATED AT 3150 BEAR STREET

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

WHEREAS, an application was filed by Vanessa Schiedel of Meritage Homes, representing the property owners, requesting approval of certain land use entitlements;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 14, 2025 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, at their regular meeting on July 14, 2025, the Planning Commission recommended that City Council approve the project by a _-_ vote;

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 _____, the City Council approved the first reading by a _-_ vote;

WHEREAS, the City Council took or will take the following actions by separate resolution:

1. **CERTIFY** the Mitigated Negative Declaration (SCH No. 2025050135) including the Mitigation Monitoring and Reporting Program;
2. **APPROVE** General Plan Amendment PGPA-24-0002 to change the land use designation of the project site from General Commercial to High Density Residential (HDR);
3. **APPROVE** the Desing Review for 142 residential units;
4. **APPROVE** the density bonus agreement to allow for a 20 percent increased density, incentive to deviate from the residential design guidelines, and waivers for building height, front setback, landscaped parkways, open space, individual unit lot size, and side by side units in exchange for 5% of the base units being provided at very-low-income levels;
5. **APPROVE** Tentative Tract Map No. 19334 for the subdivision of the subject property for ownership purposed;

WHEREAS, the proposed general plan amendment would re-designate the land use from General Commercial to High Density Residential in order to allow the residential use. To ensure consistency between the General Plan Land Use Map and the Zoning Map, the property is rezoned from Administrative Professional (AP) to Multiple Family Residential (R3);

WHEREAS, R3 districts are intended are intended to promote the development of multi-family rental as well as ownership dwelling units.. As such, the proposed zoning district would allow the residential development;

WHEREAS, a rezone is a legislative action subject to the discretionary approval of the final decision body, City Council;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), a project Mitigated Negative Declaration (MND) was prepared by the City in accordance with the California Environmental Quality Act (CEQA);

WHEREAS, in accordance with CEQA Guidelines Section 15073, the MND was made available for a public comment period beginning May 1, 2025 and ending on May 31, 2025;

WHEREAS, a list of comments received and responses to the comments are included as part of the MND presented to City Council on _____, 2025;

WHEREAS, the MND found no areas that are considered significant unavoidable adverse impacts.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:

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

1. The proposed rezone to Multiple Family Residential (R3) is consistent with the General Plan as amended by PGPA-24-0002 and adopted by Resolution No. 2025-xx.
2. There is hereby placed and included in the Multiple Family Residential (R3) zoning district a 6.12-acre parcel, 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, above. 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 provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 4: PUBLICATION. This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and prior to the expiration of fifteen (15) days from its passage shall be published once in THE DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names and member of the City Council voting for and against the same.

PASSED AND ADOPTED this 2nd day of September, 2025.

_____
John Stephens, Mayor

ATTEST:

_____
Brenda Green, City Clerk

APPROVED AS TO FORM:

_____
Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, BRENDA GREEN, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above foregoing Ordinance No. 2025-xx as introduced and considered section by section at a regular meeting of said City Council held on the 5th day of August, 2025, and thereafter passed and adopted as a whole at the regular meeting of said City Council held on the 2nd day of September, 2025, by the following roll call vote:

AYES:
NOES:
ABSENT:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this 3rd day of September, 2025.

_____
Brenda Green, City Clerk

EXHIBIT A

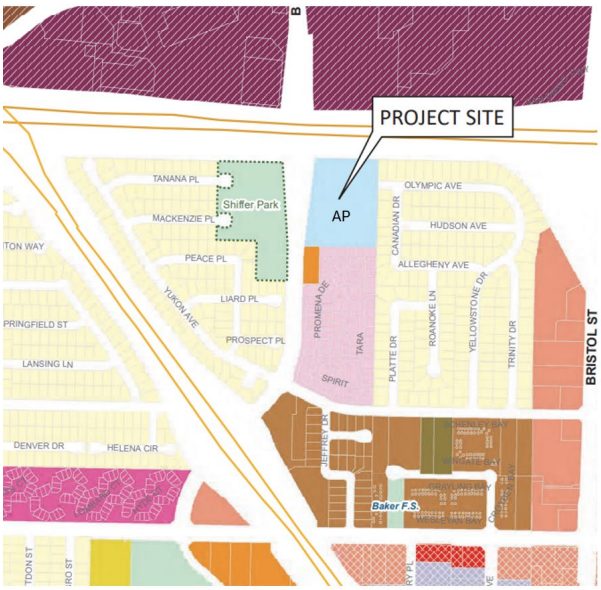
REZONE

Amendment to the Zoning Map

Change the zoning district designation of the 6.12-acre site at 3150 Bear Street from Administrative Professional (AP) to Multiple Family Residential (R3)

Proposed Zoning Map

Existing



Proposed