

March 29, 2006

City Council Meeting
April 11, 2006

Mayor and Members
of the City Council

ORDINANCE NO. 06-1264 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING THE ZONING MAP FROM GENERAL COMMERCIAL (C-3) TO SINGLE-FAMILY RESIDENTIAL (R-1) FOR THE PROPERTY LOCATED AT 1255 PROSPECT AVENUE, LEGALLY DESCRIBED AS LOT 31, HERMOSA HEIGHTS TRACT, BEING LOT 14, BLOCK 84 AND PART OF LOT 7, BLOCK 88 OF SECOND ADDITION TO HERMOSA BEACH, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION."


Submitted for **waiver of full reading** and **adoption** is Ordinance No. **06-1264**, relating to the above subject.

At the meeting of March 28, 2006, the ordinance was presented to the City Council for consideration and was introduced by the following vote:

AYES:	Edgerton, Keegan, Reviczky, Mayor Tucker
NOES:	None
ABSENT:	None
ABSTAIN:	None


Elaine Doerfling, City Clerk

Noted:


Stephen R. Burrell, City Manager

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ORDINANCE NO. 06-1264

AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING THE ZONING MAP FROM GENERAL COMMERCIAL (C-3) TO SINGLE-FAMILY RESIDENTIAL (R-1) FOR THE PROPERTY LOCATED AT 1255 PROSPECT AVENUE LEGALLY DESCRIBED AS LOT 31, HERMOSA HEIGHTS TRACT, BEING LOT 14, BLOCK 84 AND PART OF LOT 7, BLOCK 88 OF SECOND ADDITION TO HERMOSA BEACH, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION

THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. An application was filed by Brian Carlucci, owner of real property at 1255 Prospect Avenue, seeking to amend the Zoning Map for the subject property.

SECTION 2. The Planning Commission conducted a duly noticed public hearing to consider the application to amend the Zoning Map on October 18, 2005, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission, and based on this evidence the Planning Commission denied the requested Zone Change.

SECTION 3. On October 25, 2005, the City Council, pursuant to Section 2.52.040, initiated review and reconsideration of the decision of the Planning Commission.

SECTION 4. The City Council conducted a duly noticed public hearing to reconsider and review the decision of the Planning Commission on the application for a Zone Change on February 28, 2006, at which testimony and evidence, both written and oral, and the record of decision of the Planning Commission, was presented to and considered by the City Council.

SECTION 5. Based on evidence received at the public hearing and the record of decision of the Planning Commission, the City Council makes the following factual findings:

1. The requested change to R-1 will make the zoning for the subject property consistent with the General Plan designation of Low Density Residential.

2. Surrounding properties to the north and west are designated Low Density residential on the General Plan and Zoned R-1, with the exception of adjacent properties immediately to the south which are not included in this request, which would remain C-3 zoned.

1 **SECTION 6.** Based on the foregoing factual findings, the City Council makes the
2 following findings pertaining to the General Plan Amendment and Zone Change:

3 1. The Zone Change will bring the subject property into consistency with the General Plan
4 for the City pursuant to the specific recommendation for this property in the Land Use Element of the
5 General Plan, and will allow the development of an appropriate residential land use consistent with
6 surrounding properties.

7 2. The subject property to be redesignated is appropriate for residential use as it is abutted by
8 residential uses to the west and north, and located in an area that is predominantly residential in
9 character. A residential use of the subject properties will be more compatible to surrounding
10 residential uses than a potentially more intensive commercial use. The residential use of the property
11 will provide property tax benefits and will not unduly strain city services.

12 3. The City Council concurs with the Staff Environmental Review Committee's
13 recommendation, based on its Environmental Assessment/Initial Study, that this project will result
14 in no significant impact on the environment, and therefore qualifies for a Negative Declaration.

15 **SECTION 7.** Based on the foregoing, and in order to make the Zoning Map consistent
16 with the General Plan Map pursuant to State Law, the City Council hereby amends the City's
17 Official Zoning Map as follows:

18 1. Amend the Zoning Map by changing the property, as described below and shown on the
19 attached map, from General Commercial (C-3) to Single-Family Residential (R-1):

20 1255 Prospect Avenue, legally described as Lot 31, Hermosa Heights Tract, being Lot
21 14, Block 84, and part of Lot 7, Block 88 of the Second Addition to Hermosa Beach.

22 **SECTION 8.** This ordinance shall become effective and be in full force and effect from
23 and after thirty (30) days of its final passage and adoption.

24 **SECTION 9.** Prior to the expiration of fifteen (15) days after the date of its adoption, the
25 City Clerk shall cause this ordinance to be published in the Easy Reader, a weekly newspaper of
26 general circulation published and circulated, in the City of Hermosa Beach in the manner provided
27 by law.

28 **SECTION 10.** The City Clerk shall certify to the passage and adoption of this ordinance,
shall enter the same in the book of original ordinances of said city, and shall make minutes of the

1 passage and adoption thereof in the records of the proceedings of the City Council at which the
2 same is passed and adopted.

3 **PASSED, APPROVED and ADOPTED** this 11th of April 2006 by the following vote:

4 AYES:

5 NOES:

6 ABSENT:

7 ABSTAIN:

8 _____
9 **PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

10 ATTEST:

APPROVED AS TO FORM:

11 _____
12
13 City Clerk

City Attorney