

CITY COUNCIL ORDINANCE NO. 19-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE (00782633-PZC) TO AMEND THE ZONING ORDINANCE TO EXEMPT PUBLIC PROJECTS FROM ZONING ORDINANCE STANDARDS; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

WHEREAS, the City of Irvine has an adopted Zoning Ordinance; and

WHEREAS, the City of Irvine Community Development Department has initiated Zoning Ordinance Amendment 00782633-PZC; and

WHEREAS, Zone Change 00782633-PZC will improve the efficiency of public projects by eliminating the need to seek project approvals following City Council direction to initiate a project

WHEREAS, Zone Change 00782633-PZC is considered a "project" as defined by the California Environmental Quality Act (CEQA); and

WHEREAS, Pursuant to Section 4 of the City of Irvine California Environmental Quality Act (CEQA) procedures and Article 5 of the CEQA Guidelines, the proposed project is covered by the General Rule Exemption [Section 15061(b)(3) of the CEQA Guidelines], for projects where it can be seen with certainty that the activity in question will have no significant effect on the environment; and

WHEREAS, the Planning Commission of the City of Irvine has considered information presented by staff and other interested parties at duly noticed public meeting held on June 6, 2019; and

WHEREAS, the City Council of the City of Irvine considered information presented by the Community Development Department at a duly-noticed public hearing held on July 9, 2019.

NOW, THEREFORE, the City Council of the City of Irvine DOES HEREBY ORDAIN as follows:

SECTION 1. That the above recitals are true and correct and are incorporated herein.

SECTION 2. Pursuant to Section 4 of the City of Irvine California Environmental Quality Act (CEQA) procedures and Article 5 of the CEQA Guidelines, the proposed project is covered by the General Rule Exemption [Section 15061(b)(3)], for projects where it can be seen with certainty that the activity in question will have no significant effect on the environment.

SECTION 3. The City Council finds that the findings required by Section 2-38-7 of the City of Irvine Zoning Ordinance for adoption of a Zone Change have been made as follows:

- A. The proposed Zone Change is consistent with the City of Irvine General Plan.

The purpose of the Zone Change is to exempt public projects from Zoning Ordinance regulations. As such, this Zone Change is consistent with the goals and objectives of the City of Irvine General Plan.

- B. The proposed Zone Change is consistent with any applicable Concept Plan.

There is no Concept Plan associated with this project.

- C. The proposed Zone Change meets all the requirements set forth within Division 8 for the dedication of permanent open space through a specified phased implementation program for affected planning areas and zoning districts.

This project is not required to dedicate open space because there is no development associated with the Zone Change.

- D. The proposed Zone Change is in the best interest of the public health, safety, and welfare of the community.

The Zone Change will improve the efficiency of implementation of public projects directed by the City Council by eliminating the need for comply with specific development standards and the requirement for Conditional Use Permits for governmental facilities.

- E. Based upon information available at the time of approval, adequate sewer and water lines, utilities, sewage treatment capacity, drainage facilities, police protection, fire protection/emergency medical care, vehicular circulation and school facilities will be available to serve the area affected by the proposed Zone Change when development occurs.

The proposed project does not include any specific development. The Zone Change is limited to incorporating minor revisions related to park planning responsibilities.

- F. If the proposed Zone Change affects land located within the coastal zone, the proposed Zone Change will comply with the provisions of the land use plan of the certified local coastal program.

The project does not include any development within the coastal zone.

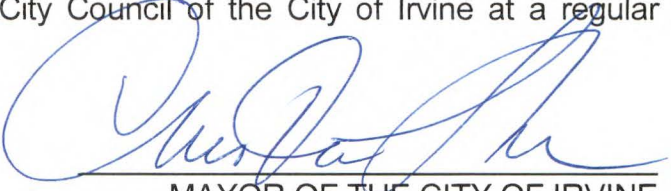
SECTION 4. That the City Clerk shall enter this Ordinance into the book of original Ordinances.

SECTION 5. All ordinances and provisions of the Irvine Municipal Code and sections thereof inconsistent herewith shall be hereby repealed to the extent of such inconsistency and no further.


SECTION 6. If any section, subsection, sentence, clause or phrase of the proposed regulations for any reason held to be unconstitutional or otherwise invalid, such invalidity shall not affect the validity of this Ordinance or any of the remaining portions hereof. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, subdivision, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

NOW, THEREFORE, based on the above findings, the City Council of the City of Irvine DOES HEREBY APPROVE Zone Change 00782633-PZC, amending the City of Irvine Zoning Ordinance as outlined in Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Irvine at a regular meeting held on the 23rd day of July 2019.


MAYOR OF THE CITY OF IRVINE

ATTEST:


CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF IRVINE)


I, MOLLY M. PERRY, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing ordinance was introduced for first reading on the 9th day of July, 2019, and duly adopted at a regular meeting of the City Council of the City of Irvine held on the 23rd day of July, 2019.

AYES: 5 COUNCILMEMBERS: Carroll, Fox, Khan, Kuo, and Shea

NOES: 0 COUNCILMEMBERS: None

ABSENT: 0 COUNCILMEMBERS: None

ABSTAIN: 0 COUNCILMEMBERS: None



CITY CLERK OF THE CITY OF IRVINE

EXHIBIT A

Sec. 1-1-6. --Public Projects

Notwithstanding any other lawful exemptions to zoning regulations, the provisions of this title, shall not apply to any buildings, improvements, lots or premises, owned, leased, operated or controlled by the City or any City Project for public purposes by the City of Irvine.