

**ORDINANCE NO. 37**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF WILDOMAR FOR A PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND STABLE LANES WAY FROM RURAL RESIDENTIAL TO GENERAL COMMERCIAL, KNOWN AS ASSESSOR'S PARCEL NO. 380-120-012 AND 380-120-013 (PROJECT 08-0166)**

**WHEREAS**, an application for a zone change to allow for the development of two commercial retail buildings totaling 20,894 square feet with a 9,305 square feet daycare facility on a 4.16 acre site at the southwest corner of Clinton Keith Road and Stable Lanes Way has been filed by:

Applicant/Owner: Stable Lane Development, LLC

Authorized Agent: Markham Development Management Group, Inc.

Project Location: Southwest corner of Clinton Keith Road and Stable Lanes Way

APN Number: 380-120-012 and 380-120-013

**WHEREAS**, the Planning Commission has the authority per Chapter 17.280 of the Wildomar Municipal Code to review and make recommendations to the City Council on Zone Change 08-0166 for a change in zoning from Rural Residential (R-R) to General Commercial (C-1/C-P) for the property located at the southwest corner of Clinton Keith Road and Stable Lanes Way; and

**WHEREAS**, in accordance with Government Code § 65854, on August 29, 2009, the City gave public notice by mailing to adjacent property owners and by placing an advertisement in a newspaper local circulation of the holding of a public hearing before the Planning Commission at which the project would be considered; and

**WHEREAS**, on October 7, 2009 the Planning Commission held a noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Zone Change 08-0166 at which the Planning Commission considered Zone Change 08-0166; and

**WHEREAS**, at this public hearing on October 7, 2009 the Planning Commission considered, heard public comments on, and recommended approval to the City Council of Zone Change 08-0166; and

**WHEREAS**, in accordance with Government Code § 65854, on October 17, 2009 the City gave public notice by mailing to adjacent property owners and by placing an advertisement in a newspaper local circulation of the holding of a public hearing before the City Council at which the project would be considered; and

**WHEREAS**, on October 28, 2009 the City Council held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Zone Change 08-0166 at which the City Council considered Zone Change 08-0166; and

**NOW THEREFORE**, the City Council of the City of Wildomar does hereby resolve, determine and order as follows:

## SECTION 1. ENVIRONMENTAL FINDINGS

The City Council, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of the Planning Director as provided in the Staff Report dated October 28, 2009 and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. CEQA: The approval of this Zone Change is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on October 28 2009 at a duly noticed public hearing, the City Council adopted a Mitigated Negative Declaration reflecting its independent judgment and analysis and documenting that there was not substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. The documents comprising the City's environmental review for the project are on file and available for public review at Wildomar City Hall, 23873 Clinton Keith Rd., Suite 201, Wildomar, CA 92595.

2. Multiple Species Habitat Conservation Plan (MSHCP). The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

## SECTION 2. ZONE CHANGE FINDINGS.

Pursuant to Wildomar Municipal Code section 17.280, the City Council makes the following findings pertaining to Zone Change 08-0166:

A. The proposed change of zone is in conformance with the adopted General Plan for the City.

*The General Plan Land Use Designation for the project site is Commercial Retail (CR). According to the Wildomar General Plan, the Commercial Retail land use designation allows the development of commercial retail uses at a neighborhood, community and regional level, as well as for professional office and tourist-oriented commercial uses. The project proposes the construction of the two commercial retail buildings totaling 20,894 square feet (Building A is 11,978 square feet and Building B is 8,916 square feet) and a 9,305 square foot daycare facility. A commercial retail center and daycare facility are compatible uses in the Commercial Retail area plan and would conform to the General Plan policies including LU 23.1, which accommodates for the development of commercial uses in areas appropriately designed by the General Plan and area plan land use maps, and LU 23.4, which accommodates for community-oriented facilities, such as telecommunications centers,*

*public meeting rooms, daycare facilities and cultural uses. The proposed zone change from Rural Residential (R-R) to General Commercial (C-1/C-P) is consistent with the Commercial Retail General Plan Land Use Designation. The proposed commercial retail center and daycare facility is subject to the development standards of the C-1/C-P zone and has been designed to comply with such development standards.*

**SECTION 3. CITY COUNCIL ACTION.**

The City Council hereby takes the following action:

1. Approves Zone Change 08-0166 to amend the Official Zoning Map for the City of Wildomar for a property located at the southwest corner of Clinton Keith Road and Stable Lanes Way from Rural Residential (R-R) to General Commercial (C-1/C-P) as shown in Exhibit A which is attached hereto and incorporated herein by reference.

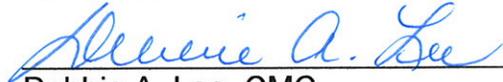
**PASSED, APPROVED AND ADOPTED** this 12th day of November, 2009.

  
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Scott Farnam  
Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Julie Hayward Biggs  
City Attorney

**ATTEST:**

  
\_\_\_\_\_  
Debbie A. Lee, CMC  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE )  
CITY OF WILDOMAR )

I, Debbie A. Lee, CMC, City Clerk of the City of Wildomar, California, do hereby certify that the foregoing Ordinance No. 37 was introduced at a regular meeting of the City Council of the City of Wildomar, California, on October 28, 2009, and was duly adopted at a regular meeting held on November 12, 2009, by the City Council of the City of Wildomar, California, by the following vote:

AYES: Mayor Farnam, Mayor Pro Tem Moore, Council Members Ade, Cashman, Swanson

NOES: None

ABSTAIN: None

ABSENT: None



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Debbie A. Lee, CMC  
City Clerk  
City of Wildomar