

ORDINANCE NO. 39

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 35951 SALIDA DEL SOL FROM RURAL RESIDENTIAL TO INDUSTRIAL PARK, KNOWN AS ASSESSOR'S PARCEL NO. 362-250-014

WHEREAS, an application for a zone change to allow for the construction of a 6,000 square foot veterinary hospital and 4,500 square foot rough graded pad at 35951 Salida del Sol has been filed by:

Applicant/Owner: LNT Development LLC
Authorized Agent: JMM Consultant
Project Location: 35951 Salida del Sol
APN Number: 362-250-014

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 08-0133 for a change in zoning from Rural Residential (R-R) to Industrial Park (I-P) for the property located at 35951 Salida del Sol; and

WHEREAS, in accordance with Government Code § 65854, on August 5, 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 at which the project would be considered; and

WHEREAS, on September 2, 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 08-0133 at which the Planning Commission considered Zone Change 08-0133; and

WHEREAS, at this public hearing on September 2, 2009 the Planning Commission considered, heard public comments on, and recommended approval to the City Council of Zone Change 08-0133; 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 08-0133 and at which the City Council continued the public hearing for the Zone Change 08-0133 to December 9, 2009; and

WHEREAS, on December 9, 2009 the City Council held a public hearing at which interested persons had an opportunity to testify in support of, or opposition to for

the Zone Change 08-0133 at which it received public testimony concerning the project;
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 proposed Mitigated Negative Declaration and documents incorporated therein by reference, any written comments received and responses provided, the proposed Mitigated Negative Declaration and other substantial evidence (within the meaning of Public Resources Code §21080(e) and §21082.2) within the record and/or provided at the public hearing, 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 December 9, 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 Road, 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 08-0133:

A. The proposed change of zone is in conformance with the latest adopted general plan for the city.

The General Plan Land Use Designation for the project site is Business Park (BP). The Business Park land use designation allows for employee intensive uses, including research and development, technology centers, corporate offices, "clean" industry and supporting retail service according to the Wildomar General Plan. The proposed project is a 6,000 square foot veterinary hospital and 4,500 square foot rough graded pad for future development. A veterinary hospital is a compatible use in the Business Park area and would conform to the General Plan policies including LU 24.1, which encourages existing and new development in areas designated by General Plan and land use maps, and overall community development for the area. The surrounding area is mostly vacant. There are several mobile/single-family homes on large lots to the north, south and west of the proposed project site which have a land use designation of Business

Park. The proposed zone change is from Rural Residential (R-R) to Manufacturing – Service Commercial (M-SC). The change of zone to Industrial Park would be consistent with the Business Park General Plan Land Use Designation and would allow for a veterinary hospital. The proposed veterinary hospital is subject to the development standards of the M-SC 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 08-0133 to amend the Official Zoning Map for the City of Wildomar for property located at 35951 Salida del Sol, and also known as Assessors Parcel Number 362-250-014, from Rural Residential (R-R) to Manufacturing-Service Commercial (M-SC).

PASSED, APPROVED AND ADOPTED this 10th day of February 2010.



Bridgette Moore
Mayor

APPROVED AS TO FORM:



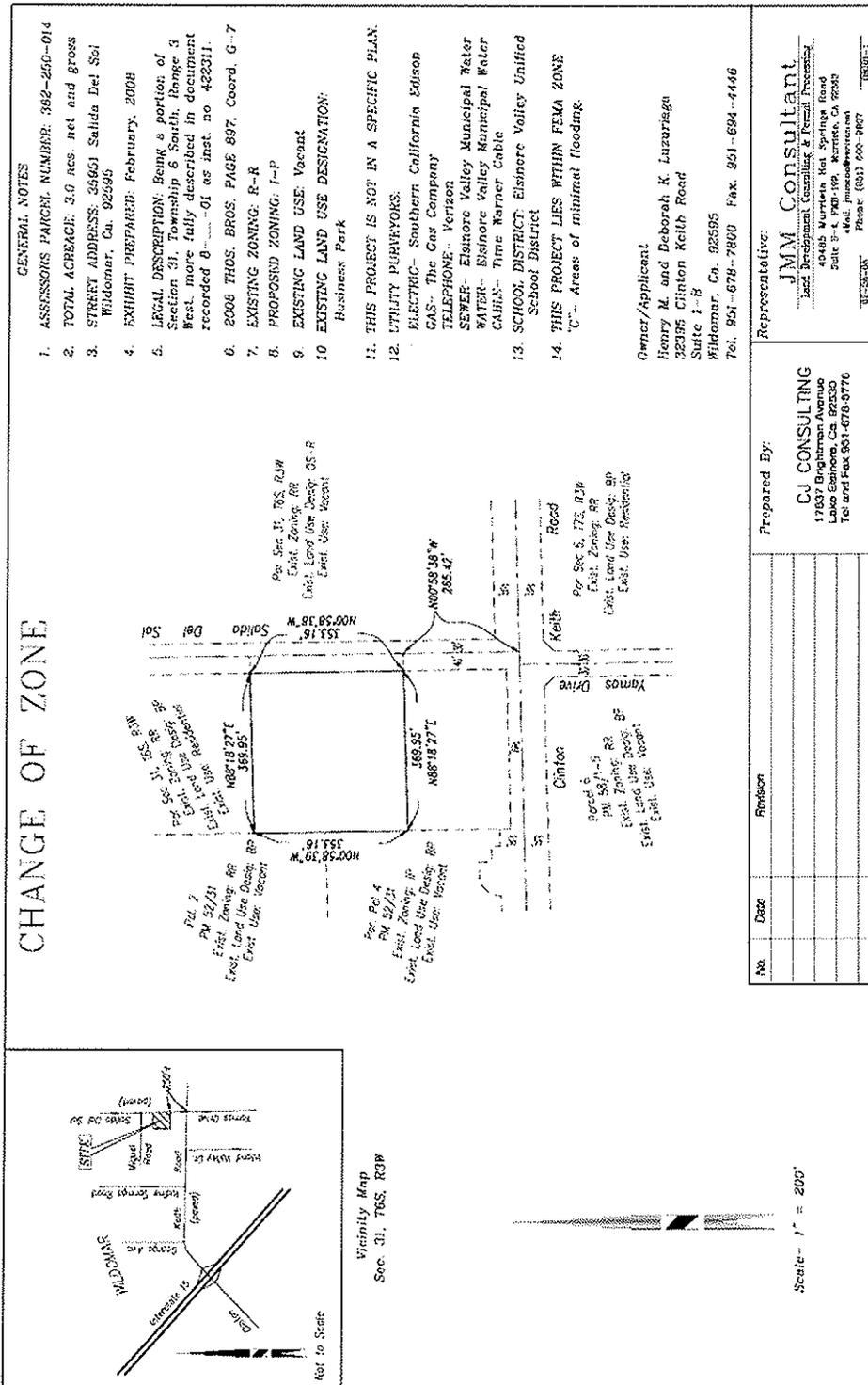
Julie Hayward Biggs
City Attorney

ATTEST:



Debbie A. Lee, CMC
City Clerk

EXHIBIT A CHANGE OF ZONE 08-0133



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

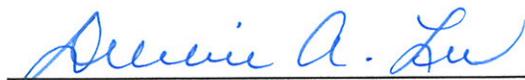
I, Debbie A. Lee, CMC, City Clerk of the City of Wildomar, California, do hereby certify that the foregoing Ordinance No. 39 was introduced at a regular meeting of the City Council of the City of Wildomar, California, on December 9, 2009, and was duly adopted at a regular meeting held on February 10, 2010, by the City Council of the City of Wildomar, California, by the following vote:

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

NOES: Council Member Cashman

ABSTAIN: None

ABSENT: None



Debbie A. Lee, CMC
City Clerk
City of Wildomar