

ORDINANCE NO. 69

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION 15061(B)(3) OF CEQA AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 12-02 AMENDING CHAPTER 17.72 (C-1/C-P ZONE) TO PROHIBIT MINI-WAREHOUSE/SELF-STORAGE FACILITIES; AND AMENDING CHAPTERS 17.96 (I-P INDUSTRIAL-PARK ZONE), 17.100 (M-SC MANUFACTURING-SERVICE COMMERCIAL ZONE), 17.104 (M-M MANUFACTURING-MEDIUM ZONE) AND 17.108 (M-H MANUFACTURING-HEAVY ZONE) TO REQUIRE A CONDITIONAL USE PERMIT FOR MINI-WAREHOUSE/SELF-STORAGE USES SUBJECT TO THE DEVELOPMENT STANDARDS OF SECTION 17.240

THE WILDOMAR CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1: Environmental Determination.

A review of the potential environmental impacts was conducted for Zoning Ordinance Amendment No. 12-02. Based on this review, the City Council has determined that the proposed amendment (which provides for only text changes) to prohibit mini-warehouses/self-storage uses in the C-1/C-P (General Commercial) zone, and require a Conditional Use Permit in the I-P (Industrial-Park), M-SC Manufacturing-Service Commercial), M-M Manufacturing-Medium) and M-H Manufacturing-Heavy) zones subject to specific development standards outlined in Section 17.240 of the Zoning Ordinance has no potential to impact the environment. Further, the proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Therefore, the Zoning Ordinance Amendment No. 12-02 meets the criteria to be exempt from CEQA pursuant to Section 15061(b)(3) which states "that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." Staff is recommending that the Planning Commission recommend adoption of this CEQA Exemption to the City Council.

SECTION 2. Required Zoning Ordinance Amendment Findings.

In accordance with the provisions of Section 17.290 of the Wildomar Zoning ordinance, the following findings are offered for City Council consideration in recommending approval of Zoning Ordinance Amendment No. 12-02 to the City Council.

- A. The proposed Amendment to the Zoning Ordinance is consistent with the City of Wildomar General Plan.

The proposed amendment is consistent with the City of Wildomar General Plan in that the amendment to prohibit mini-warehouse/self-storage uses in the C-1/C-P (General Commercial) zone will further the goal that states, *“Commercial land uses are critical to the long term economic and fiscal stability of the City,...and commercial uses help to provide jobs for local residents...”* Mini-warehouse/self-storage facilities, by their very nature, generate very little jobs for city residents or retail sales tax revenues. Further, as these uses are constructed in the C-1/C-P zone, they reduce the amount of available land for commercial retail uses, and similarly, reduce the number of parcels that can be targeted for economic development opportunities.

In addition, the proposed amendment to require a Conditional Use Permit for mini-warehouse/self-storage uses in the I-P, M-SC, M-M and M-H zones is consistent with the City of Wildomar General Plan in that it will further the goal that reads, *“One of the primary purposes of land use planning is to minimize the impacts certain uses have on adjacent areas...certain uses can have potentially adverse impacts upon adjacent residential neighborhoods, sensitive habitat areas and schools, etc.”* The benefit of requiring a Conditional Use Permit for these uses is that it gives the Planning Commission and City Council greater flexibility to condition operational aspects of a project (i.e., hours of operation, noise, etc.) that will help mitigate potential project impacts.

SECTION 3: Amendment to the Zoning Ordinance

Section 17.72.010.C.9 *“Mini-Warehouse structures”* is hereby deleted in its entirety from the list of uses allowed by conditional use permit.

SECTION 4: Amendment to the Zoning Ordinance

Section 17.96.010.A of the City of Wildomar Zoning Ordinance is hereby amended to read as follows:

“A.1.g.ii, Industrial Warehousing and distribution, excluding mini-warehouses.”

SECTION 5: Amendment to the Zoning Ordinance

Section 17.96.010.B of the City of Wildomar Zoning Ordinance is hereby amended to add the mini-warehouses to the list of uses permitted by conditional use permit to read as follows:

“B.4, Mini-warehouses, subject to the development standards of Section 17.240 (Mini-warehouses).”

SECTION 6: Amendment to the Zoning Ordinance

"Section 17.100.020.B.1.m.v, Mini-warehouses, is hereby deleted in its entirety from the list of permitted uses."

SECTION 7: Amendment to the Zoning Ordinance

Section 17.100.020.C of the City of Wildomar Zoning Ordinance is hereby amended to add the mini-warehouses to the list of uses permitted by conditional use permit to read as follows:

"C.18, Mini-warehouses, subject to the development standards of Section 17.240 (Mini-warehouses)."

SECTION 8: Amendment to the Zoning Ordinance

"Section 17.104.020.B.1.n.vii, Mini-warehouses, is hereby deleted in its entirety from the list of permitted uses."

SECTION 9: Amendment to the Zoning Ordinance

Section 17.104.020.C of the City of Wildomar Zoning Ordinance is hereby amended to add the mini-warehouses to the list of uses permitted by conditional use permit to read as follows:

"C.22, Mini-warehouses, subject to the development standards of Section 17.240 (Mini-warehouses)."

SECTION 10: Amendment to the Zoning Ordinance

"Section 17.108.020.B.1.o.vi, Mini-warehouses, is hereby deleted in its entirety from the list of permitted uses."

SECTION 11: Amendment to the Zoning Ordinance

Section 17.108.020.C of the City of Wildomar Zoning Ordinance is hereby amended to add the mini-warehouses to the list of uses permitted by conditional use permit to read as follows:

"C.18, Mini-warehouses, subject to the development standards of Section 17.240 (Mini-warehouses)."

SECTION 12: Amendment to the Zoning Ordinance

Section 17.240.020.A "C-1/C-P zone with an approved conditional use permit" is hereby deleted in its entirety.

SECTION 13: Amendment to the Zoning Ordinance

Section 17.240.B of the City of Wildomar Zoning Ordinance is hereby amended to read as follows:

B, I-P, M-SC, M-M AND M-H zones subject to the approval of a conditional use permit pursuant to Section 17.200 and the requirements and standards contained in this section.

SECTION 14. Effective Date of the Ordinance.

This Ordinance shall take effect and be in full force and operation thirty days after its second reading and adoption.

SECTION 15. Severability.

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 16. City Clerk Action

The City Clerk is authorized and directed to cause this Ordinance to be published within fifteen days after its passage in a newspaper of general circulation and circulated within the City in accordance with Government Code Section 36933(a) or, to cause this Ordinance to be published in the manner required by law using the alternative summary and pasting procedure authorized under Government Code Section 39633(c).

PASSED, APPROVED AND ADOPTED this 8th day of August, 2012.



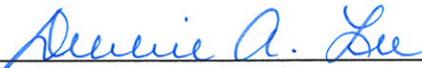
Ben J. Benoit
Mayor

APPROVED AS TO FORM:

ATTEST:



Thomas D. Jex
City Attorney



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. 69 was introduced at a regular meeting of the City Council of the City of Wildomar, California, on July 11, 2012, and was duly adopted at a regular meeting held on August 8, 2012, by the City Council of the City of Wildomar, California, by the following vote:

AYES: Mayor Benoit, Mayor Pro Tem Walker, Council Members Cashman, Moore

NOES: None

ABSTAIN: None

ABSENT: Council Member Swanson



Debbie A. Lee, CMC
City Clerk
City of Wildomar