

ORDINANCE NO. 74

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING CHANGE OF ZONE NO. 12-0386 FROM R-R (RURAL RESIDENTIAL) TO M-SC (MANUFACTURING SERVICE COMMERCIAL) TO BE CONSISTENT WITH THE GENERAL PLAN LAND USE DESIGNATION OF LIGHT INDUSTRIAL (LI) FOR A 2.5 ACRE SITE LOCATED AT 33891 MISSION TRAIL IN THE CITY OF WILDOMAR (APN: 370-060-045)

THE WILDOMAR CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1: ENVIRONMENTAL DETERMINATION

The City Council, in light of the whole record before it including but not limited to the staff report dated February 6, 2013, the City of Wildomar General Plan Environmental Impact Report (EIR) No. 441, Public Resources Code Section 21083.3, and the CEQA Guidelines Section 15162 hereby finds and determines as follows:

- A. The General Plan adopted by the Riverside County Board of Supervisors in 2003, and subsequently adopted by the City of Wildomar City Council on July 1, 2008 (per Resolution No. 08-01) has designated said property located at 33891 Mission Trail (APN: 370-060-045) as Light Industrial to accommodate industrial development for which EIR No. 441 analyzed potential environmental impacts. Prior to adoption of the General Plan and EIR No. 441 the subject site was used for industrial purposes and is currently being used for industrial purposes. The subject site does not contain any features that would create environmental impacts that would be peculiar to the subject site beyond what was originally analyzed and evaluated in the General Plan and EIR No. 441.
- B. In accordance with Section 15162 of the CEQA Guidelines, no subsequent EIR is needed for the proposed Change of Zone from R-R (Rural Residential) to M-SC (Manufacturing Service Commercial) to be consistent with the General Plan land use designation of Light Industrial for said property located at 33891 Mission Trail (APN: 370-060-045), as none of the three conditions set forth in Section 15162 (1) – (3) exist as follows:
 - (1) The land use designation for the property has not changed since the General Plan and EIR No. 441 were adopted in 2003. Therefore, there have been no substantial changes to the project that would require major revisions to EIR No. 441 due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified environmental impacts.

- (2) No substantial changes have occurred with respect to the circumstances at the property since the General Plan and EIR No. 441 were adopted in 2003 which would require major revisions to EIR No. 441 due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified environmental impacts.
- (3) There is no new information of substantial importance, which was not known and could not have been known when EIR No. 441 was certified as complete. The proposed Change of Zone from R-R (Rural Residential) to M-SC (Manufacturing Service Commercial) to make the property site zoning designation consistent with the General Plan land use designation of Light Industrial does not result in any increase in impacts or require new mitigation measures originally identified and analyzed in EIR No. 441.

C. That the decision regarding the environmental analysis and discussion above reflects the independent judgment and analysis of the City.

SECTION 2. REQUIRED CHANGE OF ZONE FINDINGS.

In accordance with the provisions of the Wildomar Zoning Ordinance, the City Council hereby makes the following finding for Change of Zone No. 12-0386.

- 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 Light Industrial, and according to the consistency rezoning table established with the adopted General Plan, the M-SC (Manufacturing Service Commercial) zoning category is highly consistent with the General Plan. Consequently, the Change of Zone from R-R (Rural Residential) to M-SC (Manufacturing Service Commercial) the project site located at 33891 Mission Trail (APN: 370-060-045) is in conformance with the General Plan. The proposed change of zone is described herein and illustrated in Exhibit 1 to this Ordinance.

SECTION 3. AMENDMENT TO THE OFFICIAL ZONING MAP

The City Council hereby approves Change of Zone No. 12-0386 amending the official zoning map of the City of Wildomar by changing the zoning from R-R (Rural Residential) to M-SC (Manufacturing Service Commercial) for the property shown and described in Exhibit 1 attached to this Ordinance.

SECTION 4. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall take effect and be in full force and operation thirty (30) days after its second reading and adoption.

SECTION 5. 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 6. City Clerk Action

The City Clerk is authorized and directed to cause this Ordinance to be published within fifteen (15) 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 10th day of April, 2013.



Timothy Walker
Mayor

APPROVED AS TO FORM:

ATTEST:



Thomas D. Jex
City Attorney

Debbie A. Lee, CMC
City Clerk

EXHIBIT 1

CHANGE OF ZONE NO. 12-0386

LEGAL DESCRIPTION (APN: 370-060-045)

LEGAL DESCRIPTION
IN THE CITY OF WILDOMAR, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

THOSE PORTIONS OF LOT 15 IN BLOCK 3 OF SEDCO TRACT NO. 28 AND OF GOVERNMENT LOT 2 IN SECTION 22, TOWNSHIP 6 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, ALL IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP OF SAID TRACT RECORDED IN BOOK 13 PAGE 44 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND ACCORDING TO THE OFFICIAL PLAT OF SAID TOWNSHIP, RESPECTIVELY, DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 15;

THENCE NORTH 36°35'32" EAST, 358.55 FEET OF THE NORTHWESTERLY LINE THEREOF TO THE MOST NORTHERLY CORNER OF SAID LOT;

THENCE NORTH 87°33'00" EAST, 150.00 FEET TO A POINT ON THE WEST LINE OF THE 60.00 FEET WIDE EASEMENT CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED RECORDED APRIL 8, 1921 IN BOOK 543, PAGE 249 OF DEEDS;

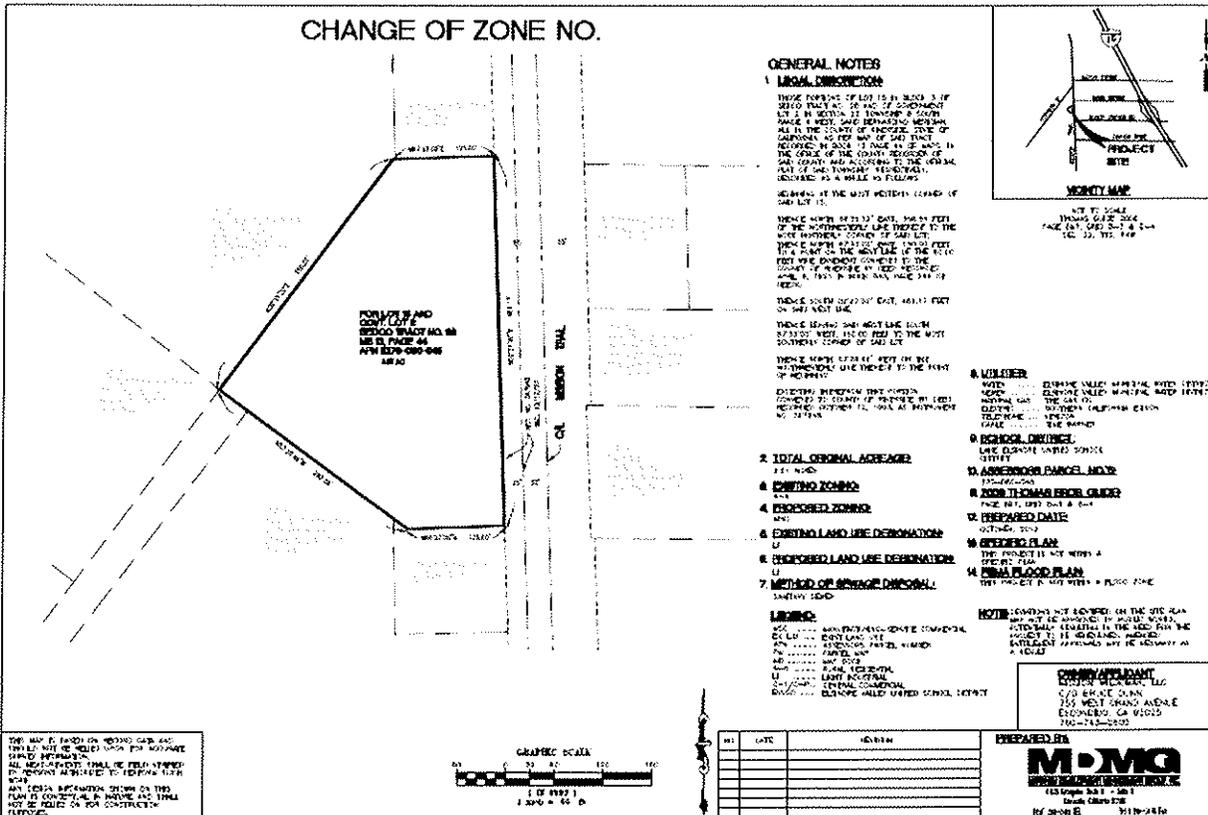
THENCE SOUTH 02°27'00" EAST, 461.17 FEET ON SAID WEST LINE;

THENCE LEAVING SAID WEST LINE SOUTH 87°33'00" WEST, 150.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT;

THENCE NORTH 53°28'49" WEST ON THE SOUTHWESTERLY LINE THEREOF TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO COUNTY OF RIVERSIDE BY DEED RECORDED OCTOBER 12, 1993, AS INSTRUMENT NO. 397948.

ZONE CHANGE MAP



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. 74 was introduced at a regular meeting of the City Council of the City of Wildomar, California, on March 13, 2013, and was duly adopted at a regular meeting held on April 10, 2013, by the City Council of the City of Wildomar, California, by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None



Debbie A. Lee, CMC
City Clerk
City of Wildomar