

CITY OF WILDOMAR PLANNING COMMISSION AGENDA

Commission Members:

Chairman Stan Smith, Vice-Chairman Michael Kazmier,
Commissioner Veronica Langworthy, Commissioner- Elect Robert Devine
Commissioner- Elect Bobby L. Swann III

SPECIAL PLANNING COMMISSION MEETING OF WEDNESDAY, FEBRUARY 20, 2013 AT 6:30 P.M.

Council Chambers, Wildomar City Hall, 23873 Clinton Keith Road, Wildomar, CA 92595

CALL TO ORDER - 6:30 PM

ROLL CALL

FLAG SALUTE

SWEARING IN OF COMMISSIONER-ELECT ROBERT DEVINE AND COMMISSIONER-ELECT BOBBY L. SWANN III

PUBLIC COMMENTS

This is the time for citizens to comment on issues not on the agenda. Under the provision of the Brown Act the Planning Commission is prohibited from discussing or taking action on items not on the agenda. Each speaker is asked to fill out a "Public Comments Card" (located on the table by the Chamber door) and give the card to the Planning Commission Chairperson prior to the start of the meeting. Lengthy testimony should be presented to the Planning Commission in writing (8 copies) and only pertinent points presented orally. Comments are limited to three (3) minutes per speaker. The Commission encourages citizens to address them so the questions and/or comments can be heard.

APPROVAL OF AGENDA AS SUBMITTED

1.0 **CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Commission, the public, or staff request specific items be removed from the Consent Calendar for discussion and/or separate action.

1.1. **Planning Commission Meeting Minutes:**

- Approval of the January 16, 2013 Planning Commission meeting minutes.

2.0 **PUBLIC HEARINGS:**

2.1 **Zoning Ordinance Amendment No. 13-02:**

Planning Commission consideration of an amendment to the City of Wildomar Zoning Ordinance amending Section 17.172.205 (Fences) to establish height and location standards for fences and walls in residential zoning districts.

RECOMMENDATION:

Staff recommends the Planning Commission adopt PC Resolution No. 13-03 entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPTION OF A CATEGORICAL EXEMPTION PER SECTION 15061(B)(3) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, AND APPROVAL ZONING ORDINANCE AMENDMENT NO. 13-02 TO AMEND SECTION 17.172.205 (FENCES) TO ESTABLISH HEIGHT AND LOCATION STANDARDS FOR FENCES AND WALLS IN RESIDENTIAL ZONING DISTRICTS.”

2.2 **Change of Zone No. 12-0386:**

Planning Commission consideration of a Change of Zone from R-R (Rural Residential) to M-SC (Manufacturing Service Commercial) to be consistent with the Wildomar General Plan land use designation of Light Industrial for a 2.5 acre site located 33891 Mission Trail in the City of Wildomar (APN: 370-060-045). Requested by MDMG, Inc. (Project Applicant) on behalf of Mission Wildomar, Inc. (Property Owner).

RECOMMENDATION:

Staff recommends the Planning Commission adopt PC Resolution No. 13-04 entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF CHANGE OF ZONE NO. 12-0386 FROM R-R (RURAL RESIDENTIAL) TO M-SC (MANUFACTURING SERVICE COMMERCIAL) CONSISTENT WITH THE GENERAL PLAN LAND USE DESIGNATION OF LIGHT INDUSTRIAL FOR A 2.5 ACRE SITE LOCATED 33891 MISSION TRAIL IN THE CITY OF WILDOMAR (APN: 370-060-045)”

3.0 GENERAL BUSINESS ITEMS:

3.1 WRCOG – Highway 395 Project Update:

A presentation and update by WRCOG staff regarding the Highway 395 Corridor Study.

PLANNING DIRECTOR'S REPORT

This item is reserved for the Planning Director to comment or report on items not on the agenda. No action by the Planning Commission is needed.

CITY ATTORNEY'S REPORT

This item is reserved for the Planning Director to comment or report on items not on the agenda. No action by the Planning Commission is needed.

- Assistant City Attorney briefing on Environmental Impact Reports (EIR's)

PLANNING COMMISSION COMMUNICATIONS

This portion of the agenda is reserved for Planning Commission business, for the Planning Commission to make comments on items not on the agenda, and/or for the Planning Commission to request information from staff.

FUTURE AGENDA ITEMS

ADJOURNMENT

The City of Wildomar Planning Commission hereby adjourns to the regularly scheduled Planning Commission meeting on March 6, 2013 beginning at 6:30 P.M.

RIGHT TO APPEAL:

Any decision of the Planning Commission may be appealed to the City Council provided the required appeal application and the \$964 filing fee is submitted to the City Clerk within ten (10) calendar days preceding the Planning Commission's action on any given project.

REPORTS:

All agenda items and reports are available for review at Wildomar City Hall, 23873 Clinton Keith Road, Suite 201, Wildomar, California 92595. Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours. If you wish to be added to the regular mailing list to receive a copy of the agenda, a request must be made through the Planning Department in writing or by e-mail.

ADDITIONS/DELETIONS:

Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Planning Commission.

ADA COMPLIANCE:

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Planning Department either in person or by telephone at (951) 667-7751, no later than 10:00 A.M. on the day preceding the scheduled meeting.

POSTING STATEMENT:

On or before February 15, 2013, a true and correct copy of this agenda was posted at the three (3) designated places: 1) Wildomar City Hall, 23873 Clinton Keith Road; 2) United States Post Office, 21392 Palomar Street; and 3) Mission Trail Library, 34303 Mission Trail Road.

1.0 CONSENT CALENDAR



CITY OF WILDOMAR
OFFICIAL PLANNING COMMISSION MEETING MINUTES
FROM THE REGULAR PLANNING COMMISSION MEETING
OF JANUARY 16, 2013

CALL TO ORDER

The regular meeting of the Wildomar Planning Commission was called to order by Planning Commission Chairman Smith at 6:30 P.M. at Wildomar City Hall, Council Chambers.

ROLL CALL

Present: Stan Smith, Chairman, Michael Kazmier, Vice-Chairman, Harv Dykstra, Commissioner Robert Devine, Commissioner,

Absent: Veronica Langworthy, Commissioner

Staff Present Matthew Bassi, Planning Director
Erica Vega City Attorney
Alfredo Garcia; Assistant Planner
Dan York, City Engineer

FLAG SALUTE

Chairman Smith led the flag salute.

PUBLIC COMMENTS

This is the time for citizens to comment on issues not on the agenda. Under the provision of the Brown Act the Planning Commission is prohibited from discussing or taking action on items not on the agenda. Each speaker is asked to fill out a "Public Comments Card" (located on the table by the Chamber door) and give the card to the Planning Commission Chairperson prior to the start of the meeting. Lengthy testimony should be presented to the Planning Commission in writing (8 copies) and only pertinent points presented orally. Comments are limited to three (3) minutes per speaker. The Commission encourages citizens to address them so the questions and/or comments can be heard.

APPROVAL OF AGENDA AS SUBMITTED

Planning Director Bassi informed Chairman Smith that the agenda submitted for the Commissioners review shows item 2.2 as amendment 12-03 when it should be read as amendment 13-01.

Chairman Smith asked the Commission for a motion. Commissioner Devine motioned to approve the modification of the agenda .The motion was seconded by Commissioner Dykstra. Motioned Carried, the following vote resulted:

AYES: Devine, Dykstra, Kazmier, Smith
NOES:
ABSENT: Langworthy
ABSTAIN:

1.0 CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Commission, the public, or staff request specific items be removed from the Consent Calendar for discussion and/or separate action.

1.1 Approval of the June 20, 2012 Planning Commission meeting minutes.

Commissioner Dykstra motioned to approve the June 20, 2012 Planning Commission minutes as submitted. Motioned was seconded by Commissioner Devine. Motioned Carried, the following vote resulted:

AYES: Devine, Dykstra, Kazmier, Smith
NOES:
ABSENT: Langworthy
ABSTAIN:

2.0 PUBLIC HEARINGS

2.1 Tentative Tract Map No. 29476 (Planning Application No. 10-0077): Planning Commission consideration of a 5th and final Extension of Time for an approved Tentative Tract Map (TM 29476) for the subdivision of 39.63 acres for the future development of 28 single family residential dwelling units within the R-1 (One-Family dwelling) zone located on the west side of David Lane, north of Via Sarah (APN: 362-170-005 & 362-180-006). Requested by MDMG, Inc. (Project Representative) on behalf of Calprop Corporation (Applicant).

Director Bassi made a brief presentation to the Planning Commission regarding the extension of time.

Chairman Smith commented for clarification that the Commission is to only vote for the extension of time and nothing more.

Director Bassi responded in the affirmative.

Commissioner Devine asked how much grading will need to be done.

Director Bassi responded that a portion of the hill will need to be leveled off for the homes to be built.

Chairman Dykstra asked who would be responsible for developing La Estrella Road.

Director Bassi responded that the tract was not conditioned to build La Estrella Road.

Dan York City Engineer responded in the affirmative.

Commissioner Dykstra asked City Engineer York when would the developer be required to pay into the Road Bridge Assessment District.

Engineer York responded that they would need to pay all impact fees prior to permits.

Commissioner Dykstra asked where the border between Wildomar and Murrieta was located.

Director Bassi responded with a visual image of a map.

Commissioner Dykstra asked when the developer will be required to pay Quimby fees.

Director Bassi responded that they are paid prior to the recordation of the map.

Commissioner Devine commented that the project was approved in 2001 during the prime of the development period and asked how will the project survive in this economic downturn.

Director Bassi responded that he would allow the applicant to respond.

Chairman Smith opened the public hearing.

Assistant Planner Alfredo Garcia informed the Commission that a citizen named Stephanie Zellanack left a letter for the Commissioners to review which stated her concerns about the project.

Applicant representative Larry Markham provided further information in regards to the tract map and its background.

Property Owner, Victor Zaccaglin commented in regards to Commissioner Devine's earlier questions and responded that he has acquired private funding; which will make the project a possibility.

Etta Lowe expressed her concerns about the wildlife; which will be hindered by this project.

Lisa White expressed her concerns about her property value which will be hindered by this project.

Applicant representative Larry Markham responded that the homes will not be built anytime soon.

Mr. Markham further mentioned that the project has dedicated numerous acres of land to be used for open space conservation.

Chairman Smith Closed the public hearing.

Commissioner Devine's commented that he had a question.

Chairman Smith re-opened the public hearing.

Commissioner Devine commented that the project was approved with cul-de-sacs at a 32 foot radius.

Mr. Markham responded that the County approved the project with the minimum standards at the time.

With no further questions from the Commission, Chairman Smith closed the public hearing and asked for a motion to approve staff's recommendation. A motion was made by Vice-Chairman Kazmier, and was seconded by Commissioner Devine. Motion carried 4-0-1, the following vote resulted:

AYES: Dykstra, Kazmier, Smith, Devine
NOES:
ABSENT: Langworthy,
ABSTAIN:

2.2 Zoning Ordinance Amendment No. 13-01: Planning Commission consideration of an amendment to Section 17.252 (Sign Regulations) to allow LED business identification signs for individual businesses on a single parcel within the C-1/C-P (General Commercial) and CPS (Scenic Highway Commercial) zones and for private schools and non-profit service organizations in all zones subject to specific design standards and regulations.

Director Bassi made a brief presentation to the Planning Commission regarding the proposed amendment.

Vice-Chairman Kazmier asked staff if the City allowed freeway signs.

Director Bassi responded in the affirmative.

Commissioner Devine asked Director Bassi if only 50 square feet of the proposed sign can be lighted.

Director Bassi responded that the letters can only be lighted and not the background.

Commissioner Dykstra asked if this process will create more revenue for the City.

Director Bassi responded in the affirmative.

Commissioner Dykstra asked if this amendment would generate income for code enforcement to take action against illegal signage in the City.

Director Bassi responded that the fees will only cover staff time to review the sign permits.

Commissioner Dykstra commented that he would like to see code enforcement take more action against illegal signage.

Chairman Smith opened the public hearing.

Assistant Planner Garcia commented that Jacob Schlepp from the California Lutheran High School filled out a speaker card but left the meeting.

Director Bassi commented that Mr. Schlepp was also involved in working with staff to draft the ordinance.

Chairman Smith closed the public hearing.

Commissioner Dykstra commented that he read an article that the blue spectrum of an electronic sign is more distracting than the red spectrum.

Commissioner Devine asked if the spectrum color would alter the resolution.

Director Bassi responded that staff did not research the color spectrum component, but staff can take the color spectrum into consideration when reviewing future sign applications.

With no further questions or discussion, Chairman Smith asked for a motion. A motion was made by Commissioner Devine. The motion was seconded by Commissioner Dykstra. Motion carried 4-0-1, with the following vote resulted:

AYES: Dykstra, Kazmier, Devine, Smith
NOES:
ABSENT: Langworthy,
ABSTAIN:

3.1 Election of New Planning Commission Officers:

Planning Commission consideration to elect a new Chairperson and Vice-Chairperson for the 2013 calendar year in accordance with the City of Wildomar Planning Commission Bylaws.

Commissioner Devine motioned to keep Chairman Smith as Chairperson for the 2013 calendar year. The motion was seconded by Commissioner Dykstra. Motion carried 4-0-1, with the following vote resulted:

AYES: Dykstra, Kazmier, Devine, Smith
NOES:
ABSENT: Langworthy,
ABSTAIN:

Commissioner Dykstra motioned to keep Vice-Chairman Kazmier as Vice-Chairperson for the 2013 calendar year. The motion was seconded by Commissioner Devine. Motion carried 4-0-1, with the following vote resulted:

AYES: Dykstra, Kazmier, Devine, Smith
NOES:
ABSENT: Langworthy,
ABSTAIN:

Planning Directors Report

Director Bassi introduced Erica Vega as the new Planning Commission Attorney and introduced Dan York as the City of Wildomar's new City Engineer.

Director Bassi also informed the Commission in regards to the Joint meeting with the Council regarding the Old Town plan.

Director Bassi also reminded Commissioner Devine and Dykstra to submit their Planning Commission applications.

City Attorney's Report

No items for discussion.

Planning Commission Communications

Commissioner Devine commented that when the City incorporated it adopted the Mount Palomar Lighting Ordinance and that ordinance states certain light intensities that new tract homes being built are ignoring.

Chairman Smith asked Director Bassi for comment.

Director Bassi responded that on July 1st 2008 the City Council adopted Ordinance 08-01 which adopted all County Ordinances applicable to the City of Wildomar, including the Mount Palomar Ordinance.

Commissioner Devine asked if he would look at the ordinance again.

Commissioner Devine further commented he believes that new tract homes are not respecting the light pollution ordinance and are creating a glow of light at night.

Director Bassi responded that the City incorporated Ordinance 915 into the Light Pollution Ordinance update from the County which does address light trespass.

Chairman Smith commented that new development will need to adhere to the all ordinances.

Director Bassi responded in the affirmative.

With no other communications, Chairman Smith adjourned the January 16, 2013 Planning Commission meeting at 8:09 P.M.

Matthew C. Bassi
Planning Director/Minutes Secretary

2.0 PUBLIC HEARINGS

CITY OF WILDOMAR – PLANNING COMMISSION

Agenda Item # 2.1

PUBLIC HEARING

Meeting Date: February 20, 2013

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director 

SUBJECT: Zoning Ordinance Amendment No. 13-02:

Planning Commission consideration of an amendment to the City of Wildomar Zoning Ordinance amending Section 17.172.205 (Fences) to establish height and location standards for fences and walls in residential zoning districts.

RECOMMENDATION

Staff recommends the Planning Commission adopt PC Resolution No. 13-03 (Attachment A) entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPTION OF A CATEGORICAL EXEMPTION PER SECTION 15061(B)(3) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, AND APPROVAL ZONING ORDINANCE AMENDMENT NO. 13-02 TO AMEND SECTION 17.172.205 (FENCES) TO ESTABLISH HEIGHT AND LOCATION STANDARDS FOR FENCES AND WALLS IN RESIDENTIAL ZONING DISTRICTS”

BACKGROUND / ANALYSIS

Upon incorporation of the City on July 1, 2008, the City adopted the Riverside County Zoning Ordinance (Ordinance No. 360) and the County’s Residential Design Guidelines. With the recent codification of the City’s Municipal Code, the Zoning Ordinance is now referred to as Title 17 (Zoning Ordinance). Both the Zoning Ordinance and Design Guidelines have design provisions for fences and walls in residential zones, however, neither contain specific height and location standards. In order to establish specific height and location standards, Section 17.172.205 (Fences) of the Zoning Ordinance must be amended.

Of particular concern to the Planning Department is that under current zoning standards, a residential homeowner can construct a six-foot fence and/or wall within the front yard setback area. A fence/wall this high within the front setback area can create

visibility and safety issues, especially along corner lots. In addition, a six-foot fence/wall on the front property line has aesthetics impacts as it can completely block out visibility of the front yard and house façade.

During the daily course of addressing public inquiries regarding fence height and locations in residential zones, planning staff has typically imposed a maximum height standard to minimize aesthetic and safety issues. In most public agencies, the maximum height of fences/walls are clearly defined so there is no misinterpretation, and each homeowner is treated fairly and equitably.

In preparing the proposed amendment, staff researched (via websites) several public agencies in the general area to find out what height standards existed for residential areas. In all cases, which is typical in many agencies, the fence/wall height on side & street side yard property lines (behind the front setback area) and rear property lines is six (6) feet. The maximum fence/wall height within the front yard setback areas was limited to 3-1/2 feet to 4 feet. Given these standards, staff is proposing similar height and location standards. Table C-1 is a summary of what is provided in the draft ordinance attached as Exhibit 1 to PC Resolution No. 13-03:

Table C-1 Maximum Height of Fences and Walls in Required Yard Areas

Location of Fence/Wall/Screen ¹	Maximum Height
Within required front yard area ²	3-1/2 feet (42")
Within required rear and interior side yard area (along rear and interior property lines)	6 feet
Within required street side yard area	6 feet
At intersections of streets, alleys, and driveways within the clear visibility area	Note #3

Notes:

1. Fences, walls, and screening are not required between land uses unless otherwise specified in the Zoning Ordinance. Fences, walls, and screening must also be located outside of any public utility easement, except as authorized by the applicable utility agency.
2. Applies to the entire area in the front yard of a house, as defined by the front facade.
3. Fences/Walls located at intersections of streets, alleys, and driveways must maintain clear visibility as defined by the City Engineer.

In addition to the above, staff is also proposing to expand the list of prohibited fencing materials above what is already listed in Section 17.172.205.B. Currently, the list of prohibited fencing includes: garage doors, tires, pallets, or other materials not typically used for the construction of fences. Staff is proposing to add the following fence types to this list:

- Barbed wire or electrified fence.
- Razor or concertina wire in conjunction with a fence or wall, or by itself.

Staff believes that adoption of the proposed amendment is necessary so there is a specific set of universal standards for residential zones. The establishment of height and location standards for fences/walls will further the General Plan Goal LU 22.10 that states:

"...require residential units/projects be designed to consider their surroundings and visually enhance, not degrade, the character of the immediate area."

In addition, the proposed standards will further the intent of Section 17.172.205 of the Zoning Ordinance that states:

"...to provide for minimum development standards for the construction of fences within the City, which is designed to enhance the aesthetic appearance of the community, preserve property values and protect the health, safety and welfare of City residents."

If the Planning Commission supports the proposed amendment and adopts PC Resolution No. 13-03, staff will schedule the amendment for City Council review at their March 13, 2013 meeting.

ENVIRONMENTAL ASSESSMENT

A review of the potential environmental impacts was conducted for Zoning Ordinance Amendment No. 13-02. Based on this review, the Planning Department has determined that the adoption of the proposed amendment (which provides for only text changes) related to height and location standards for fences in residential zones has no potential to impact the environment. Therefore, Zoning Ordinance Amendment No. 13-02 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 City Council adoption of this CEQA Exemption for Zoning Ordinance Amendment No. 13-02.

REQUIRED ZOA FINDINGS

In accordance with the provisions of the Wildomar Zoning Ordinance, the following finding is offered for Planning Commission consideration in recommending approval of Zoning Ordinance Amendment No. 13-02 to the City Council.

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

The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance in that the proposed amendment will establish height and

location standards for fences and walls in residential zones which will further General Plan Goal LU 22.10 that states: "*require residential units/projects be designed to consider their surroundings and visually enhance, not degrade, the character of the immediate area.*" In addition, the proposed standards will further the intent of Section 17.172.205 to provide for minimum development standards for the construction of fences within the City, which is designed to enhance the aesthetic appearance of the community, preserve property values and protect the health, safety and welfare of City residents.

Respectfully Submitted,



Matthew C. Bassi
Planning Director

ATTACHMENTS:

- A. PC Resolution No. 13-03
Exhibit 1 – Draft City Council Ordinance

ATTACHMENT A

PC Resolution No. 13-03

PC RESOLUTION NO. 13-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPTION OF A CATEGORICAL EXEMPTION PER SECTION 15061(B)(3) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, AND APPROVAL ZONING ORDINANCE AMENDMENT NO. 13-02 TO AMEND SECTION 17.172.205 (FENCES) TO ESTABLISH HEIGHT AND LOCATION STANDARDS FOR FENCES AND WALLS IN RESIDENTIAL ZONING DISTRICTS

WHEREAS, the City of Wildomar Planning Commission has the authority in accordance with the provisions of the Wildomar Zoning Ordinance to take action on the proposed Zoning Ordinance Amendment No. 13-02; and

WHEREAS, the Planning Commission desires to protect and preserve the visual quality of residential areas by establishing height and location standards for fences in residential zones of the City; and

WHEREAS, on February 9, 2013, the City published a legal notice in "The Californian," a newspaper local circulation, notifying the public of the holding of a public hearing for Zoning Ordinance Amendment No. 13-02 that would be considered by the City of Wildomar Planning Commission; and

WHEREAS, on February 20, 2013, the City of Wildomar Planning Commission held a noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, Zoning Ordinance Amendment No. 13-02, and at which time the Planning Commission recommended City Council approval of Zoning Ordinance Amendment No. 13-02.

NOW THEREFORE, the Planning Commission of the City of Wildomar, California does hereby resolve, determine and order as follows:

SECTION 1. ENVIRONMENTAL DETERMINATION.

A review of the potential environmental impacts was conducted for Zoning Ordinance Amendment No. 13-02. Based on this review, the Planning Department has determined that the adoption of the proposed amendment (which provides for only text changes) related to height and location standards for fences in residential zones has no potential to impact the environment. Therefore, Zoning Ordinance Amendment No. 13-02 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 City Council adoption of this CEQA Exemption for Zoning Ordinance Amendment No. 13-02.

SECTION 2. REQUIRED ZOA FINDINGS.

In accordance with the provisions of the Wildomar Zoning Ordinance, the following finding is offered for Planning Commission consideration in recommending approval of Zoning Ordinance Amendment No. 13-02 to the City Council.

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

The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance in that the proposed amendment will establish height and location standards for fences and walls in residential zones which will further General Plan Goal LU 22.10 that states: "*require residential units/projects be designed to consider their surroundings and visually enhance, not degrade, the character of the immediate area.*" In addition, the proposed standards will further the intent of Section 17.172.205 to provide for minimum development standards for the construction of fences within the City, which is designed to enhance the aesthetic appearance of the community, preserve property values and protect the health, safety and welfare of City residents.

SECTION 3. PLANNING COMMISSION ACTIONS.

Based on the foregoing findings, and on substantial evidence in the whole of the record, the Planning Commission hereby adopts PC Resolution No. 13-03 recommending the City Council take the following action:

1. Notice of Exemption. That the City Council make a determination that Zoning Ordinance Amendment No. 13-02 is exempt from environmental review in accordance with Section 15061(b)(3) of the CEQA Guidelines and direct the Planning Director to file a Notice of Exemption with the Riverside County Clerk; and
2. Approve ZOA/Adopt an Ordinance. That the City Council adopt an Ordinance, attached hereto and incorporated herein by reference as Exhibit 1, approving Zoning Ordinance Amendment No. 13-02.

PASSED, APPROVED AND ADOPTED this 20th day of February, 2013 by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

Stan Smith
Planning Commission Chairman

ATTEST:

Matthew C. Bassi
Planning Director/Minutes Secretary

APPROVED AS TO FORM:

Erica Vega, Assistant City Attorney

EXHIBIT 1

Draft City Council Ordinance

ORDINANCE NO. _____

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA ADOPTING A CATEGORICAL EXEMPTION PER SECTION 15061(B)(3) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, AND APPROVING ZONING ORDINANCE AMENDMENT NO. 13-02 TO AMEND SECTION 17.172.205 (FENCES) TO ESTABLISH HEIGHT AND LOCATION STANDARDS FOR FENCES AND WALLS IN RESIDENTIAL ZONING DISTRICTS

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. 13-02. Based on this review, the Planning Department has determined that the adoption of the proposed amendment (which provides for only text changes) related to height and location standards for fences in residential zones has no potential to impact the environment. Therefore, Zoning Ordinance Amendment No. 13-02 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." Therefore, the City Council hereby adopts said exemption for Zoning Ordinance Amendment No. 13-02 in accordance with Section 15061(b)(3) of CEQA.

SECTION 2. Required Zoning Ordinance Amendment Findings.

In accordance with the provisions of the Wildomar Zoning Ordinance, the following finding is offered for City Council consideration in approving Zoning Ordinance Amendment No. 13-02.

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

The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance in that the proposed amendment will establish height and location standards for fences and walls in residential zones which will further General Plan Goal LU 22.10 that states: "*require residential units/projects be designed to consider their surroundings and visually enhance, not degrade, the character of the immediate area.*" In addition, the proposed standards will further the intent of Section 17.172.205 to provide for minimum development standards for the construction of fences within the City, which is designed to enhance the

aesthetic appearance of the community, preserve property values and protect the health, safety and welfare of City residents.

SECTION 3: Amendment to the Zoning Ordinance

Section 17.172.205.B (Prohibited Fences) is hereby amended in its entirety to read as follows:

- B. Prohibited Fences. The following fence materials are prohibited in all zones (unless approved through the Plot Plan or Conditional Use Permit review process for security needs for service commercial and/or industrial users) or as required by City, state or federal laws/regulations.
1. Garage doors, tires, pallets, or other materials not typically used for the construction of fences.
 2. Barbed wire or electrified fence.
 3. Razor or concertina wire in conjunction with a fence or wall, or by itself.

SECTION 4: Amendment to the Zoning Ordinance

Section 17.172.205 (Fences) is hereby amended to add the following new section to read as follows:

- C. Exemptions. The following fences and walls shall be exempt from planning review (a building permit may be required as determined by the Building Official)
1. Retaining Walls - Retaining walls less than thirty-six (36) inches in height.
 2. Residential Fences - Fences located on residential property (privacy fences) constructed in compliance with the standards of this section.
 3. Required Fences - Fences and walls required by a state or federal agency, or by the City for public safety.

SECTION 5: Amendment to the Zoning Ordinance

Section 17.172.205 (Fences) is hereby amended to add the following new section to read as follows:

- D. Height Limits and Locations. For Residential Zoning Districts, each fence or wall (including landscaping used as a screen) shall comply with height limits and locations shown in the Table C-1 below (Maximum Height of Fences and Walls in Required Yard Areas).

Table C-1 Maximum Height of Fences and Walls in Required Yard Areas

Location of Fence/Wall/Screen ¹	Maximum Height
Within required front yard area ²	3-1/2 feet (42")
Within required rear and interior side yard area (along rear and interior property lines)	6 feet
Within required street side yard area	6 feet
At intersections of streets, alleys, and driveways within the clear visibility area	Note #3

Notes:

1. Fences, walls, and screening are not required between land uses unless otherwise specified in the Zoning Ordinance. Fences, walls, and screening must also be located outside of any public utility easement, except as authorized by the applicable utility agency.
2. Applies to the entire area in the front yard of a house, as defined by the front facade.
3. Fences/Walls located at intersections of streets, alleys, and driveways must maintain clear visibility as defined by the City Engineer.

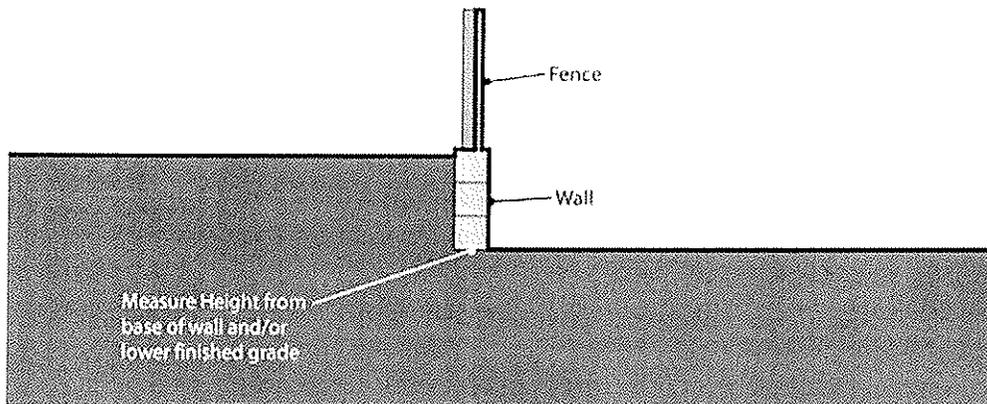
SECTION 6: Amendment to the Zoning Ordinance

Section 17.172.205 (Fences) is hereby amended to add the following new section to read as follows:

E. Height Measurement.

1. Fence height shall be measured as the vertical distance between the finished grade at the base of the fence and the top edge of the fence material. Grade may not be modified in order to increase fence height.
2. The height of fencing placed atop a wall shall be measured from the base of the wall, except as provided in 3, below.
3. The height of the fence must not exceed six (6) feet as measured from the base of the wall and/or fence from the perspective of the sidewalk, roadway and/or adjacent property.

Figure D-1: Height Measurements



SECTION 7. Effective Date of the Ordinance.

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

SECTION 8. 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 9. 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).

ENACTED AND ADOPTED this ____ day of _____, 2013.

Timothy Walker
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, City Clerk of the City of Wildomar, do hereby certify that the foregoing Ordinance was introduced and first read on the ____ day of _____, 2013, and had its second reading at the regular meeting of the Wildomar City Council on the ____ day of _____, 2013, and was passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Debbie A. Lee, City Clerk

CITY OF WILDOMAR – PLANNING COMMISSION

Agenda Item # 2.2

PUBLIC HEARING

Meeting Date: February 20, 2013

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director

SUBJECT: Change of Zone No. 12-0386:

Planning Commission consideration of a Change of Zone from R-R (Rural Residential) to M-SC (Manufacturing Service Commercial) to be consistent with the Wildomar General Plan land use designation of Light Industrial for a 2.5 acre site located 33891 Mission Trail in the City of Wildomar (APN: 370-060-045).

RECOMMENDATION

Staff recommends the Planning Commission adopt PC Resolution No. 13-04 (Attachment A) entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF CHANGE OF ZONE NO. 12-0386 FROM R-R (RURAL RESIDENTIAL) TO M-SC (MANUFACTURING SERVICE COMMERCIAL) CONSISTENT WITH THE GENERAL PLAN LAND USE DESIGNATION OF LIGHT INDUSTRIAL FOR A 2.5 ACRE SITE LOCATED 33891 MISSION TRAIL IN THE CITY OF WILDOMAR (APN: 370-060-045)”

PROJECT DESCRIPTION

The applicant is requesting Planning Commission approval of a change of zone (CZ No. 12-0386) from R-R (Rural Residential) to M-SC (Manufacturing Service Commercial) for the property located at 33891 Mission Trail. Approval of the change of zone will bring the property into consistency with the General Plan land use designation of Light Industrial.

The property was previously used for many years by the Elsinore Valley Municipal Water District (EVMWD) as their offices and storage yard until they moved to their current location. The property was then purchased several years ago by Mission Pools who uses the site for their headquarters and storage yard.

The project site is 2.5 acres in size and is located on the west side of Mission Trail just north of Bundy Canyon Road. The vicinity/aerial map on the following page shows the location of the project site and the surrounding area.

Vicinity / Aerial Map



The project site is surrounded by vacant land to the west and north. Commercial uses are existing east of the site across Mission Trial. There are existing industrial use and outdoor storage south of the site. The table below summarizes the current land use, General Plan land use and Zoning information related to the proposed project.

ADJACENT ZONING, LAND USE AND APPLICABLE STANDARDS			
Location	Current Land Use	General Plan Land Use Designation	Zoning
Subject Prop.	Mission Pools Yard	Light Industrial	R-R (Rural Residential)
North	Vacant Residential	Light Industrial	I-P (Industrial Park)
South	Vacant/ Commercial	Light Industrial	R-R (Rural Residential)
East	Retail / Commercial Uses	Commercial Retail	C-1/C-P (General Commercial)
West	Vacant/ Residential	Light Industrial	I-P (Industrial Park)

PROJECT ANALYSIS

Change of Zone:

The proposed Change of Zone from R-R (Rural Residential) to M-SC (Manufacturing Service Commercial) for the subject property is necessary so the site can be consistent with the General Plan land use designation of Light Industrial. As noted above, the surrounding properties to the north, west and south all have a land use designation of Light Industrial. Two of these three properties have a consistent zoning designation of Industrial Park. The applicant's request to rezone the site to M-SC would be compatible with the Industrial park zoning and consistent with the Light Industrial land use designation.

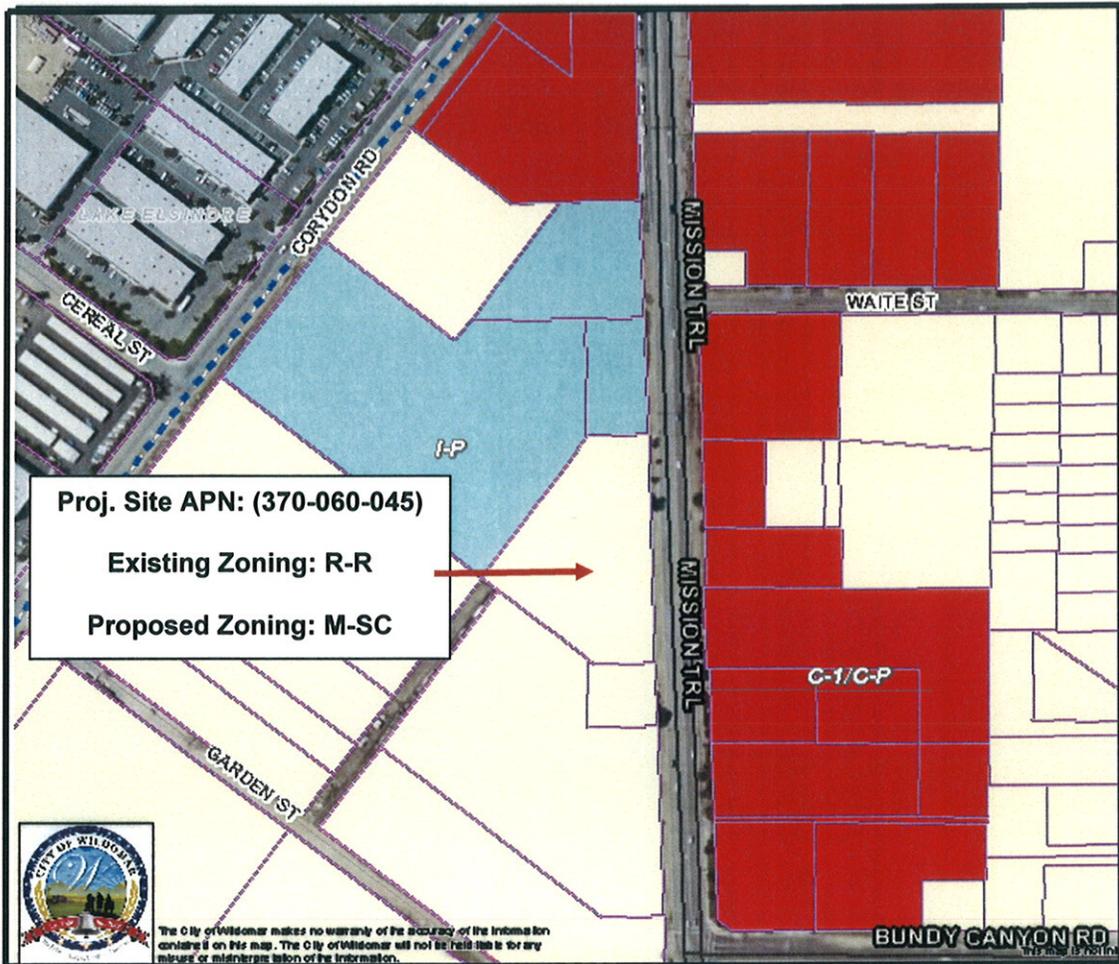
When the County of Riverside adopted its General Plan update in 2003, they planned to follow through with a consistency zoning program to rezone all the land in Wildomar that had changed as a result of the update. Staff does not know why the County never followed through with the consistency zoning program, so when the City incorporated on July 1, 2008, we inherited a lot of parcels with inconsistent zoning. Government Code Section 65860(c) states that In the event that a zoning designation becomes inconsistent with a general plan by reason of an amendment or update to the plan, the zoning ordinance shall be amended within a reasonable time so that it is consistent with the general plan as amended.

It now has been 10 years since the General Plan was updated. While the City is unable financially to prepare its own consistency zoning for the hundreds of parcels that are inconsistent, it is a positive thing to see an individual property who wants to pay for a consistency zoning application. Staff supports the applicant's request to rezone the site because the site will then be consistent with the General Plan land use designation.

The General Plan designation for the subject site is Light Industrial; the zoning would be changed to Manufacturing – Service Commercial Zone (M-SC). The Light Industrial designation provides for industrial and related uses including warehousing/distribution, assembly and light manufacturing, repair facilities, and supporting retail uses. (General Plan, p. LU-42) The intent of the M-SC district is to: (1) promote and attract industrial and manufacturing activities which will provide jobs to local residents and strengthen the City's economic base; (2) provide the necessary improvements to support industrial growth; (3) insure that new industry is compatible with uses on adjacent lands; and (4) protect industrial areas from encroachment by incompatible uses that may jeopardize industry. It allows for a variety of industrial, manufacturing, service, and commercial uses. (City of Wildomar Municipal Code 17.92.020) Thus, the proposed zoning is consistent with the General Plan designation for the site.

Further, approval of the change of zone will remove any non-conforming land use status on the site. The exhibit on the following page illustrates the applicant's change of zone request.

Existing and Proposed Zoning Map



ENVIRONMENTAL DISCUSSION

The General Plan is not a stand-alone document and is designed to be used in tandem with several other adopted City regulatory documents and plans, such as the City's Zoning Ordinance. In order to maintain consistency with the General Plan, updates of the Zoning Ordinance are required.

The General Plan is a long-term policy guide for the development of the City, but does not propose specific development that can be analyzed at a project-specific level. Therefore, the General Plan EIR is a program EIR. A program EIR provides a more general analysis that focuses on the overall effects of implementation of the General Plan. Because the General Plan does not contain details of any specific project, the location-specific effects cannot be analyzed without speculation as to the ultimate use that could be proposed on a particular site. "Where future development is unspecified and uncertain, no purpose can be served by requiring an EIR to engage in sheer

speculation as to future environmental consequences.” (City of Santee v. County of San Diego (1989) 214 Cal.App3d at p. 1453)

Any future development applications on the subject site will be subject to project-specific CEQA review at the time a project is proposed to determine if mitigation would be required to reduce potential impacts. This process would include an opportunity for public review and comment. If feasible measures are available to reduce impacts, those will be imposed on the site-specific project. However, as there is currently no development proposal for the subject site, there is insufficient information to conduct project-level review at this time and any attempt to provide project-level review would be speculative. As the proposed zoning is consistent with the General Plan designation assumed in the General Plan and analyzed in the EIR for the General Plan (EIR No. 441), the General Plan EIR analysis provides adequate program level of analysis of potential impacts. No further analysis is required. A copy of EIR No. 441 is available for review at City Hall and can be found online at: www.rctlma.org/genplan/default.aspx.

REQUIRED PROJECT FINDINGS

CEQA Findings:

The Planning Commission, in light of the whole record before it including but not limited to the staff report dated February 20 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 recommends that the City Council find and determine 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

has 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.

Change of Zone:

In accordance with the provisions of the Wildomar Zoning Ordinance, the Planning Commission recommends the City Council make the following finding for the proposed 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.

CONCLUSION

In conclusion, staff supports the proposed change of zone as it meets the findings described above. The proposal will also result in the property being consistent with the General Plan land use designation of Light Industrial. In addition, the existing use will continue to be compatible with surrounding land uses.

Respectfully Submitted,



Matthew C. Bassi
Planning Director

ATTACHMENTS

- A. PC Resolution No. 13-04
Exhibit 1 - Legal Description for Change of Zone
- B. Aerial Photo Exhibits
- C. Full Size Change of Zone Map/Plan (under separate cover)

ATTACHMENT A

(PC Resolution No. 13-04)

PC RESOLUTION NO. 13-04

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

WHEREAS, the Planning Department has received an application for a Change of Zone from R-R (Rural Residential) to M-SC (Manufacturing Service Commercial) to be consistent with the Wildomar General Plan Land Use designation of Light Industrial by:

Applicant/Owner: Larry Markham, MDMG on behalf of Mission Wildomar, Inc.
Project Location: 33891 Mission Trail
APN: APN: 370-060-045
Lot Area: 2.5 acres

WHEREAS, the Planning Commission has the authority in accordance with the provisions of the Wildomar Zoning Ordinance to take action on Change of Zone No. 12-0386; and

WHEREAS, Change of Zone from R-R (Rural Residential) to M-SC (Manufacturing Service Commercial) is needed to make the property consistent with the Wildomar General Plan Land Use designation of Light Industrial; and

WHEREAS, on February 6, 2013, the City mailed a notice of public hearing to each property owner within a 600-foot radius of the project site in accordance with state and local laws notifying the residents of the holding of a public hearing for Change of Zone No. 12-0386 that would be considered by the City of Wildomar Planning Commission on February 20, 2013; and

WHEREAS, on February 9, 2013, the City published a legal notice in "The Californian," a newspaper local circulation, notifying the public of the holding of a public hearing for Change of Zone No. 12-0386 that would be considered by the City of Wildomar Planning Commission on February 20, 2013; and

WHEREAS, on February 20, 2013, the City of Wildomar Planning Commission held the duly noticed/published public hearing, at which time interested persons had an opportunity to testify in support of, or opposition to, the proposed Change of Zone No. 12-0386, and at which time the Planning Commission considered all public input and testimony and recommended City Council approval of Change of Zone No. 12-0386.

NOW THEREFORE, the Planning Commission of the City of Wildomar, California does hereby resolve, determine and order as follows:

SECTION 1. CEQA FINDINGS.

The Planning Commission, in light of the whole record before it including but not limited to the staff report dated February 20, 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 recommends that the City Council find and determine 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 has 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. MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)

The Planning Commission recommends that the City Council find that the project is found to be consistent with the MSHCP, and that the project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

SECTION 3. REQUIRED CHANGE OF ZONE FINDINGS.

In accordance with the provisions of the Wildomar Zoning Ordinance, the Planning Commission recommends the City Council make the following finding for the proposed 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.

SECTION 4. PLANNING COMMISSION ACTIONS

Based on the foregoing findings, and on substantial evidence in the whole of the record, the Planning Commission hereby adopts PC Resolution No. 13-04 recommending the City Council take the following action:

1. Approve Change of Zone. That the City Council approve Change of Zone No. 12-0386 as described and illustrated in Exhibit 1 (Legal Description) attached hereto to this Resolution.

PASSED, APPROVED AND ADOPTED this 20th day of February, 2013 by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

Stan Smith
Planning Commission Chairman

ATTEST:

Matthew C. Bassi
Planning Director/Minutes Secretary

APPROVED AS TO FORM:

Erica Vega, Assistant City Attorney

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.

ATTACHMENT B

(Aerial Exhibits)

RECEIVED

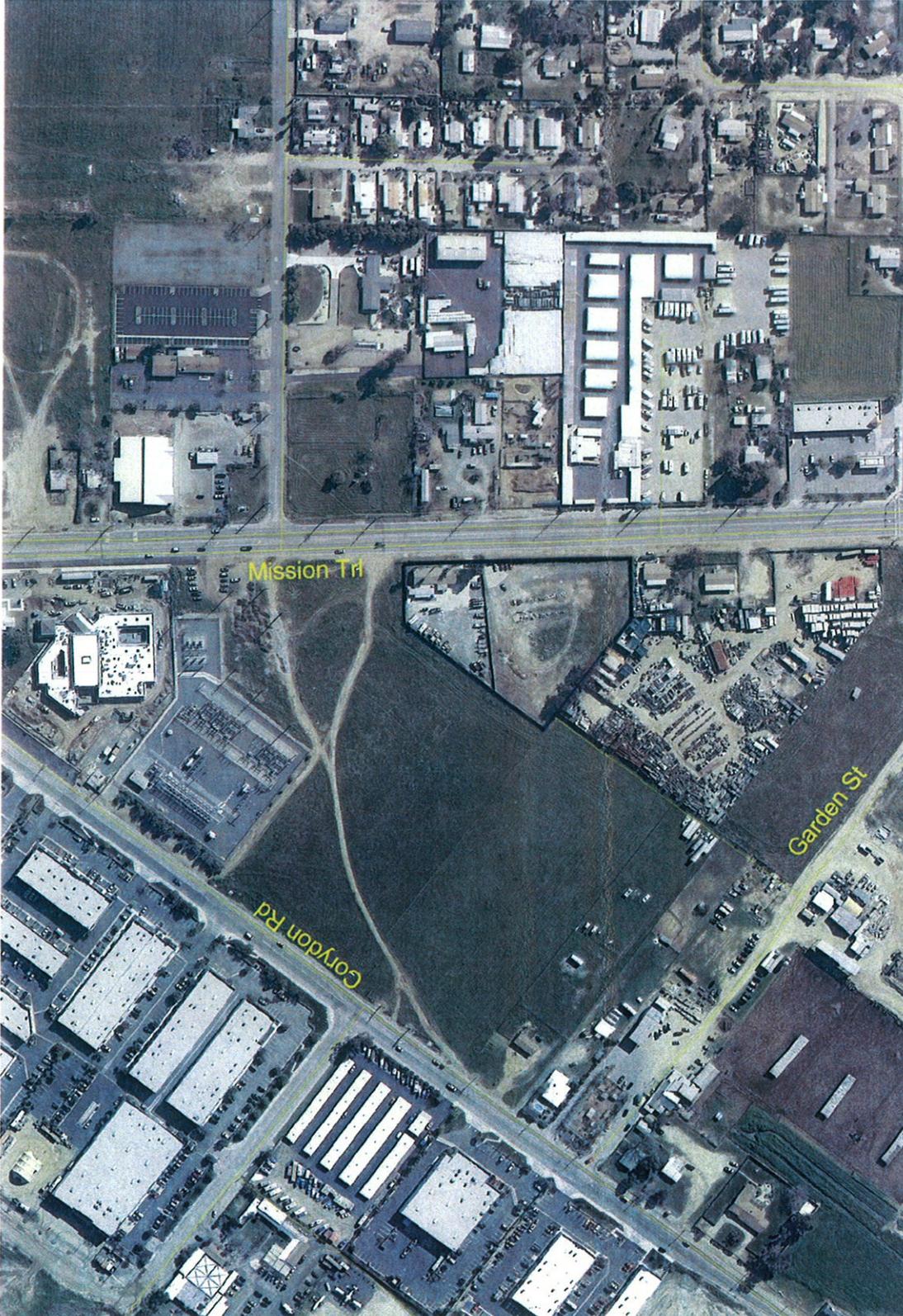
2017 01 26 12

CITY OF WILDOMAR



AERIAL PHOTO

MDMG
MANAGEMENT DEVELOPMENT GROUP INC.
41835 Entier Drive, Suite 10
Tremonte, California 92590
951)298-3475 FAX: (951)298-3466 TEL.
LARRY A. MURPHY, B.S.E., M.S.P.



AERIAL PHOTO



Selected parcel(s):
370-060-045

IMPORTANT

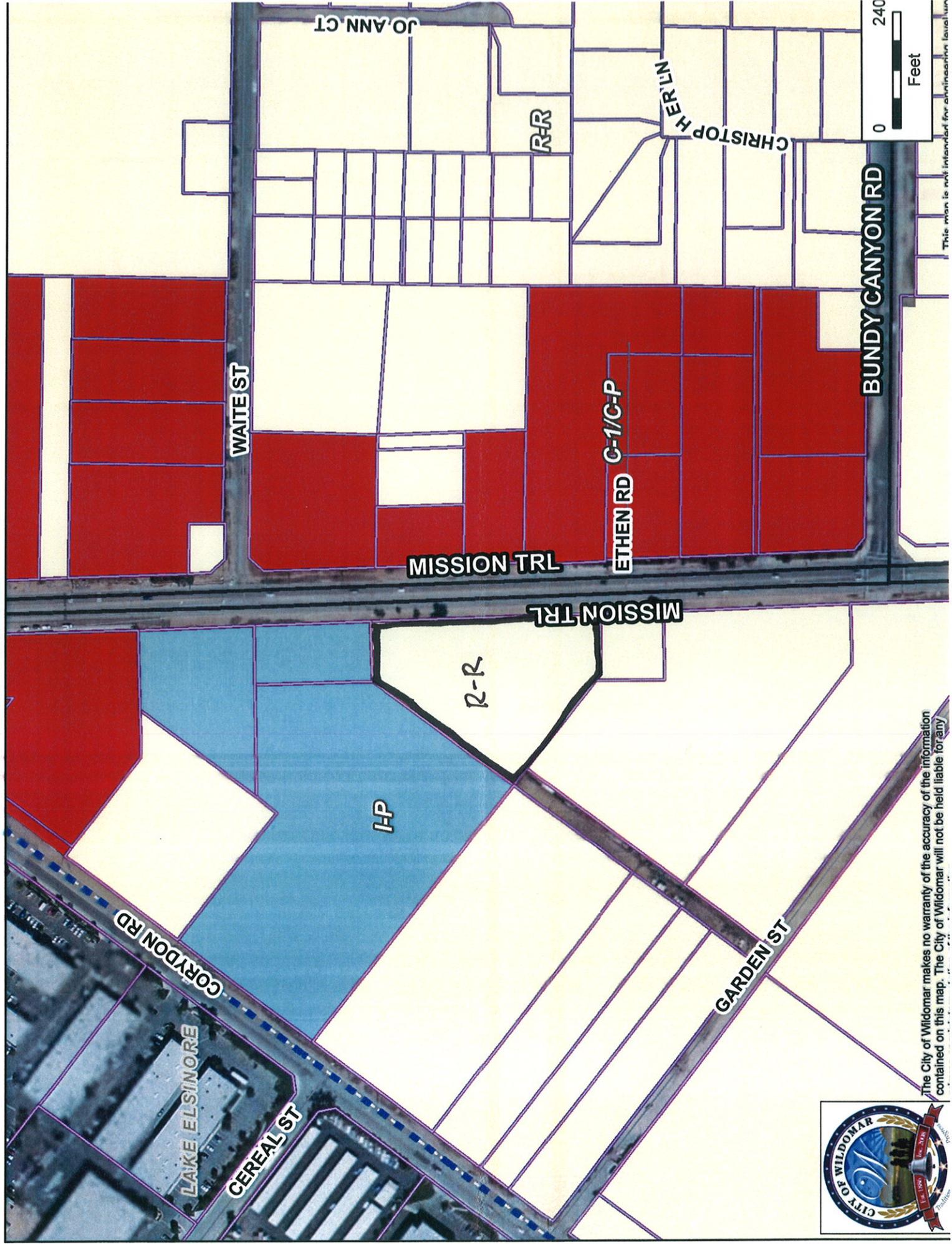
Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Wed Nov 14 09:37:58 2012

Version 120920

2007

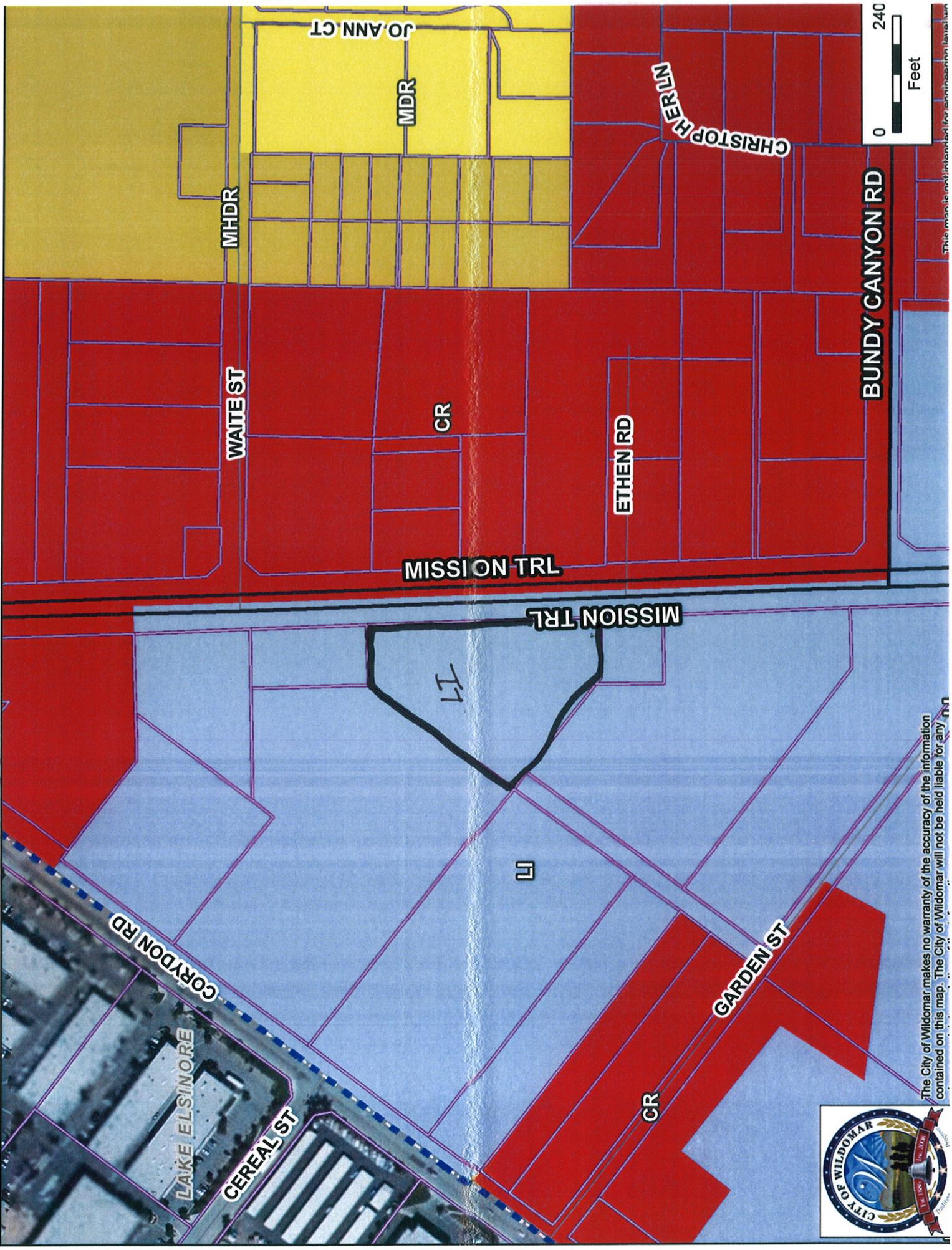
ZONING MAP EXHIBIT



The City of Wildomar makes no warranty of the accuracy of the information contained on this map. The City of Wildomar will not be held liable for any

This map is not intended for administrative use

GENERAL PLANNING USE



The City of Wildomar makes no warranty of the accuracy of the information contained on this map. The City of Wildomar will not be held liable for any...

This map is not intended for engineering level use.

ATTACHMENT C

Change of Zone Plan (under separate cover)

3.0 GENERAL BUSINESS ITEMS

CITY OF WILDOMAR – PLANNING COMMISSION
Agenda Item # 3.1
GENERAL BUSINESS
Meeting Date: February 20, 2013

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director

SUBJECT: **WRCOG Highway 395 Project Update:**
A presentation and update by WRCOG staff regarding the Highway 395 Corridor Study.

RECOMMENDATION

That the Planning Commission receive and file the proposed report/update. No action needed.

DISCUSSION

In August 2011, WRCOG received approximately \$248,000 from Caltrans to prepare a “Highway 395 Corridor Study” for Southwest Riverside County (Study). The purpose of the Study is to develop a comprehensive transportation and land use plan for the shared 16-mile, north-south arterial that parallels Interstate 15 and runs through the four contiguous cities of Wildomar, Lake Elsinore, Murrieta, and Temecula.

A joint planning process brought consistency to the individual city planning efforts, stimulated greater dialogue, and identified land use and transportation opportunities that can create a corridor that will achieve maximum efficiencies to serve future residents and employers. Through a community-based planning process, the Study evaluated existing conditions and anticipated growth patterns, and identified mobility and land use opportunities, including:

- Multimodal transportation opportunities including rapid transit, transit centers, future high speed rail, bicycle paths, pedestrian facilities, and disabled accessibility;
- Mixed use development including activity centers and nodes near transit;
- Housing and affordability issues;
- Safety for all transportation modes;

- Sustainability including reduced vehicle trips, reduced congestion, reduced air emissions, preserved historic and cultural setting, energy conservation, preserved open space; and
- Economic development including employment centers, business and trade growth.

Public Outreach Efforts:

The project team conducted ongoing public outreach for the Study. Community Workshops were held in late 2011 and early 2012 to seek input on proposed multi-modal transportation and mixed use development strategies for the Corridor. Workshop participants were encouraged to provide feedback and ask questions about the Study, and took part in an interactive exercise to prioritize preferred strategies. Local media outlets, transportation, housing, economic and other community based organizations have also been continuously notified about the Study.

The interactive project website, www.highway395corridorstudy.org, provides the public with the opportunity to learn more about the Study and sign-up for automatic email notifications when new project information is posted on the website, to review the latest information, download public documents related to the project, and provide input/comments.

Deliverables and Final Steps:

The following reports are available for public review on the project website:

- Existing Conditions Report discusses the current and proposed transportation network and land use plan, along with the current regulatory policies pertaining to the Corridor within Southwest Riverside County.
- Multi-Modal Transportation Report discusses the current transportation network and proposes measures to improve that network for all forms of travel.
- Mixed Use Development Opportunities Report identifies preferred or feasible locations for future mixed-use development in the Corridor.
- Implementation Recommendations present strategies for implementing the proposed transportation improvements and land use opportunities identified in previous Study efforts in the Corridor.

The coordinated efforts and outcomes represented in the Study will provide the foundation for continued shared planning and implementation of improvements within the Highway 395 Corridor. Importantly, combined with related local and regional land use, transportation, economic development and environmental planning initiatives, the

Study outcomes could support pursuits for planning and implementation grants, particularly when pursued as multi-agency partnerships.

The WRCOG project team is also making presentations on the complete Study to the participating jurisdictions' City Councils. Subsequently, the Project Team will present the final Study to the WRCOG Planning Directors, Public Works, Technical Advisory, and Executive Committees, and to Caltrans in the near future.

WRCOG staff will show a 3-minute video followed by a 5-minute provide power point presentation on the Study at the February 6, 2013 meeting. In addition, brochures/handouts will be provided at the meeting to the Planning Commission and staff, and extra copies will be left with the City for availability by the general public.

Respectfully Submitted,

Matthew C. Bassi
Planning Director