

ATTACHMENT B

Council Ordinance No. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING A CHANGE OF ZONE (PLANNING APPLICATION NO. 08-0154) FROM R-R (RURAL RESIDENTIAL) TO R-1 (ONE-FAMILY DWELLING) FOR A 4.16-ACRE SITE LOCATED AT THE TERMINUS OF ELM STREET BETWEEN GRUWELL STREET AND CENTRAL STREET (APN: 376-043-027)

THE WILDOMAR CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA Determination

The approval of this Change of Zone is in compliance with requirements of the California Environmental Quality Act (CEQA), in that on September 23, 2015, at a duly noticed public hearing, the City Council adopted a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for Change of Zone No. 08-0154 reflecting its independent judgment and analysis and documenting the environmental impacts and mitigation measures related to the project. 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.

SECTION 2. Change of Zone Findings

In accordance with California Government Code Sections 65853–65857 and Wildomar Zoning Ordinance Section 17.280, the City Council hereby makes the following finding for proposed Change of Zone No. 08-0154.

- A. The proposed Change of Zone is in conformance with the adopted General Plan for the City of Wildomar.

Staff has evaluated the proposed change of zone from the current zoning of R-R (Rural Residential) to R-1 (One-Family Dwelling) to determine consistency with the General Plan. The site has a General Plan land use designation of Medium Density Residential (MDR), which allows between two and five detached single-family residences per acre on lots ranging from 5,500 to 20,000 square feet in size. The R-1 zone allows single-family dwellings on lot areas not less than 7,200 square feet.

In reviewing the applicant's Change of Zone request and development proposal, the project density is proposed at 3.6 units per acre with lot sizes ranging from 8,142 to 12,007 square feet, which falls within the permitted density range and lot sizes and thus is consistent with the general plan. The project is also consistent with the City of Wildomar's Municipal development standards outlined in Section

17.24.020 (R-1 zone). As discussed above, the project is consistent with the City of Wildomar's General Plan and the City's R-1 zoning standards.

SECTION 3: Amendment to the Zoning Map

The City Council, based on the findings above, hereby approves a change to the City of Wildomar Zoning Map for Change of Zone No. 08-0154 from the current zoning designation of R-R (Rural Residential) to R-1 (One-Family Dwelling), as described herein and illustrated below.

Legal Description

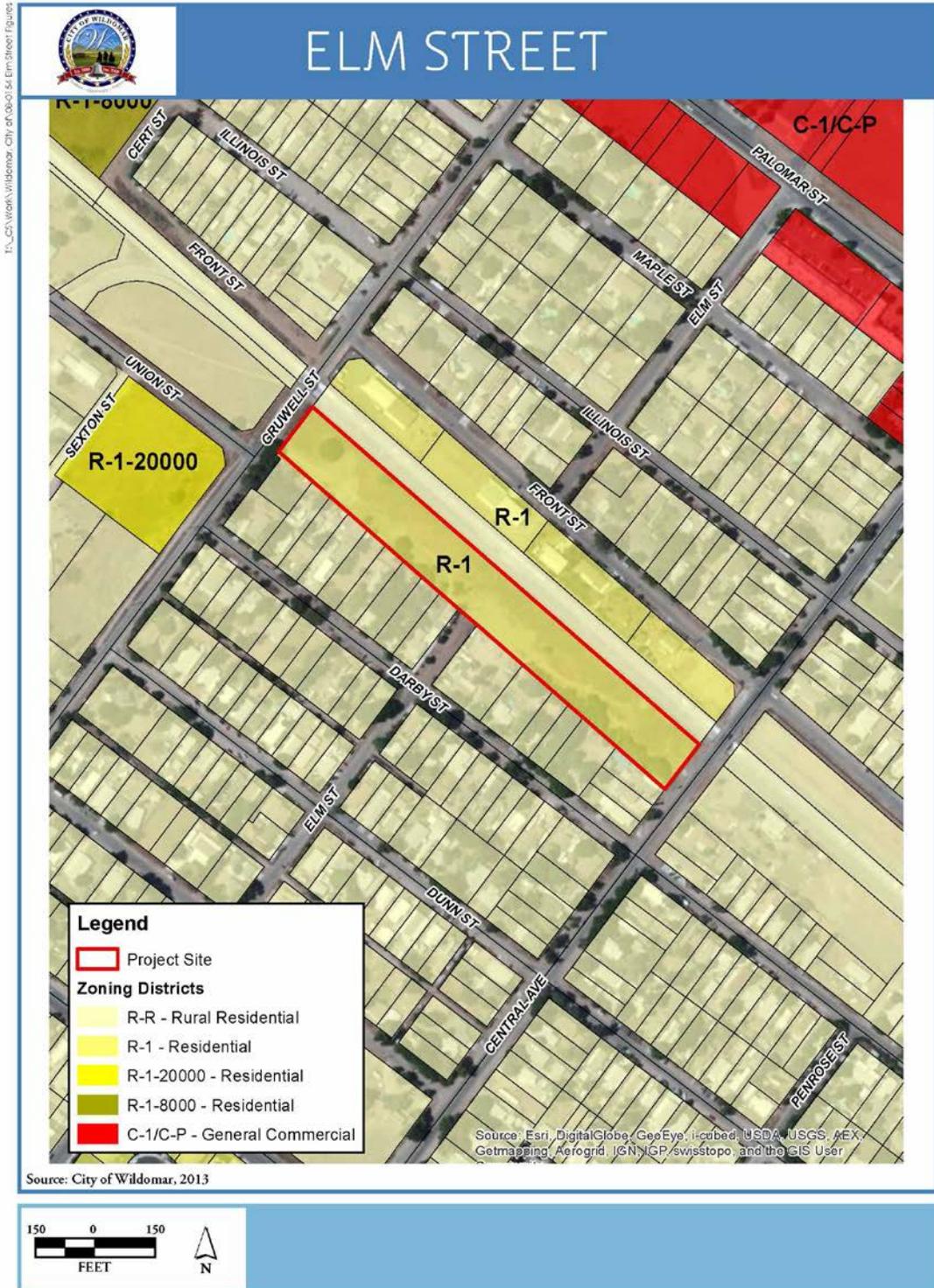
APN: 376-043-027

All of Block 17, being in the town of Wildomar, County of Riverside, State of California. According to Map on file in Book 6, Page 294 of Maps, Records of San Diego County, California.

Together with any right, title, and interest in the streets and alleys adjoining same, and in that portion of the abandoned 100-foot right-of-way of the Atchison Topeka and Santa Fe Railroad Company, lying between the center line of Gruwell Street and the center line of Penrose Avenue, all said property being in the town of Wildomar, according to map on file in Book 6 page 294 of Maps, Records of San Diego County, California.

Excepting therefrom parcel map no. 7070-18 as shown on record of survey recorded November 5, 1981, in Book 68 page 26 through 31 of records of survey, records of Riverside County, California, as set forth in final order of condemnation recorded March 6, 1986, as instrument no. 76518 of official Records of Riverside County, California.

Figure 1 – Proposed Zoning



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SECTION 4. Effective Date of the Ordinance

This Ordinance shall take effect and be in full force and operation 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 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 _____ day of _____, 2015.

Ben Benoit
Mayor

APPROVED AS TO FORM:

ATTEST:

Thomas D. Jex,
City Attorney

Debbie A. Lee, CMC
City Clerk