

# **ATTACHMENT C**

**Council Ordinance No. \_\_\_\_\_**

**Change of Zone 14-0069**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING A CHANGE OF ZONE (PLANNING APPLICATION NO. 14-0069) FROM R-R (RURAL RESIDENTIAL) TO C-P-S (SCENIC HIGHWAY COMMERCIAL) ON THE NORTHERLY 10± ACRES OF THE SITE FOR THE GROVE PARK MIXED-USE DEVELOPMENT PROJECT LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND YAMAS DRIVE (APN: 380-250-003)

THE WILDOMAR CITY COUNCIL DOES ORDAIN AS FOLLOWS:

**SECTION 1. CEQA**

The approval of this Change of Zone is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on February 11, 2016, at a duly noticed public hearing, the City Council certified the Environmental Impact Report (EIR) and Mitigation Monitoring & Reporting Program for Change of Zone No. 14-0069 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 Rd., Suite 201, Wildomar, CA 92595.

**SECTION 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 3. Change of Zone Findings**

In accordance with the State of California, Government Code 65856 and 65857 and Chapter 17.280 of the Wildomar Zoning Ordinance, the City Council, upon recommendation of the Planning Commission, in light of the whole record before it, including but not limited to the Planning Department's staff report and all documents incorporated by reference herein, the City's General Plan and any other evidence within the record or provided at the public hearing of this matter, finds and determines as follows:

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

Evidence: The applicant is proposing to amend the general plan land use designation from Business Park (BP) to Commercial Retail (CR) on the northerly 10± acres of the project site that is proposed for commercial/office use. The Change of Zone from R-R to C-P-S for the Grove Park Mixed-Use Development

project, upon approval of the proposed GPA to CR, is consistent with, and implements, the following goals and polices of the General Plan:

- LU 2.1 The proposed commercial retail portion of the project will accommodate a land use development that is in accordance with patterns and distribution of land uses that are depicted on the General Plan Land Use map proposed for the subject site.
- LU 4.1 The proposed commercial retail portion of the project will accommodate a land use development proposal that is located and designed to visually enhance and not degrade the character of the surrounding area.
- LU 6.1 The proposed commercial retail portion of the project will be developed in accordance with the proposed General Plan land use designation that ensures compatibility and minimizes impacts.
- LU 23.1 The proposed land use amendment resulting in the commercial retail portion of the project is properly located and designated for commercial development in accordance with the General Plan.
- LU23.6 The proposed commercial portion of the project will have proper mitigation measures to protect the neighboring residential areas from Noise, light, fumes , odors, vehicular traffic , parking and operational hazards.
- LU23.7 The proposed commercial portion of the project will be served by water and sewer along Clinton Keith Road to meet the projects demands.
- LU 23.8 The proposed land use amendment will provide needed services and jobs for the Wildomar community in accordance with the General Plan.

#### **SECTION 4: Amendment to the Zoning Map**

The City Council, based on the findings above, hereby approves a change to the City of Wildomar Zoning Map on the northerly 10± acres of APN 380-250-003 located at the southwest corner of Clinton Keith Road Lane and Yamas Drive, as illustrated herein in Exhibit 1 attached to this Ordinance.

#### **SECTION 5. 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 6      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 7.      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 \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Bridgette Moore  
Mayor

**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
Thomas D. Jex  
City Attorney

\_\_\_\_\_  
Debbie A. Lee, CMC  
City Clerk

# EXHIBIT 1 Grove Park Zone Change Boundary Exhibit

