

## ORDINANCE NO. 40

### **ZONE CHANGE 09-0265 A NON-CODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF WILDOMAR FOR THREE PARCELS LOCATED AT THE NORTHWEST CORNER OF ALMOND STREET AND BUNDY CANYON ROAD, FROM RURAL RESIDENTIAL TO GENERAL COMMERCIAL, KNOWN AS ASSESSOR'S PARCEL NO. 366-210-052, 366-210-053 AND 366-210-054**

The City Council of the City of Wildomar ordains as follows:

#### SECTION 1. ENVIRONMENTAL FINDINGS

The City Council, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of the Planning Director as provided in the Staff Report dated December 9, 2009 and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

A. CEQA: The approval of this Zone Change is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on December 9, 2009 at a duly noticed public hearing, the City Council adopted of a Mitigated Negative Declaration reflecting its independent judgment and analysis and documenting that there was not substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. 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.

B. 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 2. ZONE CHANGE FINDINGS

Pursuant to Wildomar Municipal Code section 17.280, the City Council makes the following findings pertaining to Zone Change 09-0265:

A. The proposed change of zone is in conformance with the latest adopted general plan for the city.

The General Plan Land Use Designation for the project site is Commercial Retail (CR). The Commercial Retail land use designation allows the development of commercial retail uses at a neighborhood, community and regional level, as well as for professional

office and tourist-oriented commercial uses. The proposed administrative office and nursery/materials yard for a commercial landscaping business is an allowed use in the Commercial Retail area and conforms to the General Plan policies including LU 23.1, which accommodates for the development of commercial uses in areas appropriately designated by the General Plan and area plan land use maps. In addition, General Plan policy LU 23.4 which accommodates for community-oriented facilities, such as telecommunications centers, public meeting rooms, daycare facilities and cultural uses. The proposed zone change is from Rural Residential (R-R) to General Commercial (C-1/C-P). The change of zone to General Commercial is consistent with the Commercial Retail General Plan Land Use Designation and would allow for an administrative office and nursery for a commercial landscaping business. Approval of a conditional use permit will be required for the materials yard component of the project under Chapter 17.72 of the Wildomar Zoning Code. The zone change for the two parcels to the south of the wholesale nursery project site would allow for future commercial development in the area to be consistent with the General Plan. The proposed administrative office, nursery/materials yard and future development of the two parcels to the south are subject to the development standards of the General Commercial Zone and shall be designed to comply with such development standards.

**SECTION 3. ZONING CHANGE 09-0265**

The Official Zoning Map for the City of Wildomar for three properties (366-210-052, 366-210-053 and 366-210-054), located on the northwest corner of Almond Street and Bundy Canyon Road (Assessor's Parcel No. 366-210-052, 366-210-053 And 366-210-054) as shown in Exhibit A which is attached hereto and incorporated herein by reference.

**PASSED, APPROVED AND ENACTED** this 13th day of January, 2010.



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

APPROVED AS TO FORM:

ATTEST:



\_\_\_\_\_  
Julie Hayward Biggs  
City Attorney



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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. 40 was introduced at a regular meeting of the City Council of the City of Wildomar, California, on December 9, 2009, and was duly adopted at a regular meeting held on January 13, 2010, by the City Council of the City of Wildomar, California, by the following vote:

AYES: Mayor Moore, Mayor Pro Tem Swanson, Council Members Ade and Farnam

NOES: Council Member Cashman

ABSTAIN: None

ABSENT: None



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Debbie A. Lee, CMC  
City Clerk  
City of Wildomar