

ORDINANCE NO. 2022-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING ZONE CHANGE NO. 2021-03

Whereas, Paul Giese, AYLI, LP, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2021-37 (Zone Change No. 2021-03 and Industrial Design Review No. 2021-06) to change the zoning designation of the subject property from Commercial Manufacturing (C-M) to Limited Manufacturing (M-1) and to construct one two-story, 25,449 sq. ft. industrial building and associated improvements including a 51-space parking area, two loading spaces and 16,803 sq. ft. of landscaping on a 1.56-acre site (Project). The Project site is located on the westerly corner of the intersection of Collier Avenue and Chaney Street (APN: 377-430-016); and,

Whereas, Zone Change (ZC) No. 2021-03 proposes to change the project site's current zoning designation from Commercial Manufacturing (C-M) to Limited Manufacturing (M-1); and,

Whereas, pursuant to Lake Elsinore Municipal Code (LEMC) Section 17.415.040 (Zoning Amendments) the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to zone changes, and,

Whereas, on November 15, 2022, at a duly noticed Public Hearing the Commission has considered evidence presented by the Community Development Department and other interested parties with respect to this item, and adopted a resolution recommending that the Council approve ZC No. 2021-03; and,

Whereas, on December 13, 2022 at a duly noticed Public Hearing, the Council has considered the recommendation of the Commission as well as evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AS FOLLOWS:

Section 1: The Council has reviewed and analyzed proposed ZC No. 2021-03, pursuant to the California Planning and Zoning Laws (Cal. Gov. Code Sec 65000 et. seq.), the Lake Elsinore General Plan (GP) and the LEMC and finds that ZC No. 2021-03 is consistent with the requirements of California Planning and Zoning Law and with the goals and policies of the GP and the LEMC.

Section 2: That in accordance with LEMC Section 17.415.040.F. Findings, the Council makes the following findings regarding findings regarding ZC No. 2021-03:

1. The proposed amendment will not be (a) detrimental to the health, safety, comfort, or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, (b) injurious to property or improvements in the neighborhood or within the City
 - a. *The proposed rezoning has been analyzed relative to its potential to have detrimental effects to the health, safety, comfort or general welfare of persons residing or working within the neighborhood of the Project site, and conditions of approval have been added on the Project to ensure that the health, safety and welfare of surrounding residents and employees will not be adversely impacted.*

- b. The proposed rezoning would not be injurious to the property or improvements in the neighborhood. The rezoning, in conjunction with the corresponding design review approval, will allow the private development of an industrial building to be used as an off-road vehicle manufacturing facility. Standard conditions have been added requiring onsite operational activities to be conducted entirely within a completely enclosed building and the construction of infrastructure improvements in the public right-of-way abutting the Project.*

2. The proposed amendment will be consistent with the latest General Plan.

ZC No. 2021-03 is a proposal to rezone the Project site from Commercial Manufacturing (C-M) to Limited Manufacturing (M-1). The M-1 zoning designation is consistent with the existing General Plan Business Professional Land Use designation of the Project site. Therefore, the proposed amendment is consistent with the General Plan.

Section 3: Based upon the evidence presented, both written and testimonial, and the above findings, the Council hereby approves Zone Change No. 2021-03.

Section 4: Severability. If any provision of this Ordinance or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

Section 5: Effective Date. This Ordinance shall become effective at 12:01 a.m. on the thirty-first (31st) day after the date of adoption.

Section 6: Certification. The City Clerk shall certify to the passage of this Ordinance and shall cause a synopsis of the same to be published according to law.

Passed and Adopted on this ____ day of _____, 2022.

Timothy J. Sheridan, Mayor

Attest:

Candice Alvarez, MMC
City Clerk

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, do hereby certify that the foregoing Ordinance No. 2022-____ was introduced at the Regular meeting of December 13, 2022, and adopted by the City Council of the City of Lake Elsinore at its Regular meeting of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I further certify that said Synopsis was published as required by law in a newspaper of general circulation in the City of Lake Elsinore, California on the ____day of _____, 202__, and on the ____day of _____, 202__.

Candice Alvarez, MMC
City Clerk