

## URGENCY ORDINANCE NO. 1183

### AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMARILLO, CALIFORNIA, DECLARING A TEMPORARY MORATORIUM ON SELF-STORAGE FACILITIES IN THE LIMITED MANUFACTURING (L-M) AND LIGHT MANUFACTURING (M-1) ZONES

THE CITY COUNCIL OF THE CITY OF CAMARILLO DOES ORDAIN AS FOLLOWS:

#### **SECTION 1. Findings.**

- A. Under the City's general plan, manufacturing zones are intended for industrial parks, manufacturing, and office uses and for the creation of jobs in the City.
- B. Under the City's Economic Development Strategic Plan ("EDSP"), the City should maximize options for future office and business park uses to accommodate business expansion and generate economic opportunities for the City and also recommends strategic focus on seven "business development targets," which are thematically aligned groups of industries summarized as follows:
  - 1. Business Services
  - 2. Hospitality/Entertainment/Retail
  - 3. Healthcare Services
  - 4. Information Technology
  - 5. Advanced Manufacturing
  - 6. Agricultural Inputs and Services
  - 7. Biopharmaceuticals (Biotech)
- C. The Camarillo Municipal Code (CMC) currently does not define self-storage facility uses under its zoning code, however, CMC section 19.28.040.G does allow, as a permitted use in the L-M Zone, "Warehousing and distribution facilities; and the storage of goods or products, except those goods or products specifically described as permitted to be stored only as conditional uses in M-2 districts shall be prohibited."
- D. In addition, CMC section 19.30.030.B.53 also allows, as a permitted use in the M-1 Zone, "Wholesale businesses, storage buildings and warehouses, and distribution facilities."
- E. The City has recently discovered that self-storage uses present different challenges and impacts compared to storage for warehouse and distribution

purposes. Self-storage uses tend to consist of large, unmanned structures, that do not require many employees for its operation or security. As such, the use underutilizes the sites and potential proliferation of such self-storage businesses within the City may conflict with existing City policies as set forth in the general plan, zoning code, and the EDSP. Such uses must be studied to determine how to best address these self-storage uses.

- F. Government Code section 65858 authorizes the adoption of an interim urgency ordinance to protect the public health, safety, and welfare, and to prohibit land uses that may conflict with general plan, specific plan, and zoning regulations that a city's legislative bodies are considering, studying, or intending to study within a reasonable time.
- G. The City Council determines that the CMC must be further reviewed and possibly revised to protect the public against potential negative health, safety, and welfare impacts associated with the self-storage facilities and activities.
- H. The City intends to study, within a reasonable time, land use regulations related to self-storage facilities and activities so it may consider local regulations for such uses.
- I. An initial period of 45 days will permit City staff to undertake an initial investigation of these matters and recommend a course of action to the City Council, while avoiding the potential adverse impacts of self-storage facilities and related activities that may arise as the City develops permanent regulations.
- J. Without such a moratorium, and due to its size, different challenges and impacts, self-storage facilities may rapidly proliferate and threatens to eliminate a significant number of sites in the L-M and M-1 Zones from other more appropriate uses and thwart the intent and policies set forth in the general plan, EDSP, and contemplated amendments to the zoning code.
- K. In addition, failure to adopt this moratorium would impair the orderly and effective implementation of contemplated amendments to the CMC and threatens the public health, safety, and welfare of the community by preventing the City from properly zoning for such uses in a manner that protects the public health, safety, and welfare of the community.
- L. The City Council further finds that this moratorium is a matter of local and City-wide importance and is not directed towards any particular person or entity that seeks to operate self-storage facilities.

**SECTION 2. Environmental Findings.** The City Council exercises its independent judgment and finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections: 15060(c)(2) (the activity will not result in a

direct or reasonably foreseeable indirect physical change in the environment); 15060(c)(3) (the activity is not a project as defined in Section 15378); and 15061(b)(3), because the 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. The proposed ordinance maintains the status quo and prevents changes in the environment pending the completion of the contemplated municipal code review. Because there is no possibility that this ordinance may have a significant adverse effect on the environment, the adoption of this ordinance is exempt from CEQA.

**SECTION 3. Declaration of Moratorium.** In accordance with Government Code section 65858, and pursuant to the findings stated above, the City Council hereby: (1) finds that there exists a current and immediate threat to the public health, safety, and welfare requiring this interim urgency ordinance; (2) finds that this ordinance is necessary for the immediate preservation of the public peace, health, and safety; and (3) declares and imposes a temporary moratorium for the immediate preservation of the public health, safety and welfare as set forth below:

- A. For a period of 45 days from the date this ordinance is adopted:
  - 1. Self-storage uses and self-storage facilities will not be permitted within the L-M or M-1 Zones.
  - 2. No permit, license, approval or entitlement will be issued relating to any new applications received after this ordinance becomes effective for self-storage uses or self-storage facilities.
  
- B. For purposes of this ordinance, the following definitions apply:
  - “Self-storage” means the rental of containers or units of space to store possessions.
  
  - “Self-storage facilities” means any facility used for self-storage purposes.
  
- C. City staff is directed to study appropriate modifications to the CMC regarding self-storage uses and self-storage facilities in the L-M and M-1 zones.
  
- D. Pending the completion of such studies and the adoption of an ordinance to establish appropriate operational and zoning regulations, it is necessary for the immediate preservation of the public health, safety and welfare that this ordinance takes effect immediately. In the absence of immediate effectiveness, such uses in the City may conflict with existing policies, regulations, or requirements.

- E. This ordinance will take effect immediately upon adoption by a four-fifths vote of the City Council.
- F. A violation of this ordinance is a public nuisance per se and is subject to enforcement under any applicable law, including but not limited to the provisions set forth in CMC Chapter 1.12. Any violation of this ordinance is a misdemeanor. In any such criminal prosecution, the City Attorney is authorized to reduce the misdemeanor charge to an infraction.

**SECTION 4. Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 5. Effective Date and Duration.** This ordinance is an urgency ordinance enacted under Government Code section 65858. This urgency ordinance is effective immediately after approval by a four-fifths vote of the City Council for a period of 45 days, at which time it will automatically expire unless extended by the City Council as permitted under the Government Code.

**SECTION 6. Publication.** The City Clerk is directed to certify this ordinance and cause it to be published in the manner required by law.

**SECTION 7. Study.** Staff is directed to study and analyze issues related to the self-storage uses and self-storage facilities within the City, including but not limited to, the potential impacts of Self-storage uses and self-storage facilities uses on the public health, safety and welfare of the community, the desirability of such uses in the L-M or M-1 zones, and the extent of regulatory controls, if any, to impose on such uses.

**SECTION 8. Report.** Staff is directed to provide a written report to the City Council at least ten days prior to the expiration of this ordinance, describing the study conducted of the conditions that led to the adoption of this ordinance and the measures taken to alleviate any such conditions, in accordance with State law.

**PASSED, APPROVED, AND ADOPTED** on October 13, 2021.

*Charlotte Craven*

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Mayor

Attested to on 10 / 18 / 2021.

*Jamadland*  
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City Clerk

I, Jeffrie Madland, City Clerk of the City of Camarillo, certify Urgency Ordinance No. 1183 was adopted by the City Council at a regular meeting held October 13, 2021, by the following vote:

AYES: Councilmembers: Kildee, Mulchay, Santangelo, Trembley, Mayor Craven  
NOES: Councilmembers: None  
ABSENT: Councilmembers: None

*jamadland*  
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City Clerk

