

ORDINANCE NO. 8-08 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND
AMENDING SECTIONS 15.04.020 DEFINITIONS, 15.04.310 M-1-
INDUSTRIAL/OFFICE FLEX, 15.04.320 M-2-LIGHT INDUSTRIAL, 15.04.330
M-3-HEAVY INDUSTRIAL, AND 15.04.340 M-4-MARINE INDUSTRIAL
DISTRICTS OF THE CITY OF RICHMOND MUNICIPAL CODE , CHAPTER
15.04 ZONING ORDINANCE, BY INCLUDING A DEFINITION FOR MINI-
STORAGE WAREHOUSE AND ADDING MINI-STORAGE WAREHOUSE AS A
CONDITIONAL USE IN INDUSTRIAL DISTRICTS**

WHEREAS, the City's current self-storage facilities regulations are deficient in several areas, including, but not limited to the following: a) they do not address community concerns regarding location standards and design; b) they pose a crime and safety risk according to the Richmond Police Department; and, c) they allow permit applications in some zoning districts to be handled through a ministerial process that does not require a Conditional Use Permit, public notification or a public hearing.

WHEREAS, the proposed zoning ordinance text amendments are exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15061(b)(3), as the proposed amendments are consistent with the adopted general plan and will not lessen the regulations pertaining to mini-warehouse facilities.

WHEREAS, on February 7, 2008, at a duly noticed public hearing, the Planning Commission recommended adoption of the attached draft zoning ordinance text amendment to the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND does ordain as follows:

SECTION 1. Section 15.04.020, Definitions of Chapter 15.04 Zoning Ordinance of the City of Richmond Municipal Code is hereby amended by adding alphabetically the following to the list of definitions(~~strikeout text~~ indicates deletion; underline text indicates insertion):

Mini-storage warehouse means a storage facility that is characterized by individual separate spaces which are accessible by customers for the storing and retrieval of personal effects and household goods. In no case shall storage spaces be used for manufacturing, retail or wholesale selling, office or other business services, or human habitation.

SECTION 2. Section 15.04.310.040, **M-1-Industrial/Office Flex District Conditional Uses** of Chapter 15.04, Zoning Ordinance of the City of Richmond Municipal Code is hereby amended by modifying the Warehousing listing under Transportation, Communication, and Public Utilities use category as follows:

Warehousing (~~including self-service storage and mini-warehouses~~)

Section 15.04.310.040, **M-1-Industrial/Office Flex District Conditional Uses** of Chapter 15.04, Zoning Ordinance of the City of Richmond Municipal Code is further hereby amended by adding the following listing under the Industrial Use category:

Mini-storage warehouse

SECTION 3. Section 15.04.320.040, **M-2-Light Industrial District Conditional Uses** of Chapter 15.04, Zoning Ordinance of the City of Richmond Municipal Code is hereby amended by adding the following listing under the Industrial Use category:

Mini-storage warehouse

SECTION 4. Section 15.04.330.040, **M-3-Heavy Industrial District Conditional Uses** of Chapter 15.04, Zoning Ordinance of the City of Richmond Municipal Code is hereby amended by adding the following listing under the Industrial Use category:

Mini-storage warehouse

SECTION 5. Section 15.04.340.040, **M-4-Marine Industrial District Conditional Uses** of Chapter 15.04, Zoning Ordinance of the City of Richmond Municipal Code is hereby amended by adding the following listing under the Industrial Use category as follows:

Mini-storage warehouse

SECTION 6. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

SECTION 7. Effective Date.

This Ordinance becomes effective 30 days after its final passage and adoption.

First reading at a regular meeting of the Council of the City of Richmond held March 4, 2008 and finally passed and adopted at a regular meeting thereof held March 18, 2008, by the following vote:

AYES: Councilmembers Bates, Butt, Lopez, Marquez, Rogers,
Sandhu, Thurmond, Viramontes, and Mayor McLaughlin

NOES: None

ABSTENTIONS: None

ABSENT: None

DIANE HOLMES
Clerk of the City of Richmond

[SEAL]

Approved:

GAYLE McLAUGHLIN
Mayor

Approved as to form:

LOUISE RENNE, Interim
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of Ordinance No. 8-08 N.S., finally passed and adopted by the Council of the City of Richmond at a meeting held on March 18, 2008, and published in accordance with law.