

CITY OF WESTMINSTER
ORDINANCE NO. 2621

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF WESTMINSTER, CALIFORNIA, APPROVING
A ZONING TEXT AMENDMENT (CASE NO. 2025-0040)
AMENDING TITLE 17 OF THE WESTMINSTER MUNICIPAL
CODE, CHAPTER 17.500 – APPLICATIONS,
PROCESSING, AND FEES

WHEREAS, the City of Westminster, California (“City”) recognizes that the current procedures used to expire projects can be burdensome for both applicants and Staff; and

WHEREAS, the proposed change will aid in the processing and review of development projects as well as remove an impediment to development within the City; and

WHEREAS, the Planning Commission initiated said amendment at a regular meeting on February 5, 2025; and

WHEREAS, on April 2, 2025, the Planning Commission of the City of Westminster, California held a duly noticed public hearing on the proposed zoning text amendment, considered written and oral comments, and facts and evidence presented by the applicant, City staff, and other interested parties and voted 4-0 to approve Resolution 25-008, recommending approval of the zoning text amendment to the City Council; and

WHEREAS, in accordance with Government Code Section 65091(a)(4), for projects affecting over 1,000 property owners, a one-eighth (1/8th) page notice of the public hearing describing the project, date, time and location of the hearing was advertised in the *Westminster Herald Journal* newspaper on May 29, 2025. A notice was also posted at City Council Chambers, City Hall, Westminster Branch Library, Community Services and Recreation Building, and on the City’s website; and

WHEREAS, on June 11 2025, the City Council of the City of Westminster, California, held a duly noticed public hearing on the proposed zoning text amendment (Case No. 2025-0040), considered written and oral comments, and reviewed facts and evidence presented by City staff and other interested parties, after which the City Council found that the proposed amendments are consistent with the goals and policies of the City’s General Plan and Westminster Strategic Plan.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WESTMINSTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The City Council of the City of Westminster, California, hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of the City Council.

SECTION 2. CEQA. The City Council finds that the adoption of the zoning code amendment is exempt from the California Environmental Quality Act (“CEQA”) because it is an administrative activity that will not result in a direct or reasonably foreseeable indirect physical change to the environment and is thus not a “project” under State CEQA Guidelines 15378 (see State CEQA Guidelines, Section 15060(c)(2) and (3)).

SECTION 3. Findings. Pursuant to WMC Section 17.620.030, the City Council approves a Zoning Text Amendment (Case No. 2025-0040), related to the expiration of submitted projects, based upon the following findings:

1. The proposed amendment ensures and maintains internal consistency with the goals, policies, and strategies of all elements of the General Plan and will not create any inconsistencies with this Title, in the case of a Zoning Code amendment;

The proposed amendment proposes a procedural change that changes the way submitted projects are expired. The change is consistent with Housing Element Goal H-3, which seeks to remove constraints on the development of housing, and Economic Development Policy 1.7, as the change will help to encourage new development, as the current code text is considered by developers to be an impediment to development.

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and

The proposed amendment proposes a procedural change that will not affect issues relating to public health, safety, convenience, or welfare. As the amendment could foster development within Westminster, the amendment would be beneficial to the public interest.

3. The proposed amendment is in compliance with the provisions of CEQA.

The adoption of the proposed zoning code amendment is exempt from the California Environmental Quality Act (“CEQA”) because it is an administrative activity that will not result in a direct or reasonably foreseeable indirect physical change to the environment and is thus not a “project” as defined by State CEQA Guidelines Section 15378 (see State CEQA Guidelines, § 15060(c)(2) and (3)).

SECTION 4. WMC § 17.500.025. Amendment. Title 17 (Land Use), Chapter 17.500 (Applications, Processing, and Fees), Section 17.500.025, is hereby amended to read in its entirety as follows:

§ 17.500.025 Initial Application Review

Each application filed with the Division shall be initially processed as follows:

- A. **Completeness Review.** The Division shall review an application for completeness before it is accepted as being complete to begin processing. The Division will consider an application complete when:
1. All necessary application forms, documentation, exhibits, materials, maps, plans, reports, and other information specified in the application form, any applicable Division handout, and any additional information required by the Director have been provided and accepted as adequate.
 2. All necessary fees and deposits have been paid and accepted.
- B. **Notification of Applicant.** The applicant shall receive written notification within 30 days of submittal that the application is complete and has been accepted for processing, or that the application is incomplete and that additional information, specified in the written notification, must be provided.
1. This 30 day limitation does not apply to legislative acts, including zoning map amendments, zoning code amendments or General Plan amendments.
- C. **Appeal by Applicant.** If the application together with the submitted materials is again found incomplete following subsequent submittal of requested materials, the applicant can appeal that decision in writing to the Planning Commission in accordance with Section 65943 of Government Code.
- D. **Expiration of Application.** If a pending application is not resubmitted within 3 months after receiving an incomplete notice from the planning division, the application shall expire and be deemed withdrawn and any remaining deposit amount shall be refunded, subject to administrative processing fees. If an application, after being deemed complete, is not acted upon by the applicant within a 3 month period, then the application shall expire and be deemed withdrawn.
- E. **Extension of Application.** The Director may grant a single 3-month extension upon written request of the applicant. After expiration of the application and extension, if granted, a new application, including fees, plans, exhibits, and other materials will be required to commence processing of a new project application on the same property.
- F. **Additional Information.** After the application has been accepted as complete, the Director may require the applicant to submit additional information needed for the environmental review of the project in compliance with Section 17.500.030, *Environmental Assessment*.
- G. **Referral of Application.** At the discretion of the Director, or where otherwise required by this Title or State or Federal law, an application filed in compliance with this Title may be referred to any public agency that may be affected by or have an interest in the proposed land use activity.

SECTION 5. WMC § 17.500.030. Amendment. Title 17 (Land Use), Chapter 17.500 (Applications, Processing, and Fees), Section 17.500.030, is hereby amended to read in its entirety as follows:

§ 17.500.030 Environmental Assessment

After acceptance of a complete application, the project shall be reviewed in compliance with the California Environmental Quality Act (CEQA), to determine whether the proposed project is exempt from the requirements of CEQA, is not a project as defined by CEQA, or if an initial study shall be required. The determination shall be made within 30 days of the date the application was deemed complete.

SECTION 6. Severability. If any section, subsection, clause or phrase or portion of this ordinance is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this ordinance. The City Council of Westminster hereby declares that it would have passed the ordinance codified in this chapter, and each section, subsection, sentence, clause and phrase or portion thereof, even though any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

SECTION 7. The City Clerk certifies that the Mayor and City Council introduced and conducted first reading on the 11th day of June 2025. The City Clerk further certifies that the Mayor and City Council at its Regular Meeting on the 25th day of June 2025, conducted second reading, passed, and adopted Ordinance No. 2621 and shall affix their signature and City Seal and that same shall be entered into the Book of Ordinances.

SECTION 8. Attestation. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

PASSED, APPROVED, AND ADOPTED this 11th day of June, 2025.

CITY OF WESTMINSTER

CHI CHARLIE NGUYEN
MAYOR

ATTEST:

ASHTON R. AROCHO, MMC
CITY CLERK

APPROVED AS TO FORM:

SCOTT PORTER
CITY ATTORNEY

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**CITY OF WESTMINSTER
CITY CLERK'S OFFICE**

**CERTIFICATION
OF
ORDINANCE**

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF WESTMINSTER)

I, Ashton R. Arocho, MMC, City Clerk of the City of Westminster, California, do hereby certify that the foregoing Ordinance No. XXXX was introduced for first reading on the 11th day of June 2025, and duly passed, approved, and adopted by the City Council of the City of Westminster at a Regular Meeting held on the 25th day of June 2025, with the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Ashton R. Arocho, MMC
City Clerk

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