

CHAPTER 19.01

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19.01.010 TITLE

This Title shall be known as "City of Perris Development Code", hereafter referred to the "Development Code" or "Code".

19.01.020 PURPOSE

The purpose of this Development Code is to protect the public health, safety, and welfare of the City of Perris by establishing zone districts and development regulations within the boundaries of the City. All established districts are designed to obtain the economic and social advantages resulting from the planned use of land, as referred to in the Land Use Element of the General Plan and this Code. The enactment of these regulations shall implement the growth and development of the community in a proper and orderly manner as provided by the City's General Plan for the maximum benefit of the community. To achieve this purpose the Code shall meet the following objectives:

1. To implement the goals, policies, and programs of the Perris General Plan;
2. To guide future growth and development in accordance with the polices of the General Plan;
3. To adequately accommodate community facilities, including but not limited to transportation, utilities, recreation and open space;
4. To attain the physical, social, and economic advantages resulting from comprehensive approach to orderly land use and resource planning;

19.01.030 AUTHORITY

The authority for the regulations contained within this Code are pursuant to the provisions of the State Planning and Zoning Law (Government Code Section 65000

et seq.) and other applicable State and local requirements. Said provisions provide for the regulation of population density and the police power granted to municipalities by the laws of the State of California, for the purpose of promoting public health, safety, and welfare.

19.01.040 EFFECT OF CODE

All land, buildings, and structures within the incorporated portions of the City of Perris shall be used only as hereinafter provided. No person shall use, develop, or alter any land, building or structure, except as specifically permitted by and subject to the regulations and conditions of this Code.

19.01.050 RELATIONSHIP TO CITY GENERAL PLAN

This Code is intended to provide the framework for implementing the land use goals, policies, plans, principles, and standards of the adopted General Plan for the City of Perris, including the following:

A. ***General Plan Consistency***

1. No use of land, buildings, or structures for which an application is required pursuant to this Code is to be approved for processing under this Code unless it is consistent with the General Plan or a concurrent General Plan Amendment request. In any case where there is a conflict in regulation between this Code and the General Plan, the General Plan shall prevail.
2. All land divisions within the City and changes or amendments to land use classifications, districts or regulation, and any land use permit and approval shall be consistent with the General Plan.

B. ***Determining General Plan Consistency***

A proposed use or approval is consistent with the General Plan when the following conditions exist:

1. The proposed use is allowed in the land use district in which the use is located, as shown by the Land Use Map.
2. The proposed use is in conformance with the goals, objectives, policies, programs and guidelines of all the elements of the General Plan and the intent thereof.
3. The proposed use is to be established and maintained in a manner which is consistent with all the elements of the General Plan and the applicable provisions contained therein.
4. The responsibility of determining consistency with the General Plan shall rest with the Director of Planning and Community Development.
5. Administration of the General Plan shall be the responsibility of the City Council. Administration of the General Plan may include:

- a. Investigating reasonable and practical means for General Plan implementation, to serve as an effective guide for orderly growth and development, preservation, and conservation of open space and natural resources;
- b. Providing periodic reports and recommendations to the City Council on the status of the General Plan and progress in its implementation.

19.01.060 RELATIONSHIP TO OTHER REGULATIONS

The provisions of this Code shall not be interpreted to repeal, amend, modify, alter or change any other regulation that is not specifically repealed, amended, modified, altered, or changed. Nothing in this Code shall be interpreted to authorize the use of any property in any way that is in violation of any other applicable statute, ordinance, or regulation. When provisions of adopted regulations are inconsistent, the more restrictive provision shall apply.

19.01.070 RELATIONSHIP TO CALIFORNIA ENVIRONMENTAL QUALITY ACT

All projects subject to the provisions of the California Environmental Quality Act (CEQA) shall be reviewed in accordance with the provisions of this Code, California Environmental Quality Act (Public Resources Code 21000 et seq.), and the City of Perris Local Guidelines for Implementing CEQA.

19.01.080 RELATIONSHIP TO CALIFORNIA SUBDIVISION MAP ACT

All land division and projects subject to the provisions of the California Subdivision Map Act (Map Act) shall be reviewed in accordance with the provisions of this Code, the California Subdivision Map Act (Government Code Section 66410 et seq.) and the Perris General Plan.

19.01.090 MINIMUM REQUIREMENTS

The provisions of this Code shall be interpreted and applied as the minimum requirements for the promotion of the public health, safety and welfare of the City.

19.01.100 SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remainder of this Code.