

**ORDINANCE NUMBER 1335**

***AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A ZONE CHANGE 15-05206 TO REZONE A .92 ACRE PARCEL FROM CC-COMMUNITY COMMERCIAL TO MFR-14 – MULTI-FAMILY RESIDENTIAL TO FACILITATE A 202-UNIT APARTMENT COMPLEX, LOCATED BETWEEN BARRETT AVENUE AND PERRIS BOULEVARED AND MITIGATED NEGATIVE DECLARATION 2325, AND MAKING FINDINGS IN SUPPORT THEREOF.***

**WHEREAS**, the City of Perris received an application for a Zone Change ZC 15-05206 for the development of a 202-unit multifamily apartment complex to be located north of Orange Avenue, South of Placentia Avenue, between Perris Blvd. and Barrett Avenue; and

**WHEREAS**, the proposed location of the 202-unit apartment complex is in accordance with the objectives of the Zoning Ordinance and the purpose of the MFR-14 (Multifamily) zoning district; and

**WHEREAS**, the project is located on a 16.9 acre undeveloped site surrounded by residential, commercial and industrial development to the east, north, and south, with an approved vested specific plan to the west; and

**WHEREAS**, the proposed project is located in the March Air Reserve Base Compatibility Zone C2, and was subject to ALUC review because, at the time, the City's General Plan has not been determined to be fully consistent with the Airport Land Use Compatibility Plan ("ALUCP") adopted in 2014 by the Riverside County Airport Land Use Commission ("ALUC") for the March Air Reserve Base ("March ARB"); and

**WHEREAS**, at the scheduled hearing on March 10, 2016, ALUC found proposed Development Plan Review 15-00014, General Plan Amendment 15-05207, and Tentative Parcel Map 37014 to be inconsistent with the 2014 March Air Reserve Base Airport Land Use Compatibility Plan ("ALUCP"), based on the applicant's proposed density of 13.49 units per acre, which exceeded the allowable density of six dwelling units per acre in Compatibility Zone C2, and the maximum permissible infill density of 12 dwelling units per acre under Infill Policy 3.3.1 of the Countywide Policy Document; and

**WHEREAS**, the project was reduced to a density of 12 dwelling units per acre to comply with the Infill provision of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (Section 3.3.1); and

**WHEREAS**, a public hearing was held on August 30, 2016, at which time all interested persons were given full opportunity to be heard and to present evidence; and the City Council voted unanimously to overrule ALUC's determination of inconsistency due to the

proposed project's allowable density of 12 dwelling units per acre under Infill Policy 3.3.1 of the Countywide Policy Document; and

**WHEREAS**, a Planning Commission hearing was held on October 5, 2016, at which time all interested persons were given full opportunity to be heard and to present evidence; and

**WHEREAS**, at the scheduled hearing on October 5, 2016, the Planning Commission recommended approval of Development Plan Review 15-00014, General Plan Amendment 15-05207, Zone Change 15-05206, and Tentative Parcel Map 37014 to the City Council by a vote of 7-0-0-0; and

**WHEREAS**, Development Plan Review 15-00014, General Plan Amendment 15-05207, Zone Change 15-05206, and Tentative Parcel Map 37014 have been duly noticed; and

**WHEREAS**, a City Council hearing was held on October 25, 2016, at which time all interested persons were given full opportunity to be heard and to present evidence; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Perris as follows:

**Section 1.** The above recitals are all true and correct.

**Section 2.** The City Council has determined that although the proposed project could have a significant effect on the environment, there would not be an adverse effect by this project because revisions in the project have been made by or agreed to by the project proponent, and a Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

**Section 3.** Based upon the information contained within the staff report and accompanying attachments, with respect to the proposed Zone Change, the City Council hereby finds:

1. The proposed land use designation is consistent with the applicable General Plan objectives, policies, and programs.
2. The proposed land use designation is compatible with adjoining uses.
3. The proposed land use designation is a logical extension of the existing pattern.

**Section 4.** The City Council hereby approves Zone Change 15-05206 based on the information and findings presented in the staff report.

**Section 5.** The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words of this Resolution shall remain in full force and effect.

**Section 6.** The Mayor shall sign this Ordinance and the City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect thirty days after its final passage.

*ADOPTED, SIGNED, and APPROVED* this 29<sup>th</sup> day of November 2016.

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Daryl R. Busch, Mayor

ATTEST:

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Nancy Salazar, City Clerk

STATE OF CALIFORNIA    )  
COUNTY OF RIVERSIDE   )  
CITY OF PERRIS            )

I, Nancy Salazar, City Clerk of the City of Perris that the foregoing Ordinance Number 1335 was introduced by the City Council of the City of Perris at a regular meeting of said Council on the 25<sup>th</sup> day of October 2016 and was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the 29<sup>th</sup> day of November, 2016, and that it was so adopted by the following vote:

AYES: RABB, ROGERS, YARBROUGH, BURKE, BUSCH  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

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Nancy Salazar, City Clerk

EXHIBIT A : Zone Change 15-05206