

ORDINANCE NUMBER 1290

A SECOND READING OF ORDINANCE NO. 1290 OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A MITIGATED NEGATIVE DECLARATION (2293) AND TEXT AMENDMENT 11-08-0013 TO AMEND SECTION 19.26.080.J.B. OF THE MUNICIPAL CODE TO REDUCE THE MINIMUM LOT FRONTAGE FROM 50-FEET TO 45- FEET FOR LOT SIZES GREATER THAN 4,500 SQUARE FEET IN THE MFR-14 ZONE AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, the City Council of the City of Perris adopted a General Plan to guide development throughout the City and a Zoning Map to implement the vision set forth in the General Plan; and,

WHEREAS, the City of Perris recognizes the need to adjust the development code to meet the changing economic climate where there is less of a desire for bigger homes and larger size lots to maintain, and to provide greater flexibility in lot size to allow development for variety of housing types to meet the changing demands of the City

WHEREAS, said proposal is consistent with the goals (*Goal 1.0*), and policies (*Policies 1.3 and 1.4*) of the General Plan to provide a variety of housing types to meet the changing demands of the City; and

WHEREAS, on July 18, 2012, the Planning Commission conducted a legally noticed public hearing on Text Amendment 11-08-0013 and considered public testimony and materials in the staff reports and accompanying document, and made a split decision (3-3; 1 absent) on a motion recommending approval of the project, as no further motion was made to approve the project under a separate set of conditions or project denial, therefore the project is being forwarded to the City Council, as the Planning Commission is only the recommending body.

WHEREAS, on August 28, 2012 the City Council conducted a duly noticed public hearing on the proposed projects, considered testimony and materials in the staff reports, accompanying documents and exhibits; and,

WHEREAS, the City Council considered and approved the Initial Study and Mitigated Negative Declaration (2293) for the project, finding that these documents adequately addressed the impacts of the proposed project, were prepared in accordance with the California Environmental Quality Act, and reflected the independent judgment of the City; and,

WHEREAS, on August 28, 2012, the City Council conducted a duly noticed public hearing introducing the first reading of Ordinance Number 1290 to amend Section

19.26.080.J.B. of the Municipal Code to reduce the minimum lot frontage from 50-feet to 45-feet for lot sizes greater than 4,500 square feet in the MR-14 zone based on the information and findings presented herein; and,

WHEREAS, all legal prerequisites for the adoption of this Ordinance have occurred.

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 reviewed and considered the environmental information included in the staff report and accompanying attachments prior to taking action on the applications for the proposed projects and finds that the City has complied with the California Environmental Quality Act, and the City Council determinations reflect the independent judgment of the City.

Section 3. Based on the information contained within the staff report and the accompanying attachments and exhibits, the City Council hereby finds that Text Amendment 11-08-0013:

- A. The proposed Text Amendment will not result in a significant adverse effect on the environment.
- B. The proposed Text Amendment will not conflict with the goals, policies, and implementation measures set forth in the General Plan and Zoning Ordinances.
- C. The proposed Text Amendment will not have a negative affect on public health, safety, or the general welfare of the community.

Section 4. The City Council hereby adopts the second reading of Ordinance Number 1290 to approve Mitigated Negative Declaration 2293 and Text Amendment 11-08-0013 to amend section 19.26.080.J.B of the Municipal Code to reduce the minimum lot frontage from 50-feet to 45-feet for lot sizes greater than 4,500 square feet in the R-14 zone, 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 Ordinance 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 Ordinance shall remain in full force and effect.

Section 6. The Mayor shall sign this Ordinance and the City Clerk shall certify to the passage and adoption of this Ordinance.

ADOPTED, SIGNED and APPROVED this 25th day of September 25, 2012.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

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

I Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1290 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 25th day of September, 2012, by the following vote:

AYES: LANDERS, EVANS, ROGERS, YARBROUGH, BUSCH

NOES:

ABSENT:

ABSTAIN:

City Clerk, Judy L. Haughney