

ORDINANCE NUMBER 1291

SECOND READING OF ORDINANCE NO. 1291 OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE 11-07-0004 TO APPLY THE SENIOR HOUSING OVERLAY (SHO) TO THE BELLA VISTA SENIOR APARTMENT PROJECT, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, the applicant applied for Zone Change 11-07-0004 to apply the Senior Housing Overlay (SHO) to 22.46-acres located on San Jacinto Avenue, east of Navajo Road, that is zoned R-20,000; and,

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

WHEREAS, the Zoning Code allows application of the Senior Housing Overlay (Section 19.86) to any residential zoning district to encourage the development of good quality in exchange for higher density to encourage development of senior housing therein; and

WHEREAS, Zone Change 11-07-0004 would apply the SHO ordinance to the R-20,000 Zone, thereby increasing the density of the project site to 22.46 dwelling units per acre as permitted by code to allow development of the Bella Vista Senior Apartment Project; and

WHEREAS, the Bella Vista Senior Apartment Project meets and exceeds the ordinance requirements of Section 19.86, the Senior Housing Overlay; and

WHEREAS, an Initial Study was prepared for Zone Change 11-07-0004, Development Plan Review 11-07-0003, Variance 12-06-0010 and Minor Adjustment 11-07-0005, and based upon this environmental information it was determined that the project could not have significant effects on the environment because required mitigation measures have been agreed to by the project proponent, therefore a Mitigated Negative Declaration (2291) has been prepared; and

WHEREAS, The Planning Commission conducted a duly noticed public hearing on July 18, 2012, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the zone change to the City Council; and,

WHEREAS, on August 28, 2012 the City Council conducted a duly noticed public hearing on the proposed project, considered testimony and material in the staff report, accompanying documents and exhibits; 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 application for a zone change and finds, based on the Initial Study prepared for the project, the project could not have significant effects on the environment because revisions in the project have been agreed to and made by the project proponent, and a Mitigation Monitoring and Reporting Plan has been prepared, therefore a Mitigated Negative Declaration has been prepared.

The City Council further finds and determines that the City has complied with the California Environmental Quality Act and their determination reflects the independent judgment of the Council.

Section 3. Based on the information contained in the staff report and supporting exhibits and plans, the City Council hereby finds:

- A. The proposed project is in compliance with the requirements set forth in Section 19.86.030 above which identify the eligibility of the project;
- B. The proposed project is a use permitted in Section 19.86.040, meets the applicable affordability and age requirements set forth in Sections 19.86.050 and 19.86.060, respectively;
- C. The proposed project is designed such that it has created a senior community that is compatible with its surroundings and has achieved a design that is superior to that which would otherwise be allowed under the underlying conventional zoning.
- D. The project incorporates the required amenities and design guidelines set forth in 19.86.080;
- E. The existing or proposed circulation system is adequate to accommodate projected traffic volume;
- F. The existing or proposed infrastructure is adequate to meet the requirements of the proposed project without compromising capacity in other areas of the City;
- G. The overall project is keeping with the purpose and intent of the SHO zone and creates a project that serves the unique needs of seniors while creating a high-quality development which benefits the overall community.

Section 4. The City Council hereby adopts Negative Declaration 2291 and approves Zone Change 11-07-0004 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 2012.

Daryl R. Busch, Mayor

Attest:

Judy L. Haughney, City Clerk

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

I, Judy L. Haughney, duly elected CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Ordinance Number 1291 was duly adopted by the Perris City Council at a regular meeting of said City Council on the 25th day of September 2012, and that it was so adopted by the following vote:

AYES: LANDERS, EVANS, ROGERS, YARBROUGH, BUSCH

NOES:

ABSENT:

ABSTAINING:

Judy L. Haughney, City Clerk