

ORDINANCE NUMBER 1240

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE 07-08-0024 AND ZONING TEXT AMENDMENT 07-08-0025 TO CHANGE THE LAND USE DESIGNATION OF A 13.36 ACRE SITE FROM R-6,000 SINGLE FAMILY TO MFR-22 MULTI-FAMILY LOCATED AT THE NORTHEAST CORNER OF DALE STREET AND WILSON AVENUE; AND AMENDING PMC CHAPTER 19.28 TO ALLOW A MAXIMUM DENSITY OF 22 DWELLING UNITS PER ACRE CONSISTANT WITH THE MFR-22 GENERAL PLAN DESIGNATION; AND UPDATING THE DEVELOPMENT STANDARDS CONTAINED WITHIN PMC CHAPTER 19.28, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, on February 6, 2008, General Plan Amendment 07-08-0023, Zone Change 07-08-0024, and Zoning Text Amendment 07-08-0025 was initiated by the City; 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, Zone Change 07-08-0024 was initiated to change the land use designations of a 13.36 acre site located on northeast corner of Wilson Avenue and Dale Street; from R-6,000 to MFR-22; and

WHEREAS, Zoning Text Amendment 07-08-0025 was initiated to amend the text of Perris Municipal Code Chapter 19.28 for consistency with the City's General Plan from a maximum of 15 to 22 dwelling units per acre in the MFR-22 Zone, and to update the development standards of Perris Municipal Code Chapter 19.28; and

WHEREAS, on February 6, 2008 the Planning Commission conducted a duly, noticed public hearing on the proposed General Plan Amendment, Zone Change, and Zoning Text Amendment and considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project to the City Council; and,

WHEREAS, the City Council considered the Initial Study and Negative Declaration (2261) 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, all legal prerequisites for the adoption of this Ordinance have occurred.

NOW, THEREFORE, BE IT ORDAINED 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 documentation for the project prior to taking action on the applications. Based on the analysis contained in the Initial Study and the accompanying environmental information, the City Council finds that:

- A. There is no substantial evidence of potentially significant environmental impacts, and a Negative Declaration (2261) has been prepared.
- B. The City has complied with the California Environmental Quality Act (CEQA).
- C. Determinations of the City Council reflect the independent judgment of the City.

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

- A. The proposed zoning is consistent with the proposed amendment to the General Plan Land Use Map and applicable General Plan objectives, policies, and programs.
- B. The proposed zoning is compatible with or provides adequate buffering of adjoining uses.

A Condition of Approval has been recommended which would require the project applicant to demonstrate through the Development Plan Review process that adequate buffering is provided between the multi-family and single family residential uses. The Development Plan Review process will also ensure the proposed site plan, architecture and landscape of the project are consistent with City codes and are of the highest quality.

- C. The proposed zoning is a logical extension of the existing zoning pattern.

The proposed zoning would be consistent with the zoning directly west of the site, and with the policies of Planning Area 5, Central Core (PA 5), which provides for a mix of residential and commercial land uses.

Section 4. The City Council hereby adopts Zone Change 07-08-0024 and Zoning Text Amendment 07-08-0025 based on the information and findings presented in the staff report, and as shown in Attachment A, Revised PMC Chapter 19.28, and Attachment B, Amended Zoning Map.

Section 5. Chapter 19.28 of the Perris Municipal Code (MFR-22) is hereby amended to read in its entirety as provided in the attached copy of the Chapter.

Section 6. 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 7. 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 11^h day of March, 2008.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

Attachment A – Revised PMC Chapter 19.28

Attachment B – Amended Zoning Map

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

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1240, introduced at a regular meeting of the City Council of the City of Perris held on the 26th day of February, 2008, was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 11th day of March, 2008, by the following vote:

AYES:	COUNCILMEMBERS:	LANDERS, MOTTE, ROGERS, YARBROUGH, BUSCH
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	NONE
ABSTAIN:	COUNCILMEMBERS:	NONE

City Clerk, Judy L. Haughney