

**ORDINANCE NUMBER 1242**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ORDINANCE AMENDMENT 08-02-0022 TO AMEND CHAPTER 19.70, LANDSCAPING, OF THE ZONING CODE TO INCORPORATE ACTIONS TAKEN BY PUBLIC AGENCIES AND ADVANCES IN HORTICULTURE AND IRRIGATION TECHNOLOGY, THROUGHOUT THE CITY OF PERRIS AND ITS SPHERE OF INFLUENCE, AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, the Perris Municipal Code, including the Perris Zoning Code, currently includes Chapter 19.70 to establish criteria for designing, installing, and maintaining water-efficient landscaping; and,

**WHEREAS**, Eastern Municipal Water District has approved Ordinance Number 72.22 that has established formulas and procedures for efficient water budgeting; and,

**WHEREAS**, advances have been made in horticulture and irrigation technology; and,

**WHEREAS**, it has been determined by the City Council of the City of Perris, County of Riverside, California, that the public interest, convenience and necessity requires the use of water efficient landscaping; and,

**WHEREAS**, from time to time, an Ordinance must be amended to incorporate refinements and modifications found to be appropriate and necessary; and,

**WHEREAS**, Ordinance Amendment 08-02-0022 was initiated to amend Chapter 19.70 of the City Zoning Ordinance regarding landscaping requirements; and

**WHEREAS**, this Ordinance Amendment has been duly noticed; and

**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 proposed project is categorically exempt from environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15305, Minor Alterations in Land Use Limitations; and

**WHEREAS**, on March 19, 2008, the Planning Commission considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed Ordinance Amendment 08-02-0022; and

**WHEREAS**, on April 8, 2008, the City Council conducted a duly noticed public hearing to introduce the first reading of an Ordinance (next in order) to amend Zoning Ordinance Chapter 19.70. "Landscaping" of the Zoning Ordinance, as set forth in Exhibit "A", attached hereto, and considered testimony and materials in the staff reports, 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 applications for the proposed Ordinance Amendment 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 Project Report and the accompanying attachments and exhibits, the City Council hereby makes the following findings regarding Ordinance Amendment 08-02-0022:

- A. The proposed Ordinance Amendment will not result in a significant adverse effect on the environment.
- B. The proposed Ordinance Amendment will not conflict with the goals, policies, and implementation measures set forth in the General Plan and Zoning Ordinances.
- C. The proposed Ordinance 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 first reading of an Ordinance (next in order) approving Ordinance Amendment 08-02-0022 to amend City Zoning Ordinance Chapter 19.70., as set forth in Exhibit "A", attached hereto, 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 29<sup>th</sup> day of April, 2008.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Judy L. Haughney

Attachment: Chapter 19.70 Landscaping (revised)

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 1242, introduced at a regular meeting of the City Council of the City of Perris held on the 8<sup>th</sup> day of April, 2008, was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 29<sup>th</sup> day of April 2008, by the following vote:

AYES:	COUNCILMEMBERS:	Yarbrough, Landers, Motte, Rogers, Busch
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

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City Clerk, Judy L. Haughney