

ORDINANCE NUMBER 1214

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE 06-0146 TO CHANGE THE ZONING DESIGNATION OF THE SITE FROM COMMUNITY COMMERCIAL (CC) TO MULTI-FAMILY RESIDENTIAL (MFR 14) FOR THE PROJECT SITE GENERALLY LOCATED ON THE NORTHWEST CORNER OF PERRIS BOULEVARD AND GALLANT FOX STREET; AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, General Plan Amendment GPA 06-0145 and Zone Change ZC 06-0146 were filed by the applicant to change the land use designation of the site from Community Commercial (CC) to Multi-Family Residential (MFR 14), and the zoning designation of the site from CC to MFR 14, for the project located on the northwest corner of Perris Boulevard and Gallant Fox Street, east of Barrett Avenue, south of Placentia Avenue, west of Perris Boulevard and north of Orange Avenue; 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, on March 7, 2007, the Planning Commission conducted a duly noticed public hearing on the proposed project, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project; and

WHEREAS, on March 27, 2007, the City Council conducted a duly noticed public hearing on the proposed project, 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 (2240) 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, California, 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, subject to mitigation, and a Mitigated Negative Declaration (2240) 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.

The proposal is consistent with Goal 1.0 of the General Plan Land Use Element to provide quality housing in attractive neighborhoods for households of all income levels and stages of life; and Policy I.A to promote variety in dwelling types, densities, and locations to satisfy changing demands as the community evolves and matures.

- B. The proposed zoning is compatible with, or provides adequate buffering of, adjoining uses.

A mitigation measure has been recommended which would require the project applicant to demonstrate through the Development Plan Review process that adequate screening is provided to visually obscure adjacent industrial and commercial uses from the project site. The Development Plan Review process also is the mechanism for ensuring that the proposed site plan, architecture, landscape and open space components are consistent with the intent of the PDO.

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

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

Section 4. The City Council hereby adopts Zone Change 06-0146 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 10th day of April, 2007.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy 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 1214, introduced at a regular meeting of the City Council of the City of Perris held on the 27th day of March, 2007, was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 10th day of April, 2007, and that it was so adopted by the following called vote:

AYES: Motte, Rogers, Yarbrough, Landers, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Judy L. Haughney