

ORDINANCE NUMBER 1215

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING MITIGATED NEGATIVE DECLARATION (2236); ZONE CHANGE 06-0217 TO CHANGE THE ZONE OF 11 ACRES OF LAND AT THE NORTHWEST CORNER OF MARKHAM STREET AND REDLANDS AVENUE FROM BUSINESS PARK (BP) TO RESIDENTIAL (R-6,000); AND PLANNED DEVELOPMENT OVERLAY 06-0219 TO APPLY THE PLANNED DEVELOPMENT OVERLAY TO THE ENTIRE PROJECT SITE; AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, on May 11, 2006, General Plan Amendment 06-0216, Zone Change 06-0217, Tentative Tract Map (34716) 06-0218, Planned Development Overlay 06-0219 and Development Plan Review 06-0220 was filed by the applicant; 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 City Council considered the Initial Study and Negative Declaration (2236) 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 March 27, 2007, 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, 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 any impact caused by the proposed project can be mitigated to less than significant levels, and a Mitigated Negative Declaration (2236) has been prepared. The City Council further

finds that the City has complied with the California Environmental Quality Act (CEQA) and that determinations of the City Council reflect the independent judgment of the City.

Section 3. Based on the information contained within the Project Report and the accompanying attachments and exhibits for the General Plan Amendment, Development Plan Review and Tract Map, the City Council hereby finds:

- A. The proposed zoning is consistent with the General Plan Land Use Map (as revised) and applicable General Plan objectives, policies, and programs.
- B. The proposed zoning is compatible with, or provides adequate buffering of, adjoining uses.
- C. The proposed zoning is a logical extension of the existing zoning pattern.

Section 4. The City Council finds that the Planned Development and proposed density increase is hereby granted based that:

- A. The proposed mix of land uses is in keeping with the provisions of Section 19.59.030.
- B. The proposed project is well designed and will create a superior environment than could otherwise be achieved by strict application of the underlying conventional zone.
- C. The project incorporates appropriate amenities necessary to create and maintain a desirable environment for residents and/or employees (e.g., recreation buildings or facilities, guest parking, common area landscaping, enhanced architectural standards, etc.).
- D. The proposed planned development is harmonious with surrounding development and does not create internal incompatibilities do to improper design, allowed land uses, or density/intensity of development.
- E. The proposed circulation system is adequate to carry the anticipated traffic volume.
- F. The existing or proposed public infrastructure is suitable to meet the needs of the planned development, and does not create capacity issues in other areas of the community.

Section 5. The City Council hereby adopts Negative Declaration (2236), Zone Change 06-0217 and Planned Development Overlay 06-0219, based on the information and findings presented in the staff report.

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, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect thirty days after its final passage.

ADOPTED, SIGNED and APPROVED this 10th day of April, 2007.

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 1215, 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