

ORDINANCE NUMBER 1225

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE 05-0340 FOR A 520,000-SQUARE-FOOT COMMERCIAL PROJECT ON APPROXIMATELY 49.3 ACRES OF LAND ON THE WEST SIDE OF PERRIS BOULEVARD BETWEEN NUEVO ROAD AND LEMON STREET, AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, the City of Perris received an application for a Zone Change to convert the present zoning on the northern portion (28.3 acres) of the project site from A-1 (Light Agricultural/Interim Designation) to CC (Community Commercial) for the proposed 520,000-square-foot commercial project (Perris Marketplace); 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, Section 65860(a) of the Government Code requires that zoning be consistent with the General Plan; and

WHEREAS, the General Plan designation on the site is Community Commercial (CC); and

WHEREAS, the project site is located within March Air Reserve Base (MARB) Airport Influence Area II and III, and the proposed Zone Change is subject to the Riverside County Airport Land Use Commission's (ALUC) recommendation based on the project's consistency with the 1984 Riverside County Airport Land Use Plan; and

WHEREAS, at the hearing on October 19, 2006, ALUC found the proposed Zone Change 05-0340 consistent with the Riverside County Airport Land Use Plan, and therefore no further action is required from the City; and

WHEREAS, on June 6, 2007, the Planning Commission conducted a duly noticed public hearing on the proposed Zone Change, 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 reviewed and certified the Perris Marketplace Final Environmental Impact Report on July 10, 2007; and

WHEREAS, on July 10, 2007, the City Council conducted a duly noticed public hearing on the proposed Zone Change and considered testimony and materials in the Staff Report, accompanying documents and exhibits;

THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, HEREBY ORDAINS AS FOLLOWS:

Section 1. Recitals Incorporated. The following Recitals are incorporated herein as if set forth in full.

Section 2. Findings. Based on the information contained within the Staff Report and the accompanying attachments and exhibits, the City Council hereby finds that:

- A. The proposed Project will not result in a significant adverse effect on the environment and will not affect public health, safety, and welfare. The Project Site is appropriately designated for large retail development. While the Project will attract additional customers, the Project is designed with safety considerations, including installing additional lights and sidewalks and providing for an alternate truck route for delivery trucks so they do not interfere with local residents. The improvements will conform to all requirements of the City Police and Fire Departments.
- B. The proposed Project is consistent with General Plan Land Use Map (as amended) and applicable General Plan objectives, policies, and implementation measures. The General Plan has designated this area for commercial development, and the Zone Change is bringing the property into conformity with the General Plan. The Project Site is within General Plan Area Four, which is designated for retail outlets for the local community.
- C. The proposed Zone Change is compatible with the adjacent land uses and is a logical extension of the neighboring Community Commercial zoning. To the south of the Project is the Perris Plaza commercial development. While the property to the north and west of the Project Site is currently used for a sod farm, the City General plan has designated the surrounding property for business park and commercial development.

Section 3. Approval. The City Council hereby approves the Zone Change 05-0340.

Section 4. Effective Date. The effective date for this Ordinance shall be 30 days after its adoption. The Zone Change shall be effective upon the effective date of this Ordinance.

Section 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by decision of the court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

Section 6. Certification. The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be posted at the designated locations in the City of Perris

ADOPTED, SIGNED and APPROVED this 28th day of August, 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 1225 introduced at a regular meeting of the City Council of the City of Perris held on the 10th day of July, 2007, was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 28th day of August, 2007, and that it was so adopted by the following called vote:

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

City Clerk, Judy L. Haughney