

ORDINANCE NUMBER 1199

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2222) AND ZONE CHANGE (NUMBER 06-0034) TO CHANGE THE ZONING DESIGNATION FROM COMMERCIAL COMMUNITY (CC) TO R-6,000 RESIDENTIAL ON THE SOUTHERN HALF OF AN 18.85 ACRE PARCEL AT THE NORTHWEST CORNER OF MURRIETA ROAD AND SAN JACINTO AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, the City Council adopted a Zoning Ordinance establishing zoning designations and development standards for the City of Perris; and

WHEREAS, said proposal is consistent with the existing General Plan land use designation of the project site; and

WHEREAS, on August 16, 2006, the Planning Commission conducted a duly noticed public hearing on the proposed Rezoning, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project; and

WHEREAS, on September 26, 2006, 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, the City Council considered and approved the Initial Study and Negative Declaration (2222) 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, the City Council finds that the proposed action is consistent with the purposes of the Airport Land Use Commission statute (California Public Utilities Code Section 21670) and desires to override a determination from the Riverside County Airport Land Use Commission that the proposed project is inconsistent with the 1984/86 Airport Land Use Plan; and

WHEREAS, all legal prerequisites for the adoption of this resolution have occurred;

NOW, THEREFORE, BE IT RESOLVED 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, and a Negative Declaration (2222) 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 within the Project Report and the accompanying attachments and exhibits, the City Council hereby finds that as a result of the proposed zone change:

- A. The proposed project will not result in a significant adverse effect on the environment and will not affect health, safety, and welfare.
- B. The proposed project is consistent with the General Plan Land Use Map (as amended) and applicable General Plan objectives, policies and programs.
- C. The proposed Zone Change is compatible with adjacent land uses and is a logical extension of the existing zoning pattern.
- D. The proposed Zone Change was not found to be inconsistent with the purposes of the Airport Land Use Commission statute (California Public Utilities Code Section 21670), as the Airport Land Use Commission declined to act at the June 8, 2006, hearing and recommended project conditions. No further action is required by the City.

Section 4. The City Council hereby adopts Negative Declaration (2222) and changes the Zone District (06-0034), based on the information and findings presented in the staff report dated September 26, 2006.

Section 5. The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution 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, 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 October, 2006.

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 1199, introduced at a regular meeting of the City Council of the City of Perris held on the 26th day of September, 2006, was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 10th day of October, 2006, and that it was so adopted by the following called vote:

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

City Clerk, Judy L. Haughney