

ORDINANCE NUMBER 1381

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE NO. 17-05148 TO CHANGE THE ZONING DESIGNATION FROM “CC” COMERCIAL COMMUNITY TO “R-6000-SHO” ON 4.2 ACRES OF LAND LOCATED ON THE NORTHWEST CORNER OF A STREET AND ELLIST 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 General Plan Amendment; and,

WHEREAS, on February 20, 2019, the Planning Commission conducted duly noticed public hearings 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 March 26, 2019, the City Council conducted a duly noticed public hearing on the proposed Zone Change, considered testimony and materials in the staff reports, accompanying documents and exhibits; and,

WHEREAS, prior to taking action, the City Council has heard, been presented with, and/or review all of the information and data which constitutes the administrative record for the Zone Change, including all oral and written evidence presented to the City during all project meetings and hearings; and

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

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 determined that although the proposed project could have a significant effect on the environment, there would not be an adverse effect by this project because revisions to the project have been made by or agreed to by the project proponent, and mitigation measures have been outlined to reduce potential significant impacts to a level of insignificant and a Mitigated Negative Declaration (2340) has been prepared pursuant to the California Environmental Quality Act (CEQA).

Section 3. Based on the information contained in the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City Staff and members of the public, the City Council hereby finds that:

Zone Change 17-05148

1. The proposed zoning is consistent with the General Plan Land Use Map and Airport Overlay Zoning Map and applicable General Plan objectives, policies, and programs.

The proposed R-6,000-SHO zoning will create consistency with the R-6,000 General Plan land use designation. The General Plan land use designation contemplates residential uses on the site and encourages the application of the SHO zoning overlay on any residential or commercially zoned site in order to facilitate the development of senior housing; therefore the proposed project is consistent with the City's General Plan. It conforms to the goals of the General Plan by complying with the zoning code development standards, which implements the General Plan goals, objectives and policies. Additionally, the project provides for superior site design and building architecture and will extend roadway and utility infrastructure to improve service in the area. The project was also determined to be consistent with the Airport Overlay Map by the Riverside County Airport Land Use Commission.

The project is consistent with General Plan Policy I.A of the General Plan Land Use Element to promote variety in dwelling types, densities and locations to satisfy changing demands as the community evolves and matures. The project is also consistent with Goal 1 of the Housing Element to promote and maintain a variety of housing types for all economic segments of the City and Goal 2 to promote and preserve suitable and affordable housing for persons with special needs, including lower income households, large families, single parent households, large families, the disabled and senior citizens. Finally, as conditioned, the project meets or exceeds the objectives of the R-6,000 General Plan land use designation.

2. The proposed zoning is compatible with or provides adequate buffering of adjoining uses.

The proposed zoning is compatible with the underlying General Plan designation and provides adequate buffering to adjoining uses, as the buildings are placed further away from the existing single-family to the north with a buffer consisting of enhanced landscaping, a carport parking row and a drive aisle. Further, the Zoning Code encourages the application of the SHO zoning overlay on any residential or commercially zoned site in order to facilitate the development of senior housing, which is a needed housing option in the City. As designed and conditioned the site provides adequate building setbacks in combination with enhanced landscaping to provide a buffer and privacy screen between the proposed development and existing residential uses to the north.

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

The proposed R-6,000 SHO zoning logically extends the existing residential pattern to the north by applying a Senior Housing overlay to the property, which is encouraged by the Zoning Code and contemplated by the City's General Plan, in order to provide an affordable, age

restricted housing option for senior citizens. The project is designed in conformance with the City's Zoning Code to ensure that it integrates into the existing residential neighborhood fabric.

Senior Housing Overlay

1. The proposed project is in compliance with the requirements set forth in section 19.86.030, which identify the eligibility of the project.

The proposed senior housing project is in compliance with the SHO eligibility requirements set forth in Section 19.86.030, in that it meets the acreage, underlying zoning, surrounding land use compatibility and health and safety requirements specified.

2. The proposed project is a use permitted in Section 19.86.040, meets the applicable affordability and age requirements set forth in Sections 19.86.050 and 19.86.060, respectively.

The proposed project is in compliance with Section 19.86.040 as it proposes the development of a multifamily senior housing apartment complex, which is a permitted use. The proposed project also meets the affordability requirements established in Sections 19.86.050, as 3% of the units are available at an affordable housing cost to persons and families of low and moderate income and 40% of the 3% of the dwelling units are intended to be affordable to very low-income households. The project also meets the age restriction requirements set forth in Section 19.86.060, as the project is conditioned to ensure that at least one household member is 55 or older in age.

3. The proposed project is designed such that it has created a senior community that is compatible with its surroundings and has achieved a design that is superior to that which would otherwise be allowed under the underlying conventional zoning.

The proposed project is designed to create a senior community that is compatible and integrated into the existing neighborhood fabric through the application of high quality architecture, landscaping, amenities and site design principles, which exceed the minimum development and design criteria specified by the City's SHO regulations, and together create a project that is superior to that which would otherwise be allowed under the conventional underlying zoning district.

4. The project incorporates the required amenities and design guidelines set forth in 19.86.080.

The proposed project incorporates the required amenities and design characteristics outlined in Section 19.86.080 of the City's Municipal Code, in that the proposed amenities exceed the minimum required and the existing the project design meets or exceeds all of the design criteria specified in Section 19.86.080.

5. The existing or proposed circulation system is adequate to accommodate projected traffic volume.

As conditioned, the proposed project is adequate to accommodate the projected traffic volume as evidenced by the project Traffic Impact Study, which was approved by the City.

6. The existing or proposed infrastructure is adequate to meet the requirements of the proposed project without compromising capacity in other areas of the city.

As conditioned the existing and proposed infrastructure improvements are adequate to meet city requirements without compromising capacity in other areas of the city as evidenced by the Initial Study and Mitigated Negative Declaration (2340).

7. The overall project is keeping with the purpose and intent of the SHO Zone and creates a project that serves the unique needs of seniors while creating a high-quality development, which benefits the overall community.

The overall project meets the purpose and intent of the SHO zone by creating a project that serves the unique needs of seniors, while creating a high-quality development through the incorporation of high quality materials and application of design principles, which meet or exceed development and design criteria outlined in the City's SHO regulations and that serve to create a project that easily integrates into the existing neighborhood and provides connectivity to city services, public facilities and amenities.

Section 4. Based on the foregoing information contained in the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City Staff and members of the public, the City Council hereby amends the Zoning Map.

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 9th day of April, 2019

Michael M. Vargas, Mayor

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1381 was duly and regularly introduced by the City Council of the City of Perris at a regular meeting held the 26th day of March 2019 and was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 9th day of April 2019 by the following called vote:

AYES: RABB, ROGERS, MAGAÑA, CORONA, VARGAS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

City Clerk, Nancy Salazar