

ORDINANCE NUMBER 1343

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING PLAN DEVELOPMENT OVERLAY 14-00093 TO APPLY A PDO ZONE OVER 14.5 ACRES ZONED R-6,000 TO FACILITATE A 111-UNIT PLANNED RESIDENTIAL DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF ORANGE AVENUE AND DUNLAP ROAD, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, a Plan Development Overlay (PDO) application was submitted to enable a 111-unit planned residential development Project by applying a PDO zone on 14.5 acres zoned R-6,000 located at the southwest corner of Orange Avenue and Dunlap Road; and

WHEREAS, the proposed Plan Development Overlay (“PDO”) is consistent with the goals, policies, and implementation measures set forth in the General Plan; and

WHEREAS, on December 7, 2016, the Planning Commission conducted a duly noticed public hearing on the PDO zone and at the meeting recommended approval of the PDO zone after considering public testimony and materials in the staff report and accompanying documents; and

WHEREAS, on February 28, 2017, the City Council conducted a duly noticed public hearing on the project, at which time all interested persons were given full opportunity to be heard to present evidence; and

WHEREAS, after considering all of the information and data which constitutes the administrative record for the above-mentioned approvals, including all oral and written evidence presented to the City during all project meetings and hearings, the City Council, at its February 28, 2017 meeting, approved Resolution No. 258, which adopted Mitigated Negative Declaration 2327 and approved Plan Development Overlay (PDO) 14-00093 and Tentative Tract Map 14-00091 (TTM 37038) to subdivide 14.5 acres into a 111-unit planned residential development with common open-space amenities and to apply a PDO zone located at the southwest corner of Orange Avenue and Dunlap Road; and

WHEREAS, on March 28, 2017, the City Council conducted a duly noticed public hearing on this Ordinance, at which time all interested persons were given full opportunity to be heard to present evidence; and

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

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, City Council of the City of Perris hereby ordains as follows:

Section 1. The above recitals are all true and correct and are incorporated herein as if set forth in full.

Section 2. City Council Resolution Number No. 258 found 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 in the project have been made by or agreed to by the project proponent with the adopted Mitigated Negative Declaration 2327.

Section 3. The City Council further finds, based upon the information contained within the staff report and accompanying attachments, as well as all oral and written testimony made at the public hearing, with respect to the Project, the following regarding Plan Development Overlay 14-00093 application with 10-percent density bonus:

- A. 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.
- B. The project incorporates appropriate amenities necessary to create and maintain a desirable environment for residents (e.g., clubhouse, tot-lot, splash pad, common area landscaping, enhanced architectural standards, etc.).
- C. 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.
- D. The proposed circulation system is adequate to carry the anticipated traffic volume.
- E. 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.
- F. The proposed density increase is compatible with surrounding land uses as it will maintain a detached residential product and will not adversely affect the public health, safety, welfare, comfort, or convenience.
- G. Suitable infrastructure either exists or will be concurrently constructed to serve the proposed project (i.e., streets, water, sanitary sewer, power, drainage facilities, etc.).
- H. The project is in close proximity to schools, shopping, and related residential support services.
- I. The project is well planned, exhibiting excellence in architectural, site and landscape design.
- J. The project creates a superior residential environment as evidenced by the provision of open space that is readily accessible to dwelling units.

Section 4. The City Council hereby adopts PDO 14-00093, including its exhibits, to apply a Plan Development Overlay zone on approximately 14.5 acres of land zoned R-6,000 to enable the planned residential development Project, based upon the information and findings presented in staff report and subject to the attached Conditions of Approval and Mitigation Monitoring Program.

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 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 11th day of April, 2017.

Mayor, Michael M. Vargas

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 1343 was duly and regularly introduced by the City Council of the City of Perris at a regular meeting held the 28th day of March and was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 11th day of April 2017, by the following called vote:

AYES: RABB, ROGERS, BURKE, CORONA, VARGAS
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

City Clerk, Nancy Salazar

Attachments: PDO Landuse Amendment
 Conditions of Approval (Planning & MMRP, Engineering and Public Works)