

**ORDINANCE NUMBER 1295**

***AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A ZONE CHANGE 13-04-0002 TO APPLY THE SENIOR HOUSING OVERLAY (SHO) ZONE TO AN EXISTING 129-LOT SUBDIVISION (TM 11591, TM 14785 AND TM 21372) KNOWN AS THE "HIGHLAND VISTA" RESIDENTIAL COMMUNITY FOR RESIDENTS 55 YEARS OF AGE AND OLDER, LOCATED WEST OF NORTH "D" STREET AND APPROXIMATELY 400-FEET NORTH OF WEST SAN JACINTO AVENUE IN THE R-6,000 ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF.***

**WHEREAS**, the proposal to apply a Senior Housing Overlay (SHO) Zone was filed by the City of Perris on April 1, 2013 in accordance with Section 19.86 of the Zoning Code as the built-out Highland Vista Residential Community was originally intended for residents 55 years and older; and

**WHEREAS**, the proposed rezoning is determined to be Categorically Exempt pursuant to Article 19 Section 15321 to limit home ownership and occupancy to seniors at an existing residential community; and

**WHEREAS**, the built-out Highland Vista Residential Community provides desirable senior development in a quality environment that will have numerous nearby recreational amenities including being within walking distance of Metz Park and less than a mile away from the Cesar E. Chavez Library, the City Senior Center, a pharmacy, a local neighborhood market and the Multi-Modal Transit Center in downtown Perris; and

**WHEREAS**, Zone Change 13-04-0002 would apply the Ordinance provisions of Section 19.86 to the R-6,000 Zone, which requires that, at the time of purchase, at least one household member must be 55 year of age or older; and

**WHEREAS**, implementation of the project will allow the development to comply with intent of all provisions of PMC Section 19.86, Senior Housing Overlay; and

**WHEREAS**, on June 5, 2013, the Planning Commission was scheduled to conduct a legally noticed public hearing on Zone Change 13-04-0002 but was continued to the June 19, 2013 meeting due to a lack of quorum; and

**WHEREAS**, on June 19, 2013, the Planning Commission conducted a continued public hearing on the project and at the meeting recommended approval of the project after considering public testimony and materials in the staff report and accompanying documents for Zone Change 13-04-0002; and

**WHEREAS**, on July 9, 2013 the City Council conducted a duly noticed public hearing introducing the first reading of an Ordinance, considered testimony and materials in the staff reports, accompanying documents and exhibits;

**WHEREAS**, the City Council has reviewed and considered the environmental information included in the staff report and accompanying attachments prior to taking action on the application for the proposed project and finds the project to be Categorically Exempt pursuant to Article 19 Section 15321 of California Environmental Quality Act (CEQA);

**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, 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 this application and finds the project to be Categorically Exempt pursuant to Article 19 Section 15321 of California Environmental Quality Act (CEQA).

**Section 3.** Based on the information contained within the Project Report and the accompanying attachments and exhibits, the City Council hereby finds that:

- A. The proposed project is in compliance with the requirements set forth in Section 19.86.030 which identify the eligibility of the project;
- B. The proposed project is a use permitted in Section 19.86.040, in that the goal is to meet all the applicable affordability and age requirements set forth in Sections 19.86.050 and 19.86.060, respectively;
- C. The proposed project is designed in a manner to create a senior community that is compatible with its surroundings;
- D. The project contains the intent of all the required amenities and design guidelines set forth in 19.86.080;
- E. The existing circulation system is adequate to accommodate projected traffic volume;
- F. The existing infrastructure is adequate to meet the requirements of the proposed project without compromising capacity in other areas of the City;
- G. The overall project aligns 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.

**Section 4.** The City Council hereby adopts the first reading of an Ordinance 1295 to approve Zone Change 13-04-0002 to apply a SHO zone to the Highland Vista Residential Community, based on the findings above and the information presented in the staff report staff report and supporting exhibits and plans.

**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 27<sup>th</sup> day of August 2013.***

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Mayor, Daryl R. Busch

ATTEST:

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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 1295 was duly introduced at a regular meeting of the City Council held on the 9<sup>th</sup> day of July 2013 and regularly adopted by the City Council of the City of Perris at a regular meeting held the 27<sup>th</sup> day of August 2013, by the following called vote:

AYES: ROGERS, YARBROUGH, LANDERS, RODRIGUEZ, BUSCH

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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City Clerk, Nancy Salazar