

ORDINANCE NUMBER 1262

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADDING SECTION 19.71, URBAN FORESTRY, TO THE MUNICIPAL CODE AND DESIGNATING THE PLANNING COMMISSION AS THE URBAN FORESTRY BOARD AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, the City Council of the City of Perris adopted a General Plan to guide development throughout the City and a Zoning Map to implement the vision set forth in the General Plan; and,

WHEREAS, the City of Perris recognizes the healthful benefits of trees in the community, and hereby seeks to amend the Municipal Code to include a new section, Urban Forestry (Section 19.71), to direct goals and practices associated with the establishment, maintenance and protection of trees that comprise the urban forest in the City of Perris; and

WHEREAS, the Urban Forestry Ordinance designates the Planning Commission as the Urban Forestry Board, with responsibility to provide guidance for the care and management of public trees in the City of Perris; and

WHEREAS, the Urban Forestry Ordinance supports the sustainability policies of the General Plan; and

WHEREAS, this ordinance also fulfills two of the four standards required to become a Tree City USA, namely to approve an Urban Forestry Ordinance and create an Urban Forestry Board for the City of Perris; and

WHEREAS, this Ordinance Amendment has been duly noticed; and

WHEREAS, the proposed project is Categorical Exempt under Class 8 of the California Environmental Quality Act (CEQA), Actions by Regulatory Agencies for the Protection of the Environment; and

WHEREAS, on September 16, 2009, the Planning Commission considered testimony and materials in the staff report and accompanying documents, and recommended approval of Ordinance Amendment 08-11-0010 to the City Council; and

WHEREAS, on October 13, 2009, the City Council conducted a duly noticed public hearing introducing the first reading of an Ordinance (next in order) amending the Municipal Code to add Section 19.71, Urban Forestry, based on the information and findings presented herein, and as shown in the attached ordinance; and,

WHEREAS, all legal prerequisites for the adoption of this Ordinance 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 information included in the staff report and accompanying attachments prior to taking action on the applications for the proposed projects and finds that the City has complied with the California Environmental Quality Act, and the City Council determinations reflect the independent judgment of the City.

Section 3. Based on the information contained within the staff report and the accompanying attachments and exhibits, the City Council hereby finds that Ordinance Amendment 08-11-0010:

- A. The proposed Ordinance Amendment will not result in a significant adverse effect on the environment.
- B. The proposed Ordinance Amendment will not conflict with the goals, policies, and implementation measures set forth in the General Plan and Zoning Ordinances.
- C. The proposed Ordinance Amendment will not have a negative affect on public health, safety, or the general welfare of the community.

Section 4. The City Council hereby adopts the first reading of an Ordinance (next in order) to amend the Zoning Code to add Section 19.71, based on the information and findings presented in the staff report.

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 resolution and the City Clerk shall certify to the passage and adoption of this Ordinance.

ADOPTED, SIGNED and APPROVED this 27th day of October, 2009.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney, C.M.C.

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 1262 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 27th day of October, 2009, by the following vote:

AYES: EVANS, LANDERS, ROGERS, BUSCH
NOES:
ABSENT: ABSENT
ABSTAIN:

City Clerk, Judy L. Haughney, C.M.C.