

**ORDINANCE NUMBER 1210**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING NEGATIVE DECLARATION (2234) AND CHANGE OF ZONE (06-0378) TO APPLY THE SENIOR HOUSING OVERLAY (SHO) ZONE AND MAKING FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, the applicant applied for Change of Zone (06-0378) to apply the Senior Housing Overlay (SHO) project site which is zoned Residential and Commercial; and

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

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on February 7, 2007, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the project subject to the revisions set forth thereby; and

**WHEREAS**, on February 13, 2007, the City Council conducted a duly noticed public hearing on the proposed project, considered testimony and material in the staff report, accompanying documents and exhibits; and

**WHEREAS**, the City Council considered and approved the Initial Study and Negative Declaration (2234) 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**, all legal prerequisites for the adoption of this Ordinance have occurred;

**THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, HEREBY ORDAINS 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, based on the Initial Study prepared for the project, the project could not have significant effects on the environment because revisions in the project have been agreed to and made by the project proponent; therefore, a Negative Declaration has been prepared.

The City Council further finds and determines that the City has complied with the California Environmental Quality Act and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

**Section 3.** Based on the information contained in the staff report and supporting exhibits and plans, the City Council hereby finds:

- A. That the granting of the Change of Zone will not be detrimental to the public health or welfare, or injurious to the property or improvements in such zone or vicinity.
- B. The proposed Change of Zone will not result in a significant adverse effect on the environment.
- C. The proposed Change of Zone is consistent with the existing land uses and zoning designations in the area.
- D. The proposed project has been found to be consistent with City standards, ordinances and policies.
- E. The proposed project is consistent with the General Plan.

**Section 4.** The City Council hereby adopts Negative Declaration 2234 and approves Change of Zone (06-0378) 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 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 passage and adoption of this Ordinance.

***ADOPTED, SIGNED and APPROVED*** this 27<sup>th</sup> day of February, 2007.

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Mayor, Daryl R. Busch

ATTEST:

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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 1210, introduced at a regular meeting of the City Council of the City of Perris held on the 13<sup>th</sup> day of February, 2007, was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 27<sup>th</sup> day of February, 2007, and that it was so adopted by the following called vote:

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

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City Clerk, Judy L. Haughney