

ORDINANCE NUMBER 1203

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2223); ZONE CHANGE 05-0456 TO CHANGE THE ZONING DESIGNATION FROM MFR-14 TO MFR-14/PLANNED DEVELOPMENT (PD) OVERLAY ZONE CHANGE ACROSS THE ENTIRE PROJECT SITE CONSISTING OF 12.15 GROSS ACRES; AND TENTATIVE TRACT MAP 32497 (05-0457) TO SUBDIVIDE 12.15 GROSS ACRES INTO 131 RESIDENTIAL LOTS FOR SINGLE-FAMILY DETACHED UNITS, INCLUDING THREE LETTERED LOTS, LOCATED ON THE SOUTHWEST CORNER OF ORANGE AVENUE AND MEDICAL CENTER DRIVE; AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, the applicant applied for Zone Change 05-0456 to change the zoning designation from MFR-14 to MFR-14/Planned Development (PD) Overlay across the entire project site consisting of 12.15 gross acres with associated (revised) Tentative Tract Map 32497 (05-0457); and

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 Planning Commission considered the Initial Study and Negative Declaration (2223) 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, on September 20, 2006, the Planning Commission conducted a duly noticed public hearing on the proposed Zone Change, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project; and

WHEREAS, said proposal is consistent with the General Plan, changing the land use designation on the subject property from MFR-14 to MFR-14/Planned Development (PD) Overlay; and

WHEREAS, on October 31, 2006, the City Council conducted a duly noticed public hearing on the proposed projects, considered testimony and materials in the staff reports, accompanying documents and exhibits; and

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 the applications. Based on the analysis contained in the Initial Study and the accompanying environmental information, the City Council finds that:

- A. There is no substantial evidence of potentially significant environmental impacts, and a Negative Declaration (2227) has been prepared.
- B. The City has complied with the California Environmental Quality Act (CEQA).
- C. Determinations of the City Council reflect the independent judgment of the City.

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 use at the particular location is necessary and desirable to provide a service or facility which will contribute to the general well-being of the neighborhood and to the community.
- B. The proposed mix of land uses and design of development will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
- C. The granting of this permit will not adversely affect the public welfare and will be consistent with the City's General Plan, and any other relevant plans of any governmental agency.

Section 4. The City Council hereby adopts Negative Declaration (2223) and Zone Change 05-0456, 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 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 14th day of November, 2006.

Mayor, Daryl R. Busch

ATTEST:

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 1203, introduced at a regular meeting of the City Council of the City of Perris held on the 31st day of October, 2006, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 14th day of November 2006, and that it was so adopted by the following called vote:

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

City Clerk, Judy L. Haughney