

ORDINANCE NUMBER 1096

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AMENDING CHAPTERS 19.08 (DEFINITIONS), 19.22 (RR-A ZONE), 19.25 (R-7 ZONE), 19.26 (R-14 ZONE) AND 19.28 (R-22 ZONE) OF THE ZONING ORDINANCE OF THE CITY OF PERRIS, RELATING TO SIDE YARD SETBACK DEVELOPMENT STANDARDS FOR SINGLE FAMILY RESIDENTIAL STRUCTURES (ORDINANCE AMENDMENT 02-0016)

WHEREAS, the City Council approved the Zoning Ordinance in November 1997; and

WHEREAS, the applicant, Classic Pacific, has requested an amendment to the Zoning Ordinance to facilitate the development of 312 single family residential lots in the City; and

WHEREAS, on March 26, 2002, the City Council conducted a duly noticed public hearing on the proposed amendment to the Zoning Ordinance and considered testimony and materials in the staff report and accompanying document and exhibits; and,

WHEREAS, the City has complied with the California Environmental Quality Act; and,

WHEREAS, all legal prerequisites for the adoption of this Ordinance have occurred;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS HEREBY ORDAINS AS FOLLOWS:

Section 1. The above recitals are all true and correct.

Section 2. The City Council has reviewed and considered the proposed project and determined that the proposed project amends the Zoning Ordinance, and that any physical changes to the environment will require additional review, and that there is no possibility that the proposed amendment to the Zoning Ordinance will have a significant effect on the environment, and therefore is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines.

Section 3. The City Council hereby finds and determines that:

- A. The proposed amendment is consistent with the City of Perris General Plan goals, objectives, policies, and programs.

- B. The project will not adversely affect the public health, safety, and welfare.
- C. The proposed project will not result in a significant effect on the environment.

Section 4. Approval. The proposed amendments to the Zoning Ordinance effecting lots 53 feet and greater in width, a copy of which is attached hereto as Exhibit A, is hereby approved, including the establishment of minimum 5 feet interior side yard and 10 feet street side yard setbacks in the R-7, R-14, and R-22 zones, regardless of the number of stories; requiring second floors to have a cumulative side yard setback of at least 15 feet on interior lots in the R-7, R-14, and R-22 zones, 20 feet for lots with street side yards in the R-7 zone, and 25 feet for lots with street side yards in the R-14 and R-22 zones; allow new subdivision projects consisting of the construction of five or more residences in the R-7, R-14, and R-22 zones to reduce the cumulative side yard setback by 5 feet particular lots adjacent to parcels with single story structures, provided the total number of lots with reduced side yard setbacks does not exceed 25 percent of all residential lots in the project; add a definition for “cumulative side yard setback”; and amend side yard setback standards in the RR-A zone to be consistent with the A-1 zone by requiring a 5 foot side yard setback for each story.

Section 5. The Mayor shall sign and the City Clerk shall certify 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.

Attachments:

Exhibit A: Amendments to Chapters 19.08 (Definitions), 19.22 (RR-A Zone), 19.25 (R-7 Zone), Chapter 19.26 (R-14 Zone) and Chapter 19.28 (R-22 Zone), including pages 19.08-18; 19.22-4; 19.25-4; 19.26-4; and 19.28-4.

ADOPTED, SIGNED and APPROVED this 30th day of April, 2002.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1096, introduced at a regular meeting of the City Council of the City of Perris held on the 26th day of March, 2002, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 30th day of April, 2002, and that it was so adopted by the following called vote:

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

City Clerk, Margaret Rey

EXHIBIT “A”
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“Runoff” means water which is not absorbed by the soil or landscape to which it is applied and flows from the area. For example, runoff may result from water that is applied at too great a rate (application rate that exceeds the infiltration rate) or when there is a severe slope.

“Screening” means the construction, election or positioning of any combination of fence or wall materials used to provide a barrier to wind, weather or vision but not used to provide a barrier similar to that of a wall or fence. Screening shall also include tile planting or positioning of structural vegetation to provide isolation, separation or enclosure of a lot/parcel of land or portion of lot/parcel of land.

“Secondary Arterials or Primary Arterials” means a four (4) lane roadway as designated in the Perris General Plan Circulation Element with a curb-to-curb width of 64 feet to 86 feet in accordance with the cross sections shown on the Perris General Plan Circulation Plan (figure C-2).

“Service Station” means any establishment which provides for the general servicing of motor vehicles, primarily including the sale of gasoline, other motor vehicle fuels, lubricants, and related supplies.

“Setback” means the minimum distance between the property line and the building line.

“Shall” means that which is obligatory, necessary or mandatory.

“Shopping Center” means a commercial center consisting of 5 or more tenant spaces.

“Side Lot Line” means any lot line other than the front lot line or rear lot line.

“Side Street” means that street bounding a corner lot and which extends in the same general direction as the line deemed the depth of the lot.

“Side Yard” means a yard extending from the front yard to the rear yard between the side lot line and the nearest line of the main building or of the accessory building attached thereto.

“Side Yard Setback, Cumulative” means the minimum sum of side yard setbacks on both sides of a lot. Each side yard shall be on opposing sides of the lot.

“Sign” means any notice, writing of letter, words or numerals, pictorial presentations, illustrations or decorations, emblems or devices, symbols or trademarks, flags, banners or pennants, graphic announcements, insignia display, display of words, bills, posters, pictures, lithographs, maps, plats, barber poles, buntings, whirligigs, balloons, valances, light festoons,

merchandise display or any other thing of a similar nature, designed to be and used as a means of attracting attention outdoors, including but not limited to a structure or any part thereof, or a thing attached to, painted on, or in any manner represented on a building or structure or device and used to advertise or promote, and attract the interest of any person.

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E. *Accessory Structure Size*

No Maximum Size

F. *Lot Coverage*

Maximum lot coverage is 40 percent

G. *Building Height*

Maximum Height of 35 feet.

H. *Setbacks*

1. Minimum Front Yard: 25 feet
2. Maximum Front Yard: None
3. Minimum Side Yard: 5 feet **for each story**
4. Minimum Street Side Yard: 10 feet
5. Minimum Rear Yard: 25 feet

I. *Building Separation*

Minimum of 10 feet between buildings on the same lot.

J. *Lot Frontage*

Lot frontage shall be a minimum of 80 feet, unless located on a cul-de-sac.
All cul-de-sac lots shall have a minimum lot width of 55 feet.

19.22.090 DESIGN CRITERIA

A. *Access/Orientation*

No specific requirements

B. *Architecture*

No specific requirements other than those contained in Section 19.02.090,

DWELLINGS.

C. *Landscaping*

Landscaping and irrigation shall be provided consistent with Section 19.02.130, LANDSCAPING.

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2. Maximum Front Yard: None
3. Minimum Side Yard:
The following conditions and setbacks are allowed:
- a. Zero-lot line: 0 feet
 - b. Attached/detached dwellings ~~5 feet for each story~~
(~~On existing lots less than fifty three (53) feet in width, minimum side yard setback may be five (5) feet, including or two story~~)
 - 1. Existing lots less than 53 feet in width: 5 feet minimum.**
 - 2. Existing lots 53 feet or greater in width: 5 feet minimum.**
 - i. **Second stories on interior lots shall also have a minimum cumulative side yard setback of 15 feet, with 10 additional feet required for each additional story beyond the second.**
 - ii. **New subdivision projects consisting of the construction of 5 or more single family residences may reduce the cumulative setback by 5 feet for a particular lot when adjacent to a parcel with a single story structure, provided the total number of lots with reduced setbacks does not exceed 25 percent of all residential lots in the project.**
 - c. Multiple family building: 5 feet for each story
4. Minimum Street Side Yard: ~~10 feet~~ (On existing lots less than fifty three (53) feet in width, minimum street side setback may be six (6) feet for single-story dwellings and ten (10) feet for two-story dwellings.)

The following conditions and setbacks are allowed:

- a. **Existing single family lots less than 53 feet in width:**
6 feet minimum for single-story dwellings and 10 feet for two-story dwellings.
- b. **Existing single family lots 53 feet and greater in width:**
10 feet minimum. Second stories on corner and reverse corner lots shall also have a minimum cumulative setback of 20 feet, with 10 additional feet required for each additional story beyond the second.

- c. **Multiple family building: 10 feet minimum. 5 feet for each additional story over one story.**

5. Minimum Rear Yard:

The following conditions and setbacks are allowed:

- a. Attached/detached dwellings: 20 feet
- b. Multiple-family building: 10 feet. 5 feet for each additional story over one story.

I. *Building Separation*

10 feet between buildings on the same lot. An additional 5 feet for each additional story of building height.

J. *Lot Frontage*

Lot frontage shall be a minimum of 60 feet, unless located on a cul-de-sac. All cul-de-sac lots shall have a minimum lot width of 45 feet.

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G. *Building Height*

Maximum height of 30 feet.

H. *Setbacks*

1. Minimum Front Yard:

(For single-family dwellings on lots with less than 6,000 square feet, the front setback may be measured from the back of the sidewalk, which may allow four (4) feet of right-of-way to be counted in the setback. Setbacks shall not be the same on more than two adjacent lots and setbacks shall vary by a minimum of two (2) feet. Roll-up garage doors shall be required when the right-of-way is included in the setback. NO vehicles shall be allowed to overhang the sidewalk.

a. Single-family dwellings: 15 feet. Garages shall be setback an additional 5 feet.

b. Multiple-family buildings: 20 feet

2. Maximum Front Yard: None

3. Minimum Side Yard:

The following conditions and setbacks are allowed:

a. Zero-lot line: 0 feet

~~b. Single-family dwellings: 5 feet for each story
(On lots less than fifty three (53) feet in width, minimum side yard setback may be five (5) feet, including for two-story).~~

b. Single-family dwellings on lots less than 53 feet in width: 5 feet

c. Single-family dwellings on lots 53 feet or greater in width: 5 feet

i. Second stories on interior lots shall also have a minimum cumulative side yard setback of 15 feet, with 10 additional feet required for each additional story beyond the second.

ii. New subdivision projects consisting of the construction of 5 or more single family residences may reduce the cumulative setback by 5 feet for a particular lot when adjacent to a parcel with a single story structure, provided the total number of lots with reduced setbacks does not exceed 25 percent of all residential lots in the project.

~~ed.~~ Multiple-family buildings: 5 feet for each story

4. Minimum Street Side Yard: ~~40 feet. 5 feet for each additional story.~~

~~(On lots less than fifty three (53) feet in width, minimum street side setback may be six (6) feet for single story dwellings and ten feet for two story dwellings.)~~

The following conditions and setbacks are allowed:

- a. **Existing single family lots less than 53 feet in width:**
6 feet minimum for single-story dwellings and 10 feet for two-story dwellings.
- b. **Existing single family lots 53 feet and greater in width:**
10 feet minimum. Second stories on corner and reverse corner lots shall also have a minimum cumulative setback of 25 feet, with 10 additional feet required for each additional story beyond the second.
- c. **Multiple family building:** **10 feet minimum. 5 feet for each additional story over one story.**

5. Minimum Rear Yard:

- a. Single-family dwellings on lots with 4,500 square feet or less: 15 feet. See Section 19.26.090A
- b. Single-family dwellings on lots greater than 4,500 square feet: 20 feet.
- c. Multiple-family buildings: 10 feet. 5 feet for each additional story over one story.

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H. *Setbacks*

1. Minimum Front Yard:

For single-family dwellings on lots with less than 6,000 square feet, the front setback may be measured from the back of the sidewalk, which may allow four (4) feet of right-of-way to be counted in the setback. Setbacks shall not be the same on more than two adjacent lots and setbacks shall vary by a minimum of two (2) feet. Roll-up garage doors shall be required when the right-of-way is included in the setback. No vehicles shall be allowed to overhang the sidewalk.

a. Single family dwellings: 15 feet. Garages shall be setback an additional 5 feet.

b. Multiple family buildings 25 feet

2. Maximum Front Yard: None

3. Minimum Side Yard:

The following conditions and setbacks are allowed:

a. Zero-lot Lone: 0 feet

b. ~~Single family dwellings: _____ 5 feet for each story~~

~~(On lots less than fifty three (53) feet in width, minimum side yard setback may be five (5), including for two story)~~

b. Single-family dwellings on lots less than 53 feet in width: 5 feet

c. Single-family dwellings on lots 53 feet or greater in width: 5 feet

i. Second stories on interior lots shall also have a minimum cumulative side yard setback of 15 feet, with 10 additional feet required for each additional story beyond the second.

ii. New subdivision projects consisting of the construction of 5 or more single family residences may reduce the cumulative setback by 5 feet for a particular lot when adjacent to a parcel with a single story structure, provided the total number of lots with reduced setbacks does not exceed 25 percent of all residential lots in the project.

ed. Multiple family buildings: 5 feet for each story

4. Minimum Street Side Yard: ~~10 feet. 5 feet for each additional story (On lots less than fifty three feet in width minimum street side setback may be six (6) feet~~

~~for single story dwellings and ten (10) feet for two-story dwellings).~~

The following conditions and setbacks are allowed:

- a. Existing single family lots less than 53 feet in width: 6 feet minimum for single-story dwellings and 10 feet for two-story dwellings.**
- b. Existing single family lots 53 feet and greater in width: 10 feet minimum. Second stories on corner and reverse corner lots shall also have a minimum cumulative setback of 25 feet, with 10 additional feet required for each additional story beyond the second.**
- c. Multiple family building: 10 feet minimum. 5 feet for each additional story over one story.**

5. Minimum Rear Yard:

- a. Single-family dwellings: 5 feet. See Section 19.28.090A
- b. Multiple-family buildings: 10 feet. 5 feet for each additional story over one story

I. *Building Separation*

10 feet between buildings on the same lot. An additional 5 feet shall be provided for each story of building height.

J. *Lot Frontage*

Minimum lot frontage of 35 feet