

ORDINANCE NUMBER 1138

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE 04-0149 TO CHANGE THE ZONING DESIGNATION OF A 250-FOOT WIDE STRIP OF OPEN SPACE ALONG THE WEST SIDE OF GOETZ ROAD TO R7 RESIDENTIAL, AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, the City Council adopted a Zoning Ordinance establishing zoning designations and development standards for the City of Perris; and,

WHEREAS, the applicant has applied to amend the existing zoning designation of a 250-foot wide of Open Space located along the west side of Goetz Road; and,

WHEREAS, said Zone Change is consistent with General Plan Amendment 04-0147; and,

WHEREAS, on June 16, 2004, the Planning Commission conducted a duly noticed public hearing on the proposed Zone Change, and considered testimony and materials in the staff report and accompanying documents, and unanimously recommended approval of the proposed project; and,

WHEREAS, on July 13, 2004, the City Council conducted a duly noticed public hearing on the proposed Zone Change, considered testimony and materials in the staff reports, accompanying documents and exhibits; and,

WHEREAS, the City Council considered and approved the Initial Study and Negative Declaration (2150) for the proposed zone change, finding that these documents adequately addressed the impacts of the project in accordance with the California Environmental Quality Act, and reflect the independent judgment of the City; 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 application. Based on the analysis contained in the Initial Study and the accompanying environmental information, the City Council finds that the project could not have significant effects on the environment; therefore a Negative

Declaration has been prepared. The City Council further finds that the City has complied with the California Environmental Quality Act (CEQA) and that 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 the following:

- A. The proposed project is consistent with the goals and policies of the Land Use Element of the General Plan, whereas the proposed change in land use designation is compatible with the surrounding area (Goal 1) and adjoining land uses to develop a community identity (Goal 3).
- B. The proposed project is compatible with the existing dominant land uses in the project area and in the surrounding properties, whereas the adjoining land uses are currently designated R7 to the south and west, and Specific Plan residential to the east.
- C. The proposed project is a logical extension of the existing zoning pattern, whereas the abutting property to the south is designated residential.

Section 4. The City Council hereby amends the Zoning Map (ZC 04-0147) based on the information and findings presented in the staff report, dated June 16, 2004.

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, 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 27th day of July, 2004.

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 1138, introduced at a regular meeting of the City Council of the City of Perris held on the 13th day of July, 2004, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 27th day of July, 2004, and that it was so adopted by the following called vote:

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

City Clerk, Margaret Rey