

ORDINANCE NUMBER 1140

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE NO. 04-0040 TO CHANGE THE ZONING DESIGNATION ON 12.55 ACRES OF LAND LOCATED APPROXIMATELY 300 FEET EAST AND SOUTH OF THE SOUTHEAST CORNER OF NUEVO ROAD AND WILSON AVENUE FROM R4 RESIDENTIAL (4 UNITS PER ACRE) TO R7 RESIDENTIAL (7 UNITS PER ACRE), 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, an applicant has applied to amend the existing zoning designation on approximately 12.55 acres of land located approximately 300 feet east and south of the southeast corner of Nuevo Road and Wilson Avenue; and,

WHEREAS, said Zone Change is consistent with General Plan Amendment 04-0039; and,

WHEREAS, on July 7, 2004, 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 unanimously recommended approval of the proposed project; and,

WHEREAS, on July 27, 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 (2152) for the proposed zone change, finding that these documents adequately addressed the impacts of the 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 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 any impact caused by the proposed project can be mitigated to less than significant levels and a Mitigated Negative Declaration (2152) 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:

Zone Change 04-0040

1. The proposed project will not result in a significant adverse effect on the environment and will not affect public health, safety, and welfare.
2. The proposed project is consistent with the General Plan Land Use Map (as amended) and applicable General Plan objectives, policies and programs.
3. The proposed Zone Change is compatible with adjacent land uses and is a logical extension of the neighboring R4 and R7 zoning.

Section 4. The City Council hereby amends the Zoning Map (ZC 04-0040) based on the information and findings presented in the staff report dated July 7, 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 14th day of September, 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 1140, introduced at a regular meeting of the City Council of the City of Perris on the 27th day of July, 2004, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 14th day of September, 2004, and that it was so adopted by the following called vote:

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

City Clerk, Margaret Rey