

ORDINANCE NUMBER 1208

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING NEGATIVE DECLARATION (2233) AND ORDINANCE AMENDMENT (06-0377) TO CREATE A SENIOR HOUSING OVERLAY ZONE AMENDING CHAPTER 19 OF THE MUNICIPAL CODE, AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, the applicant applied for Ordinance Amendment (06-0377) to create a Senior Housing Overlay Zone applicable to all property 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 December 20, 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 January 30, 2007, the City Council conducted a duly noticed public hearing on the proposed project, considered testimony and material in the staff reports, accompanying documents and exhibits; and

WHEREAS, the City Council considered and approved the Initial Study and Negative Declaration (2233) 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;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris, California, 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 Senior Housing Overlay 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 Ordinance Amendment will not result in a significant adverse effect on the environment.
- C. The proposed Ordinance Amendment 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 2233 and approves Ordinance Amendment (06-0377), Senior Housing Overlay Municipal Code Section 19.86 (see attached) 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 13th day of February, 2007.

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 1208, introduced at a regular meeting of the City Council of the City of Perris held on the 30th day of January, 2007, was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 13th day of February, 2007, and that it was so adopted by the following called vote:

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

City Clerk, Judy L. Haughney