ORDINANCE NUMBER 1161

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE STATE OF CALIFORNIA, APPROVING ORDINANCE AMENDMENTS 05-0059 AND 05-0060 AMENDING CHAPTER 19 OF THE PERRIS MUNICIPAL CODE TO PROVIDE USE AND DEVELOPMENT STANDARDS FOR TWO RESIDENTIAL ZONING DISTRICTS ESTABLISHED IN GENERAL PLAN 2030

WHEREAS, Article XI, Section 7 of the California Constitution confers on cities the power to make and enforce within limits all local police, sanitary and other ordinances not in conflict with general laws; and,

WHEREAS, the regulation of development in single-family residential districts is within the police powers of the City; and,

WHEREAS, the regulation of development in single-family residential zones is necessary to preserve the character and image of the community as identified in the General Plan; and,

WHEREAS, the proposed Ordinance Amendments provide development standards for two new zone districts created in General Plan 2030; and,

WHEREAS, the proposed zone district standards will provide appropriate criteria necessary to safeguard the public health, safety, convenience and general welfare in the City of Perris; and,

WHEREAS, on March 2, 2005, the Planning Commission reviewed the proposed Ordinance Amendments in workshop format; and,

WHEREAS, on April 6, 2005, the Planning Commission conducted a duly noticed public hearing regarding the proposed Ordinance Amendments and recommended their approval; and,

WHEREAS, on April 26, 2005, the City Council conducted a duly noticed public hearing regarding the proposed Ordinance Amendments and considered testimony and materials in the staff reports 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 Resolution 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 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:

A. There is no substantial evidence of potentially significant environmental impacts and a Negative Declaration (2185) has been prepared.

B. The City has complied with the California Environmental Quality Act (CEQA).

C. Determinations of the Planning Commission reflect the independent judgment of the City.

Section 3. The City Council finds that the proposed Zoning Ordinance Amendments are consistent with the goals and polices of the General Plan by adding two new residential zone districts which will encourage variety in the City's housing stock, thereby promoting the development of "move-up housing" and enhancing the visual quality of local neighborhoods.

Section 4. The City Council hereby approves Negative Declaration 2185 and amends Section 19.23 of the Perris Municipal Code to add the following text:

CHAPTER 19.23 R-8,400 ZONE

Single-Family Residential, 8,400 Square Foot Minimum Lots

Sections:

19.23.010 PURPOSE
19.23.020 PERMITTED USES
19.23.030 USES SUBJECT TO A CONDITIONAL USE PERMIT
19.23.040 PERMITTED ACCESSORY USES
19.23.050 ADMINISTRATIVE PERMIT
19.23.060 PROHIBITED USES
19.23.070 TEMPORARY USES
19.23.080 DEVELOPMENT CRITERIA
19.23.090 DESIGN CRITERIA
19.23.100 PROCESSING/ADMINISTRATIVE PROCEDURES

19.23.010 PURPOSE

The R-8,400 Zone is to provide for the development of detached single-family residential development at a density of 3 to 5 dwellings per net acre. This Zone shall be applicable to and correlate with the General Plan Land Use designation of Residential 8,400.

19.23.020 PERMITTED USES

The following uses are permitted:

One detached single-family dwelling
Small family day care homes
Other similar uses: Approved by the Director of Planning and Community Development, as provided by Chapter 19.54, AUTHORITY AND REVIEW PROCEDURES.

19.23.030 USES SUBJECT TO A CONDITIONAL USE PERMIT

The following uses shall be allowed subject to obtaining a Conditional Use Permit, as provided by Chapter 19.61, CONDITIONAL USE PERMITS:

Churches and religious institutions
Convalescent and senior home facilities, including home for the aged
Mobile home parks
Public and semi-public institutions and facilities
Schools and educational institutions
Social and congregate care facilities
Other similar uses: Approved by the Director of Planning and Community Development, as provided by Chapter 19.54, AUTHORITY AND REVIEW PROCEDURES.

19.23.040 PERMITTED ACCESSORY USES

The following uses are considered to be incidental to and compatible with permitted and conditionally permitted uses:

Animals:	No more than 4 small domestic animals of each type of animal.
Child care facility:	Uses must be consistent with the criteria contained in Chapter 19.83, Child Care Facilities.
Residential care:	Uses must be consistent with the criteria contained in Chapter 19.84, Residential Care Facilities.

Second unit:	Uses must be consistent with the criteria contained in Chapter 19.81, Second Unit Permit.
Other similar uses:	Approved by the Director of Planning and Community Development, as provided by Chapter 19.61, AUTHORITY AND EVALUATION PROCEURES.

19.23.050 ADMINISTRATIVE PERMIT

The following uses shall be allowed subject to obtaining a permit, as provided by Chapter 19.83, Child Care Facilities:

Large family day care homes

19.23.060 PROHIBITED USES

The following uses shall be prohibited:

Commercial uses
Industrial uses
Large animals
Monopoles or similar wireless communications towers or facilities
Storage facilities greater than 120 square feet in size

19.23.070 TEMPORARY USES

Temporary uses are allowed consistent with the criteria contained in Chapter 19.60, TEMPORARY OUTDOOR EVENTS.

19.23.080 DEVELOPMENT CRITERIA

A. *General Provisions*

Refer to Chapter 19.02, GENERAL PROVISIONS, for those general criteria applicable to development, such as:

Building criteria for structures
Encroachments/Architectural projections
Utilities

B. *Lot Size*

1. Lot Size: 8,400 square feet minimum

C. *Lot Dimensions*

1. Lot Width: 65 feet minimum
2. Lot Width (corner lots): 70 feet minimum
3. Lot Depth: 100 feet minimum
4. Lot Depth (cul-de-sacs and street knuckles): 90 feet minimum

D. *Building Size*

Minimum primary building size of 1200 square feet, excluding porches and garages.

E. *Accessory Structure Size*

No maximum size, except for storage structures.

F. *Lot Coverage*

1. One-Story Dwellings: 60 percent maximum
2. Two-Story Dwellings: 40 Percent maximum

G. *Building Height*

Maximum height of 35 feet (measured to top of roof pitch)

H. *Setbacks*

1. Front Yard, Primary Dwelling: 20 feet minimum
2. Front Yard, Garage: 20 feet minimum for side-entry garages
   25 feet minimum for front-entry garage[1]
3. Side Yard: 5 feet per story minimum
4. Street Side Yard: 10 feet for one-story dwellings
   15 feet for two-story dwellings
5. Rear Yard: 25 feet minimum

I. *Building Separation*

Minimum of 10 feet between buildings on the same lot.

H. *Lot Frontage*

Lot frontage shall be a minimum of 70 feet for corner lots, 65 feet for interior lots, and 50 feet for lots on cul-de-sac and street knuckles.

[1] Front entry garages are defined as having garage doors parallel to the street.

19.23.090 DESIGN CRITERIA

A. *Access/Orientation*

1. Tracts with Fewer than 10 Lots: No requirements
2. Tracts with 10 or More Lots: 15 percent of the units shall have "side-entry" garages.

B. *Architecture*

1. Project site planning and dwelling unit architecture shall be consistent with the City of Perris RESIDENTIAL DESIGN GUIDELINES.
2. See also Section 19.02.090, DWELLINGS.

C. *Landscaping*

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

D. *Parking*

Parking shall be provided consistent with Chapter 19.69, PARKING AND LOADING STANDARDS.

E. *Signs*

Signs shall be allowed consistent with the provisions contained in Chapter 19.75, SIGNS.

F. *Utilities*

Utilities shall be provided consistent with the provisions contained in Chapter 19.02, GENERAL PROVISIONS.

G. *Walls/Fencing*

1. Walls and fencing shall be consistent with the City of Perris RESIDENTIAL DESIGN GUIDELINES.
2. See also the screening provisions contained in Chapter 19.02, GENERAL PROVISIONS.

19.23. PROCESSING/ADMINISTRATIVE PROCEDURES

All development projects requiring a permit or approval from the City of Perris shall be consistent with the processing and review provisions contained in Chapters 19.54, AUTHORITY AND REVIEW PROCEDURES, and Chapter 19.56, PUBLIC HEARING PROCEDURES.

Section 5. The City Council hereby approves Negative Declaration 2185 and amends Section 19.24 of the Perris Municipal Code to add the following text:

CHAPTER 19.24 R-7,200 ZONE

Single-Family Residential, 7,200 Square Foot Minimum Lots

Sections:

19.24.010 PURPOSE
19.24.020 PERMITTED USES
19.24.030 USES SUBJECT TO A CONDITIONAL USE PERMIT
19.24.040 PERMITTED ACCESSORY USES
19.24.050 ADMINISTRATIVE PERMIT
19.24.060 PROHIBITED USES
19.24.070 TEMPORARY USES
19.24.080 DEVELOPMENT CRITERIA
19.24.090 DESIGN CRITERIA
19.24.100 PROCESSING/ADMINISTRATIVE PROCEDURES

19.24.010 PURPOSE

The R-7,200 Zone is to provide for the development of detached single-family residential development at a density of 4 to 6 dwellings per acre. This Zone shall be applicable to and correlate with the General Plan Land Use designation of Residential 7,200.

19.24.020 PERMITTED USES

The following uses are permitted:

One detached single-family dwelling
Small family day care homes
Other similar uses: Approved by the Director of Planning and Community Development, as provided by Chapter 19.54, AUTHORITY AND REVIEW PROCEDURES.

19.24.030 USES SUBJECT TO A CONDITIONAL USE PERMIT

The following uses shall be allowed subject to obtaining a Conditional Use Permit, as provided by Chapter 19.61, CONDITIONAL USE PERMITS:

Churches and religious institutions
Convalescent and senior home facilities, including home for the aged
Mobile home parks
Public and semi-public institutions and facilities
Schools and educational institutions
Social and congregate care facilities
Other similar uses: Approved by the Director of Planning and Community Development, as provided by Chapter 19.54, AUTHORITY AND REVIEW PROCEDURES.

19.24.040 PERMITTED ACCESSORY USES

The following uses are considered to be incidental to and compatible with permitted and conditionally permitted uses:

Animals:	No more than 4 small domestic animals of each type of animal.
Child care facility:	Uses must be consistent with the criteria contained in Chapter 19.83, Child Care Facilities.
Residential care:	Uses must be consistent with the criteria contained in Chapter 19.84, Residential Care Facilities.
Second unit:	Uses must be consistent with the criteria contained in Chapter 19.81, Second Unit Permit.
Other similar uses:	Approved by the Director of Planning and Community Development, as provided by Chapter 19.61, AUTHORITY AND EVALUATION PROCEURES.

19.24.050 ADMINISTRATIVE PERMIT

The following uses shall be allowed subject to obtaining a permit, as provided by Chapter 19.83, Child Care Facilities:

Large family day care homes

19.24.060 PROHIBITED USES

The following uses shall be prohibited:

Commercial uses
Industrial uses
Large animals
Monopoles or similar wireless communications towers or facilities
Storage facilities greater than 120 square feet in size

19.24.070 TEMPORARY USES

Temporary uses are allowed consistent with the criteria contained in Chapter 19.60, TEMPORARY OUTDOOR EVENTS.

19.24.080 DEVELOPMENT CRITERIA

A. *General Provisions*

Refer to Chapter 19.02, GENERAL PROVISIONS, for those general criteria applicable to development, such as:

Building criteria for structures
Encroachments/Architectural projections
Utilities

B. *Lot Size*

1. Lot Size: 7,200 square feet minimum

C. *Lot Dimensions*

1. Lot Width: 60 feet minimum
2. Lot Width (corner lots): 65 feet minimum
3. Lot Depth: 100 feet minimum
4. Lot Depth (cul-de-sacs and street knuckles): 90 feet minimum

D. *Building Size*

Minimum primary building size of 1200 square feet, excluding porches and garages.

E. *Accessory Structure Size*

No maximum size, except for storage structures.

F. *Lot Coverage*

1. One-Story Dwellings: 60 percent maximum
2. Two-Story Dwellings: 40 Percent maximum

G. *Building Height*

Maximum height of 30 feet (measured to top of roof pitch)

H. *Setbacks*

1. Front Yard, Primary Dwelling: 20 feet minimum
2. Front Yard, Garage: 20 feet minimum for side-entry garages
   25 feet minimum for front-entry garage[2]
3. Side Yard: 5 feet per story minimum
4. Street Side Yard: 10 feet for one-story dwellings
   15 feet for two-story dwellings
5. Rear Yard: 20 feet minimum

I. *Building Separation*

Minimum of 10 feet between buildings on the same lot.

H. *Lot Frontage*

Lot frontage shall be a minimum of 65 feet for corner lots, 60 feet for interior lots, and 45 feet for lots on cul-de-sac and street knuckles.

19.24.090 DESIGN CRITERIA

A. *Access/Orientation*

1. Tracts with Fewer than 10 Lots: No requirements
2. Tracts with 10 or More Lots: 15 percent of the units shall have "side-entry" garages.

B. *Architecture*

1. Project site planning and dwelling unit architecture shall be consistent with the City of Perris RESIDENTIAL DESIGN GUIDELINES.
2. See also Section 19.02.090, DWELLINGS.

C. *Landscaping*

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

D. *Parking*

Parking shall be provided consistent with Chapter 19.69, PARKING AND LOADING STANDARDS.

[2] Front entry garages are defined as having garage doors parallel to the street.

E. *Signs*

Signs shall be allowed consistent with the provisions contained in Chapter 19.75, SIGNS.

F. *Utilities*

Utilities shall be provided consistent with the provisions contained in Chapter 19.02, GENERAL PROVISIONS.

G. *Walls/Fencing*

1. Walls and fencing shall be consistent with the City of Perris RESIDENTIAL DESIGN GUIDELINES.
2. See also the screening provisions contained in Chapter 19.02, GENERAL PROVISIONS.

19.24.100 PROCESSING/ADMINISTRATIVE PROCEDURES

All development projects requiring a permit or approval from the City of Perris shall be consistent with the processing and review provisions contained in Chapters 19.54, AUTHORITY AND REVIEW PROCEDURES, and Chapter 19.56, PUBLIC HEARING PROCEDURES.

Section 6. The Mayor shall sign and the City Clerk shall certify 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 (30) days after its passage.

ADOPTED, SIGNED and ***APPROVED*** this 10th day of May, 2005.

_____
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 1161, introduced at a regular meeting of the City Council of the City of Perris held on the 26th day of April, 2005, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 10th day of May, 2005, and that it was so adopted by the following called vote:

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

_____
City Clerk, Margaret Rey