ORDINANCE NUMBER 1164

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2179) AND ZONE CHANGE (NUMBERS 04-507) TO CHANGE THE ZONING DISTRICT FROM R4 RESIDENTIAL TO R7 RESIDENTIAL ON ROUGHLY 61.5 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF EVANS AND LA VINA STREET; AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, on October 04, 2004, the applicant applied to change the Zoning Designation; and,

WHEREAS, the City Council of the City of Perris adopted a General Plan to guide development throughout the City and a Zoning Map to implement the vision set forth in the General Plan; and,

WHEREAS, the Planning Commission considered the Initial Study and Negative Declaration (2179) 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, on February 16, 2005, 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 recommended approval of the proposed project; and,

WHEREAS, said proposal is consistent with a previously approved General Plan Amendment 04-0506, changing the land use designation on the subject property from R-4 to R-7; and,

WHEREAS, on May 10, 2005, the City Council conducted a duly noticed public hearing on the proposed projects, considered testimony and materials in the staff reports, accompanying documents and exhibits; 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 applications. 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 (2179) has been prepared.

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

C. 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 that:

A. The proposed project is consistent with General Plan objectives, policies and programs.

B. The proposed project will not adversely affect the public health, safety and welfare.

C. The proposed project will not aversely affect the environment.

Section 4. The City Council hereby adopts Negative Declaration (2179) and Changes of Zone District 04-0507, based on the information and findings presented in the staff report dated April 26, 2005.

Section 5. The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution 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 31st day of May, 2005.

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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 1164, introduced at a regular meeting of the City Council of the City of Perris held on the 10th day of May, 2005, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 31st day of May, 2005, and that it was so adopted by the following called vote:

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

_____
City Clerk, Margaret Rey