ORDINANCE NUMBER 1172

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE NO. 04-0601 TO CHANGE THE ZONING DESIGNATION FROM R-20,000 RESIDENTIAL TO R-10,000 RESIDENTIAL ON 10 ACRES OF LAND ON THE NORTHWEST CORNER OF METZ ROAD AND WEBSTER AVENUE; 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, on December 8, 2004, the applicant applied to change the Zoning Designation (04-0601) on 10 acres of land on the northwest corner of Metz Road and Webster Avenue; and

WHEREAS, said proposal is consistent with General Plan Amendment 04-0600; and

WHEREAS, on June 15, 2005 and July 20, 2005, the Planning Commission conducted duly noticed public hearings on the proposed Rezoning, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project; and

WHEREAS, on August 30, 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, the City Council considered and approved the Initial Study and Mitigated Negative Declaration (2195) 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 resolution have occurred,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES ORDAIN 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 Mitigated Negative Declaration (2195) 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. Based on the information contained within the Project Report and the accompanying attachments and exhibits, the City Council hereby finds that:

A. The proposed Zone Change is consistent with the General Plan Amendment 04-0600 and with existing General Plan objectives, policies and programs.

B. The proposed Zone Change is compatible with adjoining land uses and will not adversely affect the public health, safety and welfare.

C. The proposed Zone Change will not result in a significant adverse effect on the environment.

Section 4. The City Council hereby amends the Zoning Map (ZC 04-0601) based on the information and findings presented in the staff report, dated August 30, 2005.

Section 6. 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 7. 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 September, 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 1172, introduced at a regular meeting of the City Council of the City of Perris held on the 30th day of August, 2005, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 27th day of September, 2005, and that it was so adopted by the following called vote:

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

_____
City Clerk, Margaret Rey