ORDINANCE NUMBER 1108

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE NUMBER 02-0225 TO AMEND THE CITY'S ZONING MAP BY CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 15.15 ACRES OF LAND LOCATED ADJACENT TO GOETZ ROAD BETWEEN ETHANAC ROAD AND THE SOUTHERN CALIFORNIA EDISON EASEMENT TO THE SOUTH FROM OPEN SPACE TO R7 RESIDENTIAL (7 DWELLING UNITS PER ACRE)

WHEREAS, the City Council of the City of Perris adopted a General Plan as blueprint for development throughout the City; and

WHEREAS, the City Council approved General Plan Amendment No. 02-0224, establishing a revised land use designation on approximately 15.5 acres of land located adjacent to Goetz Road between Ethanac Road and the Southern California Edison Easement; and

WHEREAS, said zoning is consistent with City General Plan Amendment; and

WHEREAS, on January 14, 2003, the City Council conducted a legally, noticed public hearing on the proposed General Plan Amendment, and considered testimony and materials in the staff report and accompanying plans, documents, and exhibits; and,

WHEREAS, the City has prepared an Initial Study regarding this proposal and complied with the California Environmental Quality Act; and,

WHEREAS, all legal prerequisites for the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. The above recitals are all true and correct.

Section 2. The City Council has reviewed and considered the environmental documentation and information included in the staff reports prior to taking action on the proposed General Plan Amendment and related applications with respect to the Subject Property, and finds and determines that the proposed amendment and use of the Site will not cause or create a significant adverse effect on the environment because the mitigation measures described in the Initial Study and Mitigation Monitoring Plan will mitigate the impacts to less than significant, and that the Negative Declaration reflect the independent judgment of the City Council.

Section 3. The City Council has adopted the Mitigated Negative Declaration with Resolution for General Plan Amendment 02-0224.

Section 4. The City Council ***HEREBY FURTHER FINDS AND DETERMINES THAT:***

A. The proposed project is consistent with the goals and policies of the Land Use Element of the General Plan, whereas the proposed change in land use designation is compatible with the surrounding area (Goal 1) and adjoining land uses to develop a community identity (Goal 3), and will provide for managed growth and development as the developer will provide for infrastructure improvements and pay development impact fees (Goal 2.0).

B. The proposed project is compatible with the existing dominant land uses in the project area and in the surrounding properties, whereas the adjoining land uses are currently designated R7 to the north, west and south, and the land use east of Goetz Road in the County is designated Low Density Residential (2-5 Du/Acre).

C. The proposed project is a logical extension of the existing zoning pattern, whereas the abutting property to the south is designated residential.

Section 5. The City Council HEREBY AMENDS the zoning map by approving Zone Change No. 02-0225, changing the zoning designations of the subject property as shown on **Exhibit B** (Existing and Proposed Zoning Designation), attached hereto and incorporated herein.

Section 6. The City Council of the City of Perris HEREBY DECLARES that no vested right to develop shall accompany this amendment to the Zoning Map. The Perris Municipal Code and State law requires separate approval of a tentative tract map or development plan prior to or in connection with any other development entitlements.

Section 7. The Mayor shall sign and the City Clerk shall certify 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 28th day of January, 2003.

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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 1108, introduced at a regular meeting of the City Council of the City of Perris held on the 14th day of January, 2003, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 28th day of January, 2003, and that it was so adopted by the following called vote:

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

_____
City Clerk, Margaret Rey