

RESOLUTION NUMBER NUMBER 5758

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING THE SECOND ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT, APPROVING TENTATIVE TRACT MAP 37262 (TTM18-05000); TENTATIVE TRACT MAP 37722 (TTM19-05233), TENTATIVE TRACT MAP 37223 (TTM17-05251), TENTATIVE TRACT MAP 37816 (TTM20-05089) and DEVELOPMENT PLAN REVIEW (DPR) 20-00005, TENTATIVE TRACT MAP 37817 (TTM20-05090) and DEVELOPMENT PLAN REVIEW (DPR) 20-00003; and TENTATIVE TRACT MAP 37818 (TTM20-05118) and DEVELOPMENT PLAN REVIEW (DPR) 20-00006 TO FACILITATE CONSTRUCTION OF 1,241 DWELLING UNITS LOCATED NORTH OF ETHANAC ROAD, SOUTH OF CASE ROAD, BETWEEN GOETZ ROAD AND GREEN VALLEY PARKWAY, SUBJECT TO CONDITIONS OF APPROVAL AND THE FINDINGS NOTED HEREIN.

WHEREAS, the applicant, *Raintree Investment Corporation*, filed Specific Plan Amendment (SPA) 18-05292; Tentative Tract Map 37262 (TTM18-05000), Tentative Tract Map 37722 (TTM19-05233), Tentative Tract Map 37223 (TTM17-05251), Tentative Tract Map 37816 (TTM20-05089) and Development Plan Review (DPR) 20-00005; Tentative Tract Map 37817 (TTM20-05090) and Development Plan Review (DPR) 20-00003; and Tentative Tract Map 37818 (TTM20-05118) and Development Plan Review (DPR) 20-00006 for a proposal to comprehensively update the Green Valley Specific Plan (GVSP) consisting of: 1) updating architectural and development standards for reviewing development proposals; 2) updating the Land Use Plan to reflect current development constraints of the Riverside Conservation Authority, and the Perris Valley Airport; and 3) entitlement of the southerly half of the GVSP consisting of three single-family residential tracts, totaling 542 lots over 146 acres, two single-family court cluster home tracts totaling 324 lots over 36.1 acres, and a hybrid tract with 138 single-family court cluster homes and a 236 dwelling unit apartment community, totaling 1,241 dwelling units located north of Ethanac Road, south of Case Road, between Goetz Road and Green Valley Parkway within the City of Perris; and

WHEREAS, the above-mentioned Specific Plan Amendment, Tentative Tract Maps, and Development Plan Reviews as provided above (the “Project”) have been duly noticed; and

WHEREAS, Government Code Section 66300(i) permits the City to change a land use designation or zoning ordinance to a less intensive use if the city or county changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity;

WHEREAS, the Project’s parcels within the original 1990 GVSP have substantial developmental constraints associated with restrictions on development due to the Perris Valley Airport Plan expansion and the development of the Romoland Drainage Plans and such

developmental constraints prevented residential land use development in the manner described in the original 1990 GVSP;

WHEREAS, as a result of the developmental constraints related to the Perris Valley Airport Plan expansion and the development of the Romoland Drainage Plans, in order to residentially develop the affected Project parcels, a decrease in residential land use is necessary;

WHEREAS, without the Specific Plan Amendment, then the affected Project parcels could not be developed in a manner provided in the original 1990 GVSP, including, but not limited to, the development of residential land uses. Therefore, the Specific Plan Amendment would effectively not reduce residential land use, because it would allow the Project to go forward and aligns the Specific Plan with the developmental constraints provided above;

WHEREAS, the Specific Plan Amendment therefore would reduce residential land use from the original 1990 GVSP to address development constraints associated with the Perris Valley Airport Plan expansion and development of the Romoland Drainage Plan in order to facilitate the development of residential land uses within the Project's parcels;

WHEREAS, the Specific Plan Amendment will reduce the number of acres designated for single-family residential units to 115.7 acres and increase the amount of land designated for multi-family units by 36.4 acres, park lands by 34.5 acres, and open space by 52.1 acres resulting in a net loss of 359 dwelling units;

WHEREAS, in order to further address the impacts of the Specific Plan Amendment as provided above, the Project applicant is conditioned to increase residential development by increasing the intensity of residential land use on other parcels within the GVSP as such parcels are entitled and developed, or by any other method deemed appropriate by the City;

WHEREAS, from December 2, 2020 through December 15, 2020, the Second Addendum to the 1990 Green Valley Specific Plan (GVSP) Final Environmental Impact Report (Final EIR) was made available for public review and comment prior to the Planning Commission's and City Council's consideration of the above-referenced applications; and

WHEREAS, a Planning Commission public hearing was held on December 16, 2020, at which time all interested persons were given a full opportunity to be heard and to present evidence; and

WHEREAS, the Planning Commission considered all evidence and testimony presented at the public hearing on December 16, 2020, and voted to recommend that the City Council approve the Second Addendum to the 1990 GVSP Final EIR and adopt the Specific Plan Amendment, Tentative Tract Maps, and Development Plan Reviews; and

WHEREAS, on January 12, 2021, the City Council public hearing regarding the Second Addendum to the 1990 GVSP Final EIR, Specific Plan Amendment, Tentative Tract Maps, and Development Plan Reviews was continued to February 9, 2021 City Council meeting; and

WHEREAS, on February 9, 2021, the City Council conducted a duly noticed public hearing on the proposed Project at which time all interested persons were given full opportunity to

be heard and to present evidence, and the City Council considered all oral and written testimony and materials from members of the public and City staff, including, but not limited, to presentations and staff reports, accompanying documents and exhibits; and,

WHEREAS, Section 66411 of the California Government Code (Subdivision Map Act) vests in the legislative bodies of local agencies the regulation and control of the design and improvement of subdivisions; and

WHEREAS, on September 10, 2020, the Riverside County Airport Land Use Commission (ALUC) determined that the Project's Specific Plan Amendment (SPA) 18-05292, Tentative Tract Map 37262 (TTM18-05000), Tentative Tract Map 37722 (TTM19-05233), Tentative Tract Map 37223 (TTM17-05251), Tentative Tract Map 37816 (TTM20-05089) and Development Plan Review (DPR) 20-00005; Tentative Tract Map 37817 (TTM20-05090) and Development Plan Review (DPR) 20-00003; and Tentative Tract Map 37818 (TTM20-05118) and Development Plan Review (DPR) 20-00006 are conditionally consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (MARB ALUCP) and the Perris Valley Airport ALUCP based on findings and Conditions (attached and incorporated into the Planning Conditions of Approval); and

WHEREAS, prior to taking action, the City Council has heard, been presented with, and/or reviewed all of the information and data which constitutes the administrative record for the above-mentioned approvals, including all oral and written evidence presented to the City during all Project meetings and hearings; and

WHEREAS, Chapter 19.54 of the City of Perris Municipal Code (Zoning Code, Authority and Review Procedures) authorizes the City to approve, conditionally approve, or deny requests for a Specific Plan Amendment, Development Plan Reviews, and Tentative Tract Maps; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS does resolve as follows:

Section 1. The above recitals are all true and correct and incorporated herein by reference.

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 Second Addendum to the Final Environmental Impact Report (Final EIR for the GVSP for the Green Valley Specific Plan (GVSP) for the proposed Specific Plan Amendment, Tentative Tract Maps, and Development Plan Reviews, the City Council has determined that the Project will not result in any new or more severe significant environmental impacts than were previously disclosed and analyzed in the Final EIR. Specifically, based upon the above and the staff report, supporting exhibits, and all written and oral testimony presented at the December 16, 2020, public hearing before the Planning Commission and the February 9, 2021, public hearing before the City Council, the Council finds that:

- A. The Second Addendum analyzes the effects of reduced residential density and total number of units for a portion of the GVSP area, an increase in the acreage of residential development in other portions, and changes to the site and/or applicable federal, state, and local plans, policies, and regulations since the GVSP was approved in 1990;
- B. As the lead agency under the California Environmental Quality Act (CEQA), the City of Perris has determined that, in accordance with Sections 15162 and 15164 of the State CEQA Guidelines, the proposed changes to the development pattern and other minor changes from the development scenario described in the Final EIR for the GVSP warranted the preparation of a Second Addendum to update the analysis provided in the 1990 Final EIR, but do not warrant the preparation of a subsequent or supplemental EIR, because the amendments do not result in any new or more severe significant environmental impacts than were previously evaluated and disclosed in the 1990 Final EIR. This determination is supported by substantial evidence contained throughout Chapter 4 of the Second Addendum and supporting technical appendices.

Because no subsequent or supplemental EIR was required or prepared, the City need not make full CEQA findings with respect to impacts resulting from the Specific Plan Amendment, Tentative Tract Maps, and Development Plan Reviews. While all effects will remain at their same respective levels of impact as they were determined in the certified 1990 Final EIR, several mitigation measures have been updated in the Second Addendum and a supplemental Mitigation Monitoring and Reporting Program (MMRP) prepared to account for more modern data, methodology, changes in rules and regulations, and physical improvements and infrastructure that have been completed since 1990.

- C. The City has complied with the California Environmental Quality Act (CEQA).
- D. These determinations of the City Council reflect the independent judgment of the City.

Section 3. The City Council further finds, based upon the forgoing, the Second Addendum to the Final Green Valley Specific Plan Environmental Impact Report (Final EIR for the GVSP) and supplemental Mitigation Monitoring and Reporting Program (MMRP), staff report, supporting exhibits, and all written and oral testimony presented at the December 16, 2020, Planning Commission and February 9, 2021, City Council public hearings, with respect to the Project that the Project will not result in a net loss of residential land uses pursuant to Government Code Section 66300(i) as follows:

- A. Without the Specific Plan Amendment, the affected Project parcels could not be developed in a manner provided in the original 1990 GVSP, including, but not limited to, the development of residential land uses.
- B. To extent required, the Project is conditioned to increase the number of residential uses by increasing the intensity of residential land use on other parcels within the GVSP as such parcels are entitled and developed or by any other method as approved by the City.

Section 4. The City Council further finds, based upon the forgoing, the Second Addendum to the Final Green Valley Specific Plan Environmental Impact Report (Final EIR for the GVSP) and supplemental Mitigation Monitoring and Reporting Program (MMRP), staff report,

supporting exhibits, and all written and oral testimony presented at the December 16, 2020, Planning Commission and February 9, 2021, City Council public hearings, with respect to Tentative Tract Map 37262 (TTM18-05000), Tentative Tract Map 37722 (TTM19-05233), Tentative Tract Map 37223 (TTM17-05251), Tentative Tract Map 37816 (TTM20-05089), Tentative Tract Map 37817 (TTM20-05090), Tentative Tract Map 37818 (TTM20-05118) as follows:

A. ***The proposed six (6) Tentative Tract Maps will not result in a significant adverse effect on the environment:***

The proposed six (6) Tentative Tract Maps will not result in any new or worse significant adverse effects on the environment. A Second Addendum to the 1990 Final EIR was prepared for the Project. This Second Addendum is supported by numerous technical studies, including updated biological, cultural, paleontological, air quality, greenhouse gas, traffic and other studies covering the Project site and area. This Second Addendum found that the Project would not result in any new or more severe significant impacts than were previously evaluated and disclosed in the Final EIR for the GVSP.

Adequate public services and facilities are available to serve the Project and potential impacts to parks and recreation and infrastructure are mitigated to an insignificant level through the planned construction of new parks and open space within the Specific Plan area, requirement for on and off-site impacts, fair share payments and participation in the City's impact fee programs. Furthermore, the application of the City's standard Project conditions (i.e., Erosion Control Best Management Practices, Storm Water Best Management Practices, etc.) will prevent the Project from creating significant impacts to the environment.

B. ***As conditioned, the design of the six (6) proposed Tentative Tract Maps are consistent with the General Plan and the Green Valley Specific Plan and the development standards for lot size, lot depth, and lot width of the R-5500-R-6000 and Multi-Family zones.***

The design and improvements required for Tentative Tract Map 37262 (TTM18-05000), Tentative Tract Map 37722 (TTM19-05233), Tentative Tract Map 37223 (TTM17-05251), Tentative Tract Map 37816 (TTM20-05089), Tentative Tract Map 37817 (TTM20-05090), Tentative Tract Map 37818 (TTM20-05118) are consistent with the City General Plan, and the Green Valley Specific Plan R-5500-R6000 and Multi-Family zoning, with respect to minimum required development standards, including lot width, depth, and size. The lots created by the six (6) Tentative Tract Maps will provide adequate building sites, appropriate vehicular access, and recreational opportunities at densities that are compatible with existing surrounding residential uses. Further, necessary water and sewer services are available to serve the site and the development is required through conditions of approval and mitigation measures to pay its fair share and construct transportation, drainage, and other improvements to serve the site. Therefore, all six (6) tracts are consistent with the City's General Plan, Zoning Ordinance, and GVSP.

C. ***As conditioned, the six (6) proposed Tentative Tract Maps are consistent with City standards, ordinances, and policies.***

As designed and conditioned, all six (6) Tentative Tract Maps are compatible with the surrounding land uses. Also, all six (6) tracts exceed the Green Valley Specific Plan (GVSP)

development standards outlined for the R5500-R6000 and Multi-Family zoning districts and applicable provisions of the City's Subdivision and Zoning Codes (Titles 18 & 19). The Project is also consistent with applicable policies and plans related to drainage, recreation, and transportation improvements.

- D. ***The Project includes six (6) subdivisions for future residential development that are compatible with the surrounding land use and zoning designations.***

As designed and through the application of the conditions of approval, the proposed six (6) subdivisions, Tentative Tract Map 37262 (TTM18-05000), Tentative Tract Map 37722 (TTM19-05233), Tentative Tract Map 37223 (TTM17-05251), Tentative Tract Map 37816 (TTM20-05089), Tentative Tract Map 37817 (TTM20-05090), and Tentative Tract Map 37818 (TTM20-05118) are compatible with the design of the surrounding future and existing land uses and zoning designations of the Green Valley Specific Plan (GVSP). The proposed three (3) single-family subdivisions are compatible with the two entitled Tract Maps (TM 36989 and TM36988) and the existing residential neighborhood immediately across Goetz Road in density, zoning, and product type. Also, the three (3) multi-family tracts are compatible with the multi-family development contemplated with the Green Valley Specific Plan (GVSP) zoning. Therefore, the proposed six (6) subdivisions are compatible with surrounding land uses and zoning designations.

- E. ***The proposed six (6) Tentative Tract Maps will not have a negative effect on public health, safety, or general welfare.***

The proposed six (6) Tentative Tract Maps will not have a negative effect on public health, safety, or general welfare. The design of all six (6) subdivisions are in conformance with the City's General Plan, Green Valley Specific Plan (GVSP) , and Subdivision Ordinance. As conditioned, the developer is required to pay its fair share towards or to construct improvements in order to comply with all applicable City ordinances, codes, and standards, which are intended to protect the public safety, health, and welfare. Adequate services are available and in close proximity to serve the subdivision and no hazardous situations are created through the subdivision. As such, Tentative Tract Map 37262 (TTM18-05000), Tentative Tract Map 37722 (TTM19-05233), Tentative Tract Map 37223 (TTM17-05251), Tentative Tract Map 37816 (TTM20-05089), Tentative Tract Map 37817 (TTM20-05090), and Tentative Tract Map 37818 (TTM20-05118) will not have a negative effect on public health, safety, or the general welfare of the City of Perris residents.

- F. ***All six (6) Tentative Tract Maps are in compliance with the Subdivision Map Act.***

The design of all six (6) subdivisions which include Tentative Tract Map 37262 (TTM18-05000), Tentative Tract Map 37722 (TTM19-05233), Tentative Tract Map 37223 (TTM17-05251), Tentative Tract Map 37816 (TTM20-05089), Tentative Tract Map 37817 (TTM20-05090), and Tentative Tract Map 37818 (TTM20-05118) are in compliance with the Subdivision Map Act as the lots created by the subdivision are of adequate size to support future single-family residential development and multi-family residential development and all applicable provisions of the City's Subdivision and Zoning Codes Titles 18 & 19). Therefore, all six (6) Tentative Tract Maps are in compliance with the Subdivision Map Act.

Section 5. The City Council further finds, based upon the forgoing, the Second Addendum to the Final Green Valley Specific Plan Environmental Impact Report (Final EIR for the GVSP and supplemental Mitigation Monitoring and Reporting Program (MMRP), staff report, supporting exhibits, and all written and oral testimony presented at the December 16, 2020, Planning Commission and February 9, 2021 City Council public hearings, with respect to Development Plan Review (DPR) 20-00005, Development Plan Review (DPR) 20-00003, and Development Plan Review (DPR) 20-00006 as follows:

- A. ***The location, size, design, density, and intensity of the proposed development and improvements are consistent with the City's General Plan, the Green Valley Specific Plan (GVSP), the purposes and provisions of the Perris Municipal Code, the purposes of the Zone in which the site is located, and the development policies and standards of the City.***

The proposed site development was reviewed by City staff and determined to be in compliance with all applicable provisions of the General Plan, the Green Valley Specific Plan (GVSP), and the Zoning Code. The development standards for Multi-Family (MFR) development including use, setbacks, the height of the building, lot coverage, architecture, lighting, and landscaping are provided by the GVSP, with parking regulations contained in Chapter 19.69 of the Zoning Code. Staff determined the proposed Project meets or exceeds all development standards of the Specific Plan for multi-family land use. In addition, the Project has been deemed conditionally consistent by the Riverside County Airport Land Use Commission (ALUC) that are incorporated into the Planning Conditions of Approval). The Project has been conditioned as necessary to ensure compliance with all Green Valley Specific Plan (GVSP) and Zoning regulations.

- B. ***The proposed development and the conditions under which it would be operated or maintained are compatible with abutting properties and will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.***

As conditioned, the proposed three (3) multi-family sites will not be detrimental to the public health, safety, or welfare, or injurious to property and improvements in the vicinity or to the fare of the City, in that the three (3) multi-family sites are designed in conformance with the City's Zoning Code. Further, the proposed three (3) multi-family sites meet or exceed the design and development standards of the Green Valley Specific Plan (GVSP), and as such, will integrate into the existing fabric of residential development that is contemplated for the area.

- C. ***The architecture proposed is compatible with community standards and protects the character of adjacent development.***

The proposed architecture is compatible and meets Green Valley Specific Plan (GVSP) design standards for multi-family development. Enhanced architecture, site design, and landscaping have been provided for the Project. The building design features symmetry, balance with enhanced architectural treatments at the corners to provide a base, body, and cap which is required by the Green Valley Specific Plan (GVSP).

- D. ***The landscaping plan ensures visual relief and provides an attractive environment for the***

public's enjoyment.

As conditioned, the proposed three (3) multi-family sites adhere to and exceed the on-site and off-site landscape standards for multi-family as outlined in Section 19.70 of the Zoning Code, as well as those specified in the Green Valley Specific Plan (GVSP). It provides a mix of specimen native and drought-tolerant trees, shrubs, ground cover, and annual seasonal color throughout the site to ensure visual relief and effectively frame, soften, and embellish access points, building entries, parking areas, trash enclosures, and employee recreational areas. As required, all areas not covered by structures, drive aisles, parking or hardscape have been landscaped, which will provide an attractive environment for the public's enjoyment.

Section 6. Based upon the forgoing, the City Council has considered and hereby approves the Second Addendum to the 1990 Final Green Valley Specific Plan Environmental Impact Report and supplemental Mitigation Monitoring and Reporting Program (MMRP).

Section 7. Based upon the forgoing, the City Council approves Specific Plan Amendment (SPA) 18-05292; Tentative Tract Map 37262 (TTM18-05000), Tentative Tract Map 37722 (TTM19-05233), Tentative Tract Map 37223 (TTM17-05251), Tentative Tract Map 37816 (TTM20-05089) and Development Plan Review (DPR) 20-00005; Tentative Tract Map 37817 (TTM20-05090) and Development Plan Review (DPR) 20-00003; and Tentative Tract Map 37818 (TTM20-05118) and Development Plan Review (DPR) 20-00006 based on the information and findings presented and supporting exhibits, including, but not limited to, all written and oral testimony presented at the December 16, 2020, Planning Commission and February 9, 2021, City Council public hearings, and subject to the attached Conditions of Approval.

Section 8. 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 Resolution shall remain in full force and effect.

Section 9. The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 9th day of February 2021.

Michael M. Vargas, Mayor

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 5758 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 9th day of February 2021 by the following called vote:

AYES: RABB, ROGERS, MAGAÑA CORONA, VARGAS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

City Clerk, Nancy Salazar

Attachments: Attachment 3. Conditions of Approval
Attachment 9. Tentative Tract Map 37262, Site plan
Attachment 10. Tentative Tract Map 37722, Site plan
Attachment 11. Tentative Tract Map 37723, Site plan
Attachment 12. Tentative Tract Map 37816, Site plan
Attachment 13. Tentative Tract Map 37817, Site plan
Attachment 14. Tentative Tract Map 37818, Site plan