

RESOLUTION NUMBER 5844

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING MITIGATED NEGATIVE DECLARATION 2352 AND APPROVING TENTATIVE TRACT MAP 37803, A PROPOSAL TO SUBDIVIDE 53.15 ACRES INTO 145 SINGLE-FAMILY RESIDENTIAL LOTS LOCATED AT THE SOUTHWEST CORNER OF METZ ROAD AND A STREET, NORTH OF SAN JACINTO AVENUE SUBJECT TO CONDITIONS OF APPROVAL AND THE FINDINGS NOTED HEREIN.

WHEREAS, the applicant, *Steve Letwinch*, filed Tentative Tract Map 37803 (TTM19-05223) 53.15 acres into 145 single-family residential lots with ten (10) lettered lots (A - J) located at the southwest corner Metz Road and "A" Street, north of San Jacinto Avenue (Project); and

WHEREAS, this Tentative Tract Map has been duly noticed; and

WHEREAS, the proposed subdivision is considered a "project" as defined by the California Environmental Quality Act ("CEQA");

WHEREAS, between January 20, 2021, and February 18, 2021, the Initial Study/MND 2352 was made available for public review and comment during a state-mandated 30-day public review period (SCH # 2021010193); and

WHEREAS, a Planning Commission public hearing was held on June 2, 2021, regarding the Initial Study/MND 2352 (SCH # 2021010193) and the Project at which time all interested persons were given full opportunity to be heard and to present evidence for the Planning Commission's consideration, and, at the conclusion of the public hearing and after consideration thereof, the Planning Commission recommended approval of IS/MND 2352 (SCH #2021010193) and the Project to the City Council; and

WHEREAS, on July 27, 2021, the City Council conducted a duly noticed public hearing regarding the Initial Study/MND 2352 (SCH # 2021010193) and was continued August 31, 2021 City Council meeting; and

WHEREAS, on August 31, 2021, the City Council conducted a duly noticed public hearing regarding the Initial Study/MND 2352 (SCH # 2021010193) and the Project, at which time all interested persons were given full opportunity to be heard and to present evidence for the City Council's consideration (including all oral and written testimony from members of the public and City staff, including, but not limited to, the City staff reports and 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, the Project site is located within the March Air Reserve Base/Inland Port Airport Influence Area (March AIA) Zone D (Flight Corridor Buffer) and Perris Valley Airport Influence Area (PV AIA) Zone E. Both Zone D and Zone E have no residential development restrictions however are subject to a deed notice and disclosure of an aviation easement and notice of "airport in the vicinity" to future property owners. The project complies with both the 2014 March ARB/IP Land Use Compatibility Plan (March ALUCP) and Perris Valley Airport Compatibility Plan; and

WHEREAS, prior to taking action, the City Council has heard, been presented with, and reviewed all of the information and data which constitutes the administrative record for the above-mentioned Initial Study/MND 2352 (SCH # 2021010193) and the Project, including all oral and written evidence presented to the City during all Project meetings and hearings; and

WHEREAS, Chapters 18.12 (Procedure) and 19.54 (Zoning Code, Authority and Review Procedures) of the City of Perris Municipal Code authorizes the City to approve, conditionally approve, or deny requests for a Tentative Tract Map; and

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

NOW, THEREFORE, THE PLANNING COMMISSION 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. Based upon the foregoing, information and findings presented in the staff report and supporting exhibits, and all written and oral testimony presented at the public hearing on July 27, 2021, City Council finds that all the requirements of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the City's Local CEQA Guidelines have been satisfied in the Initial Study/MND 2352 (SCH # 2021010193). The Initial Study was undertaken for the purpose of determining whether the Project may have a significant effect on the environment. From all potential impacts evaluated, impacts in the area of aesthetics, air quality, biological resources, cultural resources, geology and soils, noise, and traffic were identified but will be reduced to less than significant levels with implementation of mitigation measures identified in the Initial Study. The City did not identify any significant, unavoidable impacts and concluded that all potential significant effects on the environment can be reduced to a less than significant level through mitigation measures, the design of the development, the City's Zoning Code, and standard requirements of the City. Therefore, all of the significant environmental effects of the Project have been adequately evaluated, and the City Council therefore adopts the Initial Study/MND 2352 (SCH # 2021010193).

Section 3. Based upon the foregoing, Initial Study/MND 2352 (SCH # 2021010193), information and findings staff report and supporting exhibits, and all written and oral testimony presented at the public hearing on July 27, 2021, the City Council further finds as follows with respect to Tentative Tract Map 37803 (PLN19-05223):

A. The proposed Tentative Tract Map will not result in a significant adverse effect on the environment or substantially and avoidably injure fish or wildlife or their habitat:

The proposed Tentative Tract Map will not result in a significant adverse effect on the environment and will not substantially and avoidably injure fish or wildlife or their habitat. Also, there are no wildlife corridors either on or adjacent to the Project site. The Project would not remove any existing MSHCP recognized wildlife corridors. The Project would also not interfere substantially with the movement of any native resident or migratory wildlife species (including fish) or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Therefore, the Project would not have any significant wildlife movement impacts. An Initial Study was prepared for the Project, which was supported by numerous technical studies, including biological, cultural, paleontological, air quality, greenhouse gas, traffic, and other studies covering the site. Based on this Initial Study, all adverse effects on the environment were found to be less than significant through the application of conditions of approval, mitigation measures, and design modifications. 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 on the environment.

B. As conditioned, the proposed map and design of the Tract is consistent with the General Plan and the Zoning Ordinance standards for the R-6,000 zone.

The design and improvements required for TPM 37803 are consistent with the City General Plan and R-6,000 zoning, with respect to the minimum required development standards, including lot width, depth, and size. The lots created by TPM 37803 will provide an adequate building site and appropriate vehicular access at a density that is 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, the TTM 37803 is consistent with the City's General Plan and Zoning Ordinance.

C. The Project site is physically suitable for the type and density of the proposed residential development.

The site for TTM 37803 is physically suited to create a subdivision for future development for single-family residential development. The lots created by the proposed project are consistent with the development standards established for the R-6,000 zone in terms of size, shape, width, and depth and can readily accommodate future residential development. All future development is required to undergo additional administrative review to ensure that it meets all City code requirements for architecture, grading, and plotting. Also, the tract map proposes a density of 2.7 dwelling units per acre which is below and consistent with the density permitted by the R-6,000 zoning regulations. As such, the project site is physically suitable for the proposed density of development.

D. The proposed Tentative Tract Map will not have a negative effect on public health, safety, or general welfare.

The proposed Tentative Tract Map will not have a negative effect on public health, safety, or general welfare. The design of the subdivision is in conformance with the City's General

Plan, Zoning Code, and Subdivision Ordinance. As conditioned, the developer is required to pay its fair share towards or construct improvements to comply with all applicable City ordinances, codes, and standards, which are intended to protect the public's health, safety, 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, TTM 37803 will not have a negative effect on public health, safety, or the general welfare of the City of Perris residents.

E. Tentative Tract Map is in compliance with the Subdivision Map Act.

The design of subdivision, TTM 37803, is 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 as intended, and the proposed subdivision is consistent with the standards outlined for the R-6,000 zoning district and all applicable provisions of the City's Subdivision and Zoning Codes Title 18 & 19). Therefore, TTM 37803 is in compliance with the Subdivision Map Act.

F. The design of the Tentative Tract Map or the type of improvements contemplated therein does not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The design of the subdivision or the type of improvements will not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of, property within the proposed subdivision.

G. Requirements of CEQA have been met

The requirements of CEQA have been met as discussed in Section 2 of this Resolution. All requirements of California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the City's Local CEQA Guidelines have been satisfied in the Initial Study/MND 2352 (SCH # 2021010193). The requirements have been met based on the reviewing if impacts in the area of aesthetics, air quality, biological resources, cultural resources, geology and soils, noise, and traffic were identified but will be reduced to less than significant levels with implementation of mitigation measures identified in the Initial Study. The City did not identify any significant, unavoidable impacts and concluded that all potential significant effects on the environment can be reduced to a less than significant level through mitigation measures, the design of the development, the City's Zoning Code, and standard requirements of the City

H. The discharge of waste from the Tentative Tract Map into an existing community sewer system would not result in violation of applicable requirements.

The discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by a state regional water quality control board. As required by the State of California Water Quality Control Board (WQCB), the Project applicant has prepared a Preliminary Water Quality Management Plan (WQMP). The Project includes the construction and

maintenance throughout the life of the Project and two bioretention basins within the Project site as treatment control Best Management Practices (BMPs) to treat potential runoff pollutants generated by the Project. A bioretention basin only is proposed at the northeast corner of the site to capture and treat the surface water runoff from the northern two-thirds of the site. A second bioretention and flood control basin is proposed at the southeast corner of the site to capture and treat the surface water runoff from the southern one-third of the site. The bioretention basins would provide removal efficiency of 80% or greater for Priority Pollutants including bacteria, nutrients, pesticides, sediments, trash and debris, and oil and grease.

Section 4. Based upon the forgoing, Initial Study/MND 2352 (SCH # 2021010193), information and findings staff report and supporting exhibits, and all written and oral testimony presented at the public hearing on July 27, 2021, the City Council hereby approves Tentative Tract Map 37803 (19-05223) subject to the Conditions of Approval attached to this Resolution as Exhibit A.

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 Resolution shall remain in full force and effect.

Section 6. The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 31st day of August 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 5844 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 31st day of August 2021 by the following called vote:

AYES: ROGERS, NAVA, CORONA, RABB, VARGAS

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

City Clerk, Nancy Salazar

Attachments: Attachment 2 - Updated Planning Conditions, Attachment 3 - Conditions of Approval (Engineering, Public Works, Community Services, Building and MMRP), and Attachment 7 - Tentative Tract Map 37803.