

RESOLUTION NUMBER 5918

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PERRIS, COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA, ADOPTING MITIGATED NEGATIVE
DECLARATION NO. 2367 AND GENERAL PLAN
AMENDMENT 21-05173, WHICH UPDATES THE CITY OF
PERRIS HOUSING ELEMENT (2021-2029) AND SAFETY
ELEMENT, AND ADOPTS AN ENVIRONMENTAL JUSTICE
ELEMENT FOR THE CITY OF PERRIS.***

WHEREAS, California Government Code Section 65580 to 65590 outlines the Housing Element requirements and mandates that every City and County prepare and periodically update its Housing Element; and

WHEREAS, California Government Code Section 65302(g)(1) through (g)(8) requires and establishes the legislative framework for California's Safety Elements (SE); and

WHEREAS, the Safety Element (SE) per Senate Bill (S.B.) 1035 and S.B. 379 is required to be updated concurrently with updating the Housing Element; and

WHEREAS, California Government Code Section 65040.12(e) defines environmental justice as "the fair treatment and meaning full participation of people of all races, cultures, and incomes with respect to the development adoption, implementation, and enforcement of environmental laws, regulations, and policies"; and

WHEREAS, the State of California passed S.B. 1000, which requires that an Environmental Justice Element (EJE) be prepared when two or more General Plan Elements are updated; and

WHEREAS, all cities and counties in the Southern California Association of Governments (SCAG) region are required to obtain certified housing elements for the 2021-2029 planning period no later than February 12, 2022 and the City of Perris desires to comply with this deadline; and

WHEREAS, Planning Commission workshops were held on February 3, 2021, and May 5, 2021 to provide the Planning Commissioners and the public with general information about the Housing Element (i.e., contents, process, and information concerning the RHNA), Safety Element, and Environmental Justice Element; and

WHEREAS, the Planning Commission reviewed and provided input on the draft Housing Element on February 3, 2021 and May 5, 2021 and received comment from all those in attendance wishing to speak; and

WHEREAS, City Council workshops were held on June 8, 2021, July 8, 2021, and July 27, 2021 to provide the commissioners and the public with general information about

the Housing Element (i.e., contents, process, and information concerning the RHNA), Safety Element, and Environmental Justice Element; and

WHEREAS, the City Council reviewed and provided input on the draft Housing Element at meetings on March 9, 2021, June 8, 2021, July 8, 2021, July 27, 2021 and received comment from all those in attendance wishing to speak; and

WHEREAS, A virtual community stakeholder roundtable was held on February 2, 2021, a Habitat for Humanity Interview was held on February 5, 2021, City of Perris Youth Advisory Council meeting was held on March 16, 2021, a virtual Val Verde Unified School District meeting was held on March 18, 2021, a virtual City of Perris Public Health Department meeting on April 6, 2021, a survey was conducted at the Perris Valley Chamber of Commerce on April 7, 2021, several City of Perris Housing Authority Pop-up events during June 2021, and informational materials and housing surveys were conducted in early spring of 2021; and

WHEREAS, General Plan Amendment No. 21-05173 was prepared and includes the update to the Housing Element (2021-2029) and Public Safety Element, and an Environmental Justice Element. General Plan Amendment No. 21-05173 is incorporated herein by this reference; and

WHEREAS, the draft Housing Element was reviewed by the State Department of Housing and Community Development (HCD) and HCD has provided comments on December 3, 2021; and

WHEREAS, the revised draft Housing Element incorporates comments received from HCD on December 3, 2021; and

WHEREAS, since the final Housing Element certification is required by HCD (pursuant to Government Code Section 65580 to 65590) and is still pending as of the date of this Resolution, this Resolution permits staff to make non-substantive and/or technical changes to the Housing Element portion of General Plan Amendment No. 21-05173 as may be required by HCD; and

WHEREAS, the revised draft Housing Element (for the purposes of this Resolution, when reference is made to “Housing Element,” such reference is to the Housing Element as revised pursuant to HCD’s December 3, 2021, comments) meets the statutory requirements of State housing element law. The Housing Element will comply with State housing element law (Article 10.6 of the Government Code) once adopted and submitted to HCD for final certification pursuant to Government Code Section 65585(g); and

WHEREAS, in accordance with California Public Utilities Code Section 21676 the Housing Element, Safety Element, and Environmental Justice Element was reviewed by the Riverside County Airport Land Use Commission (ALUC) and on October 4, 2021 the Riverside County ALUC found the draft Housing Element consistent with the Riverside County Airport Land Use Plan, as applied to the March Air Reserve Base Airport Influence Area and with the Perris Valley Airport Land Use Compatibility Plan; and

WHEREAS, an Initial Study prepared for the draft Housing Element finds that the project (i.e., the Housing Element) would not have significant impacts that could not be mitigated; therefore, a Mitigated Negative Declaration has been prepared; and

WHEREAS, on January 5, 2022, the Planning Commission held a duly noticed public hearing regarding the Planning Commission's intent to recommend to the City Council that it adopt Mitigated Negative Declaration No. 2317 and General Plan Amendment No. 21-05173; and

WHEREAS, on January 5, 2022, the Planning Commission conducted a duly noticed public hearing at which time it received and considered all oral and written public testimony; and

WHEREAS, on January 25, 2022, the City Council held a duly noticed public hearing regarding the City Council's intent to adopt Mitigated Negative Declaration No. 2317 and General Plan Amendment No. 21-05173; and

WHEREAS, on January 25, 2022, the City Council conducted a duly noticed public hearing at which time it received and considered all oral and written public testimony; and

WHEREAS, after considering all information provided to it, and providing an opportunity to the public to provide oral and written testimony, the City Council desires to adopt the proposed Mitigated Negative Declaration No. 2367 and General Plan Amendment No. 21-05173.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Perris, California does hereby recommend, resolve, and certify as follows:

Section 1. The Recitals set forth above are true and correct, and incorporated herein by this reference.

Section 2. Based upon the forgoing and all oral and written testimony made by members of the public and City staff (including, but not limited to the staff report and all attachments) at the January 25, 2022 public hearing, the City Council finds, determines and declares that after preparing and reviewing an Initial Study drafted in compliance with Section 15072 of the California Environmental Quality Act (CEQA), the Initial Study found that there would be no significant environmental impacts created by the proposed General Plan Amendment No. 21-05173 that could not be mitigated to below the level of significance; therefore, Mitigated Negative Declaration No. 2317 was prepared. Based on its own independent judgment that the facts stated in the Initial Study are true, the City Council hereby finds that the approval of General Plan Amendment No. 21-05173 will not have potential negative environmental impacts that could not be mitigated to below the level of significance with the incorporation of the mitigation measures provided in Mitigated Negative Declaration No. 2317.

Section 3. Based upon the forgoing and all oral and written testimony made by members of the public and City staff (including, but not limited to, the staff report and all attachments) at the January 25, 2022 public hearing, the City Council hereby finds that the Housing Element of General Plan Amendment No. 21-05173 is A) Consistent with General Plan objectives, policies and programs; B) Compatible with adjacent land uses; C) Has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and D) Is not detrimental to the public health, safety and welfare as follows:

- A. The proposed Housing Element portion of General Plan Amendment No. 21-05173 is consistent with all other goals, policies, programs and uses of applicable elements of the General Plan. The proposed General Plan Amendment No. 21-05173 updates the Housing Element of the General Plan in compliance with State law (including, but not limited to, Housing Element Law, as provided in Government Code 65580 et seq.). This element sets goals and establishes policies and programs to encourage construction of new residential units, preservation of the existing housing stock and the maintenance of existing affordable units within the City of Perris. Based on the analysis within the Housing Element, this can be accomplished within the existing zoning and land use designations. After a review of all proposed goals, policies and programs contained within the Housing Element, it has been determined that they are consistent with the goals, policies and programs of other elements of the General Plan.
- B. The proposed Housing Element portion of General Plan Amendment No. 21-05173 will not adversely affect surrounding properties or the surrounding environment. The Housing Element is a policy document that sets strategies for the production and maintenance of housing stock across various income levels. The full implementation of the Housing Element will not create an adverse affect on properties within the City. Furthermore, an Initial Study of Environmental Impacts was prepared pursuant to the requirements of CEQA. This Initial Study concluded that adoption of the Housing Element will not create significant adverse impacts to the environment and surrounding community that cannot be mitigated to below a level of significance pursuant to Mitigated Negative Declaration No. 2367.
- C. The proposed Housing Element portion of General Plan Amendment No. 21-05173 promotes the public health, safety, and general welfare. The Housing Element contains policies and programs that will support the improvement and upkeep of the existing housing stock in the City. Furthermore, the element provides policies and programs to increase affordable housing opportunities within the City. The goals, policies, and programs contained within the Housing Element will support the overall goal to providing quality and affordable housing to the residents of the City. Furthermore, by providing quality affordable housing the City is able to protect the public health, safety and welfare within the City and surrounding area.

- D. The proposed Housing Element portion of General Plan Amendment No. 21-05173 will not conflict with the provisions of the City's zoning code, including the City's subdivision ordinance. The Housing Element is a policy document that sets strategies for the production and maintenance of housing across all income levels. Future zoning amendments may be required to implement some provisions of the Housing Element. However, any zoning changes will be required to conduct a separate environmental review and be internally consistency with the City's zoning code. As such, the adoption of the Housing Element will not conflict with the provisions in the City's zoning code.

Section 4. Based upon the forgoing and all oral and written testimony made by members of the public and City staff (including, but not limited, to the staff report and all attachments) at the January 25, 2022 public hearing, the City Council hereby finds that the Safety Element of General Plan Amendment No. 21-05173 is A) Consistent with General Plan objectives, policies and programs; B) Has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and C) Is not detrimental to the public health, safety and welfare as follows:

- A. The proposed Safety Element portion of the General Plan Amendment is consistent with all other goals, policies, programs and uses of applicable elements of the General Plan. Proposed General Plan Amendment No. 21-05173 updates the Safety Element of the General Plan in compliance with State law. This element is consistent with the existing Safety Element's Goal I. of reducing the risk of damage to property or loss of life due to a natural or man-made disasters and Safety Element Goal III, which is to inform the residents about disaster preparedness and response. After a review of all proposed goals, policies and programs contained within the Safety Element, it has been determined that they are consistent with the goals, policies and programs of other elements of the General Plan.
- B. The proposed Safety Element portion of General Plan Amendment No. 21-05173 promotes the public health, safety, and general welfare. The Safety Element's primary purpose is to identify potential risks in the City and safeguard the well-being of Perris community by outlining the hazards that threaten the community, which outlines policies and practices that take tangible steps to protect the community's public health and safety, and welfare. The proposed Safety Element addresses disaster and emergency preparedness (including evacuation), flood hazards, fire hazards, aircraft hazards, seismic and geologic hazards, hazardous materials and waste, and climate adaptation and resiliency strategies. These risks were evaluated to promote the community's public health, safety and welfare. Also, in compliance with the California Environmental Quality Act (CEQA), an Initial Study was prepared for the project and determined that the project would not

have significant impacts; therefore, the Initial Study/Mitigated Negative Declaration No. 2367 was prepared.

- C. The proposed Safety Element portion of General Plan Amendment No. 21-05173 will not conflict with the provisions of the City's zoning code, including the City's subdivision ordinance. The Safety Element will identify potential risks in the City and safeguard the well-being of Perris community by outlining the hazards that threaten the community, which outlines policies and practices that take tangible steps to protect the community's public health and safety, and welfare.

Section 5. Based upon the forgoing and oral and written testimony made by members of the public and City staff (including, but not limited, to the staff report and all attachments) made at the January 25, 2022 public hearing, the City Council hereby finds that the Environmental Justice Element of General Plan Amendment No. 21-05173 is A) Consistent with General Plan objectives, policies and programs; B) Has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and C) Is not detrimental to the public health, safety and welfare as follows:

- A. The proposed Environmental Justice Element portion of General Plan Amendment No. 21-05173 is consistent with all other goals, policies, programs and uses of applicable elements of the General Plan. Proposed General Plan Amendment No. 21-05173 creates a new Environmental Justice Element to the General Plan in compliance with State law. This element sets goals and establishes policies and programs to reduce pollution and improve air quality in disadvantaged communities, improve public facilities, increase food access, promote safe and sanitary homes, and encourage physical activity to reduce the unique or compounded health risks associated with living in a disadvantaged or environmental justice area; and promote civil engagement in the public decision-making process; and prioritize improvements and programs that address the needs of disadvantaged communities. After a review of all proposed goals, policies and programs contained within the Environmental Justice Element, it has been determined that they are consistent with the goals, policies and programs of other elements of the General Plan.
- B. The proposed Environmental Justice Element portion of General Plan Amendment No. 21-05173 promotes the public health, safety, and general welfare. The element provides policies and programs to promote the health of Perris Residents, improve the urban environment, and support a high quality of life by reducing the dependency of cars, minimizing energy consumption, and improving community air quality in cities and counties are disadvantaged. Furthermore, by reducing pollution, promoting civic engagement, the City is able to protect the public health, safety and welfare within the City and surrounding area.

- C. The proposed Environmental Justice Element portion of General Plan Amendment No. 21-05173 will not conflict with the provisions of the City's zoning code, including the City's subdivision ordinance. Environmental Justice Element sets goals and establishes policies and programs to reduce pollution and improve air quality in disadvantaged communities, improve public facilities, increase food access, promote safe and sanitary homes, and encourage physical activity to reduce the unique or compounded health risks associated with living in a disadvantaged or environmental justice area; and promote civil engagement in the public decision-making process; and prioritize improvements and programs that address the needs of disadvantaged communities. Overall the Environmental Justice Element will not be detrimental to the public health, safety and welfare.

Section 6. Based upon the forgoing and all oral and written testimony made by members of the public and City staff (including, but not limited, to the staff report and all attachments) at the January 25, 2022 public hearing, the City Council of the City of Perris further finds that General Plan Amendment No. 21-05173 is in the public interest.

Section 7. Based upon the forgoing and all oral and written testimony made by members of the public and City staff (including, but not limited, to the staff report and all attachments) at the January 25, 2022 public hearing, the City Council of the City of Perris hereby adopts Mitigated Negative Declaration No. 2367 and adopts General Plan Amendment No. 21-05173 which updates the General Plan Housing Element (2021-2029), Public Safety Element, and adopts the Environmental Justice Element. Further, the City Council hereby authorizes City staff to make such non-substantive and/or technical changes to the Housing Element portion of General Plan Amendment No. 21-05173 as may be required by HCD.

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 Secretary shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 25th day of January 2022.

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 5918 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 25th day of January 2022 by the following called vote:

AYES: NAVA, CORONA, RABB, ROGERS, VARGAS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

City Clerk, Nancy Salazar