

RESOLUTION NUMBER 6407

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING MITIGATED NEGATIVE DECLARATION NO. 2379 AND APPROVING TENTATIVE TRACT MAP (TTM) 21-05037 (TTM 37904) AND DEVELOPMENT PLAN REVIEW (DPR) 21-00002, FACILITATING THE CREATION OF A 185-LOT SUBDIVISION AND CONSTRUCTION OF 185 AGE-RESTRICTED (55 YEARS AND OLDER) SINGLE FAMILY DWELLING UNITS ON 41.70 ACRES, KNOWN AS THE PACIFIC EMERALD PROJECT, LOCATED AT THE NORTHEAST CORNER OF MCPHERSON ROAD AND MOUNTAIN ROAD BASED UPON THE FINDINGS PROVIDED HEREIN AND SUBJECT TO CONDITIONS OF APPROVAL.

WHEREAS, the project applicant, Anthony Arnest, Pacific Communities requests to requests to have the Planned Development Overlay Zone applied to the development located in the Residential R-6,000 zone designation in order to subdivide a 41.70-acre property to facilitate the creation of 185 lots for the construction of an age-restricted (55 years or older) development consisting of 185 single-family detached residential units located at the northeast corner of McPhearson Road and Mountain Road, known as the Pacific Emerald (the “Project”); and

WHEREAS, the applicant submitted Planned Development Overlay (“PDO”) Zone 21-05038, Tentative Tract Map (“TTM”) 21-05037 (TTM 37904), and Development Plan Review (“DPR”) 21-00002 for consideration of architectural design and site layout for the Project; and

WHEREAS, the proposed PDO 21-05038, TTM 21-05037, and DPR 21-00002 are considered a "project" as defined by the California Environmental Quality Act ("CEQA");and

WHEREAS, pursuant to CEQA and State CEQA Guidelines, an Initial Study (“IS”) was prepared for the proposed Project and, based upon thereof, Mitigated Negative Declaration No. 2379 was prepared for the Project and was publicly reviewed for a thirty (30) day period in accordance with CEQA, from February 16, 2024, to March 18, 2024; and

WHEREAS, on June 1, 2021, the Riverside County Airport Land Use Commission (ALUC) determined that the Project was consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (MARB ALUCP) based on findings and conditions, which are attached and incorporated into the Planning Conditions of Approval; and

WHEREAS, the Planning Commission held a duly noticed public hearing on April 3, 2024, at which time all interested persons were given full opportunity to be heard and to present evidence and the Planning Commission then voted 4-0 with one (1) abstention to continue the Project to April 15, 2024 Planning Commission hearing based on a request by the applicant; and

WHEREAS, on April 15, 2024, after considering all oral and written testimony submitted by members of the public and City staff including, without limitation, the materials in

the staff report and accompanying documents at a duly noticed public hearing, the Planning Commission, by a vote of 3-0, with one (1) absence and one (1) abstention, adopted Resolution No. 24-04 recommending that the City Council approve the Project; and

WHEREAS, before taking action, the City Council has heard, been presented with, and/or reviewed all of the information and data that 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, 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. Recitals. The above recitals are all true and correct and are incorporated herein by this reference.

Section 2. Environmental Analysis. Based upon the foregoing and all oral and written statements and reports presented by City staff and members of the public, including, but not limited to, all such statements and reports (including all attachments and exhibits) presented at its public hearing on May 14, 2024, the City Council hereby determines pursuant to Section 15074 of the CEQA Guidelines 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, state and federal regulatory agencies; therefore a Mitigated Negative Declaration has been prepared, with findings that:

1. No significant environmental effects were identified that would occur as a result of the proposed residential development. In light of the whole record, there is no substantial evidence that the Project may significantly affect the environment if mitigation measures are implemented pursuant to Mitigated Negative Declaration ("MND") No. 2379, which has been prepared for this Project.
2. The City has complied with CEQA.
3. Determinations of the City Council reflect the independent judgment of the City.

Section 3. Based upon the foregoing and all oral and written statements and reports presented by City staff and members of the public, including, but not limited to, all such statements and reports (including all attachments and exhibits) presented at its public hearing on May 14, 2024, the City Council finds, with respect to Development Plan Review (DPR) 21-00014, that

1. The location, size, design, density, and intensity of the proposed development and improvements are consistent with the City's General Plan, the R-6,000 Zone Designation, and the development policies and standards of the City.

The R-6,000 Zone and General Plan Designation provides duplexes, townhomes, and single-family detached residential development at a density of 4-7 dwelling units per acre. The Project, as designed, proposes 4.56 dwelling units per acre, which supports the age-restricted (55 years of age and older) single-family detached development by allowing smaller lots than normally associated with a typical R-6,000 subdivision. The proposed Project is consistent with the General Plan, the R-6,000 zone, and the existing land uses in the area, which is located in Planning Area 7 of the City's General Plan, which anticipates mostly single-family development within the R-4,000, R-6,000, R-10,000 and Rural Residential zones. The Project will also be constructed with the requested Planned Development Overlay Zone standards. Additionally, the Project is consistent with the City's Residential Design Guidelines Adopted on September 6, 2023, including consistency with Chapter 2 (General Design Guidelines), Chapter 3 (Single Family Design Guidelines), and Chapter 7 (Architectural Style Guidelines). The location, size, design, density, and intensity of the proposed development and improvements are consistent with the City's General Plan, the R-6,000 Zone, and provisions of the Perris Municipal Code.

2. The proposed Project site is physically suitable for the type of development proposed, including, but not limited to, parcel size, shape, access, and availability of utilities and services.

The proposed Project is physically suitable in terms of parcel size, shape, access, and availability of utilities and services. The site is located at the northeast corner of McPhearson Road and Mountain Road, which allows for adequate access and provides a logical connection to infrastructure to service the site. Utility services such as water and sewer are adjacent to the Project and are available to service the Project site.

3. The proposed Project 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 Project will not be detrimental to the public health, safety or welfare or injurious to property and improvements in the vicinity or to the City's general welfare in that the Project is designed in conformance with the General Plan and the City's Residential Design Guidelines. Therefore, the Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. These standards include setbacks, building height, parking, and landscape and will integrate into the existing fabric of residential development contemplated for the area.

4. The proposed project's architecture is consistent with the City of Perris Residential Design Guidelines and with community standards and protects the character of adjacent development.

The proposed architecture meets the City's design standards for single-family residential development, thereby protecting the character of the R-6,000 Zone; therefore, it is compatible with community standards and protects the character of adjacent development. Enhanced architecture, site design, and landscaping have been provided for the Project. The Project proposes six (6) different floor plans with three (3) distinct architectural styles for each. The Project proposes using

high-quality materials for each product type, including stucco finishes, stacked stone and board and batten siding. The Project clubhouse is designed to complement the area's rich agricultural history and includes stacked stone and board and batten siding as well as a high-pitched roof and rolling barn door. The proposed color palette and materials provide a variety and interest using color tones ranging from light tones to dark accents to help accentuate the proposed residential buildings.

5. *The proposed Project's landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.*

The proposed Project includes 21% landscape coverage including front-yard landscaping, Recreation Area landscaping, exterior treatments along both roadways, entrance landscaping, and plant materials providing a mix of native and drought-tolerant trees, shrubs, ground cover, and annual color throughout the site to ensure visual relief and effectively frame, soften, and embellish access points, building entries, parking areas amenities, and open spaces. All trees proposed for the development include 36"-box-sized street trees, 48"-box-sized entrance trees, 36"-box-sized front yard street trees, and 20"-boxed-sized trees in slope areas.

6. *The safeguards necessary to protect public health, safety, and general welfare have been required for the proposed Project.*

The proposed Project provides the safeguards necessary to protect the public health, safety, and general welfare through the Conditions of Approval, which are attached hereto and incorporated herein by this reference as Attachment 1, and mitigation measures found in Mitigated Negative Declaration No. 2379, which are incorporated herein by this reference, which will ensure that the Project is developed in compliance with City and affected service agency codes and policies and mitigates potential impacts to the environment.

Section 4. Tentative Tract Map 21-05037 (TTM 37904) complies with the Subdivision Map Act. The design of subdivision TTM 37904 complies 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. The proposed Project subdivision is consistent with the standards outlined for the R-6,000 zoning with the Planned Development Overlay (PDO) Zone and all applicable provisions of the City's Subdivision and Zoning Codes Title 18 & 19). Therefore, TTM 37904 complies with the Subdivision Map Act.

1. *Tentative Tract Map is consistent with the General Plan underlying land use designation of R-6,000, and all other applicable Specific Plan and General Plan policies; and*

The design and improvements required for TTM 37904 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, with the Planned Development Overlay (PDO) standards applied. The lots created by TTM 37904 will provide an adequate building site, appropriate vehicular access, and recreational opportunities at a density compatible with surrounding residential uses. Further, necessary water and sewer services are available to serve the site, and the development is required through conditions and approval and mitigation measures to pay its fair share and construct transportation, drainage, and other

improvements to serve the site. Therefore, the Project is consistent with the City's General Plan and Zoning Ordinance.

2. The site is suitable for the type of development:

The project, as designed and through the application of the conditions of approval, the proposed subdivision, TTM 37904, the site is suitable for the type of development. Also, the proposed subdivision is compatible with nearby residential neighborhoods with respect to density, zoning, and product type. Therefore, the proposed subdivision is compatible with surrounding land uses and zoning designations.

3. The site is physically suitable for the proposed density of development:

The site for TTM 37904 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 with the allowances in the PD Overlay zone in terms of size, shape, width, and depth and can readily accommodate future residential development. All future development must undergo additional administrative review to ensure it meets all City code requirements for architecture, grading, and plotting. As such, the Project site is physically suitable for the proposed density of development.

4. 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:

The design of the subdivision or any 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.

5. The proposed Project will not result in a significant adverse effect on the environment:

Proposed TTM 37904 will not significantly adversely affect the environment. 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. Because the surrounding area has been transitioning to an urban environment, potential adverse effects on the environment were found to be less than significant by applying conditions of approval, mitigation measures, and design modifications.

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 requirement for on and off-site impacts, fair share payments, and participation in the City's impact fee programs. Furthermore, applying 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.

6. *The proposed Project will not have a negative effect on the public's health, safety, or general welfare:*

Proposed TTM 37904 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 must pay its fair share towards or construct improvements to comply with all applicable City ordinances, codes, and standards intended to protect public safety, health, and welfare. Adequate services are available and near serve the subdivision, and no hazardous situations are created through the subdivision. As such, TTM 37904 will not have a negative effect on public health, safety, or the general welfare of the City of Perris residents.

7. *The Project is in compliance with the Subdivision Map:*

The design of TTM 37904 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. The proposed subdivision is consistent with the standards outlined for R-6,000 zoning district with the allowances of the PD Overlay zone and all applicable provisions of the City's Subdivision and Zoning Codes Title 18 & 19). Therefore, TTM 37904 is in compliance with the Subdivision Map Act.

Section 5. Based upon the preceding and all oral and written statements and reports presented by City staff and members of the public, including, but not limited to, all such statements and reports (including all attachments and exhibits) presented at its public hearing on May 14, 2024, the City Council hereby adopts Mitigated Negative Declaration No. 2379 and Mitigation Monitoring and Reporting Program.

Section 6. Based upon the Mitigated Negative Declaration No. 2379, and Mitigation Monitoring and Reporting Program, and all oral and written communication submitted by members of the public and City staff presented at its public hearing on May 14, 2024, the City Council hereby approves Development Plan Review 21-00002 and Tentative Tract Map 21-05037 (TTM 37904), subject to the Conditions of Approval and Mitigation Monitoring Program attached to this Resolution as Attachments 1 and 2 and incorporated herein by this reference.

Section 7. 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 8. The Mayor shall sign this Resolution, and the City Clerk shall certify the adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 14th day of May 2024.

Mayor, Michael M. Vargas

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 6407 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 14th day of May, 2024 by the following called a vote:

AYES: CORONA, RABB, ROGERS, NAVA, VARGAS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

City Clerk, Nancy Salazar

Attachment: Conditions of Approval (Planning, Engineering, Fire, Public Works, Community Services, Building and Safety)
Mitigated Negative Declaration No. 2379 and Mitigation and Monitoring Reporting Program
Due to the size of the documents the attachments are on file in the Development Services Department