

RESOLUTION NUMBER 6408

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING STREET VACATION 23-05292 FOR A SUMMARY VACATION, PURSUANT TO STREETS & HIGHWAYS CODE SECTION 8330 ET SEQ., OF A 0.40-ACRE SEGMENT OF EAST FRONTAGE ROAD ALONG PLACENTIA AVENUE ON THE EAST SIDE OF THE OF THE I-215 FREEWAY AND PLACENTIA INTERCHANGE, IN ASSOCIATION WITH THE I-215 FREEWAY/PLACENTIA INTERCHANGE PROJECT, SUBJECT TO THE FINDINGS AND CONDITIONS NOTED HEREIN.

WHEREAS, on November 9, 2023, the applicant, Riverside County Transportation Commission (RCTC), submitted and initiated a Summary Street Vacation by submitting an application (Street Vacation 23-05292) to summarily vacate an 0.40-acre segment of East Frontage Road along Placentia Avenue on the east side of the I-215 Freeway/Placentia interchange, in association with the I-215 Placentia interchange project, which is more particularly described in Exhibit “A” and depicted in Exhibit “B” (hereinafter “Subject Property”); and

WHEREAS, the Subject Property is excess right-of-way and is not required for street or highway purposes; and

WHEREAS, neither the adjoining properties nor public service easements will be affected by the vacation of the Property; and

WHEREAS, California Streets and Highway Code Section 8330 *et seq.* permits the City Council to summarily vacate a street or highway that has been superseded by relocation, provided that the vacation would not cut off all access to a person’s property which, prior to relocation, adjoins the street or highway, and does not terminate a public service easement; and

WHEREAS, the summary vacation of the Subject Property is exempt from the California Environmental Quality Act (“CEQA”) under CEQA Regulations Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the vacation can have an impact on the environment; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris, as follows:

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

Section 2. Based upon the forgoing and all written and oral information presented by members of the public and City staff (including agenda reports and attachments submitted by City staff), the City Council finds and determines that the summary vacation of the Subject Property is exempt from CEQA under Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the vacation can have an impact on the environment. Further, the City Council finds and determines that the City has complied with the California Environmental Quality Act and that City Council determinations reflect the independent judgment of the City Council.

Section 3. Based upon the forgoing and all written and oral information presented by members of the public and City staff (including agenda reports and attachments submitted by City staff), with respect to the summary vacation of the Subject Property pursuant to Streets & Highways Code Section 8330, the City Council hereby finds the following:

1. *The Subject Property is a street or highway that has been superseded by relocation.*

The portion of East Frontage Road has been relocated east of the old alignment. The original street has been removed, including utilities.

2. *The summary vacation of the Subject Property does not cut off all access to a person's property which, prior to relocation, adjoins the street or highway.*

The vacation fronts two properties that will not be landlocked. The realignment also provides parcels with frontage to the new street alignment.

3. *The summary vacation of the Subject Property does not terminate a public service easement.*

The summary vacation of the subject property will not terminate a public service easement.

4. *The summary vacation of the Subject Property will not affect the health, safety, and welfare of the residents of the City.*

The summary vacation will not affect the health, safety, and welfare of the residents of the City since no construction with this vacation is proposed.

5. *The summary vacation of the Subject Property is consistent with the existing land uses and zoning designations in the area.*

The summary vacation of the property will not affect the existing land uses and zoning designation of the area, and is consistent with the

existing surrounding land uses since the area is within the right-of-way.

6. *The summary vacation of the Subject Property is consistent with city standards, ordinances, and policies.*

The summary vacation is consistent with the City standards, ordinances, and policy.

7. *The summary vacation of the Subject Property is safe, functional, and environmentally sensitive to surrounding properties.*

The summary vacation of the property is safe, functional, and environmentally sensitive since it will accommodate the future I-215/Placentia interchange project and mid-county parkway.

Section 4. Based upon the forgoing and all written and oral information presented by members of the public and City staff (including agenda reports and attachments submitted by City staff), with respect to the summary vacation of the Subject Property pursuant to Government Code section 65402(a), the City Council hereby finds the following:

1. *No real property is being acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned. The City Council's vacation of the Subject Property is in conformance with the General Plan.*

The vacation of the Subject Property conforms to the City of Perris General Plan Circulation Element, as it is consistent among all planning documents and will not result in any impacts to the service provided by public utilities nor the City's transportation network. Further, no real property is being acquired for dedication or otherwise for street square, park or other public purposes.

2. *No public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto for this vacation.*

The street vacation does not include any building or structure. The vacation of the Subject Property conforms to the City of Perris Circulation Element.

Section 5. Based upon the forgoing and all written and oral information presented by members of the public and City staff (including agenda reports and attachments submitted by City staff), the City Council does hereby vacate and abandon all of the City's right, title, and interest in the Subject Property, as the Subject Property is described and depicted on Exhibits "A" and "B," pursuant to Streets & Highways Code

Section 8330 and Government Code Section 65402(a).

Section 6. The City Council hereby directs that a Notice of Exemption be filed with the County Clerk pursuant to Section 15062 of the CEQA Regulations.

Section 7. The City Council hereby further directs the City Clerk to cause a certified copy of this Resolution of vacation, attested by the City Clerk under the seal of the City, to be recorded in the Office of the County Recorder of Riverside County. Pursuant to Streets & Highways Code Section 8335(b)(4), from and after the date this Resolution is recorded, the Subject Property no longer constitutes a street.

Section 8. All actions heretofore taken by the officers of the City with respect to such street vacations are hereby approved, confirmed, and ratified, and the Mayor and City staff are hereby authorized and directed to take any and all actions which they or the City Attorney may deem necessary or advisable in order to effectuate the purpose and intent of this Resolution (including, without limitation, confirmation of satisfaction of any of the conditions to the effectiveness of the street vacation).

Section 9. 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 10. The Mayor shall sign this Resolution, and the City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 28th day of May 2024.

Mayor, Michael Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, Nancy Salazar, duly elected CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 6408 was duly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 28th day of May 2024, by the following vote:

AYES: RABB, ROGERS, NAVA, CORONA, VARGAS

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Nancy Salazar, City Clerk

Exhibits:

A. Legal Description

B. Plot Plan - Street Vacation Exhibit