

ORDINANCE NUMBER 1278

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE 07-0117 TO CHANGE THE ZONING DESIGNATION OF THE PROJECT SITE FROM A-1 LIGHT AGRICULTURAL (INTERIM DESIGNATION) TO LIGHT INDUSTRIAL FOR THE RADOS DISTRIBUTION CENTER PROJECT AT THE NORTHEAST CORNER OF WEBSTER AVENUE AND RIDER STREET.

WHEREAS, the City Council of the City of Perris has adopted an official Zoning Ordinance and corresponding Zoning Map; and

WHEREAS, the Zoning Ordinance and corresponding Zoning Map apply zoning districts to the incorporated area of the City and unincorporated territories bearing a relationship to the City; and

WHEREAS, The Rados Companies filed a Zone Change application (07-0117) in anticipation of development of the approximately 61.63 acre site as a distribution warehouse facility; and

WHEREAS, said zoning is consistent with the General Plan designation of Light Industrial; and

WHEREAS, a Final Environmental Impact Report (“FEIR”) for the Project (State Clearinghouse #2008111080) has been prepared pursuant to CEQA and the State CEQA Guidelines, and incorporates the Draft EIR with changes and revisions thereto, written Responses to Comments made during the CEQA review period, and the Mitigation and Monitoring Program; and

WHEREAS, the City Council received a recommendation from the Planning Commission at the public hearing held September 15, 2010 to certify the Environmental Impact Report (“EIR”) prepared for the Project, adopt the EIR Findings and Findings of Fact and Statement of Overriding Considerations; and adopt the EIR Mitigation and Monitoring Program; and

WHEREAS, the City Council also received a recommendation from the Planning Commission at the public hearing held September 15, 2010 to approve Zone Change 07-0117, Agricultural Diminishment 07-0118 and Development Agreement 07-0119 for the Project; 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, the City Council of the City of Perris, after due notice, held a public hearing on October 12, 2010 and July 12, 2011 for the purpose of certifying the Final EIR and accompanying attachments for the proposed project; and

WHEREAS, the City Council of the City of Perris, at the October 12, 2010 and July 12, 2011 public hearings also reviewed Agricultural Diminishment 07-0118 and Development Plan Review 07-0119 for the proposed project, and considered testimony and materials in the project report and accompanying documents and exhibits; and

WHEREAS, all legal prerequisites for the adoption of this Ordinance have occurred;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS DOES ORDAIN AS FOLLOWS:

Section 1. The above recitals are true and correct

Section 2. The City Council has reviewed and considered the environmental documentation and information included in the staff report prior to action on the application for the Zone Change and finds and determines that the proposed use of the Site, based on the Findings of Fact, the Statement of Overriding Considerations, and the requirements of the Mitigation Monitoring Program fully address the potential environmental impacts, and that the Declarations reflect the independent judgment of the City.

THE CITY COUNCIL HEREBY FINDS AND DETERMINES THAT:

- A. The project EIR identifies potential air quality and noise impacts as significant environmental impacts for which mitigation measures are not available to reduce the impacts below levels of significance, and therefore a Statement of Overriding Considerations shall be adopted. All other potential environmental impacts are identified as either not an impact, a less than significant impact, or a less than significant impact with mitigation. For impacts categorized as significant, and less than significant with mitigation, a Mitigation Monitoring and Reporting Program (MMRP) shall be adopted to reduce or avoid significant effects on the environment.
- B. The proposed project is consistent with the General Plan Land Use Map (as amended) and applicable General Plan objectives, policies and programs.
- C. The proposed Zone Change is compatible with adjacent land uses and is a logical extension of the neighboring Light Industrial zoning.

Section 3. The City Council hereby amends the Zoning Map by removing the subject site from the site from A-1 Light Agricultural (Interim Designation) to Light Industrial (LI) zoning designation:

In the City of Perris, County of Riverside, State of California, the parcels known as Assessor's Parcel Numbers 303-050-002 and 303-050-003.

Section 4. The Mayor of the City of Perris shall sign and the City Clerk shall certify passage and adoption of the Ordinance, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect thirty (30) days after its final passage.

ADOPTED, SIGNED, and APPROVED this 12th day of July 2011.

Daryl R. Busch, Mayor

ATTEST:

Judy L. Haughney, C.M.C., City Clerk

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

I Judy Haughney, duly elected City Clerk of the City of Perris, do hereby certify that the foregoing Ordinance Number 1278 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 12th day of July 2011, by the following vote:

Ayes: EVANS, LANDERS, YARBROUGH, ROGERS, BUSCH
Noes: NONE
Absent: NONE
Abstain: NONE

Judy L. Haughney, C.M.C., City Clerk