

RESOLUTION NUMBER 4212

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH #2006011029) FOR HARVEST LANDING SPECIFIC PLAN BASED ON THE FINDINGS OF FACTS AND STATEMENT OF OVERRIDING CONSIDERATIONS.

WHEREAS, an Initial Study (“IS”) for the Harvest Landing Specific Plan (“Project”) was completed in January 2005 and concluded that a “Program EIR” should be prepared; and

WHEREAS, a Notice of Preparation (NOP) was released for a 30-day public review period from January 14 to February 14, 2006 and a public scoping meeting was held on January 18, 2006; and

WHEREAS, a Draft Environmental Impact Report (“DEIR”), attached hereto as Exhibit “A” and by this reference incorporated herein, for the Project (State Clearinghouse #2006011029) was prepared and circulated on February 1, 2008 for a 45-day public review period pursuant to the California Environmental Quality Act (“CEQA”), Public Resources Code Section 21000 *et seq.*, and the State CEQA Guidelines, 14 California Code of Regulations, Section 15000, *et. seq.*; and

WHEREAS, notice was provided to the public, government agencies and all other interested parties that they may submit written comments on the NOP and Draft EIR to the City; and

WHEREAS, a Final Environmental Impact Report (“FEIR”), attached hereto as Exhibit “B” and by this reference incorporated herein, for the Project has been prepared in accordance with CEQA as amended (Public Resources Code Section 21000 *et seq.*) and CEQA Guidelines (California Administrative Code Section 15000 *et. seq.*) and incorporates the DEIR with changes and revisions thereto, comments and recommendation received on the DEIR, a list of persons, organizations and public agencies comments on the DEIR, and the written responses to comments; and

WHEREAS, pursuant to Sections 15091 and 15093 of the CEQA Guidelines and Section 21081 of the Public Resources Code, written findings concerning each alternative and each significant environmental impact identified in the DEIR and FEIR have been made and published in the Findings of Fact and Statement of Overriding Considerations for Harvest Landing, attached hereto as Exhibit “C” and by this reference incorporated herein,; and

WHEREAS, a Mitigation and Monitoring Program, attached hereto as Exhibit “D” and by this reference incorporated herein, has been prepared in conformance with Section 21081.6 of the Public Resources Code and includes measures set forth in the FEIR.

WHEREAS, at a regularly scheduled Planning Commission hearing on April 1, 2009, the Planning Commission recommended that the City Council certify the Final EIR and accompanying attachments; and

WHEREAS, the City Council has reviewed the Final EIR and accompanying attachments; and

WHEREAS, an Initial Study, DEIR, and FEIR have been prepared, advertised, and circulated pursuant to the California Environmental Quality Act; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS does resolve as follows:

Section 1. The above recitals are all true and correct.

Section 2. The City Council has reviewed and considered the environmental documentation and information included in the staff report prior to certifying the FEIR in Exhibit “B” hereto, and finds and determines that the FEIR, based on the Findings of Fact and the Statement of Overriding Considerations in Exhibit “C” hereto and the requirements of the Mitigation Monitoring Program in Exhibit “D” hereto, fully address the potential environmental impacts, and that the declarations reflect the independent judgment of the City Council.

Section 3. The City Council hereby certifies the FEIR including the “Findings of Facts and Statement of Overriding Considerations”, and the “Mitigation Monitoring Program” for the Project incorporated in this Resolution by reference, based on the information and findings presented in the staff report, supporting exhibits and attachments, and the following:

1. The FEIR for the Project has been prepared in compliance with CEQA and the State CEQA Guidelines;
2. The information contained in the FEIR for the Project provides an adequate assessment of the potentially significant impacts incurred by the Project;
3. The Findings required by CEQA Guidelines Section 15091 for each potentially significant impact are made in the document titled “Findings of Fact and Statement of Overriding Consideration for Harvest Landing Specific Plan Environmental Impact Report”, and the rationale and substantial evidence supporting the findings are contained in the FEIR, Administrative Record, and Statement of Overriding Considerations, each of which are incorporated into Findings of Fact and Statement of Overriding Consideration for Harvest Landing Specific Plan Environmental Impact Report; and
4. To the extent feasible, the Mitigation Monitoring Program will result in the elimination of significant environmental impacts.

Section 4. 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 5. 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 April, 2009.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

Attachments: **Exhibit A** – Harvest Landing Specific Plan Draft Environmental Impact Report (SCH#2006011029), January 2008

Exhibit B - Final Environmental Impact Report for Harvest Landing Specific Plan (SCH#2006011029), December 2008

Exhibit C - Findings of Fact and Statement of Overriding Considerations for Harvest Landing Specific Plan Environmental Impact Report (SCH#2006011029), December 2008

Exhibit D - Mitigation Monitoring Program for Harvest Landing Specific Plan (SCH#2006011029), December 2008

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

I, Judy L. Haughney, City Clerk of the City of Perris, do hereby certify that the foregoing Resolution Number 4212 was duly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 28th day of April 2009, by the following vote:

AYES:	COUNCILMEMBERS:	Rogers, Yarbrough, Landers, Evans, Busch
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

City Clerk, Judy L. Haughney