

RESOLUTION NUMBER 4106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING MITIGATED NEGATIVE DECLARATION (2265) AND TENTATIVE TRACT MAP (TTM) 33900 TO ALLOW THE SUBDIVISION OF A 116 ACRE SITE INTO 198 SINGLE-FAMILY RESIDENTIAL LOTS, LOCATED NORTH AND WEST OF THE SAN JACINTO RIVER, EAST OF MCPHERSON ROAD, AND SOUTH OF ETHANAC ROAD; AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, Tentative Tract Map (TTM) 33900 was filed by the applicant to allow the subdivision and development of the 116-acre site for 198 single family lots; and

WHEREAS, the proposed Tentative Tract Map (TTM) 33900 is consistent with the permitted land uses and applicable zoning regulations of the R-6000 zone in which the site is located; and

WHEREAS, an initial study has been prepared for Tentative Tract Map (TTM) 33900 and based upon the environmental information staff finds that the project could not have significant effects on the environment because mitigation measures applied to the project have been agreed to by the project proponent, therefore a Mitigated Negative Declaration (2265) has been prepared; and

WHEREAS, on March 19, 2008, the Planning Commission conducted a duly noticed public hearing on the proposed project, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project, subject to the following amendments to the Engineering Conditions:

Engineering Conditions:

- ◆ Condition 9: Parkway sidewalk where the right-of-way is greater than 66-feet
- ◆ Condition 14: Language to clarify where secondary access would be provided.

WHEREAS, on April 29, 2008 the City Council conducted a duly noticed public hearing on the proposed project, considered testimony and materials in the staff reports, accompanying documents and exhibits; and,

WHEREAS, the City Council considered and approved the Initial Study and Mitigated Negative Declaration (2265) for the project, finding that these documents adequately addressed the impacts of the proposed project, were prepared in accordance with the California Environmental Quality Act, and reflects the independent judgment of the City Council; and,

WHEREAS, all legal prerequisites for the adoption of this resolution have occurred.

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.

Section 2. The City Council has reviewed and considered the environmental documentation for the project prior to taking action on the applications. Based on the analysis contained in the Initial Study and the accompanying environmental information, the City Council finds that:

- A. There is no substantial evidence of potentially significant environmental impacts, subject to mitigation, and a Mitigated Negative Declaration (2265) has been prepared.
- B. The City has complied with the California Environmental Quality Act (CEQA).
- C. Determinations of the City Council reflect the independent judgment of the City.

Section 3. Based on the information contained within the Project Report and the accompanying attachments and exhibits, the City Council hereby finds that:

- A. The proposed project is consistent with General Plan objectives, policies and programs.
- B. The proposed project will not adversely affect the public health, safety and welfare.
- C. The proposed project will not adversely affect the environment.

Section 4. The City Council hereby adopts Negative Declaration (2265), and approves Tentative Tract Map (TTM) 33900 based on the information and findings presented in the staff report dated March 19, 2008.

Section 5. 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 6. The Mayor shall sign this resolution and the City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 29th day of April 2008.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

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

I Judy L. Haughney, duly elected CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 4106 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 29th day of April 2008, by the following vote:

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

Judy L. Haughney, City Clerk