

RESOLUTION NUMBER 3934

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 34365 (06-0029) TO SUBDIVIDE A .24-ACRE PARCEL WITH EXISTING DEVELOPMENT INTO TWO LOTS IN THE MFR-14 ZONE, AND A VARIANCE (06-0030) FOR REDUCED LOT SIZE, LOT WIDTH AND SIDE YARD SETBACKS FOR BOTH LOTS LOCATED APPROXIMATELY 100 FEET NORTH OF THE NORTHWEST CORNER OF CITRUS AND REDLANDS AVENUES, AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, on January 30, 2006, the applicant applied for a Tentative Parcel Map and Variance to subdivide the property; and

WHEREAS, the project is categorically exempt under the California Environmental Quality Act (CEQA) as a Class 32 Categorical Exemption for projects which are determined to be infill development, consistent with the General Plan and Zoning; and

WHEREAS, on February 21, 2007, the Planning Commission conducted duly noticed public hearings on the proposed project, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project to the City Council; and

WHEREAS, Tentative Parcel Map 34365 has been duly noticed; 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, California, as follows:

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

Section 2. The City Council has reviewed and considered the environmental information included in the staff report and accompanying attachments prior to taking action on the application for the proposed project and finds that the project could not have a significant effect on the environment. Therefore, the project is categorically exempt from CEQA under Class 32, infill development consistent with the General Plan and Zoning. The City Council further finds that the City has complied with the California Environmental Quality Act, and that the Council's determination reflects 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:

Tentative Parcel Map 34365

- A. The proposed project will not result in significant adverse environmental effects.
- B. The proposed project is consistent with the goals and policies of the Land Use Element of the General Plan in that the project design is consistent with the neighboring single-family lots.
- C. The proposed project and design, as conditioned, is in compliance with the applicable zoning ordinances and Subdivision Map Act.
- D. The proposed project and design, as conditioned, is consistent with city standards, ordinances and policies in that it is consistent with the neighboring tracts, and that the variance for lot depth is within the city's governing code because of unique physical limitations surrounding the property.
- E. The proposed project is compatible with the existing dominant land uses and zoning designations in the area, whereas the adjoining land uses are currently designated MFR-14 in all directions and whereas the product type in all directions are detached single-family homes.
- F. The project will not affect health, safety and welfare.

Variance 06-0030

- A. There are unique physical circumstances applicable to the subject land due to existing R-14 developed land surrounding the project site. The parcels adjacent to the project site are similarly proportioned to the proposed lots, with similar lot widths and side yard setbacks; thus the proposed subdivision will be consistent with the existing surrounding development.
- B. The granting of the variance and any appropriate conditions of approval do not constitute a grant of special privileges which other properties in the vicinity do not enjoy under identical zoning standards.

- C. The granting of the variance will not adversely affect the objectives, policies and programs of the City's General Plan in that the General Plan identifies single-family homes as an appropriate product in the MFR-14 Zone, and the variance has, in fact, been required to cause the lots to meet the more restrictive development standard of the R-6,000 Zone as stated in the objectives, policies and programs of the City's General Plan..

Section 4. The City Council hereby approves Tentative Parcel Map 34365 (06-0029) and Variance 06-0030, based on the information and findings presented in the staff report, and subject to the attached Conditions of Approval.

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 the adoption of this Resolution.

Attachment: Conditions of Approval

ADOPTED, SIGNED, and APPROVED this 13th day of March, 2007.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

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

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3934 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 13th day of March, 2007, and that it was so adopted by the following called vote:

AYES: Yarbrough, Landers, Motte, Rogers, Busch
NOES:
ABSTAIN:
ABSENT:

City Clerk, Judy L. Haughney

**CITY OF PERRIS
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

CONDITIONS OF APPROVAL

Variance 06-0030

Tentative Tract Map 34365 (06-0029)

March 13, 2007

PROJECT: Proposal to subdivide one (1) .24 acre lot with two existing single family residences in the MFR-14 Zone into two (2) lots for separate ownership. A variance is required to address differences between existing and future development standards for the MFR-14 Zone as stated in General Plan. The current property address is 2032 Redlands Avenue (APN 306-461-051)

1. **City Codes.** The project shall comply with all applicable provisions of Municipal Code Titles 18 and 19.
2. **Tentative Map Approval Period.** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the approval date unless an extension is granted. The applicant may apply for a maximum of five (5) one-year extensions to permit additional time to record the final map. A written request for extension shall be submitted to the Planning Division of the Development Services Department at least thirty (30) days prior to the expiration of Tentative Map approval.
3. **Final Map Submittal.** A final map application shall be submitted to the Planning Division with payment of appropriate fees for review and approval concurrently with application to the City Engineer.
4. **Conformance to Approved Plans.** Development of the premises, building elevations, colors and materials shall conform substantially to the approved set of plans dated January 30, 2006, or as amended by these conditions. Any deviation shall require the appropriate Planning Division review and approval.
5. **Subsequent Review.** No expansion of the site or the use shall occur without subsequent reviews and approvals from the Planning Division.
6. **Setback Requirements.** No structure shall encroach into the required rear, side or front yard setbacks of any and all lots, unless amended by these conditions.
7. **Building Official/Fire Marshal.** The proposed project shall adhere to any requirements of the Building Official/Fire Marshal, including obtaining a second address for Parcel 2.
10. **Prior to City Council Approval of the Final Map,** verification shall be obtained from the Planning Division that all pertinent conditions of approval have been met.

-
11. **Indemnification/Hold Harmless.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City. City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.

3/13/07
APPROVAL DATE


PROJECT PLANNER

