

RESOLUTION NUMBER 3942

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING MITIGATED NEGATIVE DECLARATION 2240, AND GENERAL PLAN AMENDMENT GPA 06-0145 TO CHANGE THE LAND USE DESIGNATION FROM COMMUNITY COMMERCIAL (CC) TO MULTI-FAMILY RESIDENTIAL (MFR 14) FOR 15 ACRES OF LAND GENERALLY LOCATED ON THE NORTHWEST CORNER OF PERRIS BOULEVARD AND GALLANT FOX STREET; AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, General Plan Amendment GPA 06-0145 and Zone Change ZC 06-0146 were filed by the applicant to change the land use designation of the site from Community Commercial CC to Residential MFR 14, and the zoning designation of the site from CC to MFR 14, for the project located on the northwest corner of Perris Boulevard and Gallant Fox Street, and east of Barrett Avenue, south of Placentia Avenue, west of Perris Boulevard and north of Orange Avenue; and

WHEREAS, the City Council of the City of Perris adopted a General Plan to guide development throughout the City and a Zoning Ordinance to implement the vision set forth in the General Plan; and

WHEREAS, California State law limits amendments to any of the mandated General Plan Elements to four times a year; howsoever, a number of changes may be made at one time; and

WHEREAS, this amendment, coupled with other proposals considered on this date, constitutes the second time in 2007 that the City of Perris has amended the Land Use Element of the General Plan; and

WHEREAS, on March 7, 2007, 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; and

WHEREAS, on March 27, 2007, 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 (2240) 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 reflected the independent judgment of the City; 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 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 (2240) 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 in the staff report and supporting exhibits and plans, this City Council finds:

- A. The General Plan Amendment is in the public interest.
By changing the land use designation of the site to MFR 14, the project would expand housing choices for existing and future Perris residents.
- B. The proposed General Plan Amendment is consistent with the General Plan objectives, policies, and programs.
The proposed project is consistent with Goal 1.0 of the General Plan Land Use Element to provide quality housing in attractive neighborhoods for households of all income levels and stages of life. The requirement for a subsequent Development Plan Review will ensure quality housing and an attractive neighborhood. The proposed project is, therefore, considered to be consistent with the General Plan.
- C. The proposed General Plan Amendment is compatible with, or provides adequate buffering of, adjoining uses.

A mitigation measure has been recommended which would require Review process that adequate screening is provided to visually obscure adjacent industrial and commercial uses from the project site. The Development Plan Review process also is the mechanism for ensuring that the proposed site plan, architecture, landscape and open space components are consistent with the intent of the PDO.

- D. The proposed General Plan Amendment is a logical extension of the existing land use pattern.

The proposed General Plan Amendment would be consistent with the General Plan land use designations directly east of the site, and with the policies of Planning Area 5, Central Core (PA 5), which provide for a mix of residential, commercial and business park land uses.

Section 4. The City Council hereby adopts Mitigated Negative Declaration (2240) and General Plan Amendment GPA 06-0145 based on the information and findings presented in the staff report.

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 27th 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 3942 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 27th day of March, 2007, and that it was so adopted by the following called vote:

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

City Clerk, Judy L. Haughney