

**RESOLUTION NUMBER 3943**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING MITIGATED NEGATIVE DECLARATION (2236); GENERAL PLAN AMENDMENT 06-0216 TO CHANGE THE LAND USE DESIGNATION OF 11 ACRES OF LAND AT THE NORTHWEST CORNER OF MARKHAM STREET AND REDLANDS AVENUE FROM BP (BUSINESS PARK) TO R-6,000; PLANNED DEVELOPMENT OVERLAY 06-0219 TO APPLY THE PLANNED DEVELOPMENT OVERLAY TO THE ENTIRE PROJECT SITE; TENTATIVE TRACT MAP 34716 (06-0218) TO SUBDIVIDE 41.75 ACRES INTO 318 SINGLE-FAMILY LOTS; AND DEVELOPMENT PLAN REVIEW 06-0220 TO APPROVE THE PLOTTING AND BUILDING ARCHITECTURE; AND, MAKING FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, on May 11, 2006, General Plan Amendment 06-0216, Zone Change 06-0217, Tentative Tract Map 34716 (06-0218), Planned Development Overlay 06-0219 and Development Plan Review 06-0220 were filed by the applicant; 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;

**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;

**WHEREAS**, on February 7, 2007, the City Council conducted a duly noticed public hearing on the proposed General Plan Amendment, Zone Change, Planned Development Overlay, Tentative Tract Map and Development Plan Review, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project to the City Council; and

**WHEREAS**, the City Council considered the Initial Study and Mitigated Negative Declaration (2236) 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 information included in the staff report and accompanying attachments prior to taking action on the application for the proposed project and finds that it could not have a significant impact on the environment as revisions in the project have been made and agreed to by the project proponent, and a Mitigation Monitoring Program has been established; therefore, a Mitigated Negative Declaration (2236) has been prepared; and

The City Council further finds and determines that the City has complied with the California Environmental Quality Act and the City Council's determinations reflect the independent judgment of the City Council.

**Section 3.** Based on the information contained within the Project Report and the accompanying attachments and exhibits for the General Plan Amendment, Development Plan Review and Tract Map, the City Council hereby finds:

*General Plan Amendment*

- A. The proposed General Plan Amendment is consistent with the General Plan objectives, policies, and programs.
- B. The proposed General Plan Amendment is compatible with, or provides adequate buffering of, adjoining uses.
- C. The proposed General Plan Amendment is a logical extension of the existing land use pattern.

*Development Plan Review*

- A. The location, size, design, density and intensity of the proposed development and improvements are consistent with the City's General Plan, any applicable Specific Plans, the purposes and provisions of this Title, the purposes of the Zone in which the site is located, and the development policies and standards of the City.
- B. The subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities and services, for the type of development proposed.

- C. The proposed development and the conditions under which it would be operated or maintained is compatible with abutting properties and will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- D. The architecture proposed is compatible with community standards and protects the character of adjacent development.
- E. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.
- F. The safeguards necessary to protect the public health, safety and general welfare have been required for the proposed project.

*Tentative Tract Map*

- A. Tentative Tract Map 34716 will not result in a significant adverse effect on the environment.
- B. As conditioned, the design of Tentative Tract Map 34716 is consistent with the General Plan (as amended) and the development standards of the "R-6,000-PD" zone.
- C. The project site is physically suitable for type and density of Tentative Tract Map 34716.
- D. As conditioned, Tentative Tract Map 34716 is consistent with City standards, ordinances, and policies.
- E. Tentative Tract Map 34716 is compatible with the surrounding land uses and zoning designations in the area.
- F. Tentative Tract Map 34716 will not have a negative effect on public health, safety, or general welfare.
- G. Tentative Tract Map 34716 is in compliance with the Subdivision Map Act.

**Section 4.** The City Council hereby adopts Mitigated Negative Declaration (2236), General Plan Amendment 06-0216, Tentative Tract Map 34716 (06-0218) and Development Plan Review 06-0220, based on the information and findings presented in the staff report dated February 7, 2007.

**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 adoption of this Resolution.

**ADOPTED, SIGNED and APPROVED** this 27<sup>th</sup> day of March, 2007.

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Mayor, Daryl R. Busch

ATTEST:

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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 3943 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 27<sup>th</sup> day of March, 2007, and that it was so adopted by the following called vote:

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

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City Clerk, Judy L. Haughney