

**RESOLUTION NUMBER 3952**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING NEGATIVE DECLARATION (2239) AND CONDITIONAL USE PERMIT 06-0470 FOR THE CONSTRUCTION OF 39,000 SQUARE FEET OF FURNITURE/RETAIL USES WITHIN AN EXISTING WAREHOUSE IN THE GENERAL INDUSTRIAL ZONE LOCATED ON THE SOUTH SIDE OF MALBERT STREET, JUST WEST OF GOETZ ROAD, AND MAKING FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, on November 10, 2006, the applicant applied for Conditional Use Permit 06-0470; 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**, the Planning Commission legally noticed public hearing was held on March 20, 2007, at which time all interested persons were given full opportunity to be heard and to present evidence;

**WHEREAS**, on April 10, 2007, the City Council conducted a duly noticed public hearing on the proposed project, considered testimony and material in the staff reports, accompanying documents and exhibits; and

**WHEREAS**, the City Council considered and approved the Initial Study and Negative Declaration (2239) 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;

**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, and a Negative Declaration (2239) 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 2239 and approves Conditional Use Permit 06-0470 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 to the passage and adoption of this Resolution.

***ADOPTED, SIGNED*** and ***APPROVED*** this 10<sup>th</sup> day of April, 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 3952 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 10<sup>th</sup> day of April, 2007, and that it was so adopted by the following called vote:

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

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City Clerk, Judy L. Haughney