

**RESOLUTION NUMBER 3257**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING MITIGATED NEGATIVE DECLARATION (2147); GENERAL PLAN AMENDMENT NO. 04-0083 TO CHANGE THE LAND USE DESIGNATION FROM RR/A RURAL RESIDENTIAL/AGRICULTURAL TO 27.78 ACRES OF R4 RESIDENTIAL AND 52.22 ACRES OF R7 RESIDENTIAL AT THE SOUTHWEST CORNER OF METZ ROAD AND WEBSTER AVENUE; AND, TENTATIVE TRACT MAP 31407 (04-0043) TO SUBDIVIDE THE ENTIRE 80 ACRE SITE INTO 243 RESIDENTIAL PARCELS, AND MAKING FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, on February 16, 2004, the applicant applied to amend the General Plan Land Use Element and subdivide the property; 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**, State Law limits amendments to the Land Use Element 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 2004 that the City has amended the Land Use Element of the General Plan; and,

**WHEREAS**, on June 16, 2004 the Planning Commission conducted a duly noticed public hearing on the proposed General Plan Amendment, Zone Change, and Tentative Tract Map, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project to the City Council; and,

**WHEREAS**, on July 13, 2004 the City Council conducted a duly noticed public hearing on the proposed General Plan Amendment, considered testimony and materials in the staff reports, accompanying documents and exhibits; and,

**WHEREAS**, the City Council considered the Initial Study and Mitigated Negative Declaration (2147) 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, 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 (2147) 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. General Plan Amendment 04-0083.
  1. All potentially significant environmental impacts can be mitigated to less than significant levels and a Mitigated Negative Declaration (2147) has been prepared, the City has complied with the California Environmental Quality Act (CEQA), determinations of the City Council reflect the independent judgment of the City.
  2. The proposed project is consistent with General Plan objectives, policies and programs.
  3. The proposed project will not adversely affect the public health, safety and welfare.
- B. Tentative Tract Map 31407 (04-0043)
  1. The proposed Tentative Tract Map will not result in a significant adverse effect on the environment.
  2. A conditioned, the design of the Tract is consistent with the General Plan and the Zoning Ordinance standards for the R4 and R-7 zones and compatible with the surrounding land uses and zoning designations in the area.

3. The project site is physically suitable for type and density of the proposed residential development.
4. The proposed Tentative Tract Map will not have a negative affect on public health, safety, or general welfare.
5. Tentative Tract Map 31407 is in compliance with the Subdivision Map Act.

**Section 4.** The City Council hereby approves Mitigated Negative Declaration (2147), General Plan Amendment (GPA 04-0083), and Tentative Tract Map 31407 (04-0043), containing 243 residential lots, based on the information and findings presented in the staff report, and subject to the attached conditions of approval, dated July 13, 2004.

**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 13<sup>th</sup> day of July, 2004.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Margaret Rey

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

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, do hereby certify that the foregoing Resolution Number 3257 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 13<sup>th</sup> day of July 2004, and that it was so adopted by the following called vote:

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

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City Clerk, Margaret Rey