

**RESOLUTION NUMBER 3262**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING NEGATIVE DECLARATION 2150; AND GENERAL PLAN AMENDMENT 04-0147 TO CHANGE THE LAND USE DESIGNATION OF A 250 FOOT WIDE STRIP OF OPEN SPACE ALONG THE WEST SIDE OF GOETZ ROAD TO R7 RESIDENTIAL TO FACILITATE A FUTURE RESIDENTIAL TRACT DEVELOPMENT, AND MAKING FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, on March 15, 2004, the applicant applied to amend the General Plan Land Use Element to facilitate a future residential tract development; 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, and 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 Negative Declaration (2150) for the project, finding that these documents adequately addressed the impacts of the proposed project, in accordance with the California Environmental Quality Act, and reflect 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 environment information, the City Council finds that:

- A. There is no substantial evidence of potentially significant environmental impacts, and a Negative Declaration (2150) 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 the goals and policies of the Land Use Element of the General Plan, whereas the proposed change in land use designation is compatible with the surrounding area (Goal 1) and adjoining land uses to develop a community identity (Goal 3).
- B. The proposed project is compatible with the existing dominant land uses in the project area and in the surrounding properties, whereas the adjoining land uses are currently designated R7 to the south and west, and Specific Plan residential to the east.
- C. The proposed project is a logical extension of the existing zoning pattern, whereas the abutting property to the south is designated residential.

**Section 4.** The City Council hereby approves Negative Declaration 2150 and General Plan Amendment 04-0147 to facilitate the development of a future residential development, based on the information and findings presented in the staff report, and subject to the attached conditions of approval (Exhibit A).

**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 3262 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, by the following vote:

AYES:            Yarbrough, Rogers, Busch

NOES:

ABSENT:

ABSTAIN:       Landers, Motte

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City Clerk, Margaret Rey