

**RESOLUTION NUMBER 3338**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING NEGATIVE DECLARATION 2162; AND APPROVING GENERAL PLAN AMENDMENT 04-0283 FROM 23.17 ACRES OF RR/A RURAL RESIDENTIAL/AGRICULTURAL TO 8.31 ACRES OF R4 RESIDENTIAL AND 14.86 ACRES OF R7 RESIDENTIAL, AND TENTATIVE TRACT MAP 32428 (04-0285) TO SUBDIVIDE THE 23.17-ACRE SITE INTO 75 SINGLE FAMILY RESIDENTIAL LOTS FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF ORANGE AVENUE AND MURRIETA ROAD, AND MAKING FINDINGS IN SUPPORT THERETO**

**WHEREAS**, the applicant has applied to amend the City's General Plan Land Use Element and Tentative Tract Map to subdivide 23.17 acres into single family residential lots; 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 (4) times a year; 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 October 6, 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 November 30, 2004 the City Council conducted a duly noticed public hearing on the proposed General Plan Amendment and Tentative Tract Map, considered testimony and materials in the staff reports, accompanying documents and exhibits; and,

**WHEREAS**, the City Council considered the Initial Study and Negative Declaration 2162 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 and a Negative Declaration (2161) 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. Airport Land Use Commission (ALUC)
  - 1. The proposed project promotes the overall goals and objectives of the California airport noise standards and prevents the creation of new noise and safety problems.
  - 2. The proposed project protects the public health, safety, and welfare by minimizing the public's exposure to excessive noise and safety hazards in areas around public airports.
- B. General Plan Amendment
  - 1. The proposed general plan land use designation is consistent with the applicable General Plan objectives, policies, and programs.

2. The proposed general plan land use designation is compatible with adjoining uses.
3. The proposed general plan land use designation is a logical extension of the existing pattern.

C. Tentative Tract Map

1. The proposed Tentative Tract Map will not result in a significant adverse effect on the environment.
2. As conditioned, the design of the proposed Tentative Tract Map is consistent with the General Plan and the development standards of the R4 Residential and R7 Residential zones.
3. The project site is physically suitable for type and density of the proposed residential development.
4. As conditioned, the proposed Tentative Tract Map is consistent with City standards, ordinances, and policies.
5. The project is a subdivision for future residential development that is compatible with the surrounding land uses and zoning designations in the area.
6. The proposed Tentative Tract Map will not have a negative effect on public health, safety, or general welfare.
7. The proposed Tentative Tract Map is in compliance with the Subdivision Map Act.

**Section 4.** The City Council hereby adopts Negative Declaration 2162 and approves General Plan Amendment 04-0283 and Tentative Tract Map 32428 (04-0285) subject to conditions of approval 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 City Clerk shall certify to the adoption of this Resolution.

***ADOPTED, SIGNED*** and ***APPROVED*** this 30th day of November, 2004.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Margaret Rey

COUNTY OF RIVERSIDE ) §  
CITY OF PERRIS )

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3338 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 30th day of November, 2004, and that it was so adopted by the following called vote:

AYES: Rogers, Yarbrough, Motte, Busch

NOES:

ABSENT:

ABSTAIN: Landers

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City Clerk, Margaret Rey