

RESOLUTION NUMBER 3058

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE STATE OF CALIFORNIA, AMENDING THE LAND USE ELEMENT OF THE CITY'S GENERAL PLAN ON APPROXIMATELY 15.15 ACRES OF LAND LOCATED ADJACENT TO GOETZ ROAD BETWEEN ETHANAC ROAD AND THE SOUTHERN CALIFORNIA EDISON EASEMENT TO THE SOUTH FROM OPEN SPACE TO R-7 RESIDENTIAL (7 DWELLINGS PER ACRE), ADOPTING MITIGATED NEGATIVE DECLARATION NO. 2118, AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, on October 11, 2002, Albert A. Webb Associates, filed applications for a General Plan Amendment and a Zone Change to amend the City's General Plan and Zoning Designation on approximately 15.15 acres of land located adjacent to Goetz Road between Ethanac Road and the Edison Easement from Open Space to R7 Residential (7 dwellings per acre) to facilitate the subdivision of 287.23 vacant acres into 452 residential lots for single-family home development with .26 acres designated for a pump station, 156.76 acres designated for open space/recreational land, and 17.78 acres designated for a future school.

WHEREAS, on December 4, 2002, a public hearing was held before the Planning Commission on said matter at which time all interested persons were given full opportunity to be heard and to present evidence, and

WHEREAS, the Planning Commission voted 5 to 0 to recommend to the City Council approval of a General Plan change from Open Space to R7 Residential (7 dwellings per acre).

WHEREAS, on January 14, 2003, the City Council conducted a legally noticed public hearing on the proposed General Plan Amendment, and considered testimony and materials in the staff report and accompanying plans, documents, and exhibits; and,

WHEREAS, the City has complied with the California Environmental Quality Act; 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. That the factual data submitted by the Development Services Department in the attached report is true and correct.

Section 2. The City Council has reviewed and considered the environmental documentation and information included in the staff reports prior to taking action on the proposed General Plan Amendment and related applications with respect to the Subject Property, and finds and determines that the proposed amendment and use of the Site will not cause or create a significant adverse effect on the environment because the mitigation measures described in the Initial Study and Mitigation Monitoring Plan will mitigate the impacts to less than significant, and that the Negative Declaration reflect the independent judgment of the City Council.

Section 3. The City Council hereby adopts Mitigated Negative Declaration Number 2118 and the Mitigation Monitoring Plan, addressing the potential environmental impacts of the proposed use of the Site.

- 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), and will provide for managed growth and development as the developer will provide for infrastructure improvements and pay development impact fees (Goal 2.0).
- 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 north, west and south, and the land use east of Goetz Road in the County is designated Low Density Residential (2-5 Du/Acre).
- 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. That for the foregoing reasons, the City Council of the City of Perris hereby amends the General Plan Land Use Element to the land use designations as shown on Exhibit "A" (Proposed and Existing General Plan Designation), and hereby direct staff to make the revisions to the to the Zoning Map and General Plan Map, and subject to the following provision:

- A. This Resolution amending the General Plan shall take effect simultaneously with the Ordinance approving the associated Zone Change.

Section 5. That, State law limits amendments to the Land Use Element to four times a year and this will constitute the first General Plan Amendment of 2003.

Section 6. 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 7. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED, SIGNED and **APPROVED** this 14th day of January, 2003.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

STATE OF CALIFORNIA)
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 3058 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 14th day of January, 2003, and that it was so adopted by the following called vote:

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

City Clerk, Margaret Rey