

RESOLUTION NUMBER 3149

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT NO. 03-0032 FROM R4 RESIDENTIAL AND CC COMMUNITY COMMERCIAL TO R7 RESIDENTIAL ON APPROXIMATELY 53.46 ACRES OF LAND AT THE NORTHEAST CORNER OF PERRIS AVENUE AND PLACENTIA BOULEVARD, AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, the City Council of the City of Perris adopted a General Plan as a blueprint for development throughout the City; and

WHEREAS, an applicant has applied to amend the General Plan Land Use Element; and

WHEREAS, as a mandatory element of a General Plan, 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, combined with another proposed General Plan Amendment between the Perris Valley Storm Drain and Evans Road, south of Orange Avenue (GPA 02-0247), would together constitute the second time in 2003 that the City has amended the Land Use Element of the General Plan; and

WHEREAS, on May 7, 2003 the Planning Commission conducted a duly noticed public hearing on the proposed General Plan Amendment, considered testimony and materials in the staff report and accompanying documents, and unanimously recommended approval of the proposed project; and

WHEREAS, on July 8, 2003 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 and approved the Initial Study and draft Mitigated Negative Declaration (2128) for the project, finding 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, the City Council finds that the proposed action is consistent with the purposes of the Airport Land Use Commission statute (California Public Utilities Code Section 21670) and desires to override a determination from the Riverside County Airport Land Use

Commission that the proposed project is inconsistent with the 1984/86 Airport Land Use Plan; 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. 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 any impact caused by the proposed project will be mitigated to a level of insignificance and a Mitigated Negative Declaration (2128) has been prepared. The City Council further finds that the City has complied with the California Environmental Quality Act (CEQA) and that determinations of the City Council reflect the independent judgment of the City.

Section 3. Based on the information within the Project Report and the accompanying attachments and exhibits, the City Council hereby finds the following:

- A. The proposed amendment to the General Plan Land Use Element is consistent with General Plan objectives, policies and programs.
- B. The proposed General Plan Amendment will not adversely affect the public health, safety and welfare.
- C. The proposed General Plan Amendment will not result in a significant adverse effect on the environment.
- D. The proposed General Plan Amendment is consistent with the purposes of the Airport Land Use Commission statute (California Public Utilities Code Section 21670).

Section 4. The City Council hereby amends the General Plan Land Use Element (GPA 03-0032) based on the information and findings presented in the staff report, dated July 8, 2003.

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 8th day of July, 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 3138 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 8th day of July, 2003, and that it was so adopted by the following called vote:

AYES: Motte, Rogers, Yarbrough, Landers, Busch

NOES:

ABSENT:

ABSTAIN:

City Clerk, Margaret Rey