

RESOLUTION NUMBER 3005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING AN AGREEMENT RELATING TO THE PROPOSED DEANNEXATION OF APPROXIMATELY TWENTY-TWO (22) ACRES OF PROPERTY GENERALLY LOCATED WEST OF EXISTING GOETZ ROAD, SOUTH OF MCLAUGHLIN ROAD WITHIN COUNTY APPROVED TENTATIVE TRACT MAPS 25316 AND 25745 AND PROPOSED TENTATIVE TRACT MAP 30552. APPLICANT: FIESTA DEVELOPMENT (DE-ANNEXATION 02-0131)

WHEREAS, the applicant, Fiesta Development has submitted a request for de-annexation of approximately twenty-two (22) acres from the City of Perris totaling approximately twenty-two (22) acres, as shown in the map attached hereto as Exhibit "B" (the "De-Annexation Property"). The legal description of the De-Annexation Property is attached hereto as Exhibit "A"; and,

WHEREAS, the City desires to enter into binding development agreements with persons having a legal or equitable interest in real property in the City for development of such property, for the purpose of strengthening the public planning process, encouraging private participation in comprehensive planning and limiting the economic costs of such development; and

WHEREAS, the Developer is the owner of legal or equitable interests in certain of those parcels of land in County approved Tentative Tracts 25316 and 25745 and Tentative Tract 30552 proposed to the County, which are illustrated in the map attached hereto as Exhibit "C" (the "Developer's Property"). The description of the Developer's Property is attached hereto as Exhibit "D"; and,

WHEREAS, the Developer has received approval from the County of Riverside for Tentative Tract Map 25316 and Tentative Tract Map 25745 in 1992 and 1991, respectively. Both of these residential tracts have received approved extensions from the County and continue to be viable tentative maps. Plans are currently underway for the full development of these tracts; and,

WHEREAS, the County of Riverside has approved a Specific Plan alignment for Valley Boulevard and Goetz Road south of McLaughlin Road. A portion of this alignment transects Tract 25316 and forms a "T" intersection with Goetz Road. This alignment and intersection is a key element of the Specific Plan. Portions of Goetz Road lying within Tracts 25316 and 25745 will be widened.

WHEREAS, on September 10, 2002, the City Council the considered the proposed request and agreement;

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 and incorporated herein.

Section 2. The City Council has reviewed and considered the environmental information included in the staff report and accompanying attachments prior to taking action on the application for the proposed project and finds with respect to the proposed agreement that proposed agreement is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines, because there is no possibility that the proposed De-annexation and Agreement will have a significant adverse effect on the environment.

The City Council further finds and determines that the City has complied with the California Environmental Quality Act and the City Council determinations reflect the independent judgement of the City Council.

Section 3. Based upon the information contained within the Staff Report and accompanying attachments, the City Council hereby finds the following:

- A. The proposed agreement is in conformity with and will promote public convenience, general welfare and good land use practice.
- B. The proposed agreement will not be detrimental to the health safety and general welfare.
- C. The proposed agreement will not adversely affect the orderly development of the property or the preservation of property values.
- D. The proposed agreement will promote and encourage the development of the proposed project by providing a greater degree of requisite certainty.

Section 4. Based on the information and findings contained in the staff report and accompanying exhibits, the City Council hereby approves the proposed de-annexation and Agreement with Fiesta Development relating to de-annexation of approximately twenty-one acres, generally located west of the existing centerline of Goetz Road south of McLaughlin Road.

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 and the City Clerk shall certify to the passage and adoption of this Resolution.

Attachments:

- A. Legal Description of Proposed Detachment (De-Annexation)
- B. Map of Proposed Detachment (De-Annexation)
- C. Map of Developer's Property
- D. Description of Developer's Property

ADOPTED, SIGNED, and APPROVED this 10th day of September, 2002.

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 3005 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 10th day of September, 2002, and that it was so adopted by the following called vote:

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

City Clerk, Margaret Rey