

**RESOLUTION NUMBER 3212**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APROVING NEGATIVE DECLARATION 2136; TENTATIVE TRACT MAP 31178 (03-0305) TO SUBDIVIDE 34.6 ACRES OF LAND AT THE NORTHEAST CORNER OF RIDER STREET AND EVANS ROAD INTO 147 RESIDENTIAL LOTS AND 4 LETTERED LOTS USED FOR LANDSCAPING EASEMENTS AND MAKING FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, on September 5, 2003, the applicant applied to subdivide the property; 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**, the Planning Commission considered the Initial Study and draft Negative Declaration 2136 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**, on February 18, 2004, the Planning Commission conducted a duly noticed public hearing on the proposed Tentative Tract Map, considered testimony and materials in the staff report and accompanying documents, and unanimously recommended approval of the proposed project; and,

**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 information and analysis contained in the Initial Study and the accompanying environmental information, the City Council finds that:

- A. There is no other substantial evidence of potentially significant environmental impacts and a Negative Declaration 2136 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 Council.

**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 General Plan objectives, policies and programs.
- B. The proposed project is consistent with development standards within Planning Area 5 of the New Horizon Specific Plan.
- C. The proposed project will not adversely affect the public health, safety and welfare.
- D. The proposed project is consistent with the purposes of the Airport Land Use Commission statute (California Public Utilities Code Section 21670), specifically:
  - 1. The proposed project protects the public, health, safety, and welfare by approving an infill residential project that is far removed from any Accident Potential Zone or Noise Impact Contour; thereby minimizing the public's exposure to excessive noise and safety hazards within March ARB's Airport Influence Area.
  - 2. The proposed project prevents the creation of new noise and safety problems by substantially reducing concentration of new floor area and human populations, and by locating these reduced concentrations outside of any Accident Potential Zones and Noise Impacts Contours.

**Section 4.** The City Council hereby approves Resolution 3212 approving Negative Declaration 2136 and Tentative Tract Map 31178 (03-0305), containing 147 residential lots, based on the information and findings presented in the staff report, and subject to the attached conditions of approval, dated February 18, 2004.

**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 or 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.

Attachment: Exhibit A – Conditions of Approval

***ADOPTED, SIGNED and APPROVED*** this 30th day of March, 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, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3212 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 30<sup>th</sup> day of March, 2004, and that it was so adopted by the following called vote:

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

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City Clerk, Margaret Rey