

**RESOLUTION NUMBER 3261**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING NEGATIVE DECLARATION 2153; AND GENERAL PLAN AMENDMENT 03-0385 TO CHANGE THE LAND USE DESIGNATION OF 0.63-ACRE LOCATED AT THE SOUTHEAST CORNER OF NAVAJO ROAD AND SIOUX DRIVE FROM R7 TO R14 TO FACILITATE THE DEVELOPMENT OF A 7-UNIT TOWN HOME DEVELOPMENT PROJECT (DPR 04-0166), AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, on March 19, 2004, the applicant applied to amend the General Plan Land Use Element and to facilitate the development of a 7-unit town home development project; 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 times a year; howsoever, a number of changes may be made at one time; 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 June 16, 2004 the Planning Commission conducted a duly noticed public hearing on the proposed General Plan Amendment, Zone Change, and Development Plan Review, and 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 July 13, 2004 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 the Initial Study and Negative Declaration (2153) for the project, finding that these documents adequately addressed the impacts of the proposed project, in accordance with the California Environmental Quality Act, and reflect 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, 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 (2153) 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. General Plan Amendment 04-0164.
  - 1. The proposed project is consistent with the goals and policies of the Land Use Element of the General Plan to develop and maintain a land use plan for the planning area, which is compatible with the adjacent land uses, as multi-family housing (R14) is located along the entire side of the block where the property is located, although the properties are zoned R7. If the adjacent properties were to request a designation of R14 Residential, it would be supported by staff because it is consistent with the goal and policy of the General Plan to develop and maintain a land use plan already built for the planning area.
  - 2. The proposed project is compatible with the existing dominant land uses in the project area, whereas although the adjacent properties are designated R7 Residential (7 units to the acre) they are developed at R14 density (14 units to the acre), which is consistent with the density of the proposed development; whereas if the adjacent properties were requesting a designation of R14 Residential, it would be supported by staff because it is consistent with the goal and

policy of the General Plan to develop and maintain a land use plan already built for the planning area.

3. The proposed project is a logical extension of the existing zoning pattern, whereas the abutting properties are already developed at R14 density although they are zoned R7 Residential; whereas if the adjacent properties were requesting a designation of R14 Residential, it would be supported by staff because it is consistent with the goal and policy of the General Plan to develop and maintain a land use plan already built for the planning area.

B. Development Plan Review 04-0166

1. The project will not affect health, safety, and welfare.
2. The proposed project will not result in a significant adverse effect on the environment.
3. The proposed project will be consistent with the adjacent land uses, and zoning designations in the area, in that all the properties on the same side of the block as the project are developed at R14 density, although it's zoned R7 Residential. If the adjacent properties were to request a designation of R14 Residential, it would be supported by staff because it's consistent with the goal and policy of the General Plan to develop and maintain a land use plan already built for the planning area.
4. The proposed project has been found to be consistent with city standards, ordinances, and policies.
5. The proposed project will be consistent with The General Plan with the approval of the General Plan Amendment application. In addition, if the adjacent properties to the south were to request a General Plan Amendment for R14 Residential, it would be supported by staff because it is consistent with what is already built for the planning area, whereas the adjacent properties are developed at R14 density.
6. The proposed project will be consistent with the R14 Zoning Ordinance with the approval of the Zone Change application. In addition, if the adjacent properties to the south were to request a Zone Change for R14 Residential, it would be supported by staff because it is consistent with what is

already built for the planning area, whereas the adjacent properties are developed at R14 density.

7. The architecture is compatible with community standards, and will not only protect the character of adjacent developments but will improve the neighborhood as the project is an upgrade to the area.
8. The landscaping plan will ensure visual relief and provide an attractive environment for the public view.

**Section 4.** The City Council hereby approves Negative Declaration 2153, General Plan Amendment 04-0164, and Development Plan Review 04-0166 to facilitate the development of a 7-unit town home development project, based on the information and findings presented in the staff report, and subject to the attached conditions of approval (see Exhibit A).

**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 adoption of this Resolution.

**ADOPTED, SIGNED and APPROVED** this 13<sup>th</sup> day of July, 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 3261 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 13<sup>th</sup> day of July, 2004, and that it was so adopted by the following called vote:

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

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City Clerk, Margaret Rey