

RESOLUTION NUMBER 3340

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING NEGATIVE DECLARATION 2163; AND APPROVING GENERAL PLAN AMENDMENT 04-0179 FROM 18.5 ACRES OF CC COMMERCIAL COMMUNITY AND 4.5 ACRES OF OS OPEN SPACE TO R14 RESIDENTIAL ON A 23-ACRE SITE FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ELLIS AVENUE AND "A", AND MAKING FINDINGS IN SUPPORT THERETO

WHEREAS, the applicant has applied to amend the City's General Plan Land Use Element; 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 (4) times a year; 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 October 6, 2004 the Planning Commission conducted a duly noticed public hearing on the proposed General Plan Amendment, Zone Change, and Tentative Tract Map 32032, which the applicant chose not to forward to the November 30, 2004, City Council meeting, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the R7 Residential designation to the City Council; and,

WHEREAS, on November 30, 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 2163 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, 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, California, 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 (2161) 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
 1. The proposed general plan land use designation is consistent with the applicable General Plan objectives, policies, and programs.
 2. The proposed general plan land use designation is compatible with adjoining uses.
 3. The proposed general plan land use designation is a logical extension of the existing pattern.

Section 4. The City Council hereby adopts Negative Declaration 2163 and approves General Plan Amendment 04-0197 based on the information and findings presented in the staff report.

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 City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and **APPROVED** this 30th day of November, 2004.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

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 3340 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 30th day of November, 2004, and that it was so adopted by the following called vote:

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

City Clerk, Margaret Rey