

RESOLUTION NUMBER 3364

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING NEGATIVE DECLARATION 2159 AND TENTATIVE TRACT MAP 32406 (04-0370) TO SUBDIVIDE A 3.5 ACRE SITE INTO 15 SINGLE FAMILY LOTS IN THE R7 ZONE AT THE SOUTHEAST CORNER OF BOWEN ROAD AND WINDFLOWER LANE, AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, on July 15, 2004, the applicant, Sunwest Enterprises Inc., applied to subdivide the property identified as Assessor's Parcel Number 311-030-022; 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 Negative Declaration 2159 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 January 5, 2005 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 recommended approval of the proposed project to the City Council; 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 (2159) 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. The proposed tract map is consistent with applicable general and specific plans;
- B. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
- C. The site is physically suitable for the type of development;
- D. The site is physically suitable for the proposed density of development;
- E. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- F. The design of the subdivision or the type of improvements will not cause serious public health problems;
- G. The design of the subdivision or the type of improvements will not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of, property within the proposed subdivision;
- H. All requirements of California Environmental Quality Act (CEQA) have been met;
- I. The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by a California regional water quality control board pursuant to Division 7 (commencing with Section 13330) of the Water Code.

Section 4. The City Council hereby approves Negative Declaration 2159 and Tentative Tract Map 32406 (04-0370) containing 15 residential lots on 3.5 acres, based on the information and findings presented in the staff report, and subject to the attached conditions of approval, dated January 5, 2005.

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 25th day of January, 2005.

Mayor, Daryl R. Busch

ATTEST:

Margaret Rey, City Clerk

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 3364 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 25th day of January 2005, and that it was so adopted by the following called vote:

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

City Clerk, Margaret Rey